

Our Boer Policy:

An historical sketch

by

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OUR BOER POLICY:

An Historical Sketch.

BY

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PRICE ONE PENNY.

THE TRANSVAAL COMMITTEE,
ST. ERMIN'S HOTEL, WESTMINSTER, S.W.

1900.

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OUR BOER POLICY.

THE TRANSVAAL COMMITTEE.

This Committee was formed in June, 1899, for the purpose of spreading accurate information, by means of Lectures, Meetings, the circulation of Literature, &c., on the matters at issue between the two Governments, and to show that there was no question affecting the honour or interests of the Empire which called for War.

Since the outbreak of the war, the Committee has sent out Lecturers and circulated Literature with the object of showing its causes and probable results. The failures and disasters of the war have already produced a reaction in popular feeling, and the Committee has enlarged its operations in order to secure

AN HONOURABLE PEACE AT THE EARLIEST
POSSIBLE OPPORTUNITY.

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Office :—St. Ermin's Hotel,
Westminster, S.W.

PREFACE.

THIS brief historical sketch of British policy towards the Boers of South Africa appeared originally in the *Fortnightly Review* for August, 1883. At the request of the Transvaal Committee, it has now been revised and brought down to the present date.

As the facts regarding the annexation of the Transvaal in 1877 have lately been misrepresented, I append the letter of Sir Theophilus Shepstone giving his reasons for taking over the country, and the protests and proclamation of the President and Executive Council. The annexation took place on the 12th April, and a thousand pounds was at once subscribed to pay the expenses of the delegates, Messrs. Kruger and Jorissen, who left for Europe early in May.

When this war is over, the British Government will have to determine its future policy towards the Boers. It will either destroy the independence of the two Republics and make them into British Colonies, or it may continue to recognise them as independent States and propose a settlement which will be mutually satisfactory. Those who desired the present conflict, and who asserted that the Boer military power was an unpricked bubble and its destruction an easy task, will demand that the Republics should be changed into Colonies. But the history of our relations with the Boers shows plainly that a settlement of this description is not likely to end the struggle between the two white races of South Africa. To force the Boers to become unwilling subjects will only be a source of danger to the British Empire in the future. The past development of the Empire, with the exception of our South African dominions, has brought us into contact with savage or aboriginal races which have disappeared under our rule or we have met, as in India, with an effete civilisation. But the Boers of South Africa are a resolute and conservative race, intensely individualistic and not easily governed. They have a strong national sentiment, and have made great sacrifices in the past in order to maintain their complete independence.

This is our fourth Boer War, nor is it likely to be the last, should we attempt to settle the problem by converting these free citizens into unwilling and disloyal subjects. The Empire, at

present, is mainly a federation of self-governing communities based on free consent—the union having arisen from common origin, sentiment, or interest. Such a Commonwealth is easily held together and governed, but the cost and the danger of attempting to rule a discontented population against its will are important considerations which cannot be neglected. The feeling, which undoubtedly exists in Europe and America, against such a course of action is a factor which needs to be taken into account. Since the partition of Poland no civilised State has been overthrown, and the destruction of these Republics will be repugnant to the moral sentiment and to the ideas of justice of the civilised world. We have Ireland on our flank and Russia has Poland on her border. Do we want to form another Ireland or Poland 7,000 miles away?

Is it possible to have a settlement that will be permanent and which shall be satisfactory to reasonable people in both countries? In all probability, the following proposals would be acceptable to the Boers:—

(1) A new treaty under which the two Republics could unite if they desired. The British Government have prevented such a union in the past, though they could not prevent Mr. M. W. Pretorius from being President of both Republics.

(2) An offensive and defensive alliance to be made between the British and Boer Governments on the lines of the treaty now existing between the Free State and the Transvaal.

(3) The British to protect the coasts of South Africa, and an annual sum to be paid by the Boers for such protection.

(4) The Republics to have a port and a common customs' tariff with free trade between all the States and Colonies of South Africa.

(5) The naturalisation and franchise laws to be on the lines of those existing in the Free State.

(6) The Chief Justices of the States and Colonies to be a Court of Arbitration to determine all questions that may arise in the future between the States and Colonies or the Imperial Government.

A settlement of this kind would be durable, would maintain peace in South Africa, and would strengthen the British Empire.

G. B. C.

12th January, 1900.

OUR BOER POLICY.

IN 1652 the Dutch East India Company bought from the Hottentot Chief, Manckhagen, for 4,000 reals of eight, the land on which Cape Colony is built, and began to colonise South Africa.

Twenty years afterwards, Louis XIV revoked the edict of Nantes, and a large number of the French Protestants fled into Holland. As the Dutch climate was cold and unsuitable, a considerable number of these Huguenots emigrated to the new colony, where they could cultivate the orange and the vine and live under more congenial circumstances, and the present Boers and burghers of South Africa—or Africanders, as they call themselves—are the descendants of the original Dutch and French settlers.

In 1795 the British took possession of the Cape Colony in order to prevent it being occupied by the French. By the Treaty of Amiens in 1802, it was restored to the Dutch, and in 1806, war having again broken out, a British force captured Cape Town and compelled the Dutch army to capitulate. Under the Treaty of Vienna in 1814, Great Britain returned to the Dutch their East Indian possessions, but retained the Cape Colony. It had been found useful as a provisioning station and half-way house to India, so it was purchased from the Dutch Government. The cession was made without the wishes of the colonists being considered. They held that the Dutch authorities had no right to cede the Colony without their consent, as they were free-born citizens, and could not be transferred, like slaves, to new masters, so the British soon found that they had anything but loyal and contented subjects. In 1815 a riot occurred which developed into a local rising, but, although this rebellion was easily crushed, the cruelty of the measures taken against those who had been engaged in it caused very bitter feelings amongst the whole of the colonists, and intensified the growing dislike to British rule.

The Boers still remember Slachtersnek, and from that time began the emigration into the interior which finally culminated in the great "trek" of 1836, when nearly 10,000 of them sold

their houses and farms for anything they could get—some who were unable to find a purchaser burned their buildings and their title deeds—and forming themselves into large parties emigrated into the wilderness to find a new home beyond the limits of British possessions and British rule. Most of them had been born citizens of the Batavian Republic, and had been made British subjects without their consent. They had suffered what they considered to be tyranny and oppression under British rule, so they determined at any cost to get rid of it.

The principal causes which induced the colonists to take this course were:—

The costly and despotic character of the Government. Although the population was only about 30,000, the Governor had £12,000 a year, the Lieutenant-Governor £3,000, two Secretaries with £3,000 a year each, and a large number of other highly paid officials.

An alien, costly, and inefficient system of administration of justice, under which they were even prevented from acting as jurymen. The use of the Dutch language was guaranteed them in the proclamation of 1806, and in 1825 was prohibited for official purposes.

