

Dr. W. J. LEYDS  
KANTOOR.

# Transvaal Crisis of 1896.

FULL TEXT

OF THE

BRITISH SOUTH AFRICA COMPANY'S

ROYAL CHARTER

AND THE

(TRANSVAAL AND GREAT BRITAIN)

CONVENTION OF LONDON, 1884.

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FULL TEXT  
OF THE  
BRITISH SOUTH AFRICA COMPANY'S  
ROYAL CHARTER.

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VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith,

To all to whom these presents shall come, Greeting:

WHEREAS a Humble Petition has been presented to Us in Our Council by the Most Noble JAMES DUKE OF ABERCORN Companion of the Most Honourable Order of the Bath; the Most Noble ALEXANDER WILLIAM GEORGE DUKE OF FIFE Knight of the Most Ancient and Most Noble Order of the Thistle, Privy Councillor; the Right Honourable EDRIC FREDERICK LORD GIFFORD, V.C.; CECIL JOHN RHODES, of Kimberley, in the Cape Colony, Member of the Executive Council and of the House of Assembly of the Colony of the Cape of Good Hope; ALFRED BEIT, of 29, Holborn Viaduct, London, merchant; ALBERT HENRY GEORGE GREY, of Howick, Northumberland, Esquire; and GEORGE CAWSTON, of 18, Lennox Gardens, London, Esquire, Barrister-at-Law.

AND WHEREAS the said Petition states amongst other things:

That the Petitioners and others are associated for the purpose of forming a Company or Association, to be incorporated, if to Us should seem fit, for the objects in the said Petition set forth, under the corporate name of the British South Africa Company.

That the existence of a powerful British Company, controlled by those of Our subjects in whom we have confidence, and having its principal field of operations in that region of South Africa lying to the north of Bechuanaland and to the west of Portuguese East Africa, would be advantageous to the commercial and other interests of Our subjects in the United Kingdom and in Our Colonies.

That the Petitioners desire to carry into effect divers concessions and agreements which have been made by certain of the chiefs and tribes inhabiting the said region, and such other concessions, agreements, grants and treaties as the Petitioners may hereafter obtain within the said region or elsewhere in Africa, with the view of promoting trade, commerce, civilisation and good government (including the regulation of liquor traffic with the natives) in the territories which are or may be comprised or referred to in such concessions, agreements, grants, and treaties as aforesaid.

That the Petitioners believe that if the said concessions, agreements, grants, and treaties can be carried into effect, the condition of the natives inhabiting the said territories will be materially improved and their civilisation advanced, and an organisation established which will tend to the suppression of the slave trade in the said territories, and to the opening up of the said territories to the immigration of Europeans, and to the lawful trade and commerce of Our subjects and of other nations.

That the success of the enterprise in which the Petitioners are engaged would be greatly advanced if it should seem fit to Us to grant them Our Royal Charter of incorporation as a British Company under the said name or title, or such other name or title, and with such powers, as to Us may seem fit for the purpose of more effectually carrying into effect the object aforesaid.

That large sums of money have been subscribed for the purposes of the intended Company by the Petitioners and others, who are prepared also to subscribe or to procure such further sums as may hereafter be found requisite for the development of the said enterprise, in the event of Our being pleased to grant to them Our Royal Charter of incorporation as aforesaid.

NOW, THEREFORE, We having taken the said Petition into our Royal consideration in Our Council, and being satisfied that the intentions of the Petitioners are praiseworthy and deserve encouragement, and that the enterprise in the Petition described may be productive of the benefits set forth therein, by Our Prerogative Royal and of Our especial grace, certain knowledge, and mere motion, have constituted, erected, and incorporated, and by this Our Charter for Us and Our Heirs and Royal successors, do constitute, erect, and incorporate into one body politic and corporate by the name of The British South Africa Company the said James Duke of Abercorn, Alexander William George Duke of Fife, Edric Frederick Lord Gifford, Cecil John Rhodes, Alfred Beit, Albert Henry George Grey, and George Cawston and such other persons and such bodies as from time to time become and are members of the body politic and corporate by these presents constituted, erected, and incorporated with perpetual succession and a common seal, with power to break, alter, or renew the same at discretion, and with the further authorities, powers, and privileges conferred, and subject to the conditions imposed by this Our Charter: And We do hereby accordingly will, ordain, give, grant, constitute, appoint, and declare as follows (that is to say):

1. The principal field of the operations of The British South Africa Company (in this Our Charter referred to as "the Company") shall be the region of South Africa lying immediately to the north of British Bechuanaland, and to the north and west of the South African Republic, and to the west of the Portuguese Dominions.

