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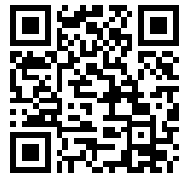
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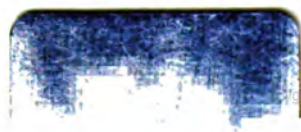
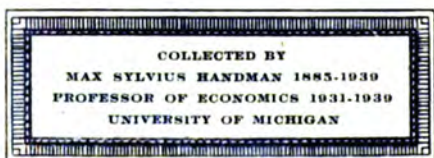
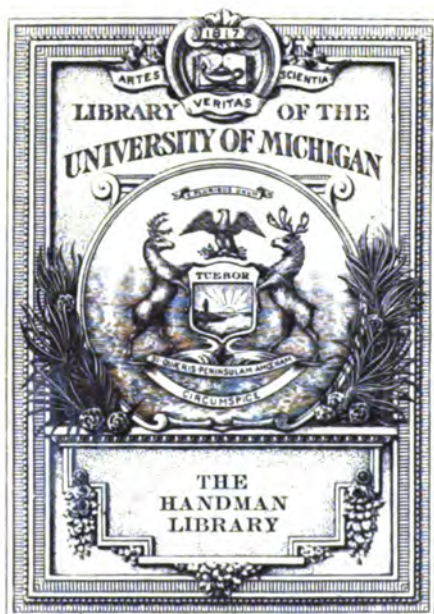
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**THE TRANSVAAL SURROUNDED**



# THE TRANSVAAL SURROUNDED

A CONTINUATION OF  
"THE FIRST ANNEXATION OF  
THE TRANSVAAL"

*Wiley*  
*Wiley* *Wiley*  
BY  
W. J. LEYDS, LL.D.

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## PREFACE

IN "The First Annexation of the Transvaal" the relations of the Boers and the British Government were reviewed from the first settlements in South Africa to the London Convention of 1884. The origin of the Boer people was traced; their early sufferings under British rule; their *trek* to an unknown Land of Promise; and their struggle for independence, culminating in the Conventions of 1852 and 1854. We saw too how the Orange Free State was deprived of the Diamond Fields, and we followed the development of the Transvaal State, its overthrow in 1877 and the means by which the Boers, biding their time and rejecting such opportunities as the Zulu War, at last regained, in part at least, the independence which had been filched from them. And finally we saw, though the most important reasons remain to be told, that the Pretoria Convention of 1881 proved quite unworkable and was superseded in 1884 by the London Convention.

The London Convention was an instrument which promised much and which, on paper, restored to the Republic almost all of its rights. If it had been adhered to by the British Government it might, in spite of its imperfections, have given South Africa peace; and, once their independence was assured, it was peace the Boers desired above everything.

But the Convention was not adhered to. A fanatical Imperialism, expressed in the cry, "*Majuba must be*



*avenged!*" dominated English public opinion. If the South African Republic was to be allowed to remain in existence at all, it must be simply as an insignificant community; neither in its domestic affairs nor in its political relations abroad was the Republic to be permitted to grow in strength or to acquire true independence. And this Imperialism was fostered by greed. For gold, much gold, had been discovered in the Transvaal—not unfortunately in one boundary district only but hidden in the heart of the country, and the methods which had robbed the Orange Free State of the Diamond Fields, leaving the country thereafter in peace, were powerless to secure the gold mines of the South African Republic.

Inspired by these two motives, a systematic plan was evolved and steadily adhered to by each succeeding British Cabinet. In the first place, the Republic was gradually encircled by a barrier of British territory which effectually deprived it of all opportunity of outward expansion; in the second, its internal development was impeded by a consistent policy of admonitions, humiliations, instructions, and warnings, followed by threats and demands, which if they had once been acceded to, would not only have left the Republic less freedom than that of a British Crown Colony, but would instantly have been succeeded by renewed complaints and exactions.

To compress the details of this policy into one volume would be impossible. A future work will deal with the interference of Great Britain in the internal affairs of the Republic, and the present volume is therefore confined to the history of external repression only. In Zululand, in Bechuanaland, in Swazieland, in Amatongaland, in Matabeleland and Mashonaland the same methods were pursued—methods which the facts will characterize more effectively than any words. As was the case with the events described in "The First Annexation of the Transvaal," so extra-

ordinary are these facts that only the evidence of the official records will make them credible.

For this reason the Blue Books published by the British Government have been relied upon almost exclusively to substantiate the statements made in this volume. It is only when important correspondence has been omitted from them that recourse has been had to private letters or to the Green Books of the South African Republic, which are less accessible to the reader who wishes to verify quotations and references. Moreover, largely on account of the constant interference of the British Government, the comparatively small staff at the disposal of the Government of the Republic was left little leisure to prepare Green Books and they were published less frequently and at less regular intervals than the British Blue Books. Works by individuals have in general been quoted only as significant expressions of opinion or in connection with matters of which no official cognizance was taken.

W. J. L.

*June, 1914.*

#### POSTSCRIPTUM OF SEPTEMBER, 1919

THE foregoing preface and the whole of this work were ready for publication when, in 1914, the war broke out. It then became impossible for a long time to publish it; and as in any case I did not want the book to be used as a war pamphlet, it was held back till after the conclusion of peace. It is now issued in its original form, not a single word having been altered or added.

W. J. L.



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(In place of a *Staatscourant* of their own the New Republic and the Republics of Stellaland and Land Goshen used the *Volksstem* for the publication of their official notices.)

## NOTE

*Italics* are inserted by the author of this volume unless otherwise stated.

Square brackets are used for the purpose of designating, in the course of a quotation [as at present], a remark interjected by the author of this volume.

The spelling and typography have been made uniform throughout, the earlier forms, such as "Zoolah" for "Zulu," having been abandoned, even in quotations, in favour of modern practice.

Quotations have in all cases been made verbatim, but it is necessary to remind the reader that in the Blue Books the translation of Dutch documents is often so bad that an erroneous impression of the original may easily be obtained. Only, however, when the actual meaning has been obscured in this way has it been considered necessary to call attention to the fact.

## INTRODUCTORY CHAPTER



## CHAPTER I

### INTRODUCTORY

WHEN in 1836 the Boers of the Great Trek abandoned their homes in Cape Colony, they did so in the expectation of finding in the interior of South Africa the independence for which they so ardently longed. But, although they sought independence and political autonomy, it was not their intention to isolate themselves in the interior of Africa. On the contrary, they wished to maintain the freest possible communication with the outside world.

From the very beginning of the migration, the Boers, no matter what obstacles confronted them, kept the sea-board before them as necessary to their future life and growth.

It was not that they were sailors or merchants. They were farmers and cattle-breeders, who felt themselves irresistibly drawn towards the vast plains of the interior, to which they turned for their means of livelihood, for new homes, and for all that their hearts desired. None the less, both tradition and instinct helped them to realise, and in a sense to anticipate, their economic need, and kept persistently alive in them their hope for an outlet to the sea.

From first to last their ambition was thwarted by the British Government. In whichever direction they moved, their way was barred, not only in the interior of the

#### 4 THE TRANSVAAL SURROUNDED

continent, but also on the coast, until at last they found themselves completely cut off and enveloped.

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The coast-line which lay open to them in the year 1836 extended from the frontier of Cape Colony northwards to Lourenço Marques. Between these two points, the harbours and bays which would have met the needs of the Boers were, from south to north: Port Natal (later Durban), St. Lucia Bay, Kosi Bay, Delagoa Bay. None of these places was in the hands of any European Power, except that on the north shore of Delagoa Bay the Portuguese had established the small settlement of Lourenço Marques.

The first need of the Boer emigrants, however, was to find a place which they could make their headquarters. They selected the country which lies between the Vaal and the Vet rivers. Some of them then started eastward toward the coast. Having obtained land by treaty with Dingaan, King of the Zulus, they founded the Republic of Natal. This territory included Port Natal and all of the coast from the Tugela to the Umzimvubu river in the south (1838). After Dingaan's treachery and defeat, the Boers took possession of St. Lucia Bay (1840).

But the Boers were not allowed to enjoy for long the fruits of their sacrifice and labour. As soon as Natal had been prepared for colonisation by white people, Great Britain laid hands on it (1842). The Boers were compelled to relinquish the coast and to abandon the country behind it. They retired to the interior, and there, to the north and south of the Vaal river, the several small republics which had been formed in the course of their wanderings were combined into two distinct bodies, the Orange Free State to the south and the South African Republic to the north.

From the beginning, the geographical position of the Orange Free State excluded all possibility of connection, through its own territory, with the sea. But it was different in the case of the Boers to the north of the Vaal river. They never relinquished their efforts to obtain a harbour of their own, and in 1868 they again took serious steps to realise their plans, this time on the shores of Delagoa Bay.

This was not the first attempt, for in 1835, the year before the Great Trek, a small party under Trichardt had visited the Bay in the hope of finding free egress to the sea. The expedition had proved disastrous, Trichardt and most of his companions having lost their lives. But they had not intended to settle at Lourenço Marques, which was a Portuguese possession. They wished to live in friendly relations with the Portuguese, but it never occurred to them to place themselves under the Portuguese authorities. What the Boers wanted was a harbour of their own.

Very little was known of the coast or of the country inland except that the climate was terrible. The fate of Trichardt and his companions, and that of other explorers who followed him, was not calculated to encourage expeditions on a large scale; so it was not until 1868 that the South African Republic resolved to take action and to extend its boundaries to the sea.

Even at this early period Delagoa Bay had been for some time a bone of contention between Great Britain and Portugal. It had been discovered by the Portuguese in the sixteenth century, but, except for a brief occupation by the Dutch East India Company, the surrounding country had remained untenanted until 1789, when the Portuguese built the fort of Lourenço Marques on the northern shore of the Bay. A few years later the country was claimed both by the English and the Portuguese; yet it would not seem that



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either party considered it a question of grave importance, for no steps were taken to decide it. The situation changed, however, when the development of the Boer settlements in the country inland began to give the Bay a constantly increasing importance. It was an unusual phenomenon—that the far interior should have been so much more advanced in civilisation than the coast, and that it was this civilisation, for which the Boers were responsible, which gave the Bay its trade value. So Great Britain revived its earlier claims, the result being a lengthy correspondence in which Portugal vigorously defended her rights.

Before this question had been decided, President Pretorius of the South African Republic issued a proclamation defining the boundaries of the Republic as including not only the entire course of the Maputa or Usutu river, but also, at its mouth, a strip of land suitable for a harbour.

The claims of President Pretorius were founded on old treaties with the Swazies, in which they had ceded the Maputa river to the Boers—the river unquestionably taking its rise in the south of the Republic. President Pretorius also took into account the fact that the mouth of the river had been declared free by Great Britain and that not a single white man lived there.\*

This proclamation at once evoked protest from both England and Portugal. Great Britain sent a man-of-war to raise the British flag at the mouth of the river. Portugal preferred to enter into negotiations. The outcome, in 1869, was a treaty in which the Republic accepted the claims of Portugal and recognised as Portuguese territory the whole extent of coast between the Lebombo mountains and the ocean as far as 26° 30' south latitude.

Again Great Britain protested, the controversy which fol-

\* See Appendix A, p. 475.

lowed being maintained by correspondence until 1875, when it was terminated by the award of President MacMahon of the French Republic, to whose arbitration both Governments had agreed to submit the question. Great Britain lost its case and the claims of Portugal were admitted on all points.

But although Great Britain was prevented from making Delagoa Bay an English possession, the South African Republic was compelled to abandon all hope of ever acquiring on those shores a harbour of its own. For Great Britain had succeeded in inducing Portugal, before President MacMahon's final decision had been announced, to enter into an agreement by which each party pledged itself in the event of the award being favourable to it, not to dispose of the territory in question until after the other party had had an opportunity to acquire it in exchange, either for money or some other appropriate compensation. (C. 1361, p. 265.)

In the meantime the South African Republic had made a new treaty of commerce and amity with Portugal (1875), and President Burgers had taken the first steps toward the construction of a railway to Delagoa Bay, which would make the Transvaal independent of British harbours.

During the three years of British domination in the Transvaal (1877-80), the project of a connecting link with the sea received on the whole only negative support, and even after the retrocession in 1881 the matter remained in abeyance for some time. In the hearts of the Boers, however, the longing, although quiescent, was still alive. It soon came to the surface again, the Boers then turning first to St. Lucia and then to Kosi Bay.

St. Lucia Bay was claimed both by the South African Republic and the New Republic, which had just been founded, and when in December, 1884, the British Govern-

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ment ordered the English flag to be hoisted over St. Lucia Bay, the two Republics pressed their respective claims.

These were rejected by Great Britain. In July, 1885, St. Lucia Bay was brought under British rule, and in February, 1887, the whole of the sea-coast of Zululand as well. The events which led up to this, and the grounds on which the interested parties based their title to the Bay, are described in Part I of this volume.