British currency was introduced in 1825, and all taxes had to be paid in it. The paper rix dollars were also taken, but only at one shilling and sixpence to the dollar, although they had a face value of four shillings and were issued by the Government at par in 1801.

When slavery was abolished in 1834, the slaves were valued at between three and four million pounds, but only £1,200,000, payable by bills in England, was awarded as compensation. It was estimated that, in consequence of the conditions on which payments were made, only about half a million was received by the farmers, and that a large part was not even claimed.

While all these causes embittered the feelings of the Afrianders towards the British Government, the principal cause of the "trek" was the native policy of Lord Glenelg. The old system of self-defence against native raids had been abolished, and the colonists had no adequate protection against the incursions of the wild tribes on their borders, so that in one week during the Kafir War in 1834 there were 450 farmhouses burned, 40 persons murdered, 4,000 horses, 100,000 head of cattle, and 150,000 sheep carried off. Some of the cattle and horses were recovered, and, although they

had the brand of the owners on them, were not returned, but sold to cover the expenses of the war.

For these and other reasons a large number of the colonists left British territory and migrated beyond the Orange River, then the northern border of Cape Colony. They considered they had a perfect right to do so, and to renounce their allegiance to the British Crown. They had been made its subjects by circumstances over which they had no control, and they determined to be free from its misrule and oppression.

The Chief Commissioner on the frontier, Colonel Somerset, tried at first to prevent the "trek," but the Lieutenant-Governor considered that the emigrating farmers had a perfect right to leave the Colony if they wished, and the Cape Attorney-General, Mr. Oliphant, also decided that it was perfectly legal. He said: "The class of people under consideration evidently mean to seek their fortunes in another land, and to consider themselves no longer British subjects, so far as the Colony of the Cape of Good Hope is concerned. Would it, therefore, be prudent or just, even if it were possible, to prevent persons, discontented with their condition, trying to better themselves in whatever part of the world they pleased? The same sort of removal takes place every day from Great Britain to the United States."

The principal leader of the great "trek" was Pieter Retief, a descendant of one of the Huguenot families. Before starting he issued a manifesto giving the reasons for the course they were taking, and pointing out the many grievances and wrongs the colonists had suffered. He held that there was no prospect of peace or happiness for themselves or their children when the very elementary rights of civilised communities had been violated. They had no protection for their lives or property, and their position was intolerable. He thus concludes the manifesto:—

"We complain of the severe losses which we have been forced to sustain by the emancipation of our slaves, and the vexatious laws which have been enacted respecting them.

"We complain of the continued system of plunder which we have for years endured from the Kaffirs and other coloured classes, and particularly by the last invasion of the Colony, which has desolated the frontier district and ruined most of the inhabitants.

"We complain of the unjustifiable odium which has been cast upon us by interested and dishonest persons, under the

name of religion, whose testimony is believed in England to the exclusion of all evidence in our favour; and we can foresee, as the result of this prejudice, nothing but the total ruin of the country.

“We quit this colony under the full assurance that the English Government has nothing more to require of us, and will allow us to govern ourselves without its interference in future.

“We are now leaving the fruitful land of our birth, in which we have suffered enormous losses and continual vexation, and are about to enter a strange and dangerous territory, but we go with a firm reliance on an all-seeing, just, and merciful God, Whom we shall always fear and humbly endeavour to obey.”

In his despatch stating the causes of the emigration, Sir Benjamin Durban, the Governor of the Cape Colony, says they trekked because of “the insecurity of life and property occasioned by recent measures, inadequate compensation for the loss of the slaves, and the despair of obtaining recompense for the ruinous losses by the Kaffir invasion.” He described them as “a brave, patient, industrious, orderly, and religious people.”

The majority of the emigrants settled in what is now the Orange Free State. It had been almost entirely depopulated by Moselikatsie, the founder of the Matabele tribe. But some went north of the Vaal River; others, in 1838, crossed the Drakensberg range and entered Natal, then possessed by the Zulu king Dingaan, who gave that country to the emigrants for assisting him to recover his cattle from Sikonyella. The deed of cession was drawn up by the Rev. Mr. Owen, one of the Zululand missionaries. It gave “to Retief and his countrymen the place called Port Natal, together with all the land annexed, that is to say, from the Tugela to the Umzimvubu River and from the sea to the north, as far as the land may be useful and in my possession.” Within this territory the Boers formed the Republic of Natalia with Pietermaritzburg as the capital. A Volksraad or Parliament was elected, and an Executive Government.

On September 4th, 1840, this Government sent a letter to Sir George Napier, the Governor of the Cape Colony, proposing to send two of their number as Commissioners to negotiate a treaty. In his reply to this communication Sir George Napier said he

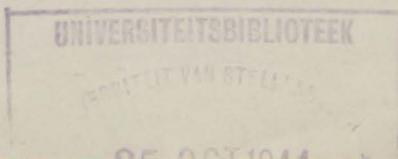
could only enter into treaty relations with them "on their receiving a military force to exclude the interference with, or possession of, the country by any other European Power." The Volksraad met on October 11th, 1841, to consider the reply to their proposal for a treaty, and empowered their Secretary to inform the Governor of the Cape "that having asserted and maintained their independence as Dutch South Africans ever since they left the Cape Colony, they were fully determined not to surrender this point, and as Her Majesty's representative had been pleased to reject their very fair proposals, they would remain in the same position as before." To this reply the Governor of the Cape issued a proclamation declaring that the emigrant farmers were British subjects, that he was going to send Her Majesty's forces to occupy Natal, and solemnly warning the inhabitants of the consequences if they in any way opposed the force or the due exercise of Her Majesty's authority in the district.

The Volksraad issued a protest against any attempt to occupy their Republic, that they would meet force by force, and that they held themselves free from any evil results that might occur if a force were sent.

Three hundred men, with two guns, were sent under Captain Smith, and he occupied Durban on May 3rd, 1842. The Volksraad called out a command of about 300 burghers, and this force, under the command of Andreas Pretorius, met Smith near Durban and defeated him, capturing two of his guns; the British loss was 103 killed and wounded. A large force under Sir Josias Cloete ultimately defeated Pretorius, and on March 12th, 1843, Natal was proclaimed a British Colony. The majority of the Boers, with Pretorius, gave up their farms, and, passing through the Orange Free State, settled in the country north of the Vaal River.

The Boers in the Free State were not interfered with by the British Government till 1846, when, on some troubles occurring between the Boers and the Griquas, the Cape Government interfered. They declared the country to be under their protection, and appointed Major Warden as Resident, who came to Bloemfontein, and took possession of it on behalf of Great Britain. The Free State Boers then called upon Pretorius and his party in the Transvaal to aid them in driving out the British.

