

*Keyed*

THE BOER WAR AND THE DUTY OF THE UNITED STATES RELATIVE TO THE SAME.

SPEECHES

OF

HON. JOHN F. SHAFROTH,

OF COLORADO,

IN THE

HOUSE OF REPRESENTATIVES,

February 1 and 7, 1900.

WASHINGTON.  
1900.

*Mr. Shafroth is one of the leaders of the opposition in Congress*

*Speech by a gentleman of the Congress  
The interesting or so-called Republican on the movement  
Enemies of the Boers.*

SPEECHES  
OF  
HON. JOHN F. SHAFROTH.

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*Thursday, February 1, 1900.*

The House being in Committee of the Whole House on the state of the Union—

Mr. SHAFROTH said:

Mr. CHAIRMAN: I want to offer some remarks, upon the duty of this Government in the conflict between Great Britain and the South African Republic, and upon the causes of the war between those nations.

One of the bloodiest wars that has ever occurred in the history of the world, is now being waged in the Transvaal country. Over 10,000 British casualties have occurred up to this time. The Boers are intrenched with a force of 48,000 men, while the British have, in South Africa and on the sea, bound for that country, 213,000 soldiers, and since their repulse the other day at Spion Kop, demands are made for 100,000 more.

When we remember that England had only 80,000 men in the Crimean war, and Wellington only 25,000 soldiers at Waterloo, the magnitude of this struggle becomes apparent.

The war is bound to continue a long period of time, even if England doubles her forces, as the fortifications at Pretoria are impregnable, and the provisions at that point are sufficient to enable the Boers to withstand a siege for two years. Each side is armed with the most destructive weapons of modern warfare, and hence the conflict will not only be of long duration, but will be frightful in its bloodshed and destruction.

The world has a most important interest in this conflict, not only for the principle that the right should always triumph, but for the reason that this war is shutting off more than one-third of the world's supply of gold, and its effect is being felt in every moneyed center of the world, causing stringency in matters of finance, and in some places disastrous panics.

It is a disgrace to civilization that questions of right should be determined by might; that blood should flow in unlimited quantities, and the great nations of the world stand by without even lifting their voices in behalf of peace.

THE REMEDY.

A peace conference, of the leading nations of the world, was held last summer at The Hague, and an international treaty was formulated relative to the establishment of peace, which received the signatures of the diplomatic agents of all the 26 governments represented.

That treaty has not yet been ratified by the United States Senate [The Hague treaty was ratified by the United States Senate on February 6, 1900], but in all likelihood it will be within the next few days, as no opposition to it has developed up to this time.

It has always been recognized as a principle of international law, that any power could offer mediation between combatants,



without danger of international complications resulting therefrom. That principle has been recognized in the treaty of The Hague, and an express duty imposed upon nations, strangers to the controversy, to mediate between contending powers in the interest of peace.

Article II of that treaty provides as follows:

In case of serious disagreement and before an appeal to arms, the signatory powers agree to have recourse as far as circumstances allow to the good offices or mediation of one or more friendly powers.

The time has passed when mediation could be asked under that article. It is the next article that imposes the obligation upon nations, strangers to the controversy, to offer mediation to the states in conflict.

Article III reads as follows:

Independently of this recourse, the signatory powers recommend that one or more powers, strangers to the dispute, should, on their own initiative and as far as circumstances allow, offer their good offices or mediation to the States at variance. Powers strangers to the dispute have the right to offer good offices or mediation, even during the course of hostilities. The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act.

It is true that the United States representatives, above their signatures, wrote a statement that nothing in the treaty should be construed, to require the United States to intrude upon or entangle itself, in the political questions of foreign nations, or imply an abandonment of its traditional policy toward purely American questions. Yet such a course as is suggested does not come within the reservation, as mediation is a friendly act to both nations.

But even if the United States were not required by the treaty to mediate, it surely possesses the power, and the moral obligation exists, as clearly as it does upon any of the other nations.

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Mediation is in the interest of peace; it is a suggestion for arbitration. It is not, like intervention, to be backed by force. If the parties do not accept it, force is not resorted to. The only effect of mediation, if rejected, is the moral sympathy of the world for the nation willing to arbitrate and against the one refusing so to do.

That influence is so great in the world to-day that no nation would be willing to disregard it.

As this mode of ending hostilities is recommended, in fact enjoined, by the twenty-six great powers of the world, it ought to be invoked in the interest of humanity and civilization, irrespective of the right or wrong of this war. With how much greater reason, then, ought the United States to invoke it when the existence of a sister Republic is endangered and when the war, upon the part of Great Britain, is the most unjustifiable of any that has occurred in history of modern times.

#### CAUSES OF THE WAR.

Mr. Chairman, I have read with a great deal of care all that I could find, relative to the causes of the war between Great Britain and the South African Republic.