After all hope of obtaining St. Lucia Bay had definitely been lost, the only possible harbour that remained to the South African Republic was Kosi Bay. This inlet of the sea, situated on the Amatonga coast to the east of Swazieland, had in itself little to attract the people of the Transvaal. The climate was unhealthy and a considerable amount of money would be required to establish a port there which could compete with the other ports of South Africa. The Republic, therefore, would have made no strenuous effort to obtain possession of the Bay if the British Government had not harassed it in every way in the attempt to compel it to enter into a customs union with the British colonies in South Africa—a union soon joined by the Orange Free State, which did not see its dangers in the same light as the Transvaal. Even under the most favourable circumstances, such an alliance between the weak Republic and a portion of the British Empire might well be compared to the pact between the lion and the lamb. Quite irrespective, however, of the inequality in strength, it must be remembered that all the accompanying circumstances were in favour, not of the weaker party but of the stronger; that the British colonies were in possession of all the trade ports, the Republic of not one; that in consequence the collection of import duties, from which a considerable part of the revenues of the Republic was derived, would have depended entirely upon the goodwill of the British partners, putting

into their hands a powerful weapon against which the Transvaal would have nothing to oppose. It is, then, not surprising that Krüger maintained to the last that there could be no question of entering the customs union until the South African Republic had a port of its own. Even the railway connection with Delagoa Bay, completed in 1895, could not make that harbour serve the purpose, because it was in the possession of a foreign Power, weak in comparison with England.

These considerations compelled Krüger to turn his attention to Kosi Bay and the road which led to it through Swaziland and Amatongaland. In Part III we shall see how in this direction, too, his heart's desires were frustrated, and that Great Britain did not keep her promises although the Republic made actual sacrifices to obtain them.

Of these sacrifices the greatest was the right of extension northward in the hinterland of the Transvaal. This right the Convention of 1884 had reserved to the Republic. When the Transvaal relinquished it, the last barrier was raised in the rampart which Great Britain had been slowly erecting around the Boer Republics.

The process of investment had been begun in 1870 by the occupation of the Diamond Fields in the west of the Orange Free State.\* In the following year the Transvaal was deprived by the Keate award of an extensive tract of land in the south-western part of the Republic.† Subsequently this territory became a British possession through the proclamation of British sovereignty over the whole of Bechuanaland and the Kalahari Desert. The events which led up to the proclamation are narrated in Part II of this volume.

\* The history of this seizure is given in Chapters IX and X of the preceding work, *The First Annexation of the Transvaal*. This work will be referred to as Vol. I.

† See the details of this award in Chapter XI of Vol. I.

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Finally, in Part IV we shall learn how Matabeleland and Mashonaland were made part of the British Empire.

Thus the Republic, completely surrounded by British territory, had become like a place invested by fortresses on every side. The signal was soon to be given for the final assault.

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For the convenience of the reader in tracing the course of events, the following chronological table has been appended :—

- 1833 First Trek of the Boers from Cape Colony under Trichardt and van Rensburg.
- 1835 Trichardt's expedition to Delagoa Bay.
- 1836 The Great Trek.
  - Treaty between Sir Benjamin D'Urban and Moselekatse.
  - The Emigrant Boers settle between the Vaal and Vet rivers.
- 1837 Founding of Winburg.
  - Moselekatse driven over the Limpopo by the Emigrant Boers.
- 1838 (February 4.) A treaty made between the Boers under Piet Retief and Dingaan, King of the Zulus.
  - (February 6.) Massacre of Retief and his party by Dingaan.
  - (May.) The Emigrant Boers, under Landman, take possession of Natal by Proclamation.
  - Establishment of the Republic of Natal.
  - Foundation of the town of Pietermaritzburg.
- 1839 The town of Potchefstroom founded.
- 1840 Dingaan driven out of Natal.

- Pretorius proclaims Panda Chief of the Zulus as vassal of the Emigrant Boers, and takes possession of St. Lucia Bay.
- 1841 British sovereignty declared over the Emigrant Boers in Natal.
- 1842 British troops occupy Natal.  
The Emigrant Boers leave Natal.
- 1843 Natal proclaimed a British colony.
- 1846 Bloemfontein and Lydenburg founded by the Boers.  
First treaty between the Boers of Lydenburg under Rensburg and Joubert, and the Swazies.  
First treaty between the Boers and Moselekatse.
- 1847 The boundaries of Cape Colony extended to the Orange river.  
The country between the Fish river and the Kei annexed under the name of British Kaffraria.
- 1848 British sovereignty proclaimed over the territory between the Orange and the Vaal rivers; the Orange River Sovereignty.
- 1850 Founding of Rustenburg.
- 1852 The Sand River Convention, in which Great Britain recognises the independence of the Boers north of the Vaal.
- 1853 (January 8.) Treaty between Moselekatse and the Zoutpansberg Boers under Potgieter.  
(May 16.) Treaty between Moselekatse and the Boers of the "Transvaal Republic" under Pretorius.
- 1854 The Bloemfontein Convention.  
Great Britain renounces the Orange River Sovereignty.  
Foundation of the Orange Free State.
- 1855 Second treaty between the Boers and the Swazies.
- 1856 Constitution ("Grondwet") of the South African Republic.
- 1860 The Republics north of the Vaal united as "The South African Republic," with Pretoria as capital.

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- 1866 Discovery of the first diamond.
- 1868 Basutoland incorporated with the British dominions.  
President Pretorius issues a proclamation including  
in the boundaries of the Republic a harbour on  
Delagoa Bay.  
England and Portugal protest.
- 1869 Treaty between the Republic and Portugal, the  
Republic renouncing its claim to the harbour on  
Delagoa Bay.  
Diamonds found near the Vaal river.
- 1870 The Free State diamond fields near Vaal river  
occupied by Great Britain.
- 1871 The Swazie Chief Umswazie, as vassal of the Republic,  
asks its protection against Cetywayo.  
(October 17.) The Keate award deprives the Republic  
of considerable territory in the south-west.  
(October 27.) The Free State diamond fields formally  
incorporated with Cape Colony.
- 1873 Opening of the Lydenburg gold fields.
- 1875 (July 1.) Treaty between the Republic and the  
Swazies by which Umbandine is appointed Chief  
of the Swazies.  
(July 24.) President MacMahon, as arbitrator, awards  
Delagoa Bay to Portugal.
- 1877 First annexation of the South African Republic by  
Shepstone.
- 1879 Zulu war with England.  
Wolseley's settlement of Zulu affairs.
- 1880 The Transvaal war for independence.
- 1881 The Pretoria Convention. The Transvaal Boers  
regain their independence under the suzerainty of  
Great Britain. Swazieland declared independent.
- 1883 Founding of the Republics of Stellaland and Land  
Goshen.
- 1884 (February 8.) Death of Cetywayo, succeeded by  
Dinizulu.



- (February 27.) The London Convention; British suzerainty abolished.
- (May 3.) Treaty between Mackenzie and Mankoroane.
- (May 22.) Treaty between Mackenzie and Montsioa. Mackenzie proclaims British Protectorate over Montsioa's territory, including Land Goshen.
- (August 16.) Founding of the New Republic.
- (August.) German Protectorate proclaimed over South-West Africa.
- Opening of the Barberton gold fields.
- Warren's expedition to Bechuanaland.
- (December 18.) The British flag hoisted over St. Lucia Bay.
- 1885 (January 27.) The Mackenzie-Mankoroane and the Mackenzie-Montsioa treaties confirmed by an Order in Council.
- (March 23.) British Protectorate proclaimed over Bechuanaland and the Kalahari.
- (July 28.) St. Lucia Bay formally annexed by Great Britain.
- (September 30.) British sovereignty proclaimed over Bechuanaland south of the Molopo.
- 1886 Opening of the Witwatersrand gold fields.
- 1887 (February 5.) British Protectorate proclaimed over Zululand.
- (May 14.) British sovereignty proclaimed over Zululand.
- (July 30.) The Grobler treaty between the South African Republic and Lo Bengula.
- (September 14.) Treaty of Union between the New Republic and the South African Republic.
- (December 3.) Tongaland placed within the sphere of British influence.
- 1888 (February 11.) The Moffat treaty between Great Britain and Lo Bengula.



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- (July 25.) Matabeleland and Mashonaland drawn within the sphere of British influence.  
(October 30.) The Rudd-Rhodes Concession.
1889. (May 3.) President Krüger proposes that the Republic withdraw from the North and Great Britain from Swazieland, from the territory of Zambaan and Umbegesa, and from Tongaland.  
(October 29.) A charter granted to the British South Africa Company.  
(December.) Sir Francis de Winton sent on a mission to Swazieland.
- 1890 The conference at Blignaut's Pont.  
Hofmeyr's promise.  
First Swazieland Convention.  
The troops of the British South Africa Company invade Mashonaland.
- 1891 The Adendorff Trek.  
Conflict between England and Portugal. Settled (June 11) by treaty determining the boundary.  
(November 17.) Lippert obtains a concession from Lo Bengula.
- 1893 (April 18-20.) The conference at Colesberg.  
(June 5-7.) The conference at Pretoria.  
(November.) Second Swazieland Convention.  
The Matabele war; Buluwayo captured; death of Lo Bengula; Matabeleland occupied by troops of the British South Africa Company.
- 1894 (December.) The Volksrust-Charlestown conference.  
Third and last Swazieland Convention.
- 1895 (February 13.) The third Swazieland Convention ratified by the Volksraad of the South African Republic.  
(April 22.) The territory of Zambaan and Umbegesa annexed by Great Britain.  
(December.) The Jameson Raid.
- 1899 (October.) The war.

**PART I**

**ZULULAND AND THE NEW REPUBLIC**



## CHAPTER II

### THE DOWNFALL OF CETYWAYO

1879	Cetywayo deposed. Wolseley's settlement. Anarchy in Zululand.
January 29, 1883	Reinstatement of Cetywayo.
July 21, 1883	Usibebu's breach of the peace. Expulsion of Cetywayo.
1884	His death.

THE Zulu war of 1879 was referred to in the preceding work.\* At the conclusion of that war, Cetywayo, the Zulu King, was deposed, and was sent to Cape Town as a State prisoner. The reorganisation of the country was left to Sir Garnet (afterwards Viscount) Wolseley, who had repaired the first reverses of the war, and whose military success against the Zulus was accepted, presumably, as evidence of his ability to satisfy still further the requirements of the British Government.

In order to relieve that Government from the burden of responsibility which direct administration would have involved, and, at the same time, to provide for interference with an appearance of legality as soon as interference might become expedient, General Wolseley divided the country into thirteen separate parts, each of them independent from the rest, and assigned a different Chief to rule over each division. All of these Chiefs were Zulus, with the exception of John Dunn, an Englishman, who, according to the *Cape Times*, was "a white man, who for twenty years or more

\* *The First Annexation of the Transvaal*, referred to as Vol. I.

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had lived the Zulu life, wedded Zulu wives," etc.\* John Dunn was particularly disliked by the friends of Cetywayo because, although he owed all that he possessed to the exiled king, he had fought against him during the war.

This "settlement" very soon reduced Zululand to a state of anarchy. There was no central authority. A British Resident had been appointed, but merely as a consular officer to report progress, without power of any kind. And, as was usually the case when dealing with native tribes, the representatives of Great Britain divided up the country quite regardless of ancient landmarks and inherited rights.

This was pointed out by Mr. H. C. Shepstone† (who happened not to have had a share in the "settlement"), in a letter to the Governor of Natal, Sir Henry Bulwer:

'I am not aware of the conditions under which the Reserve for Usibebu [one of the thirteen independent Chiefs] was made, but it strikes me that very little consideration could have been paid to the way in which the country was occupied in laying off the boundaries, as, from what I can learn, the country laid off for Usibebu includes not only the land occupied by him and his own people, but a large tract of land occupied by other headmen and their people, who were never subject to Usibebu, and who are now required, unless they will submit to be ruled by him, to leave the country occupied by them and which belonged to their forefathers before them' (May 16, 1883; C. 3705, p. 97).

Usibebu was an old enemy of Cetywayo's. But among those who had been placed under him by General Wolseley were Cetywayo's brother, Undabuko, and his former Prime Minister, Umnyamana, with their tribes and territories. Naturally, these Chiefs objected to the arrangement and

\* C. 2482, p. 274; *vide* also Vol. I, p. 205.

† This Shepstone was a son of that Sir Theophilus Shepstone who had made such a bad name for himself in the Transvaal. He had been placed with the British Resident in Zululand as assistant and adviser. Sir Theophilus Shepstone had several sons and other members of the family bearing the same name, whom one continually meets with when studying the course of events in Natal, Zululand, and Swaziland.

refused to recognise Usibebu's authority. Usibebu, by force of arms, then turned them out of their own territory. (C. 3466, p. 171.) In August, 1882, Mr. Osborn, the British Resident, informed the Governor of Natal that Undabuko, Umnyamana, and their people—

'All of whom are clamouring to be allowed to reoccupy their homesteads, say distinctly that they will not recognise the authority of the Chiefs within whose territories these are situated; nor do they recognise those Chiefs within whose boundaries they at present temporarily reside' (C. 3466, p. 172).