The Boers under Pretorius captured Bloemfontein. The Governor of the Cape, Sir Harry Smith, collected a large British



and Basuto force and defeated Pretorius at Boomplatz. The Boer army retired to the north of the Vaal River. Sir Harry Smith did not follow them; he offered a reward for the capture of Pretorius and some of the other leaders, re-established British authority south of the Vaal, and reinstated Major Warden. On the authority of a few inhabitants of Bloemfontein, principally British traders, he informed the Secretary for the Colonies that four-fifths of the people in the territory were in favour of annexation, but had been coerced by the violence of Pretorius and the other leaders. The British Government, while willing to annex Natal in order to prevent any other European Power obtaining a settlement on the coast, was rather doubtful as to the wisdom of extending its authority any further into the interior, but being assured that the great majority of the inhabitants desired to come under their authority, they somewhat reluctantly agreed to take over the country, and letters patent were issued in March, 1851, incorporating the territory under the name of the Orange River Sovereignty.

The British Government soon became aware how very much the Governor of the Cape had misled them as to the facts of the case, as the new sovereignty was soon at war with its late allies, the Basutos. The war was carried on by Major Warden at great cost and with very little result. He called out the Boers to assist, but out of 1,000 men commanded only 75 answered to his call. Hence he wrote for more troops to carry on the campaign, and stated that "two-thirds of the Boers in the sovereignty are in their hearts rebels."

Within 12 months of the issue of the letters patent, Earl Grey, on December 15th, 1851, sent a despatch to the Governor of the Cape, reminding him that the British Government had taken over the country upon the representation that it was generally desired by the inhabitants, and "if the inhabitants would not support the authority of the British Government, which had been established in the sovereignty solely for their advantage, but, on the contrary, desired to be relieved from it, there was no British interest to be served by maintaining it, and that it was impossible the expense could be incurred of keeping up a force sufficient to maintain in that distant region an authority which the great majority of the inhabitants would not obey." Sir Harry Smith was censured and recalled by Earl Grey, who sent out Sir George Cathcart to carry out a new policy, based on the

acknowledgment of the independence of the Boers. "When we retire," he said in a despatch to the Governor, "you will distinctly understand that any wars, however sanguinary, which may afterwards occur between the different tribes and the communities left in a state of independence beyond the Colonial boundary, are to be considered as affording no ground for your interference."

This new policy was at once carried out by Sir George Cathcart. He sent Major Hogge and Mr. C. M. Owen to arrange a treaty with Pretorius and the Transvaal Boers. They met at Sand River on January 17th, 1852, when a Convention was signed by the contracting parties, recognising the independence of the Transvaal Republic. In the first clause the "Commissioners guarantee in the fullest manner on the part of the British Government to the emigrant farmers beyond the Vaal River, the right to manage their own affairs, and to govern themselves according to their own laws, without any interference on the part of the British Government, and that no encroachment shall be made by the said Government on the territory to the north of the Vaal River." They disclaimed "all alliances whatever and with whomsoever of the coloured nations to the north of the Vaal River." No slavery was to be permitted, and there was to be free trade and friendly intercourse between the peoples. Criminals were to be extradited, and it was "mutually understood that all trade in ammunition is prohibited, both by the British Government and the emigrant farmers on both sides of the Vaal River."

A treaty on similar lines was afterwards arranged with the Boers in the Orange River Sovereignty, under which the British authorities retired. Some opposition to this course was taken by a few of the English residents and some Cape merchants, and a deputation was sent to England to prevent the retrocession of the sovereignty, but the effort was unsuccessful, and the territory was handed over to the delegates of the Boers at Bloemfontein on February 23rd, 1854, who then organised the Orange Free State.

The new policy begun by Earl Grey was carried out by Sir John Pakington during the Administration of Lord Derby, and also by the Aberdeen Ministry which succeeded it. It was the policy of the Whig, Tory, and Coalition Cabinets. In the debate in the House of Commons, in 1854, on the "Order in Council for the abandonment of all sovereignty over the Orange River territory," a measure introduced by Lord Aberdeen's

Government, it was stated by the Minister that they regretted "we had ever crossed the Orange River, that Lord Grey had done so in deference to the wish of Sir Harry Smith, and against his own better judgment, as the Boers were hostile to British rule." Sir John Pakington supported the Government, and the new policy was adopted by the Whig and Tory leaders, and an almost unanimous vote of the House of Commons. If the policy thus adopted by the various statesmen, and ratified by Parliament, had been faithfully carried out, the history of South Africa during the last half century would have been very different; and many of the native and Boer wars would not have taken place; but this new policy of non-intervention was strongly opposed by the Cape merchants and the Colonial officials. The old system suited them better; they could play off the Boer against the native, or the native against the Boer, and could get up a little war at any time. They got all the profit out of it, as the Imperial Government had to pay the cost. Every increase of territory caused new offices and promotion to the officials; hence one can easily understand why the policy of defining our boundary and refusing to interfere beyond it was opposed by those who were otherwise interested, and why so many officials have been in favour of the forward policy, and from time to time, on various pretexts, were desirous of getting rid of the Sand River and Bloemfontein Conventions. When, some years ago, Natal wanted to appoint magistrates in Zululand, Lord Wolseley, when High Commissioner, strongly opposed it. He said in his despatch:—"To the colonist a war means the spending amongst them of millions of money drawn from the English Treasury, and the crime of bringing about a native war does not so clearly appear to the Natal colonist, who thinks he may always rely upon the aid of British battalions to save him from the adverse consequences of a conflict which he may have himself provoked." He added that the whole history of South Africa had proved that the forward policy led to war and "to the extermination of the natives we had intended to benefit."

Several attempts were made to get the British Government to interfere with the people beyond our borders. In 1857 Sir George Grey wanted to interfere in one of the Basuto wars, but the Colonial Secretary, Lord Taunton, refused to permit him. The policy he was to carry out was "to observe strictly the letter and spirit of the treaties we have entered into with the neighbouring

independent States, to maintain the integrity of our possessions on the confines of these States, but to avoid any extension of their limits to which they may justly object." In 1868 the Colonial officials were more successful, and the Cape Colony was allowed to annex Basutoland. The Free State protested against this act, as it was contrary to the provisions of the Bloemfontein Convention. The Cape has since bitterly regretted the annexation, as it led to the usual war with the natives, in which they spent several millions of pounds and were so disgracefully defeated that the Imperial Government had to interfere and take Basutoland out of their hands.