There has been almost a continuous controversy between Great Britain and the Boer people, from the time Holland transferred to England her possessions in South Africa.

Upon the one side it has been a heroic struggle for justice and right, and upon the other the exercise of brutal force for oppression and wrong.

The cause of the present war, is the interference on the part of Great Britain with the internal affairs of the South African Republic. Great Britain has demanded that the naturalization laws of the little Republic be amended to permit citizenship in five years; that the law, giving to a company the exclusive right to manufacture dynamite, be repealed; that English be taught in the schools, aided by public money; that the taxation upon mines be reduced, and that Johannesburg be given ten representatives in the Volksraad.

Sir, by what right or authority does Great Britain interfere with the internal concerns of an independent government? By what canon of international law does she predicate her right to demand the modification or repeal of the statutes of a republic?

I want to demonstrate beyond the peradventure of a doubt, that England has no more right to interfere with the internal affairs of that Republic, than we have to interfere with the internal affairs of England. I propose to show by the language of the treaties, solemnly signed and ratified by Great Britain, that the South African Republic is as free, to control its internal affairs, as the United States is to control its own affairs.

Nay, I propose to show from the declarations made by the most eminent English statesmen, including the present British secretary of the colonies, that no right whatever exists on the part of Great Britain to force reforms on the Transvaal Republic, and that the attempt to do so, would be immoral.

#### HISTORY OF THE BOERS.

Mr. Chairman, the Dutch settled Cape Colony in 1652. They remained under the dominion of Holland, enjoying peace and happiness, for one hundred and fifty-four years. When Napoleon, in 1806, invaded Holland, that country placed under the care of its ally, England, Cape Colony, until its own right to independence should be restored. Upon the final overthrow of Napoleon and the restoration of Holland to sovereignty, she transferred to England her colony.

The Boers objected to being sold and delivered like chattels, to a country whose laws oppressed them, and they rebelled against Great Britain. The rebellion was soon suppressed, and one of the most severe and cruel executions, that has ever occurred in the history of the world, took place, at which women and children were compelled to attend and witness the horrible spectacle. The Boers were told by the governor of Cape Colony, that if they did not like British rule and the laws of that country, they could leave.

They did. They concluded to leave British territory and establish a government of their own. The fact, that they were willing to abandon their farms and homes in the land of their birth, is conclusive evidence that they were laboring under a sense of great injustice. But where could they go? The wilds of Africa were as trackless as dangerous. It was inhabited by not only wild beasts, but savage men. They nevertheless trekked, to get out of British dominion. One long line of 10,000 people left home and farm to brave the dangers of an unexplored region.

They settled in what is now called Natal and established the Republic of Natalia. They bought their lands, from the native tribe that owned and possessed the same. The hardships they endured can not be described; but when they began to prosper, Captain Smith, with British soldiers, came to annex the country as a possession of that mighty empire. War followed, and the Boers were beaten. Rather than stand British rule they again trekked



to the interior of darkest Africa, to land far beyond any claimed by England. By the last annexation, England claimed the territory to the Vaal River. The Boers concluded to go beyond the Vaal, and they there, established a republic and called it the Transvaal State.

They then entered into a treaty with Great Britain, which recognized the independence of the Transvaal Boers, and made the Vaal River the boundary line between the two countries.

That treaty is called the convention of 1852. It was signed at Zand River on the 17th of January of that year, and ratified on April 15, 1852. The recognition of independence was made in the following terms:

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 may inhabit that country, it being understood that this system of noninterference is binding upon both parties.

I hold in my hand the full text of the convention, and there is not one syllable that contradicts or modifies the foregoing recognition of independence. Some time after that an Irishman named O'Reiley, hunting in South Africa, had seen in a hut a white pebble, that pleased his fancy. He put it in his pocket, thinking it was worthless. On his return to London he discovered it was a rare diamond, and sold it for \$2,500. That incident caused the greatest interest to be taken in that wild and almost uninhabited country, and, being followed by other discoveries, made England think, that all South Africa was valuable. The British Government then, in violation of this treaty and of a similar one with the Orange Free State, claimed dominion over the territory embracing the Kimberley diamond mines, which claim is stated by the English historian Froude as "perhaps the most discreditably page in British colonial history." As a compromise of the claim of the great Government, the little Republic ceded to Great Britain for £90,000 the Kimberley mines, which have yielded about \$30,000,000 a year.

#### GREAT BRITAIN'S USURPATION.

The Transvaal Boers had hardships of the severest kind, and wars with the natives, that in intensity and ferociousness are indescribable. It was in 1877 that Sir Theophilus Shepstone, Her Majesty's special commissioner for South Africa, arrived at Pretoria. He represented that as the Transvaal State was incapable of withstanding the attacks of the hordes of savage warriors, and as Great Britain would furnish half the money for the suppression of the native tribes, that it would be to the interest of the Transvaal State, to come under the protecting care of Her Majesty.