Some other members of Umnyamana's tribe had been placed under the authority of Uhamu, also an old enemy of Cetywayo's. Uhamu raided their kraals and (October, 1881) killed a number of Abaqulusi, the personal followers of Cetywayo.

Lastly, the territory of a half-brother of Cetywayo's, Dabulamanzi by name, who, like Undabuko, considered himself a member of Cetywayo's "Royal House," was placed under the rule of John Dunn. Dabulamanzi and his people refused to recognise Dunn's authority and refused to move their kraals.\*

The Boers had always held that the Zulu war of 1879 had been a mistake, and that it had been forced unnecessarily on the Zulus by Sir Bartle Frere. They had also strongly disapproved of Sir Garnet Wolseley's "settlement," on the ground that it was certain to lead to incessant disorder—a condition of things which would affect them materially, seeing that the south-eastern border of the South African Republic ran for a considerable distance side by side with that of Zululand.

In July, 1882, Commandant-General Joubert reported to the Executive Council at Pretoria that :

\* C. 3466, p. 171.

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'Matters in Zululand, on our eastern boundary, are becoming more and more serious. Murder, robbery, and plunder are the order of the day, and there are many Zulus deprived of all their possessions and plundered; driven out of their country [to] within our boundaries, without any means of existence' (C. 8466, p. 128).

He then pointed out that to drive these fugitives back over the border would be to expose them to certain death, and concluded by saying that the trouble was due to a mistaken policy and that nothing but the restoration of Cetywayo would re-establish order.

In July of the same year, the Transvaal Government forwarded Joubert's Report to the High Commissioner at Cape Town, strongly supporting his insistence upon the restoration of Cetywayo.

From the beginning there had been a considerable party, both in England and in South Africa, which, at first on sentimental grounds only, maintained that the deposition of Cetywayo had been a serious mistake. This party was headed by Bishop Colenso of Natal, who was vigorously supported in England by the Aborigines' Protection Society. As time passed and the facts began to speak for themselves, the opinion gained ground that, quite apart from the moral question at issue, there was evident need for some central authority in Zululand, and that no one but Cetywayo could act as Supreme Chief of the nation. These arguments received much popular support when Cetywayo was sent from Cape Town to England, where his good behaviour and dignified manners made him, for the moment, a kind of popular lion.

General Wolsley, when organising his "settlement" of the country, had guaranteed to the thirteen Chiefs he had appointed that "under no circumstances would Cetywayo ever be allowed to settle again in the country"; for, as he said later, without that guarantee, "none of them would have accepted the position of Chief."\*

\* C. 8466, p. 1.

## THE DOWNFALL OF CETYWAYO 21

By this time, however, the anarchy in Zululand had become so great that the British Government, which was directly responsible for it, could not well remain inactive. Order had to be restored. This could have been done by re-conquering the country and making it permanently British, but such a proceeding would have involved great expense, not only then but for some time to come. The large majority of the Zulus were "Usutus," that is, supporters of their "Royal House"; and in order to prevent a rebellion in favour of Cetywayo or his son, it would have been necessary to station a considerable body of troops in the country. Zululand was not considered suitable for English colonisation; nor, as far as was then known, did it contain any gold or diamond mines. It was decided, therefore, avowedly to avoid expenses and responsibility, to restore Cetywayo and to allow the Zulus to work out their own salvation under his independent rule.

This policy would probably have been successful if it had been carried out logically and consistently. Unfortunately, it was not. Instead of restoring Cetywayo to his former position as "King" or paramount Chief, it was decided to set him up as ruler over part of his country only; to take possession of another part as a kind of Anglo-Zulu Reserve, and to place a third part under the authority of Usibebu, Cetywayo's most powerful enemy.

It was, as General Joubert observed, the old story over again: setting up one tribe against another, and, by dividing, ruling without the appearance of responsibility for the consequences.

The impossible position in which Cetywayo was placed would, in itself alone, have been sufficient to keep Zululand in a state of turmoil. But other forces were at work to bring about the same result. Bishop Colenso on the one



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hand, and on the other the Natal authorities—from the Governor, Sir Henry Bulwer, downwards—were at daggers drawn. The Bishop had severely criticised the Shepstones (a son of Sir Theophilus Shepstone being at this time Secretary for Native Affairs in Natal) for their treatment of the tribes within the Colony, as well as for their conduct both before and after the Zulu war. These criticisms had been given to the world at large by Miss Harriet Colenso in her book on Zululand. A war of words ensued. A newspaper in Durban, always hostile to Sir Henry Bulwer's administration, violently supported the Bishop. The Aborigines' Protection Society had declared, from the beginning, that the object of the Natal officials throughout had been to secure the annexation of Zululand to Natal, in order to obtain more profitable administrative positions for themselves, and that, with this purpose in view, they had secretly encouraged strife and discord.\* Mr. Osborn, the British Resident in Zululand, who, under the new arrangement, was to become Administrator of the Anglo-Zulu Reserve, had also been involved in this verbal warfare. Little wonder, then, that when the Bishop took the lead in urging Cetywayo's restoration, supporting his arguments by some very pointed references to the past misconduct of the Natal authorities, the original prejudice of those gentlemen against Cetywayo was in no way lessened.

Sir Henry Bulwer, moreover, on whom devolved the duty of superintending Cetywayo's reinstatement, had vigorously opposed it in his correspondence with the British Colonial Secretary, and had insisted upon the limitation, already mentioned, of Cetywayo's authority. And although the Governor was fully aware of the animosity that Usibebu's violent behaviour had created between him and the supporters of Cetywayo,† as soon as the reinstatement of Cetywayo had become a question of practical politics, it

\* C. 3864, p. 3.

† C. 3466, p. 100, and *passim*.

## THE DOWNFALL OF CETYWAYO 23

was the Governor who insisted that authority should be given to Usibebu over a great part of Zululand, and that Usibebu should rule with power equal to that of Cetywayo.

A new settlement was arranged accordingly. Cetywayo was restored, ostensibly for the purpose of maintaining order, but with both hands tied, and with his worst and most powerful enemy as his neighbour.

On January 29, 1883, Cetywayo was reinstated as a Chief in Zululand, not, however, as King of all Zululand. The ceremony was performed by Sir Theophilus Shepstone, who had been specially commissioned for the purpose. Several of the Zulus who took part in the proceedings declared then and there that the position in which Usibebu, Cetywayo's enemy, had been placed (as a rival Chief on his border) was "intended to be a trap to cause Cetywayo's downfall," and so it proved to be—in effect if not in design.\*

Before allowing Cetywayo to return to Zululand, the British Government had exacted from him a written undertaking that he would not permit within his territory "the existence of any military system or organisation whatsoever"; that he would not make "war upon any Chief or Chiefs, or people, without the sanction of the British Government," and that "in any unsettled dispute with any Chief, people, or Government" he would "appeal to the arbitration of the British Government, through the British Resident." †

A British Resident was appointed to watch him and to see that these conditions were carried out. But none was

\* C. 3616, p. 54. "They, for the most part" (as we read further in Shepstone's Report), "referred in the bitterest terms to Usibebu having had country given to him, and having been thus made independent of Cetywayo; the most insulting epithets were applied to him and very frequently he was spoken of as a dog. They accused him of every kind of violence and atrocity, and of being a persistent disturber of the peace of the country."

† C. 3466, p. 113.

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appointed to watch Usibebu, who, in contravention of the conditions limiting his authority, mustered as many men as he wanted without interference.

From the very first, Bulwer had shown himself opposed to Cetywayo and never ceased to worry him with insinuations and accusations. Cetywayo, well knowing that he was going to be attacked by Usibebu and that his life was in danger, appealed time after time to Sir Henry Bulwer, through the Resident, for permission to collect a force in defence of his capital, Ulundi. In March, 1883, the Governor replied that he was "quite certain" Usibebu would not do anything against Cetywayo's people,\* and refused absolutely to permit him any defensive measures. Even when Usibebu, in April, 1883, invaded Cetywayo's territory and seized a number of women and children, the helpless creature was still ordered to sit still.† Usibebu was boasting that his attack had been authorised by John Shepstone, the Secretary for Native Affairs in Natal,‡ and Cetywayo reported this, emphatically repeating several times that he would be attacked within a few days.§ Again he was ordered to sit still. Small wonder that he complained "that the Government [of Natal] are acting so as to kill him, as he is prevented from defending himself." ||

In July, 1883, Sir Henry Bulwer wrote in the face of the raid in April that:

\* With regard to the statement that Usibebu had assembled a force

\* C. 3616, pp. 67, 106.

† C. 3705, pp. 31, 32.

‡ C. 3705, p. 35.

§ Ibid. pp. 34, 35.

|| Ibid. p. 34. On the 20th of April, the Resident, Henry F. Fynn, had already stated this in his Report: "Cetywayo says that he is remaining quietly at Undini [another name for his chief-kraal Ulundi] with the men he has assembled to protect him, and keeping the restoration conditions; while Usibebu is breaking them, crossing over, plundering cattle, women, and children, and killing his people, while he, Cetywayo, makes no resistance and orders his people not to resist, and yet I, the British Resident, give him no protection or satisfactory replies from the Government to all his appeals and complaints, and has no further hopes or confidence in me or my communicating to the Government" (Ibid. p. 32).

## THE DOWNFALL OF CETYWAYO 25

near the boundary of his district for the purpose of fighting with Cetywayo, I feel assured of this, that Usibebu has had neither the will nor the power to attack Cetywayo' (C. 3864, p. 47).

And again Cetywayo was ordered to sit still.

In spite of these orders he gathered a few armed men around him, but without avail. Two weeks later, on the 21st of July, Usibebu attacked Ulundi, Cetywayo's capital, burned it, killed several of Cetywayo's wives and his six-year-old son, wounded the child's mother, and drove Cetywayo himself, a wounded, homeless fugitive, into the Anglo-Zulu Reserve.\* Once there, he was persuaded to surrender to the British authorities, and was kept a "prisoner-at-large" until he died on February 8, 1884—a little more than six months after his flight from Ulundi, and about a year after his reinstatement by the British.

The Zulus declared that "the English had graciously brought back Cetywayo to live and reign, but it was done to kill him." †

\* C. 3864, pp. 60, 104. In his report of this attack to Lord Derby (the Colonial Minister in London), Sir Henry Bulwer tried to free himself of all kind of responsibility. "It lies with Usibebu," he wrote, "as an independent Chief, appointed by the Government, to account to the Government for what he has done. . . . No explanation can justify any of these acts" (Ibid. p. 61).

† Ibid. p. 122.

## CHAPTER III

### INTERVENTION OF THE BOERS

- 1883 and 1884 Effect of the disorders in Zululand on the Transvaal. General Joubert's reports.
- 1884 Great Britain remains inactive. The Government of the South African Republic powerless because of the Convention. The Boers on the border take matters into their own hands and come (March 4th) to an understanding with Grant, the representative of the Aborigines' Protection Society.

THESE proceedings aroused great indignation in the Transvaal. In the first place there was material cause for complaints which the Government of the Republic repeatedly made to the British authorities.\* Hundreds of desperate savages were fleeing across the border from Zululand, and although the High Commissioner in Cape Town went so far (May, 1883) as to express his "great regret that any inconvenience should have been occasioned to the Transvaal Government by disturbances on its border,"† Lord Derby, in London, simply refused to accept any responsibility for anything that was happening.

'Inform the Transvaal Government,' he wrote (November 3, 1883), 'in reply to the letter [of complaint] from the State Secretary, that it rests with them to protect the frontier of the Transvaal territory,

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\* See the despatch of State Secretary Bok to the High Commissioner dated September 17, 1883, in C. 3864, p. 190. General Joubert's Report, which was annexed to it, is also to be found in C. 4037, p. 13.

† C. 3705, p. 36.

## INTERVENTION OF THE BOERS 27

and to exclude from it any natives who may attempt to enter it from without, and whose presence may cause injury or danger; but that the Special Commissioner for Zulu Affairs will be instructed to cause an intimation to be made to Uhamu and the other Chiefs that their people have been charged with committing murders in the Transvaal, and that they must prevent such conduct' (C. 3864, p. 203).

This was a doctrine with which the Boers would not have quarrelled if Lord Derby had been willing to apply it in all cases, impartially. We shall see that he exactly reversed it in connection with Bechuanaland.

Zululand, it is true, was neither British territory nor under British "protection." This was emphatically declared by the British Government, not only after Cetywayo's restoration, but again in May, 1884.\* Nevertheless the anarchy in Zululand was undeniably the fault of British interference, and the Boers, as clearly as Cetywayo himself, had foreseen his downfall and were disgusted with the means taken to bring it about. The facts had been brought out very clearly in some plain-spoken reports submitted by General Joubert to the Executive Council, and forwarded at once to the British Government.