Diamonds were discovered in the western district of the Orange Free State in 1871, and then occurred what Froude has characterised as "perhaps the most discreditable incident in British colonial history"—the annexation of the diamond fields. There could be no doubt that the district in which the diamonds were found was a portion of the Free State. It was north of the Orange River, and the titles for some of the farms in that district had been issued by the British Government before the retrocession. But the Colonial officials got a Griqua named Waterboer to claim the territory, and, as he desired to be a British subject, he and the country he claimed were taken over, and the Free State magistrates, who had been governing the district, were expelled. They did not resist, but yielded under protest. North of the Vaal River diamonds were also found, and a claim was also made for the land north of the Vaal. The President of the Transvaal was induced to have the matters settled by arbitration. A Mr. Campbell was appointed to act for the British, and a Mr. O'Reilly by the Transvaal, with Mr. Keate, the Lieutenant-Governor of Natal, as umpire. The two arbiters could not agree, for, as President Burgers pointed out in his despatch to Sir Henry Barkly, the High Commissioner, one of the first things done by Campbell was to buy 25,000 acres of the land in dispute from Waterboer for a quit rent of three pounds, so that he became an interested party instead of a judge. Both the Free State and the Transvaal Governments solemnly protested against this high-handed and illegal act of the British as being a serious encroachment on their territory and an unjustifiable violation of the Sand River and Bloemfontein Conventions. After some correspondence, President Brand went to London and met Lord Carnarvon, who agreed to pay the Free State about

£100,000 as compensation for this theft of territory—a sum not equal to one week's production of the diamond mines. Two or three years afterwards Sir Theophilus Shepstone, when he annexed the Transvaal, re-incorporated the part north of the Vaal into the Transvaal Colony, as he said Mr. Keates's award had handed over the land of the natives to white land speculators and anarchy. The British have paid a terrible price for the unjust annexation of the diamond fields and for the native policy they carried out there. In order to get native labour for the mines, in breach of conventions, guns and ammunition were sold to the natives. The great chiefs sent their followers to work in the mines in order to get arms. General Cunningham estimated that by this means over 400,000 guns were given to the natives, and the Basuto and the Zulu Wars were the result of thus arming the natives.

In 1873 gold was discovered in the Transvaal, and many English diggers flocked there. Some wished to rush the gold-fields as they had done the diamond fields, and they sent petitions to Lord Carnarvon, complaining that they were not adequately protected, and asking to be annexed. Pretexts for interference were again found. Sekukuni, one of the chiefs near the goldfields, having obtained arms for his followers at the diamond fields, refused to pay taxes, began cattle stealing, and made matters uncomfortable in the gold-mining district. When a commando was sent to put down this rebellion, Lord Carnarvon protested against the Boers interfering with Sekukuni. He asserted that that chief "was neither *de jure* nor *de facto* a subject of the Republic," and that they had no right to ask him to pay taxes and wrote a number of semi-hysterical despatches on the subject. The following is a specimen:—

On January 25th, 1877, he says: "Warnings against this wholly gratuitous and unjust war, earnest and friendly advice, and finally remonstrance had been offered by Her Majesty's Government. Such being the case it is to be feared that nothing that can be further urged in the way of protest will be found of much avail. Nevertheless it is the duty of Her Majesty's Government again to protest, in the plainest and strongest terms possible, against the proceedings of the Transvaal Government and the prosecution of this so-called war on the lines hitherto adopted, and, while I approve of the remonstrance you have already

addressed to President Burgers, I have to instruct you at once to express to him the deep regret and indignation with which Her Majesty's Government view the war."

In March, Sekukuni, being defeated, sued for peace, which the Boer Government granted, and fined him 2,000 head of cattle as a war indemnity. In April, Sir Theophilus Shepstone annexed the Transvaal. Lord Carnarvon had now a splendid opportunity to redress the wrongs of this ill-used native chief, to at once remit the war indemnity, and to give compensation for the injury done to him and his people by this "unjust and iniquitous war." Instead of doing this, Sir Theophilus Shepstone informed Sekukuni that the Transvaal had been taken over by the British, that he must obey the law and pay the taxes, or "leave the country he now occupied, that the war indemnity of 2,000 head of cattle must be paid without delay to Captain Clark, who has been appointed to approve and receive them."

Notwithstanding all his protests against the action of the Boer Government, Lord Carnarvon, on being informed by Shepstone of his message to Sekukuni, wrote fully approving of what Shepstone had done or proposed to do. Sekukuni refused to pay the war indemnity to Captain Clark or to pay him any taxes, so the British declared war against Sekukuni. Colonel Rowland was sent with a large force but had to retreat, and, finally, Sir Garnet Wolseley, aided by the Swazies, captured Sekukuni's stronghold and practically destroyed his tribe. The action of the Boers, that Lord Carnarvon had a few months previously so strongly protested against and declared to be unjust, atrocious, and contrary to the principles of humanity, was now imitated by the British Government. The Zulus were also stirred up by British agents to make claims against the Transvaal authorities. All sorts of accusations were made regarding the cruelty of the Boers to the natives, and published in the Blue Books to inflame public opinion in Britain against the Boer. Sir Theophilus Shepstone was sent as a Special Commissioner to report as to the condition of affairs in the Transvaal in regard to the native troubles and the petitions for annexation by the miners. In his Commission he was empowered if, "in order to secure the peace and safety of our said Colonies and of our subjects elsewhere that the said territory" should be annexed, he was provisionally to do so, provided "you shall be satisfied that the inhabitants thereof, or a sufficient number of

them, or the Legislature thereof, desire to become our subjects." The Commissioner was empowered to annex the country if the war threatened to extend into British territory, and it was to be done if the inhabitants or the Legislature were desirous of being annexed.

The war had ceased by the capitulation of Sekukuni, so the Colonies were not endangered. The Legislature was unanimously opposed to annexation and passed a resolution instructing the Executive "to take the necessary measures for the maintenance of the independence of the Republic."

Although none of the conditions existed that were provided for in his instructions, Sir Theophilus Shepstone, taking advantage of the poverty and weakness caused by the war, and the complicated political situation resulting from President Burgers's too progressive policy, determined to annex the country. On informing the President of his intention to take over the government of the country, President Burgers issued a protest and called together the Executive Council, who also protested against the annexation, and, in order to prevent disturbance and war, sent two of their number—Mr. S. J. P. Kruger, the Vice-President, and Dr. Jorissen, the State Attorney—as a deputation to England to ask the British Government to rescind the proclamation of annexation, as the Boers were almost unanimously opposed to it, and so prevent a war between the two white races of South Africa.

The deputation arrived in England early in June and, when they saw Lord Carnarvon, that gentleman informed them that, since they had left the Transvaal, the people had overwhelmingly expressed their approval of the annexation. They assured Lord Carnarvon that he had been misled by Sir Theophilus Shepstone, and agreed to return to Africa in order to get evidence that would convince him how much he was mistaken as to the facts. On the return of the deputation to the Transvaal large meetings were held in all the districts. They were proclaimed by Sir Theophilus Shepstone to be seditious, and a petition was signed against annexation and British rule by seven-eighths of the electors in the country, who thus demonstrated the falsehood of Shepstone's assertions. When Messrs. Kruger and Joubert brought this petition to London, Lord Carnarvon had resigned office, and the new Colonial Secretary, Sir Michael Hicks-Beach, told them it was a matter of little importance what the present inhabitants desired: the country must remain under British sovereignty. The

deputation, however, found considerable sympathy among the leaders of the Opposition, and Mr. Gladstone was very eloquent in his denunciations of the annexation. He condemned it as impolitic and unjust. This territory was useless to Britain, and even, if it were as valuable as it was valueless, he would repudiate the transaction in consequence of the dishonourable means by which it had been brought about. In one of his Midlothian addresses he said:—"There is no strength to be added to our country by governing the Transvaal; it is a country where we have chosen most unwisely—I am tempted to say insanely—to place ourselves in the strange predicament of the free subjects of a monarchy going to coerce the free subjects of a Republic and to compel them to accept a citizenship which they decline and refuse."