The President of the Transvaal State said, he would submit the proposition to his people. An election was held upon the subject, and the proposition was rejected by a vote of over 4 to 1.

Notwithstanding the result of that election, in defiance of the solemn treaty stipulations of Great Britain, without a shadow of right, Sir Theophilus Shepstone, on the 12th day of April, 1877, issued a proclamation, declaring the Transvaal State to be British territory, from and after that date.

The Boers said, the British Government would never approve of such usurpation and appealed to the Queen.

It seems incredible, that a nation that is continually boasting of its advanced civilization and progress, should have violated every principle of right and justice, in the forcible and criminal annexation of the Transvaal. But the proclamation of Sir Theophilus Shepstone was approved by the British Government, on the 8th day of November, 1879.

One is apt to doubt the accuracy of such a charge, as it so violently conflicts with right and justice. One is inclined to say, surely, no such act of oppression has ever been committed by a civilized nation, in the nineteenth century. I therefore, want to read to you, the statement of a man whose word you can not doubt, the statement of England's Grand Old Man, the Right Hon. William E. Gladstone, who for so many years was prime minister of Great Britain.

In a speech in Midlothian in November, 1879, he said:

They [the Conservatives] have annexed in Africa the Transvaal territory, inhabited by a free European Christian republican community, which they have thought proper to bring within the limits of a monarchy, although out of 8,000 persons in that Republic qualified to vote on the subject we are told, and I have never seen the statement officially contradicted, that 6,500 protested against it. These are the circumstances under which we undertake to transform republicans into subjects of a monarchy. \* \* \*

There is no strength to be added to your country by governing the Transvaal. 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.

Again, in a speech at Peebles on the 1st day of April, 1880, Mr. Gladstone said:

That is the meaning of adding places like Cyprus and places like the country of the Boers in South Africa to the British Empire. And, moreover, I would say this: If those acquisitions were as valuable as they are valueless, I would repudiate them, because they are obtained by means dishonorable to the character of our country.

Can anyone now doubt, that the act of the great British Government, in forcibly attempting to annex the little Transvaal State, was one of the most diabolical instances of greed and rapacity, of tyranny and usurpation, ever known in the history of the world?

Sir, the Boers determined, that they had rather die than stand such oppression and injustice. The little Dutch Republic defied, with a courage that is almost unexampled in the history of the world the embattled legions of the British Empire. War followed. The battle of Majuba Hill was fought, where 600 trained British soldiers, stationed on the top of a mountain 2,500 feet high, were almost annihilated by the attack of 450 burghers and boys from the valley below. The loss of the British was 92 killed, 134 wounded, and 59 prisoners; total, 285. The loss of the Boers was 1 killed and 5 wounded. Surely the Lord was on their side.

They knew, however, that Great Britain by her unlimited resources and strength, would ultimately triumph, and in order to save themselves from total annihilation, under duress, entered into a treaty at Pretoria, called the convention of 1881. By that convention they retained absolute freedom and independence, subject to the suzerainty of England, which was defined to mean certain rights, as to dealing with the native tribes and foreign powers.

The rights reserved by England are contained in Article II of the treaty, which reads as follows:

ART. II. Her Majesty reserves to herself, her heirs and successors, (a) the right from time to time to appoint a British resident in and for the said State, with such duties and functions as are hereinafter defined; (b) the



right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the suzerain power and any foreign State or native tribe in South Africa; and (c) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with foreign powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad.

Notwithstanding the clear provisions of that treaty, as to the rights reserved by England, Joseph Chamberlain, the British secretary of the colonies, now predicates his right to interfere with the internal affairs of that Republic, on the ground, that the indefinite word "suzerainty" was used in that instrument.

Sir, he can not mystify the minds of those seeking the truth, by such an audacious claim. Not only is it groundless, from the language of the treaty, but the man, under whose administration the treaty was made and ratified, has defined the powers reserved by Great Britain, which forever should set at rest such a claim.

Mr. Gladstone in a speech at Leeds in October, 1881, used the following language with respect to this treaty:

Under that convention we felt it our duty to take the best securities for the welfare of those native tribes, counted by hundreds of thousands, who inhabit the Transvaal, and toward whom we could not forget the responsibilities we had assumed. We provided that power should be retained for that purpose. We provided that the Crown should retain prerogatives, under the name of suzerainty, for the purpose of preventing the introduction of foreign embarrassments into South Africa, and we consented freely that, subject to certain minor conditions in relation to money, with which I need not trouble you, the Boers of the Transvaal should in all other respects enjoy perfect self-government and practical freedom and independence.

