

TRANSVAAL INDEPENDENCE COMMITTEE,
PALACE CHAMBERS,
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WESTMINSTER.

BRITISH POLICY

TOWARDS

THE BOERS.

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AN HISTORICAL SKETCH,

COMPILED BY

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BRITISH POLICY

THE BOERS

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PREFACE.

I have compiled this sketch of our policy towards the Boers or Farmers of South Africa at the request of the Transvaal Independence Committee, as great ignorance prevails regarding the causes of the present war in the Transvaal. The facts are taken from Noble's "History of South Africa" and our Government Blue Books, respecting the affairs of South Africa.

Fenwick,

West Dulwich.

G. B. C.

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PREFACE

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SOUTH AFRICA was first colonised by the Dutch East India Company in 1652. They bought the land where Cape Town now stands from the Hottentot chief Manckhagen for 4,000 reals of eight. Twenty years after its first occupation, Louis the XIV. revoked the edict of Nantes, and the French protestants fled into Holland; a number not liking the Dutch climate emigrated to the New Colony, where they could cultivate the vine and find a more congenial country, and the present Boers and Burghers—or Africanders, as they call themselves,—are the descendants of the Dutch and French settlers. In 1795 we took possession of the Colony to protect it from the French. By the treaty of Amiens in 1802 it was restored to the Dutch. War having again ensued, we invaded the colony in 1806, captured Cape Town after a severe engagement, and ultimately the Dutch Army capitulated. By the treaty of Vienna in 1814 we restored to the Dutch their East Indian possessions, but the Cape being a useful provisioning station and half-way house to India, we determined to retain it. Our new Colonists were soon discontented with our rule, in 1815 they rose in rebellion, but were easily crushed; of the prisoners taken, five were hung, others were transported or banished, the rest were ordered to witness the execution of their comrades and then released. Unfortunately the beam on which the prisoners were being hung broke down before they were dead, and their friends were compelled to remain till a new beam was procured and the sentence finally executed. This act embittered the growing dislike to British rule, and then began the emigration into the interior, which finally culminated in the great trek of 1836. There were many causes for this step. Our government was a despotic one, and some of the governors were rather tyrannical. We introduced British Currency in 1825, compelling the payment of taxes with it, or taking the rix dollar at one shilling and sixpence only; the paper rix dollars were issued in 1801 at four

shillings by the government, and ought surely to have been taken at par. When slavery was abolished in 1834, the slaves were valued at between three and four millions; only £1,200,000 was awarded as compensation. This sum was distributed to the farmers by agents, and was paid by bills payable in London. As there were no Banks, these bills were sold sometimes for half their value, and it was estimated that the compensation the farmers actually did get was about half a million; there are still several thousand pounds that have not even been claimed. The Dutch also complained that we had abolished their system of self-defence against native raids and had failed to give them adequate protection, so that in one week during the Kaffir war there were 40 of them massacred, 450 farmhouses burned down, and 4,000 horses, 150,000 sheep, and 100,000 head of cattle carried off. For these and other reasons, in 1836, from 8,000 to 10,000 of the Africanders sold their farms and their houses, often for a trifle; some of them not being able to sell burned their houses and their title deeds, and emigrated into the interior beyond the limits of the British territory, to find a new home in the wilderness and get rid of British rule.

The Commandant of the frontier, Colonel Somerset, tried to stop this emigration, but the Attorney-general, Mr. Oliphant, said "they evidently mean to seek their fortunes in another land, and to consider themselves no longer British subjects; the same sort of removal takes place every day from Great Britain to the United States, and the government is and must remain without the power of preventing the evil." The principal leader of this emigration was Pieter Retief, a descendant of one of the old Huguenot families. On reaching the frontier, he issued a manifesto on behalf of the farmers; it stated:—
 "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 propose in the course of our journey and on arriving at the country in which we shall permanently reside, to make known to the native tribes our intentions and our desire to live in peace and friendly intercourse with them. We are resolved, wherever we go, that we will uphold the first principles of liberty, but whilst we will take care that no one shall be held

in a state of slavery, it is our determination to maintain such regulations as may suppress crime and preserve proper relations between master and servant."

They first occupied the territory that is now the Orange Free State ; this territory had been depopulated by Moselkatse, the great Matabele chief, and when he knew the Boers had taken possession of it, he came down and massacred several of their parties, carrying away their cattle and sheep, but he was afterwards defeated, and the cattle recaptured. In 1838 a party crossed the Drakensberg mountains and entered Natal, then in the possession of Dingaan, the Zulu King. He received the Boers with apparent kindness and offered them the land, if they would recover some cattle that had been taken from him by Sikonyella, the Mantatee chief ; this condition they carried out, compelling the restoration of the cattle, and Mr. Owen, the missionary, at the request of Dingaan, drew up a document by which he granted to the farmers the country between the Tugela and the Umzembubu ; but Dingaan, wishing to have their guns, invited the Boer leaders to witness a Zulu war-dance, when, at a preconcerted signal, the Zulu warriors rushed upon the farmers and murdered them before they had time to protect themselves ; they also surprised the Boer camp and massacred the women and children ; those who escaped crossed into the Orange State again, and in December a large party returned to Natal under Andries Pretorius, defeated Dingaan, and appointed his brother, Panda, King of the Zulus. They took possession of the territory ceded by Dingaan and formed the Republic of Natalia, with Pietermaritzburg as the Capital. They sent a memorial to the Governor of the Cape informing him of this fact, and asking him to recognize their settlement as a free and independent state. This he refused to do, and afterwards sent a force to take possession of Natal in her Majesty's name. This force under Captain Smith was defeated, but reinforcements coming to his aid under Colonel Cloete, the Boers were defeated, and on the 12th March, 1843, Natal was proclaimed a British Colony. The majority of the Boers again abandoned their farms, and crossed the Drakensberg into the Orange River territory to rejoin their countrymen there, as they were determined not to remain under our rule,

They governed themselves in their own fashion in this territory till 1845 when on some disturbance breaking out between the Boers and the Griquas, we determined to take the territory under our protection, and appointed a Resident and several magistrates. The farmers north of the Vaal River refused to have a magistrate; they formed themselves into an army and marched south to Bloemfontein, under the command of A. W. Pretorius. On arriving there he sent a letter to Major Warden, the Resident, telling him that the majority of the people were opposed to British rule: "I shall therefore give you one hour to consider whether you will give up this country, or whether I am to take it from you by force." Major Warden capitulated on condition that he be allowed to retire with the British troops and inhabitants, taking with them all their property. When this was known in Cape Town, Sir Harry Smith collected his forces and marched to the Orange territory. He met Pretorius at Boomplaats: after a severe action in which our troops were victorious, British authority was once more established in the Orange River territory on the 7th September, 1848, Major Warden was reinstated, and a fine of £10,000 imposed upon those who had taken part in the war. A large number of the Boers settled down quietly; but a portion, with Pretorius, retired to the north of the Vaal River, and formed a new Republic there. Sir Harry Smith having reported that four-fifths of the people were in favour of British rule and had merely been intimidated by the violence of Pretorius, letters patent were issued very reluctantly by the Crown, annexing the territory, in March, 1851. By this time we had got into trouble with the Basutos under Moshesh; Major Warden carried on a war at great expense, and gained a very equivocal advantage. The Boers refused to assist him: out of a thousand able-bodied men only 75 answered to Major Warden's call, so he wrote home for more troops to carry on the war, stating that "two-thirds of the Boers in the sovereignty are in their hearts rebels." Earl Grey, on the 15th December, 1851, sent out a despatch stating that the Home 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." When we retire, he said in a despatch to the Lord High Commissioner, "you will distinctly understand that any wars, however sanguinary, which may afterward occur between the different tribes and communities left in a state of independence beyond the colonial boundary are to be considered as affording no ground for your interference."