2. The Company is hereby authorised and empowered to hold, use, and retain for the purposes of the Company, and on the terms of this Our Charter the full benefit of the concessions and agreements made as aforesaid, so far as they are valid, or any of them, and all interests, authorities, and powers comprised or referred to in the said concessions and agreements. Provided always that nothing herein contained shall prejudice or affect any other valid and subsisting concessions or agreements which may have been made by any of the chiefs or tribes aforesaid. And in particular nothing herein contained shall prejudice or affect certain concessions granted in and subsequent to the year 1880, relating to the territory usually known as the District of the Tati, nor shall anything herein contained be construed as giving any jurisdiction, administrative or otherwise, within the said District of the Tati, the limits of which District are as follows, viz.: from the place where the Shasi River rises to its junction with the Tati and Ramaquaban Rivers, thence along the Ramaquaban River to where it rises, and thence along the watershed of those rivers.

3. The Company is hereby further authorised and empowered, subject to the approval of one of Our Principal Secretaries of State (herein referred to as "Our Secretary of State"), from time to time, to acquire by any concession, agreement, grant, or treaty, all or any rights, interests, authorities, jurisdictions, and powers of any kind or nature whatever, including powers necessary for the purposes of government, and the preservation of public order in or for the protection of territories, lands, or property, comprised or referred to in the concessions and agreements made as aforesaid or affecting other territories, lands, or property in Africa, or the inhabitants thereof, and to hold, use, and exercise such territories, lands, property, rights, interests, authorities, jurisdictions, and powers respectively for the purposes of the Company and on the terms of this Our Charter.

4. Provided that no powers of government or administration shall be exercised under or in relation to any such last-mentioned concession, agreement, grant, or treaty, until a copy of such concession, agreement, grant, or treaty, in such form and with such maps or particulars as Our Secretary of State approves, verified as he requires, has been transmitted to him, and he has signified his approval thereof either absolutely or subject to any conditions or reservations. And provided also that no rights, interests, authorities, jurisdictions, or powers

of any description shall be acquired by the Company within the said District of the Tati as hereinbefore described without the previous consent in writing of the owners for the time being of the Concessions above referred to relating to the said District, and the approval of Our Secretary of State.

5. The Company shall be bound by and shall fulfil all and singular the stipulations on its part contained in any such concession, agreement, grant or treaty as aforesaid, subject to any subsequent agreement affecting those stipulations approved by Our Secretary of State.

6. The Company shall always be and remain British in character and domicile, and shall have its principal office in Great Britain, and the Company's principal representative in South Africa, and the Directors shall always be natural-born British subjects or persons who have been naturalised as British subjects by or under an Act of Parliament of our United Kingdom; but this Article shall not disqualify any person nominated a Director by this Our Charter, or any person whose election as a Director shall have been approved by Our Secretary of State, from acting in that capacity.

7. In case at any time any difference arises between any chief or tribe inhabiting any of the territories aforesaid and the Company, that difference shall, if Our Secretary of State so require, be submitted by the Company to him for his decision, and the Company shall act in accordance with such decision.

8. If at any time Our Secretary of State thinks fit to dissent from or object to any of the dealings of the Company with any foreign power and to make known to the Company any suggestion founded on that dissent or objection, the Company shall act in accordance with such suggestion.

9. If at any time Our Secretary of State thinks fit to object to the exercise by the Company of any authority, power, or right within any part of the territories aforesaid, on the ground of there being an adverse claim to or in respect of that part, the Company shall defer to that objection until such time as any such claim has been withdrawn or finally dealt with or settled by Our Secretary of State.

10. The Company shall to the best of its ability preserve peace and order in such ways and manners as it shall consider necessary, and may with that object make ordinances (to be approved by Our Secretary of State) and may establish and maintain a force of police.

11. The Company shall to the best of its ability discourage and, so far as may be practicable, abolish by degrees, any system of slave trade or domestic servitude in the territories aforesaid.

12. The Company shall regulate the traffic in spirits and other intoxicating liquors within the territories aforesaid, so as, as far as practicable, to prevent the sales of any spirits or other intoxicating liquor to any natives.