For two years the Boers continued their passive resistance by meetings, protest, and memorials. They hoped that when the Liberal party came into power their country would be restored to them. In May, 1880, they sent their last memorial to Mr. Gladstone, then Prime Minister. In it they said:—"They were confident that one day, by the mercy of the Lord, the reins of the Imperial Government would be entrusted again to men who look for the honour and glory of England, not by acts of injustice and crushing force but by justice and good faith." They appealed to him to do justice by rescinding the annexation and reinstating in its full vigour the Sand River Convention.

In reply, Mr. Gladstone informed them that, for various reasons, "our judgment is that the Queen cannot be advised to relinquish her sovereignty over the Transvaal." Failing to get their grievance redressed even by Mr. Gladstone and the Liberals, and seeing that all their appeals to the British sense of justice and fair play were useless, they took up arms, in December, 1880, to regain their independence. In a Blue Book issued during the war, a despatch was published from the Administrator of the Transvaal, stating that the majority of the Boers were still in favour of British rule, and that they had been coerced into fighting by the minority; but there was a limit even to the credulity of the British public, and this misrepresentation had little effect. The bravery displayed by the Boers showed that the charge of cowardice so often made was anything but accurate, and many began to see that they had been misled and deceived in regard to the other matters. So when the British Government offered terms, notwithstanding the defeats of its forces, the country

generally supported them, and if the Ministry had had the courage to frankly admit that the annexation was brought about by fraud and misrepresentation, had withdrawn the proclamation taking over the country, and had returned to the conditions that existed before such an unwarranted interference, they would have got out of an unfortunate position in a dignified manner. Such a solution would have been consistent and the constituencies would probably have supported them. The moral law is equally binding upon nations as upon individuals and, as the Government was satisfied that the annexation was impolitic and unjust, it was morally incumbent upon them to give back a country so unjustly acquired and to offer compensation for every illegal and unjustifiable act.

Instead of doing this, the British Government did not even carry out the terms of the preliminary treaty of peace. A Royal Commission was appointed, which drew up a new Convention, several clauses of which were contrary to the conditions signed by the military leaders, and this Convention was forced upon the Triumvirate, Messrs. Pretorius, Kruger, and Joubert. These gentlemen signed it rather than take the responsibility of beginning another war. This new treaty had to be ratified by a Volksraad within three months. When that body met, it refused to ratify the Convention, and instructed the Triumvirate to resume negotiations with the British Government in order to have certain objectionable clauses withdrawn and others modified. They sent a telegram to Mr. Gladstone, stating:—"Triumvirate instructed by Volksraad to apprise you that, in their opinion, the Convention is contrary to Treaty of Sand River. The Convention is in many respects an open breach of the peace agreement between Sir E. Wood and the Boer leaders, who, trusting that the principles laid down there would be executed, laid down their arms." They then object to the suzerainty proposed to be established by the Convention, and other clauses which were a breach of the treaty of peace. The British Government replied:—"The Convention having been signed by the leaders who entered into the peace treaty, Her Majesty's Government cannot consider any proposition to amend the Convention before the same has been ratified and its practical working has been properly tested." The Boers were now forced to either ratify or fight. At last, at the request of Lord Kimberley, they consented to ratify the Convention provisionally, and to give it a trial rather than continue a war between the two white races, which would undermine "the common

welfare of all the States and colonies of South Africa." This was a rather unsatisfactory ending of the controversy, and caused irritation and strained relations between the two Governments. The British Government had practically admitted that all the pretexts for interference were false and dishonest. The correspondence on the subject of the Sekukuni wars before and after annexation is a blot on Lord Carnarvon's reputation, and a scandal to Great Britain. The correspondence as to the Zulu matters was equally dishonest and disgraceful. The British native policy in the Transvaal was scandalous. There were more native wars and bloodshed during the three years the British held the country than during the 30 years that the Boers had previously governed it. Some of the British officials appointed were anything but creditable. A Portuguese named Albinini, who had been a magistrate in Zoutpansberg, was discovered by the Boer Government to be prostituting his position and practically dealing in slaves. They prosecuted him, but did not secure a conviction, but they ignominiously dismissed him from his office. Yet when Sir Theophilus Shepstone annexed the country, he reappointed this scoundrel as a magistrate in his old district.

When the British took over the country they could find no wrongs to the native that required to be redressed but, when the Boers took it back again, the Volksraad had to order the release of hundreds of natives who had been illegally apprenticed, some for 15 years. This wrong done to natives by the British magistrates had to be righted by the Boers. In the 1883 Blue Book the humiliating admission is made by the ex-British officials that these charges were true, and all they can plead in extenuation is that nearly all the natives apprenticed ran away, and that there could not have been many for the Boer Government to liberate.

Although the Volksraad provisionally ratified the 1881 Convention, they still continued to assert their rights. They pointed out that by solemn treaty Britain had agreed to recognise the full and complete freedom of the Republic. They declared that by an almost unprecedented breach of international law, their country had been annexed on false pretences, notwithstanding the protests of the Government and the people, and that they never would be satisfied till a treaty on the lines of the Sand River Convention was again granted. They repudiated the suzerainty imposed upon them against their consent, and held it to be as much a wrong as the sovereignty. In con-

sequence of this agitation and the strained relations which existed between the two Governments, Lord Derby, in August, 1883, agreed to receive a deputation from the Transvaal, and Messrs. Kruger, Smit, and Dutoit met him in London in the autumn of that year. After several interviews and a long correspondence, occupying over three months, a new Convention was agreed to. Lord Derby, in sending the final draft to the deputation, said:—"I now submit for your perusal a draft of the new Convention which Her Majesty's Government proposes in substitution for the Convention of Pretoria. . . . By the omission of those articles of the Convention of Pretoria which assigned to Her Majesty and to the British Resident certain specific powers and functions connected with the internal government and the foreign relations of the Transvaal State, your Government will be left free to govern the country without interference, and to conduct its diplomatic intercourse, and shape its foreign policy subject only to the requirement . . . that any treaty with a foreign State shall not have effect without the approval of the Queen." Lord Derby printed both the Pretoria Convention and the proposed one together, striking out all that was to be left out of the Pretoria one, as far as both preamble and articles were concerned. In the new treaty the old name of the Republic, the "South African Republic," is used instead of the term "Transvaal State" used in the 1881 Convention. A new treaty with a new preamble and articles replaced the Pretoria Convention: the old one was only to remain in force till the new one was ratified by the Volksraad. When this was done, the Pretoria Treaty of 1881 was null and void and the Transvaal Republic again began its career as an International State.