Earl Grey censured and recalled both Sir Harry Smith and Major Warden, and sent out Sir George Cathcart to settle the native war, and begin a new policy with the Boers based upon the acknowledgment of their independence. This new policy was carried out by Sir John Pakington, when Earl Grey quitted office, during the short administration of Lord Derby, and also by the Aberdeen Ministry that succeeded it. They stated in the House of Commons in 1854, during the debate on the "Order in Council for the abandonment of all sovereignty over the Orange River Territory," 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 and more far-seeing views, as the Boers were hostile to British rule;" they dwelt upon the expense of the Kaffir Wars and the desirability of the Colonists being allowed to manage their own affairs; Sir John Pakington supported them, and the new policy was thus endorsed by both the Whig, the Tory, and the Coalition Cabinets, and an almost unanimous vote of the House of Commons.

On Sir George Cathcart's arrival in 1851, the new policy was put in force, and Major Hogge and Mr. C. M. Owen were appointed as Commissioners, to arrange the measures necessary to secure peace in the Orange River Sovereignty.

At this time Pretorius was an outlaw with a reward of £2,000 offered for his person; the Commissioners at once rescinded the proclamation of outlawry against Pretorius and the other leaders who were living to the north of the Vaal River. They agreed to recognise the independence of the Transvaal Republic, and make a treaty to promote free trade and friendly intercourse. A meeting was arranged at Sand River on the 17th January, 1852, when the following treaty was signed by the contracting parties, approved of by Sir George Cathcart as Lord High Commissioner, and endorsed by Sir John Pakington:—

“The Assistant 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 beyond, to the north of the Vaal River; with the further assurance that the warmest wish of the British Government is to promote peace, free trade, and friendly intercourse with the emigrant farmers now inhabiting, or who hereafter may inhabit, that country; it being understood that this system of non-interference is binding upon both parties.

“Should any misunderstanding hereafter arise as to the true meaning of the words “The Vaal River,” this question, in so far as regards the line from the source of that river over the Draakenberg, shall be settled and adjusted by Commissioners chosen by both parties.

“Her Majesty’s Assistant-Commissioners hereby disclaim all alliances whatever and with whomsoever of the coloured nations to the north of the Vaal River.

“It is agreed that no slavery is or shall be permitted or practised in the country to the north of the Vaal River, by the emigrant farmers.

“Mutual facilities and liberty shall be afforded to traders and travellers on both sides of the Vaal River; it being understood that every waggon containing ammunition and fire-arms, coming from the south side of the Vaal River, shall produce a certificate signed by a British Magistrate or other functionary duly authorised to grant such; and which shall state the quantities of such articles contained in said waggon, to the nearest magistrate north of the Vaal River, who shall act in the case as the regulations of the emigrant farmers direct. It is agreed, that no objection shall be made by any British Authority against the emigrant Boers purchasing

their supplies of ammunition in any of the British colonies and possessions of South Africa; it being mutually understood that all trade in ammunition with the native tribes is prohibited both by the British Government and the emigrant farmers, on both sides of the Vaal River.

"It is agreed, that so far as possible, all criminals and other guilty parties who may fly from justice, either way across the Vaal River, shall be mutually delivered up, if such should be required, and that the British Courts, as well as those of the emigrant farmers, shall be mutually open to each other for all legitimate processes, and that summonses for witnesses sent either way across the Vaal River shall be backed by the magistrates on each side of the same respectively, to compel the attendance of such witnesses when required.

"It is agreed, that certificates of marriage issued by the proper authorities of the emigrant farmers, shall be held valid and sufficient to entitle children of such marriages to receive portions accruing to them in any British colony or possession in South Africa.

"It is agreed, that any and every person now in possession of land and residing in British territory shall have free right and power to sell his said property and remove unmolested across the Vaal River, and *vice versa*; it being distinctly understood that this arrangement does not comprehend criminals, or debtors, without providing for the payment of their just and lawful debts.

"This done and signed at Sand River aforesaid, this 17th day of January, 1852."

When it was known that the Home Government had determined to give back the Orange River Territory to the Boers, the English residents protested against it. An agitation in favour of retaining it was got up by the Cape merchants, and a deputation was sent to England to urge its retention, but the Government was firm and Sir George Clark was appointed special Commissioner to hand over the territory to the delegates elected by the Boers; this was done at Bloemfontein on the 23rd February, 1854, under a treaty similar in its stipulations to the Sand River Convention. The Boers adopted a Republican Constitution and called the territory the Orange Free State. In 1857 an attempt was made to unite the two Republics, but the Lord High Commissioner opposed it, stating that it would be a breach of the Sand River and Bloemfontein treaties.

These treaties and the policy of non-intervention in the

affairs of the Republics were carried out until 1871, when there occurred what Mr. Froude has characterised as "perhaps the most discreditable incident in British Colonial history," namely, the annexation of the Diamond Fields. When diamonds were discovered in the two Republics, a rush of English diggers was made into the districts. The two Governments appointed Magistrates, and made special laws to suit the new conditions. A Griqua chief, named Waterboer, claimed the land, and the acting Governor of the Cape supported him. The Transvaal Government claimed their part as it belonged to a native tribe under their protection, but the President agreed that the matter should be referred to arbitration. A Mr. Campbell was appointed by us and a Mr. O'Reilly by the Transvaal President. It was arranged that if the arbiters could not agree, Mr. Keate, the Lieutenant Governor of Natal, was to decide the question. The President of the Orange Free State refused to allow his portion to be referred to arbitration, as our action in the matter was contrary to treaty law, and we had no right to interfere. Messrs. Campbell and O'Reilly could not agree, and Mr. Keate gave his award in favour of Waterboer. The Transvaal Government refused to abide by his award on the ground that it was unjust and that the British representatives had made themselves interested parties. President Burgers wrote to Sir Henry Barkly, showing that Mr. Campbell had bought from Waterboer, for a quit rent of three pounds, 25,000 acres of the disputed territory, so that he had no right to act as a judge, being one of the interested parties; and Mr. Keate, by accepting Waterboer's offer to become a British subject, contrary to the terms of the Sand River Convention, had made himself a party in the case also, instead of an impartial umpire: hence, as the British representatives were interested parties and had acted contrary to treaty law, they protested against our action.

Dr. Moffat, in a letter to the *Times*, strongly protested against this award to Waterboer, as the territory belonged to the tribe under the Transvaal Protectorate.

We accepted Waterboer as a subject and sent up Magistrates

to take possession. The Government of the Orange Free State, to prevent any collision, withdrew its officers, but solemnly protested against our proceedings as an encroachment upon its territory and a violation of the Convention of 1854. President Brand, after some correspondence with the High Commissioner, proceeded to London, when Lord Carnarvon agreed to pay £90,000 as compensation to the Free State; Waterboer, who was to get £4,000 for the territory and an annuity of £1,000 a year, was sent to prison for creating a disturbance. As to the other part in the Transvaal, when Sir Theophilus Shepstone took over the Transvaal he incorporated the Keate award, as the district has been called, as he said that award would have handed over the land and the natives to white land speculators and anarchy.

This unfortunate annexation and the policy adopted in the Diamond Fields have brought about all our South African wars and troubles. In order to get native labour, guns and ammunition were sold to the natives, and the chiefs sent their followers to work in the mines till they got guns and ammunition, and it was estimated by Sir A. Cunningham, that 400,000 guns were sold to the natives. The natives, being thus armed, began fighting amongst themselves and also making inroads into the Transvaal, looting homesteads and stealing cattle, and the Transvaal Republic became involved in a native war. Sekukuni, the chief of a Makatee or Basuto tribe under the protection of the Transvaal Government, refused to give back some cattle that his followers had stolen, and rose in rebellion against the Boers. He had got guns and ammunition from the Diamond Fields and refused to pay taxes; considering that as he was as well armed as the Boers, he would be able to hold his own.