13. The Company as such, or its officers as such, shall not in any way interfere with the religion of any class or tribe of the peoples of the territories aforesaid or of any of the inhabitants thereof, except so far as may be necessary in the interests of humanity, and all forms of religious worship or religious ordinances may be exercised within the said territories and no hindrance shall be offered thereto except as aforesaid.

14. In the administration of justice to the said peoples or inhabitants, careful regard shall always be had to the customs and laws of the class or tribe or nation to which the parties respectively belong, especially with respect to the holding, possession, transfer, and disposition of lands and goods and testate or intestate succession thereto, and marriage, divorce, and legitimacy and other rights of property and personal rights, but subject to any British laws which may be in force in any of the territories aforesaid, and applicable to the peoples or inhabitants thereof.

15. If at any time Our Secretary of State thinks fit to dissent from or object to any part of the proceedings or system of the Company relative to the peoples of the territories aforesaid, or to any of the inhabitants thereof, in respect of slavery or religion or the administration of justice, or any other matter, he shall make known to the Company his dissent or objection, and the Company shall act in accordance with his directions duly signified.

16. In the event of the Company acquiring any harbour or harbours, the

Company shall freely afford all facilities for or to Our ships therein without payment except reasonable charges for work done or services rendered or materials or things supplied.

17. The Company shall furnish annually to Our Secretary of State, as soon as conveniently may be after the close of the financial year, accounts of its expenditure for administrative purposes and of all sums received by it by way of public revenue, as distinguished from its commercial profits during the financial year, together with a report as to its public proceedings and the condition of the territories within the sphere of its operations. The Company shall also on or before the commencement of each financial year furnish to Our Secretary of State an estimate of its expenditure for administrative purposes, and of its public revenue (as above defined) for the ensuing year. The Company shall in addition from time to time furnish to Our Secretary of State any reports, accounts or information with which he may require to be furnished.

18. The several officers of the Company shall, subject to the rules of official subordination and to any regulations that may be agreed upon, communicate freely with Our High Commissioner in South Africa and any other Our officers, who may be stationed within any of the territories aforesaid, and shall pay due regard to any requirements suggestions or requests which the said High Commissioner or other officers shall make to them or any of them and the Company shall be bound to enforce the observance of this Article.

19. The Company may hoist and use on its buildings and elsewhere in the territories aforesaid, and on its vessels, such distinctive flag indicating the British character of the Company as our Secretary of State and the Lords Commissioners of the Admiralty shall from time to time approve.

20. Nothing in this Our Charter shall be deemed to authorise the Company to set up or grant any monopoly of trade; provided that the establishment of or the grant of concessions for banks, railways, tramways, docks, telegraphs, waterworks, or other similar undertakings or the establishment of any system of patent or copyright approved by Our Secretary of State, shall not be deemed monopolies for this purpose. The Company shall not, either directly or indirectly, hinder any company or persons who now are or hereafter may be lawfully and peaceably carrying on any business concern or venture within the said District of the Tati hereinbefore described, but shall by permitting and facilitating transit by every lawful means to and from the District of the Tati, across its own territories or where it has jurisdiction in that behalf, and by all other reasonable and lawful means, encourage, assist and protect all British subjects who now are or hereafter may be lawfully and peaceably engaged in the prosecution of a lawful enterprise within the said District of the Tati.

21. For the preservation of elephants and other game, the Company may make such other regulations and (notwithstanding anything hereinbefore contained) may impose such license duties on the killing or taking of elephants or other game as they may think fit: Provided that nothing in such regulations shall extend to diminish or interfere with any hunting rights which may have been or may hereafter be reserved to any native chiefs or tribes by treaty, save so far as any such regulations may relate to the establishment and enforcement of a close season.

22. The Company shall be subject to and shall perform and undertake all the obligations contained in or undertaken by Ourselves under any treaty, agreement, or arrangement between Ourselves and any other State or Power whether already made or hereafter to be made. In all matters relating to the observance of this Article, or to the exercise within the Company's territories for the time being of any jurisdiction exercisable by Us under the Foreign Jurisdiction Acts, the Company shall conform to and observe and carry out all such directions as may from time to time be given in that behalf by our Secretary of State, and the Company shall appoint all necessary officers to perform such duties, and shall provide such Courts and other requisites as may from time to time be necessary for the administration of justice.