'After the war between the English Government and the Zulus in 1879,' he wrote, 'Zululand was divided into several small states or chieftainships. This, of course, was done to divide the nation against itself and to weaken it, or to cause the one tribe to extirpate the other. This policy soon bore fruit' (C. 4037, p. 14; Report of January, 1884).

On another occasion he wrote:

'It was in the hope and desire of seeing an end of the miseries and blood-sheddings that everlastingly occurred, that our Government so strongly pressed upon Her Majesty the restoration of the Zulu King Cetywayo. His release took place; but the King was not restored to his Kingdom, but was left exposed to intrigues and subversive influences; and every intelligent person could see that he could not prevail against the subtle trap spread for him, the webs of which were

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\* C. 4037, p. 117.

## 28 THE TRANSVAAL SURROUNDED

so finely formed, and which could not fail to disappoint our hopes for the peace and quiet of Zululand.' \*

In spite of these adverse circumstances, he wrote in January, 1884 :

'I make bold to say that if matters in Zululand are properly arranged there would soon be an end to murder and bloodshed; at all events, if I were commissioned to arrange matters in Zululand, while King Cetywayo is still alive, I see a chance of being able to make an end of all bloodshed within a comparatively very short time, say within 48 hours, and to bring about peace and order in Zululand within 14 days. I am confident that in saying this I do not undertake too much ; but whether the political aim of Lord Wolseley, Shepstone, and others . . . will [would then] be attained, I cannot undertake to say, but there will [would in any case] be peace and order in Zululand with less bloodshed and waste of money ' (C. 4037, p. 14).

And while the Boers perceived these general truths, they also knew certain specific facts. They knew, for instance, that Usibebu's people possessed a large number of breech-loading guns, which had been obtained from Natal.† They knew, too, that he obtained horses from Natal; that he had had several white "volunteers" with him, who had also come from Natal;‡ that these white men had played a leading part in the attack on Ulundi;§ and that the Attorney-General of Natal had declared it impossible to restrain these men or to take proceedings against them or against those who advertised or published advertisements for such assistance.|| It was known to the Boers too, as well as to Cetywayo, that Usibebu had declared repeatedly that he was acting against Cetywayo under the authority of John Shepstone, meaning thereby the British Government.¶

\* C. 3864, p. 191; C. 4037, p. 13. The translation in C. 4037 is by the Transvaal Deputation; the one in C. 3864, quoted here, is by Hudson, the British Resident at Pretoria.

† C. 3864, pp. 103, 291.

‡ Ibid. p. 103.

§ Ibid. p. 190.

|| C. 4037, pp. 58, 59; C. 4274, p. 28.

¶ C. 3864, p. 213; C. 3705, pp. 34, 35; C. 4191, p. 70.



## INTERVENTION OF THE BOERS 29

After the death of Cetywayo, affairs in Zululand, instead of improving, went from bad to worse. Usibebu, as soon as he heard of the old King's fate, had followed his attack on Ulundi by another attack on the Usutus, and when he had again routed them (January 22, 1884),\* he sent word to the Resident Commissioner in the Reserve that he intended to take possession of the territory that had been Cetywayo's.†

Now Cetywayo had appointed his only surviving son, Dinizulu, to succeed him,‡ and Dinizulu was supported by Undabuko, Cetywayo's brother, and by Umnyamana, the former Prime Minister. These two men were the leaders of the Usutus—the followers of the "Royal House." Against them stood Usibebu, described by Sir Henry Bulwer as the "balance of power" in Zululand§—a description which fully corroborated General Joubert's statement that "divide and rule" was the policy of the English authorities. A struggle was of course inevitable.

Though thoroughly aware of the emergency, Lord Derby and Sir Henry Bulwer did nothing but exchange opinions. "The whole question is as embarrassing as it well can be," wrote Sir Henry.|| "If we leave the country to itself it will be a prey to anarchy and disorder." This, however, is precisely what they did. On the ground that he would be unable to hold his own against Usibebu, they refused to recognise Dinizulu as Cetywayo's successor, but how this policy of inactivity was to benefit Zululand they did not say.

Dinizulu and his advisers were as well aware as Sir Henry Bulwer that they were unable to cope with Usibebu; and they knew the reason, namely, that Usibebu obtained help

\* C. 4037, p. 88; C. 4191, p. 138.

† C. 4037, p. 54.

‡ Sir Henry Bulwer refused to give this recognition, although he admitted that "if there were to be a successor to Cetywayo, Dinizulu unquestionably had the best claim" (C. 4913, p. 6). Bulwer's successor, Sir Arthur Havelock, however, accepted Dinizulu's position as a fact (C. 5331, p. 46).

§ C. 4037, p. 117.

|| Ibid. p. 79.



from Natal. But instead of surrendering on this account, they asked themselves if they could not obtain help to offset that given to him.

It was natural that, in their distress, they should turn to the Boers. They distrusted the English. Not only did the recent treatment of Cetywayo evoke this feeling—and of course the Zulus were not in a position to discriminate between the responsibility of the British Government and that of the Natal officials—but an incident that occurred after the Zulu war of 1879 had left an impression on their minds that nothing could eradicate. The grave of their old King Panda, Cetywayo's father, had been rifled by order of General Wolseley and in the presence of John Shepstone on August 26, 1879.\* Panda had always lived at peace with the English; he had died long before the war, and yet "his grave was rifled, and the chair on which he sat (buried with him, with remainder of his personal articles, in accordance with Zulu custom) was seen [exhibited] in Pietermaritzburg." †

The Boers, on the other hand, had placed Panda on the throne and the defeat and expulsion of Dingaan, Panda's predecessor, had come to be looked upon by all Zulus as a blessing. It was to the Boers, therefore, that they turned for help, asking them to bring order out of the general chaos. In the words of Dinizulu, reported by one of his messengers, he had "found troubles in the land, and the help of the Boers, who were friends of his fathers, was obtained in settling the difficulties." ‡ As the Aborigines' Protection Society remarked in a letter to the Colonial Office, after quoting an advertisement for volunteers, issued on behalf of Usibebu, that had appeared in a Natal newspaper :

\* C. 4980, p. 136; C. 4274, p. 49.

† C. 4274, p. 49. See in this connection Article 4 of the Convention of 1888 (Appendix B), which makes the impression that it was necessary to protect the Zulu graves against rifling by Boers!

‡ C. 5331, p. 32; August 23, 1887.

'It is not surprising that when it became known that Usibebu drew supplies from Natal, the Usutus should be tempted in self-defence to seek the aid of the Boers' (C. 4191, p. 58; June 19, 1884).

Naturally, the Transvaal Government could do nothing. Its hands were tied by the Convention with Great Britain, as every burgher knew too well. But among the burghers residing near the border there were several who had suffered so much in consequence of the endless disturbances in Zululand that they were prepared to make considerable personal sacrifices in order to restore peace.\* Those who were in this position knew that their own Government could not help them, and that the British Government would not—the latter still refusing to accept any responsibility or in any way to interfere in the matter. They decided, therefore:

'To send into Zululand several of the oldest and most experienced of their number, who had lived among the Zulus all their lives and were familiar with their language and ways, with the view of ascertaining what settlement would be most likely to bring about a lasting peace. These men went into Zululand in the middle of the war, and at the peril of their lives, and made most careful inquiry of the Chiefs and headmen, as well as of the people of Zululand, the followers of Cetuyayo, as well as those of Usibebu and Uhamu, with the result that they were satisfied that the only satisfactory settlement of Zululand would be the establishment of Dinizulu on his father's throne, and the subjection of Usibebu and Uhamu under him. This course was accordingly resolved upon. It was seen that a considerable force of Boers would be necessary to carry it out, and that

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\* C. 4191, p. 73. In his Memorandum of October 19, 1885, Mr. D. J. Esselen, State Secretary of the New Republic, said: "Many appeals had been made by the Usutu people, who were tired of continual strife, to the Boers, that they should establish peace in the country. If the Boers had not been affected by the lawless condition of Zululand generally, but particularly of the border districts, they would have turned a deaf ear to this appeal. There being, however, through Zulu warfare, no security for life or property on either side of the border, and as ruin was staring the Boers in the face through their inability to carry on their farming pursuits in consequence of the state of turmoil in Zululand, they were forced in self-defence into doing something to secure peace. Notwithstanding their grievous sufferings, they were unwilling in any way to interfere so long as there was any prospect of the British Government using their influence to restore peace. That Government, however, declared that they did not recognise any responsibility in connection with Zululand beyond the Reserve, and declined to interfere in any way" (C. 4645, p. 46).

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the permanent settlement in the country of a large force of Boers would be necessary to secure a permanent peace' (Esselen's Memorandum; C. 4645, p. 46).

Those Boers, however, who were directly concerned in the matter, through the proximity of their farms to Zululand, were not numerous enough for the purpose. To collect a sufficient number, whose duty it would be, not only to restore order but to maintain it afterwards by residing in the country, it was necessary to hold out some practical inducement in the shape of grants of land.

But before consenting to enter into any agreement with Dinizulu and his followers to this effect, the leaders of the movement decided to confer with William Grant, the representative in Natal of the Aborigines' Protection Society. That Society had always supported the Usutus, and it was foreseen that the moment the Usutus obtained help from "the Dutch" in their struggle against Usibebu and his Natal volunteers, a great outcry would be raised by the Jingoës in that colony. The approval of the Aborigines' Protection Society, it was thought, would at least convince some people in England that intervention by the Boers had become absolutely necessary—as it had, if the Zulus were to be saved from mutual extermination. Some of the Boers who had taken a leading part in the matter visited Grant in Natal, and informed him (March 4, 1884) of the movement then on foot. Grant was also told that in return for their services the Boers were "to receive a cession of land." Grant "agreed to the project,"\* and subsequently left for Zululand, where Dinizulu gave him the title of "Representative and Adviser of the Zulu Nation," and where, on August 16, 1884, he signed, jointly with Dinizulu, a Proclamation making over to the Boer volunteers that portion of Zululand which had been promised them for their services.†

\* C. 4913, p. 7; Memorandum by Sir Henry Bulwer. † C. 4214, p. 69.

## INTERVENTION OF THE BOERS 33

In the short time intervening between March and August, 1884, the Boers, by risking their own lives and property, had saved the lives of the Zulus, for as Dinizulu's uncle, Undabuko, afterwards declared: "We would not be alive here to-day if it had not been for the Boers." \*

\* C. 5331, p. 61.

## CHAPTER IV

### THE FOUNDING OF THE NEW REPUBLIC

- April, 1884 The Boers enter Zululand.  
May 22, 1884 Make Cetywayo's son, Dinizulu, king.  
June 5, 1884 Drive away Usibebu.  
August 16, 1884 And proclaim the New Republic and its protectorate over Dinizulu's territory.

WE have seen that it was on March 4, 1884, that representatives of the Boer volunteers had entered into a preliminary understanding with Grant, the representative of the Aborigines' Protection Society. In April, a party some three hundred strong, including men from Cape Colony, Natal, and the Orange Free State, as well as from the Transvaal\* entered Zululand, under the command of a Committee which they had elected. Dinizulu at once joined them, and on May 1, 1884, a notice was sent by the Committee to Usibebu and to Uhamu to the effect that Dinizulu, "the successor to the throne of Zululand," had taken refuge with them; that all Zulus of all parties were called upon to lay down their arms, and that the Boers had not come to wage war, but to restore and maintain peace.†

The Boer Committee then made it known that they were about to anoint Dinizulu, King of Zululand.‡ On May 21, 1884, Dinizulu issued a Proclamation, countersigned by his Secretary, one of the Boer volunteers,

\* C. 4274, p. 2.

† C. 4191, p. 56.

‡ C. 4645, p. 46.

announcing that he thereby assumed, as lawful heir of Cetywayo, all duties, rights, and possessions pertaining to the King of Zululand; and that he would "pardon all who have hitherto taken up arms against either my father, Cetywayo, or myself"—a promise which plainly showed the civilising influence which the Boers immediately exercised.

The Proclamation then stated:

'And I do further require that all women, children, and cattle that may have been taken from the contending parties during the recent disturbances, be restored to their former owners. . . .

'And, finally, I do guarantee that it shall be my aim and object to restore and maintain peace throughout Zululand, and that I shall exercise my power over those who set themselves against law and order, and I do call upon my counsellors and subjects to assist me in carrying out my duties and to aid me, by their counsel and actions, to maintain justice and administer law' (C. 4214, p. 8).