When President Burgers called out a commando or army to put down this rebellion and began operations, he found the matter more serious than he expected, as the natives had possession of well fortified strongholds. He took one of these, Johannes' Kraal, but was unable for want of artillery to take Sikukuni's mountain stronghold; and as the Boers wished to get back to their farms, he enlisted a number

of volunteers at five pounds a month to carry on the war. Sir Henry Barkly, the High Commissioner, sent a despatch to President Burgers protesting against the war, against the volunteers being used, and especially against making use of the Swazies who were the ancient enemies of Sikukuni's tribe. He also claimed for Sikukuni belligerent rights, as a native African prince. Shortly afterwards Sikukuni sued for peace, which was granted, and he was fined 2,000 head of cattle as a war indemnity. As this war was one of the principal reasons used by Sir T. Shepstone for the annexation of the Transvaal, one is amazed on reading through the Blue Books, to find that every one of the things Sir Henry Barkly protested against was afterwards done by Sir Theophilus Shepstone when he took over the Transvaal. He demanded taxes from Sikukuni, and when payment was refused sent Colonel Rowlands, C.B., V.C., with a force to take Sikukuni's stronghold. He called for volunteers, and sent to the Swazies for aid, which the Swazie king refused, as he had other matters in hand; and Colonel Rowlands was unable to dislodge Sikukuni and had to retire like Burgers. Ultimately Sir Garnet Wolseley with an army of about 10,000 men, counting the native contingency which the Swazie king sent to his aid, captured Sikukuni and destroyed his stronghold. Sikukuni is now a prisoner in Cape Town like Langalabelili and Ketchwayo, while of his tribe but few remain. The Swazies killed men, women and children, and the tribe was practically exterminated.

In 1876 the condition of affairs in the Transvaal was unfortunate: President Burgers had been trying to do too much. He was able eloquent, and energetic—but like many clergymen, ignorant of practical affairs. He introduced a new educational system of the most approved European type, but it could not be carried out for want of funds and of advanced pupils, and he made himself obnoxious to the Orthodox party by the law prohibiting religious instruction in schools; some even sold their farms and left the country rather than submit to this rule. He contracted a loan for the redemption of the paper currency, and issued some gold coins struck with his own likeness, which cost more

than their value. He also went to Europe and contracted a loan of £300,000 to make a Railway to Delagoa Bay; this loan cost a great deal in the shape of commissions, etc. to agents, while only a comparatively small portion of it was paid into the Exchequer; his policy and the war with Sikukuni caused heavy taxation, and a large number of the people were dissatisfied with the condition of affairs. By this time there were a considerable number of Englishmen in the Republic, as gold had been discovered in the North. The miners were called out to fight the natives or pay for substitutes, so they protested and complained that they had not any adequate protection against native raids and sent petitions to the Cape Government asking that the country should be annexed. As the Sikukuni war was going on at this time, and there was a dispute also with the Zulus about some border territory, Lord Carnarvon determined to send Sir Theophilus Shepstone to report on the condition of affairs, and authorised him under certain conditions to annex the territory. The following is the commission that was issued:—

“WHEREAS grievous disturbances have broken out in the Territories adjacent to our Colonies in South Africa, with war between the white inhabitants and the native races, to the great peril of the peace and safety of our said Colonies; and whereas having regard to the safety of our said Colonies, it greatly concerns us that full enquiry should be made into the origin, nature, and circumstances of the said disturbances, and with respect to the measures to be adopted for preventing the recurrence of the like disturbances in the future; and whereas it may become requisite to this end that the said territories, or portions of them, should be administered in our name and on our behalf: Now know you that we, reposing especial trust and confidence in the loyalty and fidelity of you, the said Sir Theophilus Shepstone, have appointed you to be our Special Commissioner for the purpose of making such enquiry as aforesaid, and we do authorise and require you with all convenient despatch, and by all lawful ways and means, to enter upon such enquiry, and we do require you to communicate to us through one of our Principal Secretaries of State, any facts which ought to be made known to us, as well as any opinions which you may think fit to express thereon, and if the emergency should seem to you to be such as to render it necessary, in order to secure the peace and safety of our said Colonies, and of our subjects elsewhere, that the said territories, or any portion or portions of the same should provisionally, and

pending the announcement of our pleasure, be administered in our name and on our behalf, then, and in such case only, we do further authorise you, the said Sir Theophilus Shepstone, by Proclamation under your hand, to declare that from and after a day to be therein named so much of any such territories as aforesaid as to you, after due consideration, shall seem fit, shall be annexed to, and form part of our Dominions. And we do hereby constitute and appoint you to be thereupon Administrator of the same provisionally and until our pleasure is more fully known. Provided. First: That no such Proclamation should be issued by you with respect to any district, territory, or State, unless you shall be satisfied that the inhabitants thereof, or a sufficient number of them, or the Legislature thereof, desire to become our subjects: nor if any conditions unduly limiting our power and authority therein are sought to be imposed. And secondly, that unless the circumstances of the case are such as in your opinion make it necessary to issue a Proclamation forthwith, no such Proclamation shall be issued by you until the same has been submitted to and approved by our Trusty and Well-beloved Sir Henry Barkly, . . . our Governor and Commander-in-Chief of our Colony of the Cape of Good Hope.

“Given at our Court, at Balmoral, this 5th day of October, 1876, in the 40th year of our Reign.”

Sir Theophilus Shepstone was met by the Transvaal Government in a very friendly spirit, and several days were spent considering the complaints of British subjects, the native difficulties, &c. But it soon became evident that Sir Theophilus Shepstone desired to annex the country, although the Government were strongly opposed to this course; the Volksraad or Parliament were called together, and they also opposed it, instructing the Executive “to take the necessary measures for the maintenance of the independence of the Republic,” as they were afraid Sir Theophilus Shepstone was determined to annex the country by force. This course he adopted, and sent the following letter 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 surround-

ing 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 need not allude further to the many earnest and anxious conversations which we have had on the subject. I have more than once assured your Honour that if I could think of any plan by which the independence of the State could be maintained by its own internal resources, I would most certainly not conceal that plan from you, but that I had been unable. I have waited to see whether my judgment would be altered by my observation and further knowledge, but it has been fully confirmed by both, and more than confirmed by your Honour's own public utterances on grave and official occasions, when it was evident that you spoke under a deep sense of your responsibility.

"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.

"His Honour, President Burgers, Pretoria."

President Burgers issued the following protest :—

"Pretoria, 11th of April, 1877.

"WHEREAS I, Thomas François 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.

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

The next day Sir Theophilus Shepstone issued a long proclamation taking over the country, after reciting the principal clauses of the Sand River Convention and asserting that the hopes and expectations on which this mutual compact was founded had been disappointed, that the country was in a state of bankruptcy, the white inhabitants discontented and divided into factions. The country was so weak—“That the Sikukuni war, which would have produced but little effect upon a healthy constitution, has not only proved suddenly fatal to the resources and reputation of the Republic, but has shown itself to be a culminating point in the history of South Africa, in that a Makatee or Basutu Tribe, unwarlike, and of no account in Zulu estimation, successfully withstood the strength of the State, and disclosed for the first time to the native powers outside the Republic, from the Zambesi to the Cape, the great change that had taken place in the relative strength of the white and the black races; that this disclosure at once shook the prestige of the white man in South Africa, and placed every European community in peril, that this common danger has caused universal anxiety, has given to all concerned the right to investigate its causes, and to protect themselves from its consequences, and has imposed the duties upon those who have the power to shield enfeebled civilization from the encroachments of barbarism and inhumanity.

“And whereas I have been satisfied by numerous addresses memorials, and letters which I have received, and by the abundant assurances which personal intercourse has given me, that a large proportion of the inhabitants of the Transvaal see in a clearer and stronger light than I am able to describe them, the urgency and imminence of the circumstances by which they are surrounded, the ruined condition of the country, and the absence within it of any element capable of rescuing it from its depressed and afflicted state, and therefore earnestly desire the establishment within and over it of Her Majesty’s authority and rule. . . . Now, therefore, I do, in virtue of the power and authority conferred upon me by Her Majesty’s Royal Commission, proclaim and make known, that from and after the publication hereof, the territory heretofore known as the South African Republic, shall be taken to be British territory, and I hereby call upon and require the in-

habitants of the Transvaal, of every class and degree, and all Her Majesty's subjects in South Africa, to take notice of this my Proclamation, and to guide themselves accordingly.