23. The original share capital of the Company shall be £1,000,000 divided into 1,000,000 shares of £1 each.

24. The Company is hereby further specially authorised and empowered or the purposes of this Our Charter from time to time—

- (i) To issue shares of different classes or descriptions, to increase the share capital of the Company, and to borrow moneys by debentures or other obligations.
  - (ii) To acquire and hold, and to charter or otherwise deal with, steam vessels and other vessels.
  - (iii) To establish or authorise banking companies and other companies, and undertakings or associations of every description, for purposes consistent with the provisions of this Our Charter.
  - (iv) To make and maintain roads, railways, telegraphs, harbours, and any other works which may tend to the development or improvement of the territories of the Company.
  - (v) To carry on mining and other industries, and to make concessions of mining, forestal, or other rights.
  - (vi) To improve, develop, clear, plant, and irrigate and cultivate any lands included within the territories of the Company.
  - (vii) To settle any such territories, lands, and, as aforesaid, to aid and promote immigration.
  - (viii) To grant lands for terms of years or in perpetuity, and either absolutely, or by way of mortgage or otherwise.
  - (ix) To make loans or contributions of money or money's worth, for promoting any of the objects of the Company.
  - (x) To acquire and hold personal property.
  - (xi) To acquire and hold (without license in mortmain or other authority than this Our Charter) lands in the United Kingdom, not exceeding five acres in all, at any one time for the purposes of the offices and business of the Company, and, (subject to any local law) lands in any of Our Colonies or Possessions and elsewhere, convenient for carrying on the management of the affairs of the Company, and to dispose from time to time of any such lands when not required for that purpose.
  - (xii) To carry on any lawful commerce, trade, pursuit, business, operations, or dealing whatsoever in connection with the objects of the Company.
  - (xiii) To establish and maintain agencies in Our Colonies and Possessions, and elsewhere.
  - (xiv) To sue and be sued by the Company's name of incorporation, as well in Our Courts in Our United Kingdom, or in Our Courts in Our Colonies or Possessions, or in Our Courts in Foreign countries or elsewhere.
  - (xv) To do all lawful things incidental or conducive to the exercise or enjoyment of the rights, interests, authorities, and powers of the Company in this Our Charter expressed or referred to, or any of them.
25. Within one year after the date of this Our Charter, or such extended period as may be certified by our Secretary of State, there shall be executed by the Members of the Company for the time being a Deed of Settlement, providing so far as necessary for—
- (i) The further definition of the objects and purposes of the Company.
  - (ii) The classes or descriptions of shares into which the capital of the Company is divided, and the calls to be made in respect thereof, and the terms and conditions of membership of the Company.
  - (iii) The division and distribution of profits.
  - (iv) General Meetings of the Company; the appointment by Our Secretary of State (if so required by him) of an Official Director, and the number, qualification, appointment, remuneration, rotation, removal, and powers of Directors of the Company, and of other officers of the Company.
  - (v) The registration of Members of the Company, and the transfer of shares in the capital of the Company.
  - (vi) The preparation of annual accounts to be submitted to the Members at a General Meeting.
  - (vii) The audit of those accounts by independent auditors.
  - (viii) The making of bye-laws.

- ix) The making and using of official seals of the Company.
- (x) The constitution and regulation of Committees or Local Boards of Management.
- (xi) The making and execution of supplementary deeds of settlement.
- (xii) The winding up (in case of need) of the Company's affairs.
- (xiii) The government and regulation of the Company and of its affairs.
- (xiv) Any other matters usual or proper to be provided for in respect of a chartered company.

26. The Deed of Settlement shall, before the execution thereof, be submitted to and approved by the Lords of Our Council, and a certificate of their approval thereof, signed by the Clerk of Our Council, shall be endorsed on this Our Charter, and be conclusive evidence of such approval, and on the Deed of Settlement, and such Deed of Settlement shall take effect from the date of such approval, and shall be binding upon the Company, its Members, Officers and Servants, and for all other purposes whatsoever.

27. The provisions of the Deed of Settlement or of any supplementary Deed for the time being in force, may be from time to time repealed, varied, or added to by a supplementary Deed, made and executed in such manner as the Deed of Settlement prescribes. Provided that the provisions of any such Deed relative to the Official Director shall not be repealed, varied, or added to without the express approval of Our Secretary of State.

28. The Members of the Company shall be individually liable for the debts, contracts, engagements, and liabilities of the Company to the extent only of the amount, if any, for the time being unpaid on the shares held by them respectively.