On the following day (May 22nd), in the presence of a large concourse of chiefs and people,\* Dinizulu was anointed King according to the Zulu custom, by members of the Boer Committee. Only after that had been done did the Boers enter into a written compact with Dinizulu. This agreement set forth that the Boer Committee on the one hand bound themselves "to restore peace, law, and order in the territory of the Zulu nation," and to call together as many men as might be considered necessary for the purpose. Dinizulu, on the other hand, with the advice of his principal counsellors and headmen who signed the agreement with him, bound himself "to cede to the Boer leaders a tract of country, on the border of the South African Republic," sufficiently large for the establishment therein of an independent government to be conducted by the Boers "without the least interference on my part or of the Zulu nation."†

\* Young Louis Botha, afterwards General Botha, was present on this occasion in his capacity as adjutant of the Committee. † C. 4645, p. 33.

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Under these changed conditions, Usibebu at first expressed his willingness to submit to the authority of Dinizulu,\* but he could not make up his mind to give up the cattle which he had captured from Cetywayo,† and soon began to prepare for resistance. He appealed to the Governor of Natal for help, complaining meanwhile by messenger to the Resident Commissioner in the Reserve that he had "fought against his own nation for the British Government and now that the Boers are coming you will not help him."‡ Sir Henry Bulwer, in a despatch to the Secretary of State, remarking that Usibebu had appealed "to the obedience he has always shown to the Government," spoke of him as "the master mind and master hand in war" among the Zulus, and urged Lord Derby to interpose on Usibebu's behalf against Dinizulu, for, he said, "there can be no doubt that we shall feel the effect when once we have lost so brave and loyal a friend of the English Government."§

The Boers, meanwhile, in view of Usibebu's threatening attitude, took steps to increase their ranks to a total of eight hundred men. Finally, after making repeated but fruitless efforts to arrive at some understanding with him, they informed him "that the peace of the country demanded his submission to the King, and the disbanding of his followers."|| As Usibebu took no notice of this warning, the Usutus, accompanied by one hundred Boers under the command of Commandant L. J. Meyer, who later became President of the New Republic, attacked and completely defeated him on June 5, 1884. Usibebu at first compelled the Usutu force to give way, but the Boers then poured in such a fierce fire that his followers fled in the greatest disorder,¶ Usibebu himself being obliged to

\* C. 4645, p. 46.

† Ibid. p. 70.

|| C. 4645, p. 46

† C. 4191, p. 86.

§ Ibid. p. 24.

\* C. 4191, p. 98.

take refuge in the Anglo-Zulu Reserve into which he had driven Cetywayo not many months before.

Naturally, Sir Henry Bulwer was furious at this collapse of his carefully established "balance of power," but Lord Derby took a much more philosophic view of the situation. He reminded the irate Governor that :

' In the early part of 1884, the war was renewed [by Usibebu], success still resting with Usibebu, who announced about that time to the Resident Commissioner his intention of annexing Cetywayo's country. At length the fortune of war changed in favour of the Usutus, who had obtained the assistance of certain Boer adventurers, and Usibebu was in his turn defeated and obliged to fly into the Reserve. During the whole of this period you, assisted by Mr. Osborn, had striven to your utmost to maintain or restore peace, and had dissuaded both sides from acts of retaliation. Your efforts, which were impartially employed, have had the cordial approval of Her Majesty's Government, but beyond those earnest endeavours to bring about peace beyond the Reserve, and the maintenance of the integrity of the Reserve itself, as a place of refuge for either party without distinction, Her Majesty's Government do not perceive that it would have been right to intervene. The condition of Zululand since 1879 has been one of chronic war, carried on by barbarous reprisals, and opinion is hopelessly divided as to the degree of blame to be assigned to each Chief or party. Usibebu at least has often acted on his own responsibility; his recent defeat was the consequence of his victory of 1883 and his ambitious projects of the present year, and Her Majesty's Government has never entered into any engagement to aid or defend him ' (C. 4191, p. 188; August 19, 1884).

Nor was Sir Henry Bulwer's *bête noire*, the Aborigines' Protection Society, silent in this crisis. In a letter to the Earl of Derby (November 17, 1884), the opinion of the Society's representative, Grant, was strongly supported as follows :

' Mr. Grant further writes : " From the statement made by Usibebu's people he must have been a cruel tyrant. Every man who dared to remonstrate with him had all his cattle taken from him, and those who declined to turn out and fight his battles were killed without trial or notice. He became so desperate just before making his escape that he was killing in all directions because his people refused to



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assemble as an impi [the native word for army] and accompany him into the Reserve."

'Mr. Grant, in a letter written on September 17th, gives some further details of the cruelties of Zebebu, whose rule in northern Zululand is now extinguished. "We must express our surprise that any persons either here, or in South Africa, should be of opinion that the English Government were under any obligation to maintain this man in a position in which he exhibited the worst qualities of a savage ruler"' (C. 4274, p. 82).

In August, 1884, the question of the future government of the country and of the extent of the land to be ceded to those who had undertaken the task of maintaining peace, was discussed by the Boer Committee, and Dinizulu and his Chiefs, including Undabuko and Umnyamana, aided and advised by William Grant, the agent of the Aborigines' Protection Society. The result was an agreement which was embodied in a Proclamation, signed by Dinizulu and by Grant, and dated August 16, 1884.

This Proclamation was worded as follows : \*

'Be it hereby made known that I, Dinizulu, King of the Zulu nation and of Zululand, with advice and consultation of William Grant, Representative and Adviser of the Zulu nation, and of my principal counsellors and Chiefs, proclaim and make known that I, in conjunction with my said counsellors and Chiefs, have granted to a certain number of South African farmers in Zululand, for their free use and as their property, a certain portion of Zululand, bounding on the South African Republic and the Reserve Territory, in extent more or less 1,855,000 morgen, † with the right to establish there an independent Republic, called the New Republic, and I further proclaim that from this date the remaining portion of Zululand and the Zulu nation shall be subject to the supervision of the said New Republic.

'Given under my hand at Hlobane, in the New Republic, on this 16th day of August, 1884.

'As witnesses :

'J. C. KROGH.

'D. J. ESSELEN.

'DINIZULU.

'WILLIAM GRANT,

'Representative and Adviser  
of the Zulu Nation.'

\* C. 4214, p. 89.

† A morgen is a little more than two acres.

## FOUNDING THE NEW REPUBLIC 39

On the same day two Proclamations were issued on behalf of the New Republic, the contents of which Sir Henry Bulwer condensed as follows :

'The first a Proclamation signed by Mr. L. J. Meyer, as " Acting State President," and by Mr. Esselen, as " Acting State Secretary " of the New Republic, setting forth the reasons which had induced certain South African farmers to interfere in Zululand, and the circumstances under which they had decided to establish an independent Republican Government under the name of the " New Republic," in a portion of Zululand that had been ceded to them; the second . . . a Proclamation signed by Acting President Meyer, proclaiming a protectorate over Zululand' (C. 4214, p. 84).

The literal rendering of these official documents is as follows : \*

### PROCLAMATION I

To all who shall see or hear this read, greeting.

Whereas :—

1. During the last three years, war, disturbances, murders of defenceless women and children, thefts, conflagrations [or arson], and continual bloodshed have taken place in Zululand, which threw the whole country into a state of unroost, causing great divisions among the native races, and in consequence of which large portions of the country became unsafe to reside in, so much so that the majority of the inhabitants were obliged to hide in caves for safety, and so were not in a position to provide themselves with food, and a famine in consequence resulted;

2. Whereas experience has shown that the continued wars taking place in South Africa have been damaging to trade and to the general prosperity not only in the countries where they have occurred, but also to the whole of South Africa, and certain portions of South Africa have thereby been completely exhausted;

3. And whereas during the past three years repeated and urgent requests for interference and protection were made by the late Zulu King Cetuywayo and his Chiefs, and again after his death by the regents of his successor and the other Zulu Chiefs;

4. And whereas it appears that no civilised Government has felt itself called upon to interfere in the affairs of Zululand to put a stop to the

\* C. 4214, p. 84; C. 4274, p. 15.

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bloodshed [slaughter] of defenceless women and children, and to restore peace and order there, a number of farmers from the various States and Colonies of South Africa deem it a holy duty to accede to the appeals of the Zulu chiefs, in the interests of humanity and civilisation, and with an eye to the safety of life and property of the adjoining people ;

5. And whereas these farmers prepared themselves to make an effort to put a stop to the disturbances, etc., in Zululand, to restore peace and order, and to put Dinizulu, the successor to Cetywayo, on the throne ;

6. And whereas these farmers entered Zululand, crowned Dinizulu, partially restored peace, and an agreement was entered into on the 23rd May, 1884, between them and the King, and with his counsellors and headmen, whereby the farmers took upon themselves the task, not alone of restoring but of preserving peace and order, and whereby the King and his Chiefs agreed to give to the farmers a portion of Zululand (lines and beacons to be fixed after the ground has been inspected), in extent 1,855,000 morgen, adjoining the South African Republic and the Reserve, for the purpose of establishing an independent Government, and to better enable the farmers to carry out to a successful issue their arrangements ;

7. And whereas these farmers have decided to accept the said portion of Zululand according to their agreement, and to erect [constitute] an independent Republican Government under the name of

### THE NEW REPUBLIC,

and the necessary officials have been chosen and taken oath :

So it is that I, Lucas Johannes Meyer, Acting President of the New Republic, with the counsel and with the advice of the Executive Council, proclaim by these presents, and make known that the above-mentioned portion of Zululand shall form the territory of the New Republic, and shall be governed by the laws of the New Republic.

All and each are hereby requested and commanded to take notice of this my proclamation and to act accordingly.

God preserve land and people.

Given under my hand at Hlobane, in the New Republic, on the 16th August, 1884.

L. J. MEYER,  
Acting State President.  
D. J. ESSELEN,  
Acting State Secretary.

# FOUNDING THE NEW REPUBLIC 41

## PROCLAMATION II

To all who shall see these presents, or hear the same read, be it made known:—

That I, Lucas Johannes Meyer, Acting State President of the New Republic, with the advice and counsel of the Executive Council, and in terms of the resolution of the Volksraad of this date, and with the voluntary consent, and at the request of Dinizulu, King of the Zulus and of Zululand, and his principal counsellors and Chiefs, do hereby proclaim and make known the superintendence of the Government of the New Republic over the whole of the territory comprising the kingdom of King Dinizulu. All powers and persons are requested to take notice of this my proclamation, and to behave and conduct themselves accordingly.

GOD SAVE LAND AND PEOPLE!

Given under my hand at Hlobane, in the New Republic, on this sixteenth day of August, in the year of our Lord one thousand eight hundred and eighty-four.

L. J. MEYER,  
Acting State President.

D. J. ESSELEN,  
Acting State Secretary.

## CHAPTER V

### THE QUESTION OF RECOGNITION

The success of the new State in re-establishing peace and order in Zululand, as well as in the Anglo-Zulu Reserve.  
The attitude of Natal and Great Britain towards the New Republic.

AND now it may fairly be asked whether the Boers had carried out their part of the original contract, whether they really had restored peace in Zululand and were in a position to maintain it.

The truth is they had achieved wonders. The land knew such rest as it had never known before. While statesmen in England, and the advisers of statesmen, were enunciating opinions, the Boers had acted. Without the loss of a single man, they had defeated Usibebu, described by Sir Henry Bulwer as a "master mind and master hand in war," and by the Aborigines' Protection Society as one who had "exhibited the worst qualities of a savage ruler." Having thus freed the country, for ever as they hoped, of its most disturbing element, they had organised its government on a basis of law and order, and had succeeded in doing so in spite of, and at the risk of alienating their supporters, the Usutus. For the Usutus, rid of Usibebu and flushed with the victory which the Boers had won for them, "tried to induce the Boers to assist them to do away with Uhamu, and, in fact, to make them masters again of the whole country, including the [Anglo-Zulu] Reserve, as it was before the Zulu war [of 1879]." It had been necessary to

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remind them, therefore, that peace, not conquest, was the aim of their protectors. Further :

' That Uhamu's rights must be respected, he having submitted to the King, and that they [the Usutus] would not be allowed to interfere in any way with the Reserve Territory; that care would be taken that neither Uhamu nor Usibebu would molest them in future. A guard was placed with Uhamu, the country was regularly patrolled, and precautions were taken to prevent the Usutus from interfering with the Reserve Territory ' (Esselen's Memorandum ; C. 4645, p. 46).

On no section of the country had the Boers conferred greater benefits than on the Anglo-Zulu Reserve.

Before their arrival in Zululand, the British Resident Commissioner in the Reserve, who was a partisan of Usibebu, had been attacked and hard pressed in his camp by nearly a thousand Zulus (May 10, 1884).<sup>\*</sup> Some coast natives, upon whose assistance he had relied, had refused to come to his rescue, and in spite of the aid he had received from others,† he would have found himself in a desperate position had the Boers not intervened.

<sup>\*</sup> C. 4191, pp. 81, 82.