"And I hereby further proclaim and declare that I shall hold responsible all such persons who in the Transvaal shall venture opposition, armed or otherwise, to Her Majesty's authority hereby proclaimed, or who shall by seditious and inflammatory language or exhortations or otherwise incite or encourage others to offer such opposition, or who shall injure, harass, disturb, or molest others because they may not think with them on political matters, and I do warn all such that upon conviction of any of the above offences they will be liable to the severe penalties which the law in such cases ordains; and I hereby appeal to and call upon the orderly, right-thinking, and peace-loving people of the Transvaal to be aiding and supporting Her Majesty's authority.

"And I proclaim further that all legal courts of justice now in existence for the trial of criminal or civil cases or questions are hereby continued and kept in full force and effect. . . .

"And I further proclaim and make known that the Transvaal will remain a separate Government, with its own laws and legislature, and that it is the wish of Her Most Gracious Majesty that it shall enjoy the fullest legislative privileges compatible with the circumstances of the country and the intelligence of its people. . . . The laws now in force in the State will be retained until altered by competent legislative authority.

"Equal justice is guaranteed to the persons and property of both white and coloured; but the adoption of this principle does not and should not involve the granting of equal civil rights, such as the exercise of the right of voting by savages, or their becoming members of a legislative body, or their being entitled to other civil privileges which are incompatible with their civilized condition."

The Executive Council met the same afternoon and adopted the following resolution:—

"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: that,—

"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 in 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 number 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.”

And the President issued the following 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 the 9th April, 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 persons 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, State 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,

12th of April, 1877."

Messrs. Kruger and Jorissen proceeded to Europe in accordance with the instructions of the Executive. On their way they found a great deal of sympathy in Cape Town, and the following resolution was passed by the Orange Free State Volksraad at the first meeting after the annexation :—

"THE Volksraad of the Orange Free State expresses its great regret that its sister Republic, while she was in full peace with Her Britannic Majesty's Government, against the wishes of the Government and the majority of the people, was proclaimed British territory by Her Britannic Majesty's Commissioner, Sir Theophilus Shepstone.

"The Raad believes that that act will, in its consequences, be very prejudicial to the mutual interests of the white population of the whole of South Africa, and, having confidence in the justice of Her Britannic Majesty's Government, trusts that the injury done to a free and independent people will, after calm reflection, be repaired.

"The Raad trusts, therefore, that the mission of the deputation, sent by the people and the Government of the South African Republic, may be attended with success."

The deputation arrived in London at the end of June ; they met Lord Carnarvon on the 5th July, 1877. He told them :—

"I should be only misleading you if I were to hold out to you the slightest expectation that the policy which has been adopted could now be altered, or that the annexation of the Transvaal could be undone. That is really impossible, and I think that if you consider the question for yourselves, and look at it not merely as delegates sent here on a special mission, but as reasonable men, whose first feeling and duty it is to consider the interest and to consult for the welfare of your country, you yourselves will see that it would be impossible now to retrace the steps. If indeed the country

was to be given back, to whom could it be restored? The old authorities do not any longer exist, and they could not if it were desired or desirable be recalled into existence; and, if it was given back it must be given back in order to pass into very much the same state as that from which it was rescued by the great wish, as I understand the case, of the majority of the people of the country.

“Not only is it impossible for me to allow the act done in the name of the Queen by her fully authorised officer to be now questioned, but if this were possible, I should consider it in the highest degree inexpedient to place on record that an extremely small minority of the community, is opposed to an acceptance of the Queen’s rule. Since you left the Transvaal for England the enthusiasm with which the vast majority of the people, including the Dutch colonists, have welcomed Sir T. Shepstone as the representative of Her Majesty, has increased to the extent of apparently absorbing all other feelings; and it would be very unfortunate to take a step which a minority, however fractional it may be, might feel to entail upon them the obligation which might otherwise be avoided, of recording their wish that this proclamation had never been issued.”

Sir Theophilus Shepstone had sent home dispatches stating that the majority of the people were in favour of the annexation, and that only an unruly, noisy minority were opposed to it; the deputation stated the reverse. Lord Carnarvon believed Sir T. Shepstone and the statement was made in the Queen’s speech that in accordance with the wish of the people we had taken over the South African Republic. Events have now shown how false this was, and how unreliable were Sir Theophilus Shepstone’s and Sir Bartle Frere’s statements. The deputation returned to the Transvaal and reported the result of their mission to large meetings called for that purpose.

Great indignation was expressed on hearing the report, and the deputation were blamed for not protesting more strongly. At the principal Meeting Mr. Kruger stated:—

“Lord Carnarvon had told them in the plainest and most unmistakeable terms that he could not entertain the idea of a discussion on the annexation question.

“We were distinctly told that the annexation was an accomplished fact which to retract would be a dishonour to England, and although we expressed our personal disbelief in the reports about the contentment of the people, we could not get a chance to touch upon that subject again. But he was convinced, that if it could be proved to Lord Carnarvon,

that it was *not* true that the majority were contented with British rule, but indeed opposed to it, if such proofs could be laid before his lordship he (Mr. K.) would be much mistaken if his lordship did not restore to them their country, which he would not be willing to keep against the will of its population, and therefore it was the best thing to get up a petition to that effect, and have it signed in every district and forwarded to Lord Carnarvon.

"This proposal was seconded by Mr. Schoeman and approved of by many, although the majority was not well pleased with it and said it would be of no use; and how should they petition, as subjects, or should it be again a protest? They did not place the slightest confidence in the promises given by Lord Carnarvon, which they had heard read. Did not Sir T. Shepstone make promises in the annexation proclamation, and what had become of them? No, England is simply afraid of seeing the Transvaal getting strong, and her rule is worse than being left to the mercy of the Kaffirs.

"Mr. Kruger: I cannot blame the British Government; Lord Carnarvon acted in the thorough belief that the majority was in favour of annexation.

* * *

"Mr. H. Schoeman: Let us try it once more and send a petition to England to show Lord Carnarvon that the despised Boers have still some civilization left, and also to convince him of the true state of things, and then if that fails, there remains still the chance—to die for our country. (Cheers.)

"Mr. Vorster: I have expressed my disapprobation with the deputation, but will not judge them too harshly. As it is impossible to take any decision with the people present, let them choose delegates to confer with the deputation, to get all information from them which they can give, and to get up a petition which can be signed by the people throughout the country."

This motion was adopted, and the following Memorial was signed for presentation to Lord Carnarvon:—

"Pretoria, January 7, 1878.

"TO LORD CARNARVON, Minister for the Colonies in England.

"We the undersigned, white inhabitants of the Transvaal, having this day received report from our Deputation sent to England, consisting of the Honourable S. J. P. Kruger, Vice-President of the South African Republic, and Dr. E. J. P. Jorissen, State Attorney, with the view to get back our independence, of which we have been deprived on the 12th of April, 1877, have learnt with deep regret that they have not been able to obtain that object.

"It pains them so much the more, because it appears most clearly from the documents produced by the Deputation, that the loss of their independence is entirely and solely due to the

false and incorrect representations of the position said to have existed here, as given by the people who acted from selfish motives, in a word, by calumny.

"The fact, however, that the Government in England had been so totally misinformed about the real sentiments of the vast majority of the population, inspires the undersigned with courage to venture another attempt, and to show by their signatures that by far the great majority is opposed to the British Sovereignty.

"We cannot yet dismiss this matter before we have tried the last means to obtain our end by peaceable measures, according to protest dated April 11, 1877.

"The undersigned cannot yet believe that it could be England's will and desire to reign over a people that will not be subject to any Power whatsoever

"It is therefore with great modesty, but at the same time with fervent earnestness, that we entreat your Lordship to restore to us our country, that country which we love as our lives, and for which we always were and still are prepared every day to sacrifice our lives.

"May it therefore please your Lordship to be moved by our numerous signatures and to restore to us our country.