The Boers, however, feared that word "suzerainty," and almost immediately, began negotiations with Great Britain looking to the abrogation of that word, and for other changes in the treaty. Paul Kruger and other commissioners of the Transvaal State went to London, and after long negotiations entered into a new treaty with Great Britain, called the convention of 1884, which dropped the word "suzerainty," and England retained only the powers conferred in Article IV, which reads as follows:

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

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

The treaty further provided that—

It is hereby declared that the following articles of a new convention, signed on behalf, etc. \* \* \* shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the convention of the 3d of August, 1881; which latter, pending such ratification, shall continue in full force and effect.

The convention of 1884, was duly ratified by the respective governments.

Here is a clear and unequivocal repeal, of the convention of 1881, the only one, that gave to England the indefinite suzerainty rights referred to.

When the draft of the convention of 1884 was first presented to the Boer deputation, they, on February 4, 1884, wrote to Lord Derby, who at that time was in charge of British affairs, saying, that they expected an agreement to be contained in the treaty relative to the abolition of the word "suzerainty." In his reply on February 15, 1884, Lord Derby said:

By the omission of those articles of the convention of Pretoria which assigned to Her Majesty and to the British residents 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 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.

The Boers, in order to remove every semblance of a continuation of old relations, even went so far as to change their name in this treaty, from the Transvaal State, to the South African Republic. The new name itself, is inconsistent with the existence of a superior power.

How can anyone, in view of the express repeal of the convention of 1881, and the clear construction of the new treaty made by the one in authority, before it was signed, have the slightest doubt that every vestige of suzerainty over the Transvaal State was thereby abrogated? No one can, and the British Government did not, as shown by its subsequent conduct. It immediately appointed a diplomatic agent at Pretoria and received at the Court of St. James, the minister plenipotentiary of the South African Republic, and these diplomatic officials have represented their respective Governments until 1897. No explanation can be made of the subsequent conduct of Great Britain, except that Cecil Rhodes and the stock brokers of London, looked with longing eyes at the rich gold mines of the Witwatersrandt and determined that by brute force the little Republic should be hers.

#### ADMISSIONS OF CHAMBERLAIN.

But, sir, I stated that I would prove by the word of Joseph Chamberlain himself, that England had no right to interfere with the internal affairs of the South African Republic, and I will proceed to do it.

Mr. Chamberlain, in a speech delivered in Birmingham on June 7, 1881, speaking of the convention of 1881, said:

I ask your attention, in the first place, to the settlement we have made of the unfortunate war in the Transvaal.

You know that the great majority of the Boer inhabitants of the Transvaal are bitterly opposed to the British rule, and yet we are told that we ought to have persevered in wrongdoing after it was proved that the two grounds upon which the annexation was defended were fallacious and rested on no solid foundation, that we should still force our rule on an unwilling people, whose independence we had solemnly engaged by treaty to respect. \* \* \*

These men settled in the Transvaal in order to escape foreign rule. They left their homes in Natal as the English Puritans left England and went to the United States, and they founded a little Republic of their own in Africa.

In 1852 we made a treaty with them; they agreed to give up slavery and we agreed to respect and to guarantee their independence, and I say under these circumstances is it possible we could maintain a forcible annexation of the country without incurring the accusation of having been guilty, I will not say of national folly, but I say of national crime?

If in 1881, it was a national crime to maintain a forcible annexation of the country, why is it not a national crime now?

Soon after the Jameson raid, Mr. Chamberlain, in 1896, in the British Parliament, used the following language:

I do not say that under the terms of the convention we are entitled to force reforms on President Kruger, but we are entitled to give him friendly counsel. If this friendly counsel is not well received, there was not the slightest intention on the part of Her Majesty's Government to press it. I am perfectly willing to withdraw it and to seek a different solution if it should not prove acceptable to the president.

The righteousness of our action under the convention was limited to the offering of friendly counsel, in the rejection of which, if it is not accepted, we must be quite willing to acquiesce.

If the Hon. Joseph Chamberlain in 1896, believed that the right



of Great Britain was limited by the convention then in existence, to the offering of friendly counsel, with what equity, can he now claim, that she has the power from the same convention, to enforce changes in the laws of that Republic, relative to its own internal affairs?

Again, on the 8th day of May, 1896, in Parliament, speaking of the alleged grievances which led to the Jameson raid, Mr. Chamberlain used the following language:

In some quarters the idea is put forward that the Government ought to have issued an ultimatum to President Kruger—an ultimatum which would certainly have been rejected and which must have led to war. Sir, I do not propose to discuss such a contingency as that. A war in South Africa would be one of the most serious wars that could be possibly waged. It would be in the nature of a civil war; it would be a long war, a costly war, a bitter war.

To go to war with President Kruger in order to force upon him reforms in the internal affairs of the state, in which secretaries of state, standing in this place, have repudiated all right of interference on our part; that would be a course of action as immoral as it would be unwise.