† Amongst others, a Basuto chief, Hlubi by name, located in the Reserve, had been enlisted in support of law and order—which really meant that he had been turned loose to kill and plunder such tribes of Zulus as were not in favour with the British authorities. The following letter from him—for he was "educated"—to one of the Resident Magistrates in the Reserve, shows in what manner he had upheld the dignity of the Crown:

JUNE 5, 1884.

" Mr. Phin [the Magistrate's name was Fynn]. Sir,—I hereby inform you that I have had an engagement on the 2nd June, on Sunday, at Cotoangane, killing about 200 Kaffirs that were with Dabelamanoz and Mochlokarulu and Dabenkolo; but we have killed him and Dabelamanoz son also, and more other chiefs not seen, but heard that they are killed. I have had three men killed and five wounded, and on the 4th June I went to the Insusa and captured 1,149 head of cattle and 150 goats and sheep. I was going back again, but runners have come that the Dutch and the Maquloce came. I want you please to let Mr. Osborn know as soon as possible, and Government also, and I also want some more *Martine amunishen* if there is some please oblige me with some for I have got no more."

The English had not much reason to be proud of their ally. It did not seem to please him that the Boers had restored peace and order, and General Smyth, on September 30, 1884, in his report of a journey of inspection which he had made, found it necessary to conclude with the following warning: " Hlubi's country seems to be the future cause of trouble; and if it could be sold in

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For at the end of July, Dabulamanzi, who had been in command during the attack on the Commissioner's camp, received reinforcements (from Umnyamana), and was thus put in a position to drive the Commissioner out of the Reserve. He abandoned this intention at the last moment only, Mr. Osborn reporting that he "had done so by order of the Boers."\*

Before the intervention of the Boers, moreover, cattle had been raided with impunity from the Reserve Territory, the British authorities confining themselves to futile complaints. Now, however, all they had to do was to inform the Boer leaders of any thefts that had occurred and the horses and cattle were traced and the natives compelled to surrender them. Incidents of this kind are mentioned several times in contemporary Blue Books—for instance, on September 15, 1884, one of the Sub-Commissioners "again reports that he is indebted to the Boers for the recovery of some stock stolen from the Reserve, and asks permission to communicate direct with the authorities of the new Boer Republic on such matters."† Even Sir Henry Bulwer, while rebuking his subordinate for this heretical mention of a Republic with which "no official relations have been established," unbent so far as to say that he fully recognised and appreciated "the friendly assistance given to you, on more than one occasion, by the leaders at the Boer laager, and should you have occasion to enter into communication with them . . . you are at liberty to make such communications as may appear to you suitable and convenient under the circumstances."‡

The spirit of friendly and peaceful co-operation displayed by the Boers already mentioned by Osborn on the 23rd of September§ also impressed General Smyth, who had been

farms, and Hlubi could be compensated and sent back to where he came from that trouble may be averted" (C. 4274, p. 19).

\* C. 4214, p. 46.

† Ibid. p. 97.

‡ Ibid. p. 106; September 19, 1884.

§ C. 4274, p. 11.

sent out to organise Her Majesty's troops in South Africa, in the event of a military expedition becoming necessary. After an interview with three members of the Committee,\* whose manner the General described as "courteous and friendly," he was quite reassured, and at the conclusion of his Report to the War Office, he expressed the opinion that "the peace and integrity of the Reserve are much more likely to be maintained through the influence of the New Republic than by any action of a white Usutu like Mr. Grant."†

Sir Henry Bulwer himself at last fell into the habit of appealing to the Boers at the first hint of danger.‡

The New Republic, although actively and very effectively governed, still remained "unrecognised" except by its neighbour, the South African Republic. Officially, from the British point of view, it did not exist.

As a first step to obtaining recognition, the New Republic turned to Natal. On September 13, 1884, D. J. Esselen, on its behalf, forwarded to the Secretary of that Colony copies of the Proclamation which had been issued in the name of the New Republic, and expressed the hope that his Government would "receive due recognition, and that a friendly understanding may be arrived at with your Government [of Natal] [as well as] that mutual co-operation in matters of general concern, which is necessary for the peace and prosperity of South Africa" (C. 4274, p. 15).

Sir Henry Bulwer had always been in favour of annexing Zululand outright,§ quite regardless, apparently, of the wishes of the Zulus, "as the best means of securing the permanent welfare" of the people to be annexed—the usual formula in all annexations by Great Britain. But now,

\* Steenkamp, Esselen, and Birckenstock.

† C. 4274, p. 18; September 30, 1884.

‡ Ibid. p. 26 October 3, 1884.

§ C. 4191, p. 80; May 31, 1884.



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being obliged to accept the decision of his Government "not to interfere in the Zulu country beyond the limits of the Native Reserve," the Governor wrote (October 6, 1884): "It seems to me that it is for our interest to recognise and accept, if we can possibly do so, whatever *de facto* authority is established there"—in other words, the authority of the New Republic.\*

Lord Derby, however, preferred to temporise. Having heard that General Joubert intended to place himself at the head of the New Republic, he wrote to the Governor:

'I think it will be desirable to defer opening direct communication with the "New Republic" at all events until Mr. Joubert has taken up his position as President, and has notified the same to Her Majesty's Government' (C. 4214, p. 107; October 28, 1884).

Later, in reply to Sir Henry Bulwer's despatch of October 6th, he cabled that there would be "no advantage gained by recognition prematurely."† A month afterwards, however, Lord Derby seems to have developed some dawning recognition of the existence and utility of the new community, although he refused to acknowledge its official status.

Writing on December 8, 1884, he said:

'I have learned with satisfaction that those at the head of affairs in the New Republic are taking steps to prevent any violation of the Reserve by the natives under their protection' (C. 4274, p. 39).

In Natal a movement, which was gaining ground daily, had been set on foot for the annexation of Zululand to the Colony.‡ This agitation may have added to the irresolute attitude of the British Government, but that attitude was chiefly to be attributed to the feeling that they did not want the Boers to succeed where the British had failed, nor to enlarge their territory or sphere of influence. In one

\* C. 4274, p. 20.

† Ibid. p. 30; November 12, 1884.

‡ See footnote at the end of this chapter.

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word, the Boers were not to be allowed to prosper. Even Sir Henry Bulwer went out of his way to slander the New Republic and to prepare for annexation after the manner of Sir Theophilus Shepstone a few years before, in the case of the South African Republic. It is, in fact, curious to observe how closely Bulwer imitated Shepstone, even to the use of almost the same words when seeking out similar inventions.

As early as January 19, 1885, he reported :

'There is no doubt, however, that a great number of Boers in Zululand would welcome the annexation of the whole country by the British Government, if they were given some assurance as to their farms' (C. 4587, p. 18).

On June 1st of the same year he became more insistent :

'There is said to be much discontent among the Boers in Zululand. There is no leader in whom they trust, there is no money, and there is a general belief that it will be impossible for the New Republic to stand alone. The majority, I am told, would be glad to see an annexation of the country by the English' (C. 4587, p. 91).\*

Lord Derby had the qualities of his defects. He procrastinated ; but perhaps in this connection the experience gained in 1877 and the following years had made him cautious. In any case, he did not at once act upon Sir

\* Later, State Secretary Esselen raised his voice against these assertions in indignant protest. "They are entirely without foundation," he wrote, on October 20, 1885, when the statements were repeated during his visit to London ; "the burghers of the New Republic are not discontented ; on the contrary, they are contented and harmonious under their present form of government, and the course suggested by Sir Henry Bulwer as likely to be satisfactory to the majority of them would meet with their bitterest opposition and would arouse a strong feeling of indignation and hostility, not only among the burghers of the New Republic, but among the whole of their friends and sympathisers in the adjoining States and Colonies. I have no apprehension that any such course is contemplated by Her Majesty's Government, but I think it right to take the opportunity of contradicting these statements, and, at the same time, of warning Colonel Stanley [who had then succeeded Lord Derby] of the danger of accepting as authentic, without verification, reports of events in the New Republic and Zululand which reach the officials in Natal through interested parties" (C. 4645, p. 45).

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Henry Bulwer's suggestion, but continued to play a waiting game.

Following Esselen's letter of September 18, 1884, which had led to no result, a deputation from the New Republic visited Natal in December, and after a brief interview with the Governor, sent him, for transmission to the Imperial authorities, a written statement setting forth "for the sake of the happiness and prosperity of its inhabitants as well as that of Her Majesty's subjects in the adjoining territories"

'that its Government has been fully established and consists of a President, an Executive Council, and a Volksraad . . . that it is desirous of entering into friendly communication with Her Majesty's Government by means of correspondence or otherwise . . . and that the Government of the New Republic also desires hereby to give expression to its feeling of respect for and friendly feeling towards Her Majesty's Government' (C. 4587, pp. 4, 5; December 9, 1884).

In the course of the following year, Esselen, the State Secretary, went to London for the purpose of laying the facts of the case before the British Government, without the mediation of interested persons. The state of suspense in which matters had been left made it, for instance, impossible for the New Republic to enter into an extradition treaty or a postal convention with Natal. It was, therefore, of practical importance to arrive at some settlement. But Esselen, although he had a few personal interviews with the Secretary of State for the Colonies, was informed that he could not be received in his official capacity, and he was obliged to desist on the intimation that further efforts would be futile.\*

The Government of the New Republic then took matters into their own hands. On the 26th of October, without officially notifying the British authorities—for whom, as we

\* October 13, 1885; C. 4645, p. 43.

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have seen, they did not exist—they issued a Proclamation defining the boundaries of the New Republic. This definition was understood by the English to include St. Lucia Bay.\*

### NOTE TO CHAPTER V

Natal, as we have already seen, had begun to clamour for the annexation of Zululand to the Colony, but it was not until 1897 that she was able to realise her ambition and to acquire Zululand as a colonial dependency. She had opposed the settlement with the Boers by every means in her power. The campaign was opened officially in July, 1884, with the resolution of the Executive Council "that it is advisable in the interests of the Colony of Natal and of the Zulu people, that British authority should be extended over the whole of Zululand" (C. 4214, p. 42).

The expression "British authority" was probably too vague for the people of Natal, for in February, 1885, a petition was drawn up, signed by about two thousand persons, in which they prayed Her Majesty's Government, either to extend British jurisdiction over the whole of Zululand, or to *annex that territory to Natal* (C. 4587, p. 25).

The Legislative Council followed suit. On July 15, 1885, a resolution was adopted, which stated that "it is desirable that Her Majesty's rule should be at once extended over the whole of Zululand"; and that, "as soon as existing difficulties shall have been adjusted, this Council considers that the territory should be united to Natal, under such terms and conditions as may be mutually agreed upon between the Imperial Government and this Colony" (C. 4587, p. 109; C. 4645, p. 10).

Later, on October 21, 1886, while Sir Arthur Havelock was negotiating with the representatives of the New Republic, the Legislative Council of Natal rushed through a resolution declaring its readiness "to accept the responsibilities of the Government of Zululand and the Reserve" (C. 4980, p. 68); and when this obliging offer was not accepted, the Council formally censured the Governor; expressed its conviction "that the strong desire of the Zulu people is to come under the government of this Colony," and urged once more that Eastern Zululand and the Reserve should at once be incorporated with Natal (C. 4980, p. 78; November 5, 1886). So anxious were the statesmen of that Colony to get possession of the territory of the New Republic, that offers were made to the Boers to confirm the titles of *all* the farms that had been laid out—thus outbidding the Imperial Government—if only the burghers would consent to become Natalians. As was suggested in the *Natal Afrikaner* of November 19, 1886: "Would it not be better for the burghers, even at the eleventh hour, to follow our advice, to unite with Natal, and to *retain their farms?*"

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\* C. 4645, pp. 71, 77.

## CHAPTER VI

### ST. LUCIA BAY

- December 18, 1884 The British flag hoisted at St. Lucia Bay, on the plea of a treaty with Panda.
- 1885 Protests of South African Republic, of the New Republic, and of Germany. Shepstone's opinion as to the British claims. Great Britain compensates Germany; the other protests are ignored.
- July 28, 1885 Formal annexation of St. Lucia Bay by Great Britain.

QUITE apart from the questions affecting Zululand as a whole, St. Lucia Bay had been for some time an object of much concern. Germany cast a covetous eye upon it, Great Britain assumed that it was hers, the South African Republic asserted its old claims, and the New Republic advanced its fresh pretensions. The question which had the clearest title to the Bay was, however, a matter of no importance. The Boers of the New Republic as well as of the Transvaal had to be kept away from the sea. This was Great Britain's aim. She soon gained it. Germany started the ball rolling.

In May, 1884, as we have seen, Lord Derby decided neither to annex Zululand nor to extend a British protectorate over it. In August of that year, however, Germany surprised Great Britain by annexing a large slice of the west coast of Africa, extending, with the exception of Walfish Bay, from the Orange river northwards to the Portuguese boundary. In the following November rumours reached England that a German agent

was in Zululand, negotiating with Dinizulu for the acquisition of St. Lucia Bay.\*

This alarmed the British Government. Germany was suspected of favouring, for its own purposes, the independent prosperity of the Boer Republics. Suppose that Germany were to acquire a seaport, and were to give the Boers free use of it! Suppose that the South African Republic were allowed to place itself beyond the reach of British interference and control!