"Signed by 6,591 qualified electors of the South African Republic, the original, with signatures attached, being in the possession of the Deputation, and open for the inspection of Her Majesty's Government. In addition to the above, memorials with 301 signatures were obtained, which were informally sent in and thus have not been counted."

At the meeting Mr. S. P. J. Kruger and P. J. Joubert were elected to proceed to Europe with the Memorial, two thousand being subscribed to pay their expenses. They arrived in London, and sent the following letter to Sir Michael Hicks-Beach, as Lord Carnarvon had resigned along with Lord Derby in consequence of the Eastern policy of the government ;

*Albemarle Hotel, London,
10th July, 1878.*

Sir,

The Deputation who were commissioned by the Government and the people of the South African Republic to lay before the Government of Her Majesty the Queen of England their protest against the annexation of the Transvaal Territory having failed to attain the object of their mission, have reported to the inhabitants the result of their proceedings.

Deeply grieved and disappointed at this failure to obtain

restitution of their rights, the citizens of the Republic have resolved once more to appeal to the justice of England, and have deputed the undersigned S. J. P. Kruger and P. J. Joubert again to submit on their behalf that protest and their memorial on this subject.

In carrying out the wishes of their constituents, it becomes the duty of this Deputation to bring prominently to the notice of Her Majesty's Government certain facts in connection with the instructions issued to Her Majesty's Special Commissioner, Sir Theophilus Shepstone, K.C.M.G., in the commission of the Queen, dated at Balmoral the 5th October, 1876, also in regard to the circumstances attending its execution by him, as well as those under which Her Majesty's approval of his proceedings was obtained.

A full consideration of these circumstances will, it is the belief of this Deputation, justify them before Her Majesty's Government, the South African communities, and the world at large, in the action which they now take, and will, they have full confidence, obtain for them and for their country the redress they now seek.

In the Commission appointing Sir Theophilus Shepstone, and which empowers him, under certain conditions, to proceed to the extreme measure of annexation, it is made a necessary condition, as follows:—

“Provided, first, that no such proclamation should be issued by you with respect to any district, territory, or state, unless you shall be satisfied that the inhabitants thereof, or a sufficient number of them, or the Legislature thereof, desire to become our subjects.”

It is not our wish at this stage to enter into the question as to the evidence adduced or the means adopted by Sir Theophilus Shepstone to satisfy her Majesty's Government that this condition had in every way been fulfilled.

It was in the firm belief that it had been so fulfilled that your predecessor, Lord Carnarvon, declined to enter with the late Deputation on any discussion as to the propriety of the annexation itself; and it was at this distance beyond the power of the latter, though disputing the fact, to refute an allegation so confidently put forward.

Since that time, however, measures have been taken for placing beyond any doubt what the feelings of the very large majority of the qualified electors are, and these will be shown by the following documents, copies of which we have the honour to enclose:—

- a. The Resolution of the Honourable Volksraad of the Republic, dated 22nd February, 1877, calling upon the Executive to maintain the independence of the country.
- b. The Resolution of the Executive Council, dated 11th April, 1877, protesting against the threatened annexation.

tion, and nominating a Deputation to lay the protest before Her Majesty.

- c. The Protest of the President of the Republic, dated 11th April, 1877.
- d. A Memorial in support of the protest, signed by 6,591 out of a possible 8,000 electors, and dated 7th January, 1878.

As the fulfilment of the above primary condition may be regarded as having been held by Her Majesty's Government as essential to a justification of the act of annexation, and as the above documents prove beyond any doubt that so far from these conditions having been observed, the Legislature, the Executive Government, and nearly seven-eighths of the people were, as they have now shown, opposed to the annexation, it would seem unnecessary to support by further argument a cause which is so clearly established.

But Sir Theophilus Shepstone has not been content to rely on this ground, and has thought proper to bring forward a variety of other reasons in support of his action. These we are thus compelled to notice.

Apart from the question as to the wishes of the inhabitants, the chief grounds upon which the Commissioner has essayed to justify himself, and which are to be found in the preamble of the Proclamation of Annexation, are the following :—

“That the guarantee of independence given by the British Government to the emigrant farmers was given under a certain ‘hope and belief,’ which has since been disappointed.

“That there was a general ‘decay of power and ebb of authority’ in the State itself, and a ‘more than corresponding growth of strength and confidence among the native tribes,’ affording ‘strong temptation to neighbouring native powers to make attacks and inroads in the State, which from its weakness it could not repel, and from which it has hitherto been saved by the restraining influence of the British Government, exercised from Natal by Her Majesty's representative in that Colony.’

“That the failure of the war with Sekukuni had disclosed for the first time to the native powers, outside the Republic from the Zambezi to the Cape, the great changes that had taken place in the relative strength of the white and black races, and that this disclosure at once shook the prestige of the white man in South Africa and placed every European community in peril.”

It is thus to be seen that the reasons which have urged Her Majesty to approve of the annexation were based—

1. On the belief that a large proportion of the inhabitants of the Transvaal earnestly desire the establishment of Her Majesty's rule.
2. On the disappointment of the hope upon which the

guarantee of independence was given by Her Majesty, viz :—"That the South African Republic would become a flourishing and self-sustaining State, a source of strength and security to neighbouring European communities, and a point from which Christianity and civilization might rapidly spread towards Central Africa.

3. The general poverty and defencelessness of the country, the encroachments of the natives, the failure of the war with Sekukuni, and the consequent danger to the British Colonies.

To these points the Deputation will confine their reply—

1. In regard to the first point we have to state that, as the enclosed correspondence marked 6, 7, 8, 9, will show, Her Majesty's Commissioner was in possession of the resolution of the Volksraad to maintain the independence of the Republic, as well as of the protest of the Executive, prior to the issue of the Proclamation of Annexation.

That the petitions in favour of annexation which in all represent but a very small proportion of the inhabitants of the country, were for the most part obtained subsequently to the annexation, and that the signatures to them are those of the classes which are described in Sir Theophilus Shepstone's "Address to the Burghers of the Transvaal" as the "1,000 who live in towns and villages, and the 350 fluctuating population of gold diggers, and not of the remaining 6,650 farmers upon whom is laid the task of supporting the State by the produce of their farms, and upon whom also rests the military duty of defending the country, or fighting for its rights."

2. Sir Theophilus Shepstone in stating that the guarantee of independence was grounded on a certain "hope and belief," refers for an explanation of the same to his address to the people, where we find that he with candour admits that such a condition is to be found only by reading between the lines of the Convention.

We, for our own part, and on behalf of the people of the Transvaal, however much we may admit the reasonableness of such a hope and belief, can in no way allow either that it was a condition of our independence, or that its disappointment is a sufficient ground for the withdrawal of the same.

But even should this be so, we further say that the argument is one of which the British Government is not in justice entitled to avail themselves.

The reasons which actuated the British Government in recognising the independence of the Transvaal, and in abandoning the Orange River Sovereignty, are we believe better to be found by referring to the correspondence on the subject between Her Majesty's Government and the Commissioners employed to give effect to the Imperial policy.

But if the hope that the Republic would be a source of strength and security to the neighbouring British Colony has

not been fulfilled to the extent desired by Her Majesty, then we contend, and are prepared to show, that its failure to be so is due chiefly, if not wholly, to the action of the Government of the adjoining British Colonies.

To this subject we will refer again.

3. With respect to the third point, viz., the defencelessness of the country, the encroachments of the natives, and the failure of the war with Sekukuni, these as well as the financial troubles, we are also prepared to a certain extent to admit, though we utterly reject the exaggeration with which they have been described, and the inferences of utter disorganization and danger which have been drawn from them.

We deny the inference which has been drawn from the failures to dislodge a chief from fastnesses such as Sekukuni occupied at the first attempt. He had been reduced to the greatest straits, and had sent to Pretoria to sue for peace, which under the pressure of the circumstances in which the Government of the Republic found themselves, owing to the action of the British authorities in supporting the cause of the rebel chief, was ultimately agreed to, upon the payment of a fine, which fine is now being enforced by the Administrator.