It has been contended that, as some of the treaties made with foreign States required the sanction of the Queen, the South African Republic was not a Sovereign International State. Belgium is a Sovereign State, yet there are by treaty limitations of its powers. Russia is a Sovereign State, yet by treaty it was prevented from having warships in its own waters, *i.e.*, in the Black Sea. To give a special right to any other State, whether it be in policy or in commerce, does not hinder a country from being a Sovereign State, and since this war began, the British Government has recognised the international status of the Transvaal and of the Orange Free State by its intimation to the neutral Powers.

New gold reefs were discovered in the Witwatersrand in 1886, and a large town was established there, Johannesburg. The gold law adopted by the Republic was the most generous in the world. All the State lands were thrown open to any one, citizen or alien, to peg out claims and, where gold was discovered on private farms, these farms were declared public goldfields, the owner only being allowed to peg out a small part for himself, about a tenth, the remainder being thrown open to all. There was no royalty, only a license duty of £1 a month per acre. Under these conditions, as the reefs were rich, a large alien population came into the country. In 1894, trouble arose through some British subjects being commandeered to serve in one of the native wars, and Sir Henry Loch, the High Commissioner, visited Pretoria to arrange matters, when the Transvaal President agreed to give up his right to commandeer the British. At this time a conspiracy was on foot by some of the aliens to take over the country from the Boers, and Sir Henry Loch, although he was the guest of the Republic and represented a friendly State, was cognisant of this conspiracy. This fact was discovered the following year, when the conspiracy culminated in the Jameson Raid, and the private papers of the conspirators were seized. In these papers an account is given of two interviews between the High Commissioner and one of the principal leaders, Mr. Lionel Philips, and Philips, in one of his private letters, says the want of arms was the reason given by the High Commissioner for not assisting, as he "stated plainly that, if there had been 3,000 rifles and ammunition here," he would certainly come over. Sir Henry Loch has, in a speech in the House of Lords, admitted his knowledge of the plot.

The world was startled at the end of 1895 by the raid into the Transvaal, when the Administrator and the forces of the neighbouring British Colony of Rhodesia entered the Republic on the false pretence that the women and children wanted protection. The raid was frustrated, and the Transvaal Government acted with great magnanimity both toward the foreign invaders and the internal conspirators. The action of the British Government since that event and the continuance of the conspiracy by the principal plotters have shown how this generosity was appreciated and repaid. The rank and file of the invading army were at once liberated and the officers were sent home to be punished for their crime. On their arrival in England the criminals were received

by the patriots and the peerage as unfortunate heroes. The influence of a large section of the Press and of society was used to secure an acquittal, but the Lord Chief Justice prevented the trial from being a farce. Much worse was the investigation by the Committee of the House of Commons, on which Mr. Chamberlain, the Secretary for the Colonies, sat as a member.

The Government of the Republic had published telegrams and letters, found among the papers of the Administrator, Jameson, and the commander of the forces, Sir John Willoughby, showing that the Secretary of the High Commissioner (Sir Graham Bower), the Prime Minister of the Cape Colony, Mr. Cecil Rhodes, several of the most important colonial officials, and even the Secretary of the Colonies himself, were aware of the plot and had more or less aided it. When the Solicitor of the Chartered Company was being examined by the Committee as to the contents of the telegrams which, it was asserted, proved the complicity of Mr. Chamberlain, Mr. Hawksley refused to produce them or the correspondence between himself and the Colonial Office on the subject. On his refusal to furnish this evidence, the Committee ceased its investigation, and the enquiry ended in a report which the Secretary for the Colonies signed, and a day or two afterwards practically repudiated in a speech in Parliament. Mr. Chamberlain and some of the other members of the Committee made use of the occasion to make an unfair attack on the Transvaal Government, which was not represented at the enquiry. These occurrences convinced the Transvaal of its serious danger, and it at once began to arm.

The gang of Cosmopolitan Capitalists who had organised the 1895 plot were tried at Pretoria, and five were condemned to death, the sentence being at once commuted into a fine. These conspirators now formed themselves into a syndicate and purchased nearly all the South African newspapers. They brought out journalists from London at large salaries to run them, these same persons acting as the correspondents of the principal daily papers of London, and they began to flood the African and British papers with misrepresentation of fact and slanderous assertions regarding the Government of the Republic, in order to excite public opinion against it. The number of the aliens in the Transvaal was grossly over-estimated, and the number of Boers as absurdly under-estimated. As Johannesburg was the centre of the distributing trade, they claimed that it paid the bulk of the

taxation, although a large proportion of the goods imported there was consumed all over the country. The leading articles of the papers owned by the conspirators were sent to London as South African opinion, and thus, receiving official sanction, their views soon began to be accepted. A political association, the South African League, was also organised, which aided and abetted the journalists in their work of misleading the British people. The Edgar case gave this association an opportunity to delude the public as to the condition of the aliens in the Transvaal, and it was made the pretext for sending a petition to the Queen, which purported to be signed by over 20,000 British subjects. The facts of this case were as follows:—Edgar was coming home the worse for drink and met three other Englishmen, named Shepherd, Sylvestre, and Foster, near his residence; he quarrelled with Foster and knocked him down; the other two Englishmen called for the police. Attracted by their cries, four policemen came up. Shepherd gave Edgar in charge for committing murder. The police found Foster lying unconscious on the ground. Edgar refused to open his door or admit the police and, when they proceeded to burst open the door, he savagely assaulted the leading policeman, named Jones, with a loaded cane. After the second blow, Jones drew his revolver and shot Edgar. Foster never recovered from the effect of the assault, and died shortly afterwards. The policeman, Jones, was tried for manslaughter: the jury unanimously brought in a verdict of justifiable homicide, and the judge concurred with the jury. This was the “brutal murder of Edgar,” for which Mr. Chamberlain wants £4,000 as compensation from the Transvaal Government, and which, he said, proved how very badly that country was governed.

From the time of the Parliamentary inquiry regarding the Jameson Raid, Mr. Chamberlain was constantly complaining about the acts of the Transvaal Government, their legislation regarding undesirable aliens, the dynamite monopoly, the Press law, their signing the Geneva Convention, their not submitting treaties to him before they were completed. All these and other things were breaches of the Convention. The Transvaal Government held that they had in all the cases in question acted within their rights, and proposed that all questions in dispute should be referred to arbitration. In his reply in 1897, Mr. Chamberlain refused to submit to arbitration, on the ground that the Republic

was a subject State, and that the preamble of the 1881 Convention still existed. This view originated with a solicitor in Johannesburg, who, only looking at the treaty, and without knowing anything of the correspondence, contended that as it only specified that the articles were replaced, the preamble still remained in force; and upon this construction he held that British subjects could be both citizens of the Republic and subjects of the Queen. A despatch of Lord Ripon in 1894 declaring that anyone becoming a citizen of the Republic ceased to be a British subject, settled that question, but Mr. Chamberlain now urged this contention to prevent the matters at issue being settled by arbitration.