As an expression of its alarm, the British Colonial Office caused its representative, Mr. Meade, during a visit to Berlin, to make the following statement to Dr. Busch of the German Foreign Office (December 6, 1884): "We [*i.e.*, the British Government] sometimes heard rumours that Germany had designs on the strip of coast between Natal and Delagoa Bay [St. Lucia Bay is situated about half-way between these two points]. We knew that this was impossible, as we had rights there founded on treaties . . ." (C. 4290, p. 5).

The greater part of the coast lying between Natal and Delagoa Bay was the coast of Amatongaland, and over that country, in any case, Great Britain, in 1884, had no rights whatsoever "founded on treaties." This the German Foreign Office must have known as well as Mr. Meade. As we shall see, no treaty was made with the Tongas until 1887. Perhaps the German representative did not entirely conceal his knowledge, for two days after this conversation had taken place the British Colonial Secretary telegraphed to the Governor of Natal that his Government had decided to assert their rights over St. Lucia Bay, on the strength of an alleged treaty with Panda, the Zulu King, entered into in 1843.† On December 18th the British flag was accordingly hoisted there.‡ Germany protested, the South African Republic protested, the New Republic also pro-

\* Eells, p. 195.

† C. 4587, p. 1.

‡ C. 4645, p. 12.

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tested. The German protest, which was not based on prior rights, was bought off; the protests of the two Republics, which emphatically were based on prior rights, were dismissed in despatches.

The German Ambassador in London, in a note dated May 7, 1885, agreed that "Germany declares herself ready to withdraw her protest against the hoisting of the British flag at Santa Lucia Bay, and to refrain from making acquisitions of territory or establishing Protectorates on the coast between the Colony of Natal and Delagoa Bay," in consideration of an undertaking by Great Britain not to "interfere with the extension of German influence" in certain specified parts of Western Africa on and near the Gulf of Guinea.\*

The British Government, as we saw, based its action on the so-called treaty of 1843 with King Panda of Zululand. The document in question was not a treaty, however, but a simple deed, worded as follows:

'I, the undersigned, Chief and King of the Zulu nation, do hereby declare to cede all right and title which I heretofore had to the mouth of the River Umvoloozi, and to the bay [St. Lucia Bay] there situate, to, and in favour of, Her Majesty Queen Victoria, or the lawful Sovereign of Great Britain, for the time being, for ever, with full liberty to visit, land upon, and occupy the shores along the said bay and mouth of the said River Umvoloozi, the undersigned hereby agreeing and consenting to appoint, whenever he shall be thereto requested, two Indunas or Commissioners, for the purpose of defining and proving the limits and extent of the seashore so ceded, and given up to Her Majesty Queen Victoria, or the lawful Sovereign of Great Britain for the time being.

'In witness hereof, I have hereto affixed my mark at my chief town of Elapeen, on this 5th day of October, 1843, in the presence of the under-mentioned witnesses.

'This is the mark of the King Panda, X made by himself.

'X the mark of the Induna Umvanklama.

'X the mark of the Induna Umkondane.' †

\* C. 4442, p. 2.

† C. 4587, p. 2.



This cession was said to have been obtained by Cloete during his visit to Natal as Special Commissioner.\*

It was embodied in a document bearing only the marks of Panda and two Indunas, and no other signature. It had never been acted upon by the British Government, and in 1885 responsible Zulu chiefs denied that Panda had ever entered into such a compact.†

But, apart from that, the Government of the South African Republic, in a Memorandum accompanying a despatch dated March 16, 1885, pointed out that if Panda did cede St. Lucia Bay in 1843, it had not been his to cede. Panda, as was shown in Vol. I of this history, had been crowned King of the Zulus (not of Zululand) by the Boers, under whose supremacy he and his people remained. In the Proclamation of February 14, 1840, issued by the Boer Republic, St. Lucia Bay was specially mentioned as being under Boer sovereignty.‡ The occupation of Natal by the British Government had not affected the situation, because St. Lucia Bay did not form part of Natal.

This argument had been advanced, in quite another connection, by Sir Theophilus Shepstone in 1878—and Shepstone, according to Sir Bartle Frere's statement, "must be looked upon as the first authority on the subject" of "the Zulus and their dealings with other powers."§ In a Memorandum dated November 18, 1878, this "first authority" had spoken as follows of the cession of St. Lucia Bay by Panda to the British :

'We find Mr. Commissioner Cloete at Panda's Kraal, making an agreement by which it was arranged that the occupation of Natal should remain as it then was, i.e. the whites to the Tugela and Buffalo

\* C. 4587, p. 59.

† Ibid. p. 88.

‡ See Vol. I, p. 49. The full text of this Proclamation is to be found on p. 141 of Stuart's *Hollandsche Afrikanen*. Bird, in his *Annals of Natal*, vol. 1, p. 389, gives only a part of it.

§ C. 2222, pp. 62, 128.



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rivers, and the Zulus to the north and eastward of these rivers; and on the same occasion Panda ceded to Her Majesty whatever right the Commissioner might have thought Panda had to the Bay of St. Lucia. *Legally Panda had no right to it whatever* ' (C. 2222, p. 181).

For Panda, as Shepstone said, had become "a Boer feudatory" in 1840.

Continuing their argument in the Memorandum of March, 1885, the Government of the Republic pointed out that if, in spite of these facts, it could be maintained that the cession of 1843 held good, the Sand River Convention of 1852 and the Bloemfontein Convention of 1854 had specifically renounced all treaties with natives to the north of the Orange and Vaal rivers. As late as May 16, 1884, Lord Derby had declared that "Her Majesty's Government adhere to the decision not to extend British sovereignty or protection over Zululand"—a statement utterly incompatible with a supposed right to St. Lucia Bay, on the coast of Zululand.

Everything pointed, therefore, to the Boer Proclamation of February 14, 1840—which, the Natal Secretary for Native Affairs admitted, had "never been revoked or set aside"—as affording the earliest and best title to the Bay.

Finally, the Government of the South African Republic urged that although in the London Convention of 1884 the territory of the Republic had been defined and the Government had promised that it would "strictly adhere" to these boundaries, this did not imply that "a right of Suzerainty or of Protectorate over territories beyond the boundaries, a right which Great Britain has never hesitated to ascribe to itself," could be denied to the Republic.\*

Thus the Republic argued—knowing perfectly well that its arguments, whether sound or faulty, would not affect the decision of the British Government. The question at

\* C. 4587, pp. 58-60.

issue was not one of right. The question was whether Great Britain would be willing to allow the Republic a harbour; whether it wished to assist or to hinder the development of its weaker neighbour; whether it wished to be generous or the reverse.

Lord Derby's reply did not suggest generosity. Having "squared" Germany, it was safe to browbeat the Republic. Criticising the arguments advanced by the Government, he succeeded only in proving that the British claim to the ownership of the Bay had been asserted on two occasions between 1843 and 1885, once in 1861 and once in 1862. Nevertheless, he observed that Her Majesty's Government did not consider themselves in any way bound by Sir Theophilus Shepstone's opinion, and he instructed the High Commissioner (May 14, 1885), to "inform the Government of the South African Republic that the British title to St. Lucia Bay is valid, that the South African Republic has no title to it at all, and that the occupancy of the Bay by that State cannot be permitted."\*

That ended the matter, so far as the South African Republic was concerned. The protest entered by the New Republic † on its own behalf "and at the request and with the consent of Dinizulu, King of Zululand, and his Council," and the claim by the New Republic to the ownership of the Bay on the strength of cessions made by Dinizulu and proclaimed on August 16, 1884, were swept aside even more summarily, ‡ although possibly, from a strictly legal point of view, this claim was the best of any. Legal rights, however, did not enter into the matter. On July 28, 1885, the *Cape of Good Hope Government Gazette* contained a formal notification by the High Commissioner that the territory on the shores of St. Lucia Bay had been annexed by Great Britain.§

\* C. 4587, p. 76.

‡ C. 4587, pp. 96, 110, 119.

† April 30, 1885; C. 4587, p. 88.

§ C. 4645, p. 12.

## CHAPTER VII

### THE PRICE OF RECOGNITION

- Oct. 22, 1886 Memorandum relative to the conditions of that recognition; the New Republic consents to the withdrawal of its protectorate over Dinizulu's territory, on condition that the Zulus themselves agree to their withdrawal.
- May 22, 1887 Formal annexation of Zululand by Great Britain.

IN these circumstances, when the Proclamation of its boundaries by the New Republic (October 26, 1885) was interpreted by the British Government as again including St. Lucia Bay, matters naturally were brought at once to a climax.\*

On January 4, 1886, Colonel Stanley, the Colonial Secretary in Lord Salisbury's Cabinet, cabled a protest; † and on the 8th, the Acting Governor of Natal "warned" President Meyer that land titles in the New Republic would not be recognised as conferring any permanent rights.‡ The real negotiations then began. It seemed, indeed, as if the British Government had delayed matters intentionally until the Boers had built homes for their families and had spent large sums on stock for their farms, "in the belief that their independence would not be interfered with." § It was thought, and was so stated in the *London Times* (the statement in the *Times* being quoted

\* It was H. C. Shepstone who, in the first instance, had interpreted the Proclamation in this sense; but he had mistaken its meaning. (See Esselen's Memorandum n C. 4913, pp. 61, 64.)

† C. 4645, p. 71.

‡ C. 4913, p. 19.

§ Ibid. p. 29.

immediately and with approval in Parliament), that men with such a large stake in the country would consent to a British Protectorate rather than face armed expulsion.\* In any case, the British Government put forward claims at this juncture which it had never made before. Lord Granville, who had succeeded Colonel Stanley at the Colonial Office, as Secretary of State in Gladstone's Cabinet, advanced the strange doctrine that his Government could for years refuse all responsibility for what was taking place in Zululand; that it could leave the country in a state of anarchy, to the injury of its neighbour, the South African Republic; that it could repudiate the very idea of armed intervention,† and leave to others the task of restoring order; and that after all this it could legitimately and reasonably step in to dictate a new "settlement." To support his position, Lord Granville did not hesitate to allege that the Zulus had been unaware of the terms of the agreement they had made with the Boers in August, 1884!‡

Sir Arthur Havelock, who had been Governor of Natal since February, 1886, could not, of course, have foreseen such an incredible assertion. Otherwise he would not, almost on the same day, have contradicted the Colonial Secretary so flatly—for he informed Dinizulu, who had begun to crawl and cavil in the usual Kaffir manner, that he, Dinizulu, had been fully aware of the meaning of the agreement, and that therefore he could not escape the consequences of his own acts.§

\* The *Times* of February 19, 1886; Debate in the House of Commons same date; C. 4913, pp. 28, 29.

† Mr. Gladstone on July 30, 1884; C. 4913, p. 28; Hansard, vol. 291, p. 1125.

‡ C. 4913, p. 87; March 11, 1886.

§ Ibid. p. 46; March 22, 1885. These are Sir Arthur Havelock's own words:

'The Zulus are not ignorant of the importance which white people attach to signing a paper that represents an agreement. Dinizulu, with the advice and consultation of William Grant and his principal councillors and chiefs, did

If he had not been acting officially for Great Britain, Lord Granville might have found it disconcerting to be brought face to face with the contradictory message to Dinizulu which Sir Arthur Havelock duly reported to him.\* But in his acknowledgment of the Governor's report, he wrote quite cheerfully: "I fully approve the terms of your reply, *which is in accordance with my instructions to you of the 11th of March* [the despatch containing the statement contradicted by the Governor], *which you will have received in the meantime.*" † The incident is instructive as showing the attitude of superiority to fact which was almost invariably maintained when dealing with the Boers. It was cynical to the last degree. That the Boers knew that the Colonial Office was making false statements mattered nothing. Despatches were not written to convince the Boers. They were written to bamboozle the British public. To attain that end (and to attain it was not difficult for a Secretary of State engaged in demolishing, in newspaper parlance, "the outrageous claims of the Boers") the distinction between fact and fiction was ignored.

To return to Granville's despatch of March 11, 1886, he had concluded with a show of magnanimity:

'After all that had happened and having regard to the time which had elapsed, the occupation of a part of Zululand by the Boers ought to be recognised on reasonable conditions' (C. 4918, p. 88).

This meant that Great Britain intended to annex Zululand, but that, on certain conditions, the existence of the sign an agreement ceding a large portion of Zululand to the Boers, in return for the help which the latter afforded in driving Sibebe from his country. . . . Mr. Grant signed with Dinizulu, and he had been appointed by the Zulus themselves to be their representative and adviser. . . . Under these circumstances I do not see how the Zulu Chief and people can expect to escape the effect of their own acts.'