29. Until such Deed of Settlement as aforesaid takes effect the said James Duke of Abercorn shall be the President; the said Alexander William George Duke of Fife, shall be Vice-President; and the said Edric Frederick Lord Gifford, Cecil John Rhodes, Alfred Beit, Albert Henry George Grey, and George Cawston, shall be the Directors of the Company; and may on behalf of the Company do all things necessary or proper to be done under this Our Charter by or on behalf of the Company: Provided always that, notwithstanding anything contained in the Deed of Settlement of the Company, the said James Duke of Abercorn, Alexander William George Duke of Fife, and Albert Henry George Grey, shall not be subject to retire from office in accordance with its provisions, but shall be and remain Directors of the Company until death, incapacity to act, or resignation, as the case may be.

30. And We do further, will ordain, and declare that this Our Charter shall be acknowledged by Our governors and Our naval and military officers and Our consuls, and Our other officers in Our Colonies and Possessions, and on the high seas, and elsewhere, and they shall severally give full force and effect to this Our Charter, and shall recognise and be in all things aiding to the Company and its Officers.

31. And We do further will, ordain, and declare that this Our Charter shall be taken, construed and adjudged in the most favourable and beneficial sense for, and to the best advantage of the Company as well in Our Courts in Our United Kingdom, and in Our Courts in Our Colonies or Possessions, and in Our Courts in foreign countries or elsewhere, notwithstanding that there may appear to be in this Our Charter any non-recital, mis-recital, uncertainty, or imperfection.

32. And We do further will, ordain, and declare that this Our Charter shall subsist and continued valid, notwithstanding any lawful change in the name of the Company or in the Deed of Settlement thereof, such change being made with the previous approval of Our Secretary of State signified under his hand.

33. And We do further will, ordain, and declare that it shall be lawful for Us, Our heirs and successors, and We do hereby expressly reserve to Ourselves, Our heirs and successors, the right and power by writing under the Great Seal of the United Kingdom at the end of twenty-five years from the date of this Our Charter, and at the end of every succeeding period of ten years, to add to, alter, or repeal any of the provisions of this Our Charter, or to enact other provisions in substitution for or in addition to any of its existing provisions. Pro-

vided that the right and power thus reserved shall be exercised only in relation to so much of this Our Charter as relates to administrative and public matters. And We do further expressly reserve to Ourselves, Our heirs and successors, the right to take over any buildings or works belonging to the Company, and used exclusively or mainly for administrative or public purposes on payment to the Company of such reasonable compensation as may be agreed, or as failing agree ment may be settled by the Commissioners of Our Treasury. And We do further appoint, direct, and declare that any such writing under the said Great Seal shall have full effect, and be binding upon the Company, its members, officers, and servants, and all other persons, and shall be of the same force, effect, and validity as if its provisions had been part of and contained in these presents.

34. Provided always and We do further declare that nothing in this Our Charter shall be deemed or taken in anywise to limit or restrict the exercise of any of Our rights or powers with reference to the protection of any territories, or with reference to the government thereof, should We see fit to include the same within Our dominions.

35. And We do lastly will, ordain, and declare, without prejudice to any power to repeal this Our Charter by law belonging to Us, Our heirs and successors, or to any of Our Courts, Ministers, or officers independently of this present declaration and reservation, that in case at any time it is made to appear to Us in Our Council that the Company has substantially failed to observe and conform to the provisions of this Our Charter, or that the Company is not exercising its powers under the concessions, agreements, grants, and treaties aforesaid, so as to advance the interests which the Petitioners have represented to Us to be likely to be advanced by the grant of this Our Charter, it shall be lawful for Us, Our heirs and successors, and We do hereby expressly reserve and take to Ourselves, Our heirs and successors, right and power by writing under the Great Seal of Our United Kingdom to revoke this Our Charter, and to revoke and annul the privileges, powers, and rights hereby granted to the Company.

In Witness whereof We have caused these Our Letters to be made Patent.

Witness Ourself at Westminster, the 29th day of October, in the fifty-third year of Our reign.

MUIR MACKENZIE.

By warrant under the Queen's Sign Manual.

The Great  
Seal of the  
United  
Kingdom.