The Transvaal had only a single Chamber till 1891, when a new constitution was adopted, dividing the legislative power between a First and Second Volksraad, but giving the greater power to the First. Any alien, after two years' residence, could naturalise and have the right of voting for the Second Chamber, for the magistrates, and for other local officials, but he had to be in the country for 14 years before he could vote for the First Volksraad and for the President. Early in 1899, President Kruger proposed to reduce the period from 14 years to nine, and in May he met the High Commissioner at Bloemfontein, when that gentleman urged that all aliens should have every electoral right in five years. The President thought five years too soon, but proposed to reduce the period for full burghership to seven years if the British Government would agree to have the questions at issue between the two Governments determined by arbitration. The High Commissioner would not consent to this course, and the Bloemfontein Conference proved abortive.

In July the Volksraad passed the Bill conferring the franchise for the Second Chamber in two years, and for the First Chamber five years afterwards, or electoral rights for both Chambers in seven years; the law was made retrospective, so that all who had been seven years in the country could at once be fully enfranchised. Mr. Chamberlain desired that a Joint Commission should be appointed by both Governments to see if this new law would give a fair representation to the alien population. The Transvaal pointed out that, as the aliens had six months under the law to determine whether they would become citizens of the Republic or not, till this period had elapsed they could not know the number who would become citizens or where they would be. The Pretoria Executive therefore proposed that if the British would drop the

claim of suzerainty, would not make this a precedent for interfering in the internal affairs of the Republic, and would allow all matters in dispute to be settled by arbitration, it would still further amend the law in order that the franchise for both Raads could be secured in five years, with one-fourth of all the seats in both Volksraads for the goldfields, and a vote for the election of President and Commandant-General.

These proposals were made confidentially to the British Agent to be forwarded by him to the High Commissioner and the Colonial Secretary, and, if found acceptable by them, they were to be made publicly. The Transvaal Government were led to believe by the British Agent that they would be favourably considered by the British authorities, and they were then made publicly.

In reply, Mr. Chamberlain sent a despatch which was taken by the Transvaal and the rest of the world as a refusal. He afterwards asserted in the House of Commons that he intended this reply as an acceptance, or a qualified acceptance, of the Transvaal proposals. Two days before sending this despatch the Colonial Secretary made a speech at Birmingham, in which he used very threatening and irritating language regarding the President of the Transvaal and his Government.

In their reply to this refusal of their proposals, the Transvaal Government now expressed its willingness to accept the Joint Commission proposed by the British Government to examine into the effects of the law lately passed by the Volksraad. Mr. Chamberlain refused to carry out his own proposal regarding the Joint Commission, and demanded, in a threatening despatch, that the Transvaal Government should carry out the internal legislation he had proposed, or still further drastic measures would be taken. This claim, on behalf of the Colonial Secretary, to dictate to the Transvaal Government regarding its internal affairs was not justified by international law or by treaty. In his despatch of February 15th, 1884, Lord Derby, the then Colonial Secretary, thus defined the position of the Government of the Republic:—

“Your Government will be left free to govern the country without interference, and to conduct its diplomatic intercourse, and shape its foreign policy, subject only to the requirements embodied in the fourth article of the new draft, that any treaty with a foreign State shall not have effect without the approval of the Queen.”

In a despatch of February 4th, 1896, Mr. Chamberlain, as Colonial Secretary, said :—

“It is necessary that I should state clearly and unequivocally what is the position which Her Majesty’s Government claim to hold towards the Government of the South African Republic. Since the Convention of 1884 Her Majesty’s Government have recognised the South African Republic as a free and independent Government, as regards all its internal affairs not touched by the Convention.”

Again, on March 26th, 1896, he states :—

“Her Majesty’s Government do not claim any rights under the Convention to prescribe the particular internal reforms which should be made in the South African Republic.”

And lastly, in a speech in the House of Commons on May 8th, 1896, he said :—

“To go to war with President Kruger in order to force upon him reforms in the internal affairs of his State, with which successive Secretaries of State standing in this place have repudiated all right of interference, that would have been a course of action as immoral as it would have been unwise.”

War has now been brought about by following the very course which three years ago Mr. Chamberlain declared to be unwise and immoral.

During the correspondence between the two Governments, the British troops in South Africa were constantly being increased, and special officers were sent out to organise irregular forces. These troops were massed on the borders of the Free State and the Transvaal. The President of the Free State wrote to the High Commissioner pointing out the evil results this course was having on the Boers of both the Republics, and he offered his services to assist in bringing about a peaceable settlement between the two Governments. In order to do so, he desired to know what the British demands were. On several occasions he renewed his request, but only received evasive replies. No information was sent by the High Commissioner to the Governments of either of the Republics, and it seemed as if the Cabinet at home had not

determined on the changes in the constitution of the Republic which they desired.

Week after week passed, and the British Government continued their preparations for war. The Transvaal Government called out its citizens for military service and sent them to the frontier of Natal and the Cape Colony. In accordance with their treaty, they demanded the aid of the Orange Free State, and the Volksraad and Government of that State, after considering the facts of the case, agreed to support the Transvaal. An exodus occurred of the foreign population in the Transvaal. At last, on October 6th, the British Government called out the reserves for the purpose of dispatching an Army Corps to South Africa, and summoned Parliament to vote supplies. Three days after this event the Transvaal sent the Ultimatum demanding that all questions in dispute between the two Governments should be settled by arbitration, that the forces threatening them on their borders should be withdrawn, and that no more troops should be sent to South Africa. They stated that, if these demands were not complied with, they would consider that a state of war existed between the two countries.

The British Government refused to comply with these demands, and the war began by the two Republics invading Natal and the Cape Colony.

From the time of the Jameson Raid, the Boers had expected another attack upon their independence, and had prepared to meet it. They had purchased in Europe the most improved guns and rifles, and they determined to strike a good blow for their national existence. In the spirit of William of Orange's proclamation, they said: "If you will have our country, take it, but it shall be only over our dead bodies and the ash-heaps of our property and goods." If their nationality was to be destroyed it would only be, as President Kruger said, "at a price that would stagger humanity."