It is utterly incorrect to say that there was any danger to be feared from Sekukuni, for it is well known that he never came beyond his own strongholds.

So also with regard to the Zulus. Sir Theophilus Shepstone has said that owing to this (that is, the failure to dislodge Sekukuni) disclosure for the first time to the native powers from the Zambezi to the Cape at the great change that had taken place in the relative position of the white and black races, there was an imminent fear of invasion (presumably Zulu), and that every community in South Africa was in peril.

We complain that this is an exaggerated and unwarranted conclusion. The danger as described by him has at no time been felt by the Government of the Republic, nor by those who have struggled through similar dangers with the same natives when more united than, under Dingaan.

We beg to draw attention to the fact that the opinion here expressed is but that of an individual, and that Sir Theophilus Shepstone seems to have forgotten the serious reverses of the whites in former Cape wars, and especially that of Sir George Cathcart in the Basuto War; and we have also to point out as a matter of fact, that the Zulu Army never approached the Transvaal boundary until the Commissioner had crossed it, and thus that if the danger existed, it arose only after that event.

In order further to establish the position we have taken up, and to disprove the rights which have been assumed to be a legitimate sequence to the statements made in the preamble to the Proclamation of Annexation, it is necessary that we should

present a view of the political condition of the Transvaal as taken from the stand-point of the Government of the Republic, and place it in opposition to that which has been drawn by Her Majesty's Commissioner.

The national status of the Transvaal commenced in 1852; prior to that date the emigrant farmers were scattered in small communities, or in isolated farms over the vast extent of country between the Vaal River and the Limpopo.

There was no Central Government, nor indeed any cohesion among them, except that dictated by unity of interest in protecting themselves from the natives, with whom they were from time to time driven to war.

It was during a short interval of peace, or rather a suspension of arms, that the independence of the Republic was recognised by England, and that the Convention was signed, guaranteeing in "the fullest manner on the part of the British Government to the emigrant farmers 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," with the further promise that "no encroachment should be made by the said Government in the territory beyond to the north of the Vaal river," and at the same time disclaiming "on the part of Her Majesty's Government all alliances whatever, and with whomsoever, of the coloured natives on the north of the Vaal River."

The emigrant farmers continued for many years in the same unorganised state in which they had been prior to the Convention, and it was not until 1858 that their divisions, which had almost occasioned a civil war, were brought to an end, and they became united under a Constitution and a Central Government.

From that period a marked and steady progress took place.

The farmers settled down to more steady occupation of their lands, laws were framed and administered with increasing order, and churches and schools erected in every town.

The Republic had with its very small body of whites and overwhelming native population kept peace for years, having from that time until the late expedition against Sekukuni had no serious wars except that of Zoutpansberg in 1866.

From the year 1858 to 1869 the Republic fulfilled the requirement now insisted on. It was "a flourishing and self-sustaining State, a source of strength and security to neighbouring European communities, and a point from which Christianity and civilization were rapidly spreading towards Central Africa."

It formed a barrier between Natal and the native tribes of the interior, and was thus a source of strength and security to that colony. There was also a rapid advance in civilization among the natives, who, as is well known, have adopted European customs, and accepted Christian teaching in larger

numbers and to a greater extent than has been the case in any other portion of South Africa.

Though not forming one of the grounds mentioned in the Proclamation of Annexation, there can be little doubt, judging from the tenor and tone of the despatches which have passed between the Secretary of State and the Colonial Governors, that the charges of oppression of the natives have had some weight in determining the policy of Her Majesty's Government in asserting Her rule over the country.

These charges, which have been put forward with most unjustifiable exaggeration, have been a serious injustice to the Government and people of the Republic, and would perhaps never have been made or believed had the British Government been duly represented by a Consular or Diplomatic Agent in the country.

Without desiring to recriminate, we cannot but feel that, to say the least, the same allowance has not been made for the necessity for any war or perhaps harsh measures in the Transvaal that has been accorded to Natal in the cases of Isidoi, Matyana, and Langabaleli, and in respect to the Cape, to the very serious wars which have from time to time taken place.

We have stated that the Republic continued to flourish and to progress until 1869.

In that year the prestige of the emigrant farmers received a shock from which it could not soon recover, and which was occasioned by the action of the Cape Colonial authorities in espousing the cause of the natives at the Diamond Fields, and opening the sale of firearms and ammunition to them in violation of the Sand River Convention.

Although unwilling to adopt this opinion in any other than a qualified manner, it is well known that Mr. Froude has pronounced the annexation of the Diamond Fields as "perhaps the most discreditable incident in British Colonial history." The effect of the Act has at least been to bring the Government and citizens of the Republic into contempt in the eyes of the natives, whose power became at the same time immensely increased by the possession of guns, of which, as the official returns will show, 236,576 were imported into the Cape and Natal from 1871 to 1875, subject to an import duty of 10s. and £1 a barrel.

If the cause of the poverty and weakness of the Republic is to be sought, it is not just to attribute it to "inherent" defects while it can be thus explained. If the natives had not been furnished with firearms, or if the amount of Custom duties paid on them had enriched the Transvaal, these evils would probably have been avoided.

In furtherance of the policy which it would seem that Sir Theophilus Shepstone had pre-determined to follow, we find that in a despatch to Lord Carnarvon of the 12th March, 1877, he states that all the native tribes within the State would hail

the introduction of British rule as a positive blessing, and that the British Government had paramount influence with the most warlike of the native tribes outside the Transvaal boundary.

This assertion, together with that contained in the Proclamation of Annexation, where Sir T. Shepstone states that the Republic had "hitherto been saved from the attacks and inroads of natives by the restraining influence of the British Government, exercised from Natal by Her Majesty's representative in that Colony," had doubtless the effect of determining the policy of Her Majesty's Government in regard to annexation, and as it is this alleged actual danger to the Transvaal and the fear of general conflagration which alone could be held to justify the intervention of the British Government, it is important that we should inquire into the grounds which have existed to justify these statements.

It should be borne in mind that as a rule all information on native matters possessed by the Home or Colonial Governments, or by the British public, is derived from Sir T. Shepstone himself, and that all opinions on the same are but the reflection of his.

The allusions by him to the estimation in which "British rule" is held by the natives, and to the "restraining influence exercised by Her Majesty's representative in Natal," it is not too much to assume, point only to the power and influence exercised by himself; and that it has been taken in this sense by Her Majesty's Government is clear from the constant reference to his personal influence in the published despatches.

It is our desire to show that whatever the real grounds for this belief may be, no evidence in support of it has been given, except what is only a personal opinion, and one which under such circumstances should be received with caution.

We now ask whether, looked upon in the light which recent events have thrown on the subject, these opinions can be justified; whether there has been actual danger of Zulu invasion, and whether the measures adopted were necessary and sufficient to avert it?

Such fear has, as before remarked, never been felt by the Government or people of the Republic.

Up to the time of annexation, isolated border farms were occupied by our farmers without the least apprehension of danger, and but a few weeks before, a small patrol of men had followed the Chief Umbelini into the heart of the Zulu country. It is only since the annexation that our farmers' homesteads have been burnt, and that they, with their wives and children, have been compelled to take to the plains.

It is, we unhesitatingly declare, owing to the course pursued by Sir T. Shepstone that the present crisis has been produced. Cetewayo, believing himself to be encouraged by the Natal Government or by Sir T. Shepstone in the demands he was

making on the Transvaal, was no doubt daily becoming more insolent and exacting, but his threats to the Transvaal, which reached the Transvaal only through Natal, produced little or no effect until by the advance of the British troops he was led to make a similar movement towards the frontier.

Cetewayo has with much ingenuity endeavoured to play off one white Government against the other, and, as it seemed to him at first, with some success. That he should now be exasperated can excite no surprise, for he finds himself not alone foiled in his game and disappointed of the plunder which he expected a joint invasion of the Transvaal would afford, but he also now finds the cause of his opponent espoused by those whom he had been led to hope were his friends and supporters.