If, on the 8th day of May, 1896, it was immoral to force upon the South African Republic reforms as to its internal affairs, why is it not immoral now?

These are the facts relative to the claim of Great Britain, that she has a right to interfere in the internal affairs of the South African Republic.

That claim is now made in defiance of the solemn treaty stipulations of that Empire, of the interpretations placed upon those treaties by Lord Derby and the Right Honorable William E. Gladstone, and of the repeated condemnation and repudiation of such power by the present secretary of the colonies.

How can anyone disinterested in this controversy, but feel that this is a war of oppression on the part of England, and a patriotic, heroic struggle upon the part of the Boers, a brave, honest, God-fearing people?

Should we not at least ask these nations to submit their differences to arbitration? [Applause.]

*Wednesday, February 7, 1900.*

Mr. SHAFROTH. Mr. Chairman, last week, I had occasion to offer some remarks, on what I deemed was the duty of this Government, relative to the conflict now taking place in South Africa.

On account of my time being limited, I was not able to finish my talk, and I therefore avail myself of this opportunity to do so.

Since that time the treaty of The Hague has been ratified by the Senate, and so far at least, as this nation is concerned, is the law of the land.

By that treaty, it is made the duty of the nations, strangers to the controversy, to mediate between combatants and suggest arbitration of the differences between them. The implication is plain that, upon refusal of such offer by one of the contending powers, the moral sympathy of all the nations to the treaty will be with the one willing to comply with the terms thereof, and against the one refusing so to do; and, further, a moral duty exists on the powers at variance, to comply therewith, and thus carry out the evident object of the treaty.

This duty to mediate exists in every case, irrespective of the cause of the war. With how much greater reason, then, ought the United States to offer mediation, when a gigantic power having an empire of 400,000,000 inhabitants is about to crush two little Republics, having a population, exclusive of the native tribes and out-

landers, of less than 150,000 people and having standing armies, in times of peace, which aggregate less than 900 men. And how clear does it become our duty when the great power is waging a war of injustice and oppression, and the little Republics are attempting to maintain their liberty and independence.

In my remarks last week I tried to demonstrate, that Great Britain had no more right to interfere with the internal affairs of the South African Republic, than has the United States. I showed by the language of the treaties between England and the South African Republic, that the little State was as free to manage its internal affairs as we are to manage ours.

I further showed from the declarations of the Right Hon. William E. Gladstone, Lord Derby, and Joseph Chamberlain himself, that no power was reserved by Great Britain to interfere with the internal affairs of the Republic.

I now want to take up a branch of the subject, as to whether Great Britain had a right to interfere with the internal affairs of the Republic, on account of the alleged grievances of its citizens or, as some people claim, in the interest of civilization, which involves an examination into the specific complaints of the outlanders.

The right of a foreign power to make demands upon a nation, relative to its internal concerns, exists only when the liberty or property of the citizen of such foreign country is involved. And even in those cases, the violation of the right must be clear. No such right exists for political grievances, for the reason that there is no such thing as political rights in an alien. As soon as the alien is naturalized, he renounces his allegiance to his mother country, and terminates his relation therewith.

The principal grievances of the outlanders, on account of which Great Britain has interfered with the internal affairs of the South African Republic, were five.

#### I.

##### THE NATURALIZATION LAWS OF THE BOER REPUBLIC.

The outlanders complained, that the naturalization laws were oppressive, and they caused England to demand that those laws be amended, so as to permit citizenship upon five years' residence, including past residence.

The naturalization laws of the South African Republic had required fourteen years' residence, and that period, upon the complaint of the outlanders, had been reduced to seven years.

In order to understand the reluctance with which the Boers granted liberal terms of citizenship to aliens, it must be remembered that upon the discovery of gold at the Witwatersrandt, thousands of fortune seekers poured into the little Republic, and it was not long, before they far outnumbered the Boers. It is said that at the time of the commencement of hostilities, the outlanders were more than three times as numerous as the citizens of the Republic.

The great mass of the outlanders, did not go to Johannesburg to permanently reside, but to stay there only until they made their fortunes, when they expected to return to their native lands. It must not be forgotten, that the Boers had settled in the country when it was a wilderness, inhabited only by wild beasts and savage men; that their hardships and privations had been the most severe of any pioneers of modern times, and that they justly thought they had the best right to make the laws and administer the same.



It can readily be seen that to grant very liberal terms of citizenship, would result in the turning over of the Government to the outlanders; and as the English predominated among them, it would mean the transfer of the country to the British Empire.

It is not strange, then, that the Boers were reluctant to give liberal terms of citizenship to the outlanders.

Can we, the people of the United States, believe that even the most illiberal of their naturalization laws, were not justified? Can we condemn such laws, when we have upon our own statute books a law, which even goes much further—a law which absolutely excludes from our shores Chinese, unless they come for purposes of education or travel? If to have a fourteen years' naturalization law is repugnant to civilization, where do we stand with our exclusion act?