# TRANSVAAL AND GREAT BRITAIN.

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## FULL TEXT

OF THE

## CONVENTION OF LONDON, 1884.

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

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

### ARTICLE I.

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

Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called "Division Stream"; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down

the Coldstream to its junction with the Buffalo or Umzinayi River; thence down the coast of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N<sup>o</sup>Qaba-Ka hawana Mountains; thence 80 yards to the N<sup>o</sup>Sonto River; thence down the N<sup>o</sup>Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N<sup>o</sup>Yawos Hill in that range (Bea. XVI.); thence to the northern peak of the Inkwakweni Hills (Bea. XV.); thence to Seftunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIV.); thence to a point on the slope near the crest of Matanjeni, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N<sup>o</sup>gwangwano, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former) on the left bank of the Assegai River and upstream of Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X.); thence to the beacon known as "Viljoen's," or N<sup>o</sup>Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called "Joubert's Beacon," and known to the natives as "Piet's Beacon" (Bea. IX.); thence to the highest point of the N<sup>o</sup>Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon (Bea. VII.); thence to the Gulungwana or Ibulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI.); thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V.); thence to a low bare hill on the north-east of and overlooking the Impulazi River to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon.) From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlabana Peak; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range; thence along the summits of the Libombo range to the middle of the point where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafori River with the Limpopo or Crocodile River; thence

up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to "Derde Poort," where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river; thence, in a straight line, through this beacon to a beacon (No. 9) erected on the top of the same range, about 1,70 yards distant from beacon (No. 10); thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or "Wildebeest Kop," situated south-eastward of, and about  $3\frac{1}{2}$  miles distant from a high hill, called Moripe; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or "koppie" forming the eastern extremity of the range of hills called Moshweu, situated to the northward of, and about two miles distant from, a large isolated hill called Chukudu-Chochwa; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill forming part of the same range Moshweu; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range; thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or "Koppie," near to and eastward of the Notwane River; thence, in a straight line, to the junction of the stream called Metsi Mashwane with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the Poort where the river passes through the Dwarsberg range; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatabama, a pool on a spruit north of the Molopo River. From Ratmalabama the boundary shall run to the summit of an isolated hill, called Leganka; thence, in a straight line, passing north-east of a Native Station, near "Buurman's Drift," on the Molopo River, to that point on the road from Mosiega to the old drift where a road turns out through the Native Station to the new drift below; thence to "Buurman's Old Drift;" thence in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm "Vleifontein," No. 117; thence, in a straight line, to the north-western corner beacon of the farm "Mooimeisjesfontein," No. 30; thence, along the western line of the said farm "Mooimeisjesfontein," and in prolongation thereof, as far as the road leading from "Ludik's Drift," on the Molopo River, past the homestead of "Mooimeisjesfontein," towards the Salt Pans near Harts River; thence, along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence along the southern edge of the last-named road towards Lotlakane, until the first garden ground of that station is reached; thence, in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence, skirting Kunana, so as to include it and all its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence, along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs; thence, along the eastern side and clear of the road towards Taungs, till the line of the district known as "Stellaland" is reached, about 11 miles from Taungs; thence, along the line of the district Stellaland, to the Harts River about 24 miles below Mamusa; thence across Harts River, to the junction of the roads from Monthe and Phokwane; thence, along the western side and clear of the nearest road towards "Koppie Enkel," an isolated hill about 35 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill: thence, in a straight line, to that point on the north-east boundary of Griqualand West as beaconed by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts River, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

## ARTICLE II.

The Government of the South African Republic will strictly adhere to the

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

Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article I. of this Convention; and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article, and the decision of such referee thereon shall be final. The arrangement already made, under the terms of Article 19 of the Convention of Pretoria of the 31 August 1881, between the owners of the farms Grootfontein and Vallefontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

#### ARTICLE III.

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

#### ARTICLE IV.

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

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

#### ARTICLE V.

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

#### ARTICLE VI.

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

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

#### ARTICLE VII.

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

all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE VIII.

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

ARTICLE IX.

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

ARTICLE X.

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

ARTICLE XI.

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

ARTICLE XII.

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

ARTICLE XIII.

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

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

ARTICLE XIV.

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

ARTICLE XV.

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

ARTICLE XVI.

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

ARTICLE XVII.

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

ARTICLE XVIII.

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

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

ARTICLE XIX.

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

ARTICLE XX.

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

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

(Signed)	HERCULES ROBINSON.
„	S. J. P. KRUGER.
„	S. J. DU TOIT.
„	N. J. SMIT

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