Evidence in support of what has been advanced by Sir T. Shepstone is, as has been said, entirely wanting, while, on the other hand, the most striking contradiction is given to it by the present attitude of the Zulus towards his Government, and by the hostilities in Sekukuni's country and with the Griquas at the south-western border.

The above are some of the chief arguments which we have to advance in order to carry out the instructions with which we have been charged, and though we are prepared to meet any further points which may be urged in defence or justification of the annexation, we do not feel it necessary here to go into further detail.

We are directed to support with the voice of the people the protest against the annexation, and at the same time humbly and earnestly to solicit Her Majesty's gracious consideration of their cause.

We protest against the annexation of the South African Republic on the following grounds:—

1. That it is a violation of the Convention entered into at Sand River in January, 1852, between Her Majesty's Assistant Commissioners and the representatives of the emigrant farmers.

2. That the reports as to the nature of the disturbances in the Transvaal, and the peril to the peace and safety of the adjoining colonies thereby threatened, and upon which the instructions to Sir Theophilus Shepstone were founded, were gross exaggerations of fact, and misrepresented the actual position of the country.

3. That the condition laid down in Her Majesty's Commission to Sir Theophilus Shepstone requiring the assent of the inhabitants thereof, or a sufficient number of them, or the Legislature thereof, has not been complied with.

4. That the British Government cannot, with justice, avail themselves of the plea that the defencelessness and disorganization of the Republic, and the encroachments of the natives, and consequent danger to the British Colonies, made the inter-

vention of their authority a necessary act, inasmuch as those evils, if they existed, were the direct result and consequence of the acts of their own representatives as above referred to.

In concluding a letter upon a subject of such vital importance to our fellow-countrymen, to those who have struggled through toil and through danger for years in the one hope of preserving their hard-earned freedom, we cannot but feel the deep responsibility that rests upon us, and that should we fail in conveying to Her Majesty's Government the conviction of the righteousness and justice of our cause, it will be due only to our defects in laying it before them.

We believe, however, that we have fully met every argument that has been advanced to justify the act for which we now seek redress, and we rest with the fullest confidence on the sense of justice and integrity of the British nation.

We know that as a subject-people, and who have been deprived of their independence by such means, there will be before us many years of bitter heart-burnings, of ill-feeling, of desertion of homes, and of wild and objectless wanderings, while, on the other hand, with justice and with freedom, there is every reason to hope that the Transvaal may join hand in hand with the neighbouring States and colonies to work together for mutual prosperity and happiness, and for the extension of civilization and Christianity into the far interior.

It is now our earnest prayer that Her Majesty's Government may direct the removal from the Transvaal of the Administrator of the Government, with the British troops, and the official staff, and may restore to the country the independence which was guaranteed by the Convention of 1852, and which has been formally acknowledged by the Governments of Germany, France, America, Holland, Belgium, and Portugal.

We have the honour to be,

Sir,

Your most obedient humble Servants,

S. J. P. KRUGER, } *Delegates.*

P. J. JOUBERT, }

W. ED. BOK, *Secretary.*

Sir M. Hicks-Beach had been informed by Sir T. Shepstone that the signatures had been obtained by intimidation, and said in his reply:—

“ You inform me that the memorial was signed by nearly 7,000 persons. The circumstances under which these signatures were obtained were fully set forth in the very considerate letter of warning which Sir Theophilus Shepstone caused to be addressed to Mr. Kruger on the 31st of January last; and I can only add that I am unable to regard the memorial

as representing the true and deliberate opinions of those inhabitants of the Transvaal who are capable of forming a judgment on such a question.

“But even, if the opinion of the adult civilised men of the Province had been more satisfactorily ascertained, it is to be borne in mind that, being very few in number, and scattered over a territory already containing a great number of natives, and likely hereafter to have a large European population, they could not reasonably pretend to control, by a decision arrived at under the exceptional circumstances to which I have referred, the future destinies of the Province.

“It would, however, in any case, be impossible to determine such a question as that of the maintenance or removal of the Queen’s sovereignty on no other consideration than the balance of opinion among the white inhabitants.”

Again Sir T. Shepstone misled the Government and misrepresented the facts of the case, as the intimidation was used by himself to prevent the people signing the petition. At the meeting in Pretoria he caused the guns of the fort to be trained on the place where the meeting was held, and issued the following proclamation :—

“Whereas the return from Europe of the Transvaal deputation has been made the occasion, by designing persons, of creating and fostering agitation and alarm by imposing upon the credulity and ignorance of the quietly disposed inhabitants of this country, and of endeavouring, by the illegal use or assumption of authority—such as banding together of themselves into committees for the purpose of misleading the public, and coercing individuals by false representations, threats, and seditious utterances—to cause disturbances in the land, and to bring misfortune upon an innocent people.

“And, whereas the setting on foot of the said memorial and other documents was promoted by a spirit of sedition, and their obvious object at the time known by those who permitted it to be : Now, therefore, I do call upon, enjoin, and strictly charge all peaceably disposed and orderly persons to aid the officers of the Government in maintaining order, and in bringing to justice the seditious agitators who have endeavoured, and are still endeavouring, to mislead the people of the Transvaal to commit a breach of the public peace and acts of sedition against Her Majesty’s Government, thereby bringing serious misfortune upon the country and its inhabitants ; And I do further hereby warn all such mischievous and evil-disposed persons as may be found to be fomenting or instigating any such unlawful agitation, and who, by threats, seditious words, whether spoken, written, or printed, or by any other means, are engaged in inciting the people of this

country to acts of disloyalty, sedition, resistance to, or rebellion against the Government, that they are hereby made and held liable, and subject, under the law and this my proclamation, to imprisonment, fine, and such other and further punishments as the law may direct."

The deputation returned and reported the failure of their effort to get back the country. It was agreed that nothing should be done until the Zulu War was over, as they still hoped that England would give back the country as had been done in the case of the Orange Free State in 1854. When in England they had met several Liberal Members of Parliament who sympathised with them, and they hoped when the Liberals got into power such would be done. The condition of things in the Transvaal under our rule may be seen from the following petition sent home, signed and promoted principally by those who had been in favour of annexation:—

"Upon the faith of the proclamation and address of Sir Theophilus Shepstone of 12th April, 1877, and in order to avoid civil strife and confusion, many of your petitioners assisted or acquiesced in the annexation and military occupation of the late Republic. . . . That it was distinctly promised to your petitioners by Sir Theophilus Shepstone, when he deprived them of their independence, that in view of an alleged inherent weakness of the Republic, the British Government would afford the inhabitants of the State that security and protection which they were unable to obtain by themselves; that all legal courts of justice in existence at the time of the annexation should be continued; that the Transvaal should remain a separate Government with its own laws and Legislature; that the laws then in force should be retained until altered by competent legislative authority. . . .

"That in direct violation of the aforesaid promises, upon the strength of which the inhabitants of the late Republic were willing to give a peaceable trial to the new order of things, your petitioners find that after twelve months' experience of the Government of Sir Theophilus Shepstone, the following are among the most prominent of his breaches of faith:—That, in the first place, he has utterly failed to give to the people the promised protection against the natives, and is even now compelled to call for volunteers to do the work which ought to be done by the Imperial troops in the settlement of the still pending Secocoeni revolt, for the suppression of which it was stated that the mere entry of British troops into this country was sufficient. And your petitioners say generally, as regards the native question, that the present position of the country is far more critical than under the old *regime*. That, in violation

of the promise to retain all legal courts of justice at the time of annexation, Sir Theophilus has, by arbitrary proclamation, abolished the system of trial by jury as exemplified in the old Courts of Laanddrost and Heemraden of this country, and instituted a new High Court and a totally unfamiliar system of legal procedure and your petitioners further complain that the duties of the civil gaol officials and of the civil police, even on the floor of the High Court itself, have been usurped by the military authorities, under orders of the Administrator. That the Legislature (Volksraad) of this territory has been dissolved, and no deliberative representative assembly of any kind substituted for it, although promised in his Excellency's proclamation of 12th April, 1877. That the laws of the country are being altered by mere Government proclamation or notice, and this without any prospect of the granting of any political constitution to the country."