Sir, every government has the inherent right of self-preservation and self-protection. We have exercised that right in the Chinese-exclusion act, and any other nation has the same right to preserve the independence and integrity of its government. But even upon this demand for naturalization on five years' residence, as unreasonable under the circumstances as it was, Paul Kruger yielded.

But, Mr. Chairman, England contended that the law granting franchise upon seven years' residence, did not give the right to vote for a member of the upper chamber of the Volksraad, nor for the office of President, and she demanded that full franchise be given. Sir, with what grace does this demand come from Great Britain, who does not give a naturalized, or even a native-born, citizen, a voice in the selection of the members of the upper chamber of her Parliament, nor of the chief executive of her Empire? A Government that recognizes the divine right of kings, and the right only of the sovereign to appoint new members to the House of Lords, is not in a position to insist upon the extent of the franchise given by an independent nation to a foreign citizen. But, notwithstanding that, Paul Kruger yielded upon this point.

Mr. RIDGELY. Will the gentleman allow me an interruption?

Mr. SHAFROTH. My time is limited, but I will.

Mr. RIDGELY. I desire to ask the gentleman from Colorado, if it is not true, that Great Britain also demanded, that English subjects should have the right of franchise in the Transvaal Republic, without relinquishing allegiance to Great Britain?

Mr. SHAFROTH. I was just coming to that. The most outrageous of all the demands, was that made by Great Britain, that her subjects in the Transvaal on being naturalized, should not be required to renounce allegiance to the Crown.

What nation on earth permits a naturalized citizen to retain allegiance to his native land?

Does our Government permit it? No; we say as Paul Kruger said: If you help run the Government in times of peace, you must fight for it in times of war, even where the conflict is against the mother country. Is there anything wrong in that? Does not England herself require from every one of her naturalized subjects the renunciation of his allegiance to his native country? Of course she does. With what justice, then, can she demand a different course from the South African Republic?

Upon this point, Paul Kruger said, to yield to this demand, would be a surrender of independence, and that he would never do.

What lover of justice and fairness can fail to honor the old President of the little Republic, for this determined stand?

## II.

## DEMAND FOR INCREASED REPRESENTATION IN THE VOLKSRAAD.

The second demand made by Great Britain, was that the Johannesburg district, should have ten representatives, in the legislative body of the South African Republic.

Mr. Chairman, upon what ground, did Great Britain predicate her right, to demand an increase of from two to ten representatives from that district, in the Volksraad? It was upon the ground that the outlanders own the mines at Johannesburg, and pay five-sixths of the taxes of the state. When was it, sir, that England became the champion of the principle, that taxation entitled a people to representation? It surely was not during the Revolutionary war, nor was it up to 1832, when she had 56 boroughs, having a population of less than 2,000 each, represented in Parliament by 56 members, while one district having as many inhabitants and as much wealth as the entire 56 boroughs combined, had only one representative in that body.

You all remember the terrible arraignment of the British Government by Lord Macaulay, for the inequality it permitted in representation in the House of Commons. One borough, as I remember it, was represented in that body for years, when it did not even have an existence. The territory had been encroached upon by the sea until it was entirely covered with water. The only way in which a member of Parliament could be selected, was by taking a skiff with two or three persons, who had formerly lived in the borough, rowing out to where the limits of the same once extended, and there holding a mock election for a representative to the body that legislates for the British Empire.

With what consistency does it become England, to demand full representation of a district in a foreign land, to the legislative body of that country, when it has been guilty of much grosser inequalities, and when it to-day refuses to give to Ireland, the due representation in Parliament, to which it is entitled?

At the time the negotiations were going on between Joseph Chamberlain and Paul Kruger, relative to the differences between their countries, there was filed in the colonial office at London, a petition by 3,000 Dutch residents of British Guiana, which recited these circumstances: That there were 3,000 British subjects in British Guiana, and a like number of Dutch residents; that although most of the Dutch inhabitants were born on the soil, yet they were not entitled to hold an office, under either the executive, legislative, or judicial branches of the government.

Here was a grievance, much stronger than that which existed in the Transvaal, and yet this petition must slumber, as to its own colony, while England must interfere in a less equitable cause in a foreign state.

And yet, even as to this demand, Paul Kruger yielded.

## III.

## DEMAND THAT ENGLISH SHOULD BE USED IN THE PUBLIC SCHOOLS.

Mr. Chairman, another grievance of the Outlanders, was, that the schools aided by public moneys, were taught in the Dutch language, and hence their children had to go to private schools, in order to obtain an education. They demanded that the schools, also be taught in English.

This demand was not that the English language be taught in a Dutch school, but that all the branches of the school course, be



taught in English, as well as Dutch; in other words, that there be established English public schools, at the expense of the Dutch Republic.