The fourth Boer war is now being carried on, and for the first three months it has been almost as disastrous as the third, but the British have forty million, and the Boers of the two Republics are less than a fifth of a million, and ultimately, unless there are foreign complications, numbers and weight will prevail. When military supremacy has been established, the political settlement will test the ability and the wisdom of the British statesmen. The Afrianders are not a dying race. They

are one of the most virile in the world. The 30,000 of 1814 are now nearly 500,000, and any settlement not in accordance with their ideas of justice will not be of a permanent character. It is very unlikely that the preponderance of the Dutch in South Africa will ever be affected by British emigration. All the manual labour is done by the natives, so that there is but little room for those who have only their manual labour of which to dispose. The standard of comfort of the farmers and the return for agriculture are lower in South Africa than they are in America and in Australia; hence, so far as manual labour and agriculture are concerned, South Africa cannot compete with the other two continents. In consequence of the consolidation of the whole diamond industry into one company, the population of the diamond fields is only about one-half of what it was 20 years ago. The same consolidation is now taking place in the Witwatersrand gold-fields. Seven-eighths of the gold mines are at present controlled by four firms, and it is probable that these will soon combine. The mines are on a secondary formation, and must be worked out within no very distant period. It is even doubtful whether some of the deeper levels will repay the expense of working. When these various facts are duly considered, it will be found that there is no evidence to show that the British are likely to outnumber the Dutch in South Africa. To turn these Republics into Crown Colonies, and to have sullen, hostile subjects who will only wait till the British are in difficulties elsewhere in order to strike again for their national life, is not a condition of things that will strengthen the British Empire.

The South African problem can only be solved by the British recognising that the Afrianders are a nation and respecting their rights as they respect those of the American Republics. Then, and not till then, will be restored that goodwill and friendly feeling between the Briton and the Boer so necessary for the peace and prosperity of South Africa.

APPENDIX.

THE following is the letter of Sir Theophilus Shepstone, the Protests of the President and Executive Council, and the Proclamation of the President :—

I.—*Letter of Sir Theophilus Shepstone to President Burgers.*

PRETORIA,

9th April, 1877.

SIR,—When, with several gentlemen of my Staff, I met your Honour on Saturday last, you requested me to communicate to you in writing what I had then and previously on various occasions explained to you verbally, namely, that looking at the condition of the country, the weakness of the Government, and the positive danger to which the circumstances surrounding the State expose not only the State itself, but also Her Majesty's subjects and possessions in South Africa; and, further, looking at the fact that the inherent weakness of the State is such as to preclude all hope of its recovering its prestige with the native races, or the confidence of European communities, and that, therefore, these distressing conditions must become daily worse, and speedily produce anarchy and dissolution, I was convinced that no other remedy could be applied to save it and South Africa from the gravest consequences, except the extension over the Transvaal of Her Majesty's authority and rule.

I am therefore compelled to tell you that I see no way out of the difficulties of the Transvaal, which are at this moment practically the serious difficulties of South Africa, except by adopting as soon as possible the measures I have above described.

I have the honour to be, Sir,

Your Honour's obedient servant,

(Signed) T. SHEPSTONE,

Her Majesty's Special Commissioner.

II.—*President Burgers' Protest.*

WHEREAS I, Thomas Francois Burgers, State President of the South African Republic, have received a despatch (dated the 9th instant) from Her British Majesty's Special Commissioner, Sir Theophilus Shepstone, informing me that his Excellency has resolved, in the name of Her Majesty's Government, to bring the South African Republic by annexation under the authority of the British Crown; and whereas I have not the power to draw the sword with good success for the defence of the independence of this State against a superior Power as that of England; and, moreover, feel totally disinclined, in consideration of the welfare of the whole of South Africa, to involve the white inhabitants in a disastrous war by any hostile action on my part without having employed beforehand all means to secure the rights of the people in a peaceful way; so I do hereby, in the name of, and by authority of, the Government and the people of the South African Republic, solemnly protest against the intended annexation.¹

Given under my hand and under the seal of the State, at the Government Offices at Pretoria, on this the 11th day of April, in the year 1877.

III.—*Protest of Executive Council.*

THAT, whereas Her Britannic Majesty's Government by the Convention of Sand River, 1852, has solemnly pledged the independence of the people to the north of the Vaal River, and that—

Whereas the Government of the South African Republic is not aware of ever having given any reason for a hostile act on the part of Her Majesty's Government, nor any ground for an act of violence:

Whereas this Government has ever shown its readiness, and is still prepared, to do all which in justice and equity may be demanded, and also to remove all causes of dissatisfaction that may exist:

Whereas also this Government has repeatedly expressed its entire willingness to enter into such treaties or agreements with Her Majesty's Government as may be considered necessary for the general protection of the whole population of South Africa, and is prepared punctually to execute such agreements; and whereas, according to public statements of Her Majesty's

Secretary of State for the Colonies, Lord Carnarvon, there exists no desire on the part of the British Government to force the people of the South African Republic, against their wish, under the authority of the British Government :

Whereas the people, by memorials or otherwise, have by a large majority plainly stated to be averse to it, and whereas this Government is aware that it is not in a condition to maintain the right and independence of the people with the sword against the superior powers of Great Britain, and, moreover, has no desire to take any steps by which the white inhabitants of South Africa would be divided in the face of the mutual enemy against each other, or might come into hostile contact with each other, to the great danger of the entire Christian population of South Africa, without having first employed all means to secure, in a peaceful way and by friendly mediation, the right of the people :

Therefore, the Government protests most strongly against this act of Her Majesty's Special Commissioner. It is also further resolved to send, without delay, a commission of delegates to Europe and America, with full power and instructions to add to their numbers a third person if required, in order to endeavour, in the first place, to lay before Her Majesty's Government the desire and wishes of the people, and in case this might not have the desired effect, which this Government would deeply regret and cannot as yet believe, then to try and call in the friendly assistance and intercession of other Powers, and particularly of those who have acknowledged the independence of this State.

As members of this Commission are appointed the Honourable Attorney-General, Dr. E. F. P. Jorissen, and S. J. P. Kruger, Vice-President of the South African Republic.

IV.—*The President's Proclamation.*

WHEREAS Her Britannic Majesty's Special Commissioner, Sir Theophilus Shepstone, has thought fit, in spite of my solemn protest laid yesterday against the intention of his Excellency, communicated to me by letter, dated April 9th, to carry out that intention, and this day to proclaim the rule of Her Majesty's Government over the South African Republic :

And whereas the Government has resolved to submit temporarily, under protest, with the view of in the meanwhile sending in the person of S. J. P. Kruger and E. J. Jorissen, a deputation to Europe and America, for the purpose of there defending the

rights of the people, and endeavouring by peaceable means to obtain a solution of the case:

Now, therefore, I, T. F. Burgers, President of the South African Republic, acting in the name and by the advice of the Executive Council, hereby direct all officials, citizens, and inhabitants to refrain from any word or deed of violence through which such mission might be rendered fruitless.

And I exhort all citizens and inhabitants to assist and support the Government in the carrying this resolution into effect for the preservation of order and the prevention of bloodshed.

Pretoria, *April 12th*, 1877.