The next effort made by the Boers to regain their independence was during Sir Bartle Frere's visit in April, 1879. He had arranged to meet them in March, but was a month late in consequence of the Zulu affairs; about 4,000 Boers from all parts of the country waited in camp till he came. He agreed to forward their petition to the Queen. In his despatch transmitting the petition, he said :—

"As a proof of their earnestness, I can confirm the fact that they have been in an open camp waiting my arrival for four weeks. They maintain that their independence was unjustly taken from them by the Act of Annexation, an Act which they allege was grounded on incorrect representations of the state of the Transvaal and of the feebleness of its Government. They desire that their independence may be freely and unreservedly restored to them. They desire nothing more in the shape of concession, and they cannot be content with anything less. By 'independence' they understand the same entire freedom from all control in choosing their own form of Government, and their own administrative machinery, as was guaranteed to them by the Sand River Convention of 1852. . . . And looking to the bearing and the temper of the members of the Committee whom I met, who are men of position in the country and respected, and leaders who have since the earliest establishment of the Republic taken a prominent part in the Government of the country, I think I may say that their representations are worthy of your earnest consideration."

No notice was taken of this despatch and no answer sent to the Memorial, but Sir Garnet Wolseley afterwards told them "as long as the sun shines, the Transvaal will remain British Territory."

A convention was held of Boers from every district which met on the 10th and remained in session till the 17th Dec. 1879. At this convention it was determined to call together the Volksraad to proclaim their independence, Ex-President Pretorius as Chairman informed Sir Garnet Wolseley of this fact, who issued a warrant to arrest Pretorius for high-treason, and Mr. Bok, the Secretary, was also arrested on the same charge. They were liberated on bail, and have never been tried. The leaders deferred calling the Volksraad, while they went down to Cape Town to use their influence to prevent any scheme of confederation being carried out till they had got their independence. They were successful in preventing confederation. In May 1880 they sent their last memorial to England; it was addressed to Mr. Gladstone, now in power. 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 informed him that they had determined to take back the country by force and were only waiting for the proper time to do so. They appealed to him to do justice to the country by rescinding the annexation and reinstating in its full vigour the treaty of 1852. Mr. Gladstone in reply told them for various reasons "our judgment is that the Queen cannot be advised to relinquish her sovereignty over the Transvaal," but offering them everything short of that. It was of no avail, nothing short of complete independence would satisfy them. They continued to make their preparations for asserting their independence, still paid their taxes under protest, continued in their refusal to admit any allegiance to our Government, and carried on the agitation. The Volksraad was convened for the 8th January, 1881, to finally settle matters, but the Editor of the paper that inserted the notice was arrested for treason; a proclamation was issued to prevent the Meeting and it was held in consequence on the 13th Dec., 1880. At this meeting the Republic was proclaimed, and Messrs. Kruger, Pretorius and Joubert elected as a provisional executive.

They sent a letter to Sir William Lanyon informing him that they had determined to take over the country, and asking him to give it up peaceably. They also issued a proclamation which, after giving a history of the protest made at the time of annexation, the attempts that had been made to get back the country by Deputations, Memorials, &c., concluded by stating :

“The people now declare that with the help of God they intend starting their own Republican Government, they promise man for man to co-operate for that purpose and to defend the Government until death.

“We have decided, and the people has shown to us our path. We declare before God, who knows the hearts, and before the world : Anyone speaking of us as rebels is a slanderer ! The people of the South African Republic have never been subjects of Her Majesty and never will be.

“We therefore return to the protest of the Government referred to above, and declare that on our part the last means have been tried to insure the rights of the people by peaceful means and amicable arrangements.

“We therefore make it known to every body that on the 13th of December, 1880, the Government has been re-established. Mr. S. J. P. Kruger has been appointed Vice-President, and shall form with Messrs. M. W. Pretorius and P. Joubert the Triumvirate that shall execute the Government of the country. The Volksraad has recommenced its sitting. . . .

“All officials who serve the Government now, and who are able and willing to serve under the altered circumstances of the country, shall have a claim to retain their places and such advantages as their positions now afford to them.

“To the English Government the right is reserved to maintain in our country a Consul or Diplomatical Agent to represent the interests of British subjects.

“The lawful expenditure lawfully incurred for the necessary expenditure during the interregnum shall be confirmed.

“The differences over boundaries of natives shall be submitted to arbitration.

“For the native policy the Government is prepared to accept general principles to be decided upon after deliberation with the colonies and States of South Africa.

“The Republic is prepared to confederate with the Colonies and States of South Africa,

“ And finally, we declare and make known to all and everybody that from this day the country is declared to be in a state of siege and under the provisions of martial law.

“ The Triumvirate.

“ S. J. P. KRUGER, Vice-President.

“ M. W. PRETORIUS.

“ P. J. JOUBERT.

“ W. E. BOK, Acting State Sec.

“ Paardekraal, Pretoria, Dec. 13th 1880.”

During his Midlothian Campaign in 1879, Mr. Gladstone spoke very strongly regarding the impolicy and injustice of the Annexation ; he said if the country were as valuable as it is valueless, he would repudiate the transaction in consequence of the means by which it had been obtained, and he thus characterises our position :—

“ The Transvaal 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. But if that is to be done it must be done by force.”—

“ We have gone into the Transvaal territory, where it appears—the statement has not been contradicted—that there were 8,000 persons in a condition of self-government, under a Republican form. Lord Carnarvon announced, as Secretary of State, that he was desirous of annexing their own territory if they were willing. They replied by signing to the number of 6,500, out of 8,000 a protest against the assumption of sovereignty over them. We have what you call ‘annexed’ that territory. I need not tell you there are and can be no free institutions in such a country as that. The utmost, I suppose, that could be done was to name three or four or half a dozen persons to assist the Governor. But how are they chosen? I apprehend not out of the 6,500, but they are chosen out of the small minority who were not opposed to being annexed. Is it not wonderful to those who are freemen, and whose fathers had been freemen, and who hope that their children will be freemen, and who consider that freedom is an essential condition of civil life, and that without it you can have nothing great and nothing noble in political society, that we are led by an Administration, and led, I admit, by Parliament, to find ourselves in this position that we are to march upon another body of freemen, and against their will to subject them to despotic government.”—

TRANSVAAL INDEPENDENCE ASSOCIATION.

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OBJECTS OF THE ASSOCIATION.

At a Meeting, held on the 18th of January 1881, at 2, Great Stanhope Street, Mayfair, of gentlemen favouring the restoration of the independence of the South African Republic, the following resolution proposed by Sir CHARLES TREVELYAN, and seconded by Dr. G. B. CLARK, was unanimously agreed to :—

“That this Meeting, desiring to promote by all legitimate means the re-establishment of the independence of the Transvaal, agrees to form itself into an Association for the purpose of disseminating accurate information on the subject, under the name of the TRANSVAAL INDEPENDENCE COMMITTEE.

The Association has been formed as a focus to bring together all those who believe that the annexation of the Transvaal in 1877 was a national wrong, and who desire the ultimate restoration of its independence.

The Committee will, in the first instance, occupy itself with the dissemination of accurate and authenticated information, which will remove many misrepresentations and prejudices against the Boers that complicate the question and alienate sympathy from them; and will endeavour to secure the expression of such public opinion throughout the country as may strengthen the hands of the Government in remedying the wrongs and injustice which leading members of the Government have declared to have been inflicted on the Boers.

The Association have arranged to carry out their object by publishing Papers and by delivering Lectures, and they invite the assistance and active co-operation of Liberal Institutions throughout the country to take the subject into consideration, and strengthen the hands of the Association by passing resolutions in favour of re-establishing the independence of the Transvaal Republic.

Subscriptions will be received by Mr. A. B. L. ST. JOHN, 105, Earl's Court Road, London, W.; while letters and communications of any other kind should be addressed to the Hon. Secretary, at the Offices of the Association, 9, Bridge Street, Westminster, opposite the Houses of Parliament.