Sir, what would we think of a demand from our Russian or Italian naturalized citizens, that a Russian or Italian school be established and maintained in our country, at public expense? Would there be a single American citizen, in favor of the same? Would we be subject to the criticism, that we are uncivilized in refusing such a demand? We must remember, that the language of the Boers, is as dear to them, as our language is, to us. We must take into consideration, the influence of a language upon a people.

Such a demand, upon the South African Republic by the English, means a great deal more, than a similar demand from any foreigners, in our country, upon us. The Transvaal is almost entirely surrounded by English colonies. Ever since fifteen years ago, when Cecil Rhodes placed the palm of his hand across a map of the southern portion of Africa, and said that it was the dream of his life, that all that territory should be British dominion, there has been danger of the little Republic, not only being forcibly annexed, but also absorbed by this mighty power. When the English, in such large numbers came into the Transvaal and openly advocated annexation to Great Britain, is it any wonder that the sturdy Boer, whose rights had continually been encroached upon, saw in the demand for the establishment of English public schools, the danger of Anglicizing the entire people, and the ultimate absorption of their Government, by the English residents.

No one, it seems to me, in the light of their situation, can blame the Boers for refusing such a demand.

#### IV.

##### TAXATION OF THE OUTLANDERS.

Another ground of complaint on the part of the outlanders, was that they were taxed enormously, because they owned the mines of the Transvaal.

It is claimed that five-sixths of the taxes of the South African Republic, are paid by the British subjects and corporations. I presume that is true. But, Mr. Chairman, the reason they pay that proportion of the taxes, is because they own five-sixths of the property in that country. The laws of that Republic are uniform, and the taxes are imposed upon the net products of all mines, irrespective as to who own the same.

The Outlanders came to that country and bought from the Boers, for a song, some of the richest mines in the world, and under the laws of that Republic, located others, at a nominal cost. Should the state not get a revenue from this great source of wealth?

The Transvaal is a barren country; its plains are arid; its soil is not fertile, and its only source of wealth, is its diamond fields and gold mines. The Boer loves his country, and looks forward to the building of a great commonwealth there. He knows that in order to do so, it is necessary that great institutions should be founded, requiring immense revenue, that fine public buildings and vast internal improvements must be constructed, at enormous cost, and a large military establishment maintained to command respect in that part of the world.

He sees that most of these diamond fields and gold mines have passed into the hands of a few corporations, whose directors and

officers nearly all are citizens of, or reside in other countries, and have no common interest, with him, in building up a great republic in Africa. He sees the only wealth the country possesses, being daily exhausted and shipped to foreign lands.

Instead of the proceeds returning to his country, he finds this vast wealth is used in building magnificent structures in foreign cities and gorgeous palaces on the shores of the Mediterranean Sea. In the meantime he still lives in poverty, in his unpretentious cottage. Is it any wonder, sir, that he feels that such wealth, before it is entirely exhausted, must be made to yield at least a part of the revenue, with which to build his great Republic?

The tax imposed by the Boers, was  $2\frac{1}{2}$  per cent upon the profits of the mines. It is an output profit tax, not a tax on the mine. When we take into consideration, that one company declared dividends to the amount of 675 per cent in one year, and another corporation made a profit of over \$2,000,000 in twelve months, out of ores dug from Transvaal soil, is it possible that they should not contribute a paltry  $2\frac{1}{2}$  per cent, to the maintenance of the Government and the upbuilding of the State?

But, Mr. Chairman, it comes with ill grace from English citizens, to demand a lower tax. Great Britain has a colony on this continent—the brightest jewel in her crown—Canada; yet when an American goes to British Columbia or the Klondyke region to mine precious metals, he must not only pay  $2\frac{1}{2}$  per cent but 10 per cent of the profits of the mines. If it shows an utter lack of civilization to impose a  $2\frac{1}{2}$  per cent tax, how much greater lack of civilization is shown by the imposition of a tax four times that amount!

## V.

## THE DYNAMITE CONCESSION.

Another complaint of the English outlanders was, that the South African Republic granted a concession to a company, for the exclusive manufacture and sale of dynamite and other explosives, which paid a large revenue to the State, and resulted in doubling the price of dynamite in that country.

As dynamite was used very extensively in the mines, which were mostly owned by the English, it operated as an additional tax on the British corporations and subjects.

But, sir, has Great Britain been free from the granting of concessions? Does her past history not show innumerable instances of such grants? And did she then regard that such conduct, on her part, relegated her to the position of an uncivilized nation?

As reprehensible as the granting of such concessions may be, let us see whether the South African Republic has any reasons, peculiar to her situation, for justifying such an exclusive privilege.

It must be remembered, that dynamite, is perhaps the most violent explosive known to man; that large quantities of it and other explosives, in the hands of the enemies of the country, might be used to accomplish the destruction of its armies and citizens, and the overthrow of the Government itself.

The situation in the Transvaal was very peculiar. A foreign population, composed largely of English—the old enemies of the Boers—seemed almost instantly, upon the discovery of the mines at Johannesburg, to take possession of the country. They largely outnumbered the citizens of that Republic. They had scarcely taken up a temporary abode, before they began to openly advocate annexation of the territory to the British Empire.



In 1890, Paul Kruger, the President of the Boers, visited the magic city of Johannesburg. While there, the flag of the South African Republic, which floated over the public building of that city, was pulled down and torn to shreds.

On another occasion, upon the arrival at Pretoria of Sir Henry Loch, the British high commissioner of South Africa, President Kruger went to the station to receive him. The two were hurried into a carriage, the box was mounted by two men who unfurled the union jack, the horses were removed, and a large crowd of men drew the carriage through the streets of that city, singing "Rule Britannia" and "God save the Queen." President Kruger protested violently against such an insult to him and his country, but all in vain.

A few years later, in 1896, a conspiracy was organized by Cecil Rhodes, Dr. Jameson and others to overthrow the Republic and place the Transvaal under the dominion of Great Britain. They armed a large force and attempted to seize Johannesburg and take possession of the Government.

It was called the Jameson raid. The Germans and other mixed population of the Rand, refused to join in the war, and hundreds of English and Cornish residents fled from that city. Dr. Jameson called his countrymen who fled poltroons and cowards, and said that Johannesburg thereafter would be known as "Judasburg."

The raid failed, because of the valor and vigilance of the sturdy Boers, in defending the independence of their country. A battle was fought, and the English were defeated and captured. Instead of hanging the prisoners, as the Boer Government had a right to do, they were handed over to Great Britain, to be dealt with by that nation, as its conscience should dictate.

Is it any wonder, Mr. Chairman, that this little Republic, in order to protect itself against such a numerous enemy, within the limits of its own land, should have desired to maintain the most perfect control, of the sale of dynamite and other explosives, within its jurisdiction? Can it be blamed for wanting to keep the exclusive sale of such explosives, in the hands of a friendly company, which would not dispose of the same, except for legitimate mining purposes, and where the most perfect inspection could be made by the Government, as to the sales, and as to the character of the persons, purchasing any large quantity of the same?

Subsequent events have demonstrated, that if no restraints had been imposed upon the sale of dynamite and other explosives, to-day there would be in the field, in the very heart of the Transvaal, an armed force of British outlanders, which would threaten the destruction of the armies of the South African Republic.

Mr. Chairman, these are the principal grievances, of the English outlanders, against the Boer Republic. They had come to earn a living, that they could only make with difficulty, in their own land. They made money, and many of them made fortunes.

In view of their own disturbing actions in a foreign country, have they a single complaint of wrong well founded?

The subsequent conduct of the outlanders themselves, has demonstrated that their grievances were more imaginary than real.

War exists between Great Britain and the South African Republic, and yet nearly all the outlanders, other than of British nationality, not even content to remain neutral, have joined the army of General Joubert and are fighting heroically for the flag of the little Republic. Even the English outlanders themselves,

are not found in large numbers, in the armies of Great Britain; and yet if they had suffered oppressive wrongs, all of the outlanders, of all nationalities, would have been in the ranks of Lord Roberts and General Buller.

What fairer proposition to England, as a last resort, could have been offered than that proposed by President Kruger, to submit their differences to arbitration? And yet it was rejected by the Imperial Government.

Then, sir, President Kruger, tired of yielding specifically to the details of the demands of the British Government, in pathetic tones, ever to be remembered by his countrymen, said, "I will yield all, all, all, except independence."

A close examination of the causes of this war, shows conclusively, that it is a war of oppression and greed on the part of Great Britain, and a war for the maintenance of liberty and independence, for the defense of homes from foreign invasion, on the part of the South African Republic. [Applause on the Democratic side.]

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Where mediation is extended, it is simply a request that the parties submit their differences to arbitration, not to be followed by force if refused, but simply relying upon the moral effect which would surely follow, namely, that the sympathy of all the nations, parties to the Hague treaty, would be upon the side of the one, offering to arbitrate and against the one, refusing so to do. No nation, that is a party to that treaty, could equitably refuse to comply with such offer of mediation.

Mr. Chairman, although the Boers have been successful so far in this conflict, I feel that the British arms will triumph in the end. They can not withstand the unlimited resources and innumerable men, which Great Britain can use in this war. And unless some of the powers, bound by the provisions of the treaty of The Hague, come to the rescue, you will find that in the end there will be a total annihilation, of the brave, honest people of that little Republic.

Should not the Administration, at least, use this power to establish peace between these nations, and thereby prevent the further destructive results of a bloody war? [Applause.]