We shall see later that Sir Henry Bulwer had already spoken in the same strain.

\* C. 4918, p. 44; March 23, 1886.

† Ibid. p. 56; May 18, 1886.

New Republic, within a restricted area, might perhaps be recognised. For the time being, however, the question of greatest importance was the nature of the conditions to be imposed. On April 6, 1886, Sir Arthur Havelock began the proceedings by inviting Lucas Meyer, the President of the New Republic, to a conference. The Executive Council of the Republic deputed D. J. Esselen to act instead of the President, and an interview took place on the 27th and 29th of April, the upshot of which was a more representative conference on July 5, 1886. At this, in addition to Esselen, there were present several members of the Executive Council and President Meyer in person. The result of this conference was a deadlock.

The Governor insisted upon a basis of compromise which so greatly reduced the extent of territory conveyed by the Zulus to the Boers, and already occupied by the latter, that the Republican representatives found it impossible to continue the negotiations.\*

It seems, however, that Sir Arthur Havelock had made a mistake by laying so much stress on the extent of territory to be reserved for the Zulus. It was thought in London that he had worked too much for the Zulus and too little against the Boers. In September Edward Stanhope, the new Colonial Secretary in Lord Salisbury's Cabinet of August, 1886, informed the Governor by cable that :

'Her Majesty's Government attach great importance to a settlement of Zululand without any avoidable delay; and that, subject to the retention of sufficient land for the Zulus, and, *above all*, of a sufficient belt of country between the territory of the Boers and the sea, they consider the establishment of some boundary as of more importance than the precise limits of the territory reserved' (C. 4980, p. 16; September 9, 1886).

This, then, was the real point. Above all the Boers

\* C. 4980, pp. 2-11.

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were to be kept from the sea and the possession of any port of their own, as St. Lucia Bay had already been denied to them.\* At all cost their development as a nation was to be checked.

Sir Arthur Havelock conscientiously obeyed his instructions. He wrote to President Meyer (September 6, 1886) inviting him to discuss the matter further. In reply, the President intimated that this would be merely a waste of time if the British Government still adhered to the terms laid down at the July conference. This drew from the Governor a promise that he would not insist further upon the boundary he had at first put forward as his maximum concession, and the Boers, overjoyed at the prospect of a settlement, agreed to another meeting.† This conference was held from the 18th to the 22nd of October, and resulted in the signing of a Memorandum, which kept the Boers away from the sea, deprived them of much of the land to which they were entitled under the terms of their agreement with the Zulus, and also deprived them (subject to a certain condition) of their protectorate over the Zulu nation. On the other hand, it bound the British Government to enter into a convention with the New Republic,

'recognising the New Republic as an independent State, the provisions of such Convention being generally based on the provisions of the Convention made in London in 1884 between Her Majesty and the South African Republic' (C. 4980, p. 62).

This agreement was approved by the Volksraad of the New Republic on November 22, 1886, the British Government having ratified it on November 2nd.‡

In the following February, Great Britain declared the remainder of Zululand, including the whole of the sea-coast,

\* In January, 1885, Sir Henry Bulwer had already warned Lord Derby :

" Their real object, no doubt, is to reach the sea " (C. 4587, p. 15).

† C. 4980, pp. 29, 32, 33.

‡ Ibid. pp. 26, 30.



to be under the rule and protection of the Queen,\* and in order to make the meaning of this declaration quite clear, Sir A. Havelock issued in May of the same year a proclamation declaring that the whole country, including the Zulu Native Reserve but excluding the New Republic, would from May 19th become a British possession under the name of Zululand.†

The obligation to enter into a convention with the New Republic, which Great Britain so clearly had accepted, was not, however, fulfilled. How the British Government contrived to evade this we shall see in a succeeding chapter.

\* C. 5143, p. 29.

† *Ibid.* p. 41.



## CHAPTER VIII

### THE BOERS AND THE ZULUS

- 1886 The Zulus do not wish to come under Natal. Their double-hearted attitude. Attitude of the Aborigines' Protection Society.
- 1887 The Zulus refuse to consent to the withdrawal of the protectorate of the Boers. Dinisulu requests permission to live in the New Republic, instead of under the British. He is called to account by the Governor of Natal.
- In violation of the agreement of October 22, 1886, Great Britain compels the New Republic to renounce its protectorate over Zululand.

**T**HE conduct of the Zulus during this controversy between the New Republic and the British Government throws considerable light upon the relations generally of the Boers and of the British with the natives.

It should be noted first that, although the Legislative Council of Natal, as we have seen, had expressed the conviction that it was "the strong desire" of the Zulu people to be governed by the Colony, the Zulus themselves, when consulted on this subject both by Shepstone, the Secretary for Native Affairs in Natal, and by Osborn, the British Resident Commissioner in Zululand, emphatically repudiated any such desire.

'I do not think,' Shepstone wrote in his report, 'that there is sufficient ground for asserting that the Zulus desire to come under the Government of Natal; and when this was suggested to one of the Deputation which has lately been here, they objected to be placed under Natal laws, saying that they could never submit to them. . . . It will thus be seen that what we have been able to gather from them on the subject is

opposed to this statement [of the Executive Council]' (C. 4980, p. 120; November 16, 1886).\*

By Natal, then, least of all did the Zulus wish to be governed. But they had almost an equal objection to government by Downing Street, while, though they did not seek a Boer administration, it is quite evident, even from the Blue Books, that they greatly preferred Boer to British rule. Their statements on this subject varied with their audience; to British Commissioners they affirmed their ardent desire to become British subjects; to the Boers they denied having made such statements, and vehemently protested their preference for Boer rule. We can, therefore, judge them by their deeds only, regretting, however, that while the Boers understood perfectly that the Zulus were playing a double game, the British authorities, in most cases, either did not realise it or pretended that they did not.†

The facts are as follows.

As soon as the Boers had fulfilled their part of the agreement of August 16, 1884, had subdued Usibebu and had restored order throughout Zululand, the advisers of Dinizulu, with Umnyamana at their head, endeavoured to evade their own obligations by appealing to the Governor of Natal on the ground that they had not understood the terms of the compact they had signed.‡ On May 11, 1885, in a letter from Dinizulu, Undabuko, and Umnyamans, "the very knowledge of the agreement" was denied,§ and an urgent appeal was made for the assistance of the Queen of England, their "mother."

\* Osborn wrote as follows: "I do not know the grounds on which the Council based their conviction. . . . I have never heard the Zulus express the desire to come under the Government and laws of Natal" (C. 4980, p. 121; November 13, 1886).

† There were exceptions, however. Osborn, who had lived for years among these people, knew that they could not be taken too literally, and he often protested against the naïveté of other officials who were inclined to do so. For an instance of this see C. 4918, p. 32.

‡ C. 4587, p. 47; March 2, 1886.

§ Ibid. p. 101.

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Sir Henry Bulwer, commenting upon this, declared that "the denial of the agreement of August 16, 1884, is at variance with undoubted facts." \* He had pointed out already (February 23, 1885) that they could not say "that in signing that concession they were ignorant of what they were doing," because "what they did was done with the full knowledge, and not only with the knowledge but with the advice of their own chosen adviser, Mr. William Grant, who was with them at the time, and who was described in the document as the 'representative and adviser of the Zulu Nation.'" † If any one supposed that they had been deceived by Grant, there was the fact that they were still on the best of terms with him, and that, as Sir Arthur Havelock pointed out a year afterwards, they were still sending him presents of cattle. ‡

The attitude of the Zulus both at this time and subsequently is merely an instance of native cunning. Of course their pretence that they had never heard of the agreement convicted them; but it is not often that natives play their game so clumsily. They bungled even when reporting to the Governor imaginary conversations with the Boers in which, they alleged, the Boers had insulted the English Queen; they bungled again when pretending that in reply to these insults they had protested "that the Zulu people and country belong to the Queen." § In other circumstances, it is true, such allegations would have raised a storm in England and the Colonial Secretary would have seized the opportunity to demand explanations and disavowals. But on this occasion, owing to the dislike entertained by the Natal officials for the Usutus, and in order to meet the desire of the British Government to arrive at a settlement, it was from Natal itself that the

\* C. 4587, p. 101.

† Ibid. p. 41. See *supra*, Sir Arthur Havelock's letter to Dinizulu, p. 57 n.

C. 4915, p. 46; March 22, 1886.

‡ C. 4597, p. 47.

explanations came. Osborn, the Resident Commissioner in the Reserve, pointed out that the Zulus were only trying to get the British Government "to fight their battles for them." "They make no offer of submission. Their assertion that they and their territory belong to the Queen amounts, according to Zulu ideas, to nothing more than an acknowledgment of the superior power of the Queen."\*

But the conduct of the Zulus was in no sense disgraceful; they merely acted in accordance with native custom, and they knew no other. On the other hand, for those who understood their ways to have accepted their words literally would have been disgraceful. The Aborigines' Protection Society was not supposed, perhaps, to know anything about natives; but it was supposed to know something about its own agents. It knew, too, that its agent, Grant, had signed the agreement of August, 1884, on behalf of and jointly with the Zulus; it knew that he adhered absolutely to his original account of the facts, and it gave no sign that its confidence in him had been shaken. Nevertheless, the Secretary of the Society, in a letter to the Colonial Office attacking the New Republic, did not scruple to speak of "agreements which its leaders *profess* to have made with Dinizulu and other Chiefs." † Some three months afterwards, even when Grant had assured the Governor of Natal, in the presence of the Zulu Chiefs, that he had personally explained to them the meaning of the agreement before they signed it, ‡ the Society did not apologise either to him or to the Boers for its insinuation of fraud.

With the British annexation of February, 1887 (see p. 61), Zululand practically ceased to exist as a separate country. The principal Chiefs, Dinizulu and Undabuko,

\* C. 4918, p. 33; January 7, 1886.

† Ibid. p. 26; February 18, 1886.

‡ Ibid. p. 84; May 7, 1886.

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with their people, were made British subjects; the others were left to the Boers of the New Republic.

What did the Zulus themselves think of these proceedings? Did their conduct prove that they preferred British to Boer rule?

The answer to these questions is to be found in the record of the negotiations between Sir Arthur Havelock and the representatives of the New Republic, which resulted in the agreement of October 22, 1886, and in the events which followed in its trail. When the Boers consented to abandon their protectorate over Zululand they had insisted upon the insertion of one condition. The article dealing with the matter ultimately reads as follows:

'Art. IV. Mr. Lucas J. Meyer and his colleagues of the Deputation agree, on behalf of the settlers of the New Republic, to abandon all claims that may have been made by the New Republic to a Protectorate over the Zulu Nation, *provided that the Zulu Nation makes no objection to such abandonment of claim of a Protectorate*' (C. 4980, p. 61).

The Governor, Sir Arthur Havelock, who at that time had but recently arrived in Natal, and whose acquaintance with the country was not very extensive, thought this absurd, and took no pains to conceal his opinion that the Zulus would be only too glad to escape from Boer protection. But President Meyer knew better. He made it clear to the Governor that, in any case, as the Boers had undertaken to protect these people, it would be necessary, before abandoning their obligations, to obtain the consent of the Zulu Chiefs. The Governor, in reply, stated that he could "have no reason to doubt" they would give it, implying by his manner that he was sure the Chiefs would naturally desire to come under British protection. Mr. Meyer then said:

'I may say that on all occasions when we have spoken to the Zulus they have denied any such desire. At the last interview I had with Dinizulu he and his followers strongly denied that they had ever done so and they expressed their wish still to remain under us. That is why it

will be more satisfactory to us to hear it [their consent] from their own representatives' (C. 4980, p. 88).

The Governor readily gave in on this point—the more readily because his advisers had assured him that the Zulus would accept with “joy and thankfulness” the protection of the British Government.\*

Incidentally, it should be noticed that a few pages farther, in the same Blue Book that contains the report of these transactions, a telegram is given in which, on behalf of the same Colonial Minister, the following question is put to the same Governor :

‘What is at present the attitude of the Zulus? Do you think that there is now any more general favourable feeling towards British protection?’ (C. 4980, p. 190; February 12, 1887).

From this telegram it may be inferred that there existed in London some doubt of the love and fealty of the Zulus. The doubt was soon converted into certainty in the most unexpected and, for the English, in the most unpleasant manner. To begin with, Osborn, the Resident Commissioner, was obliged to report to the Governor that he had had the greatest difficulty in persuading any of the Chiefs to be present at the reading of the Queen’s Proclamation by which Zululand was made a British possession. Not a single Zulu had appeared on the day which had been appointed for the ceremony. Later, several messengers arrived bringing all kinds of excuses for the failure of the Chiefs to appear. Osborn at last took refuge in threats:

‘I lost no time in sending to the Chiefs and pointed out to them the impropriety of the course they appeared to have resolved upon, which, if persisted in, could not fail to bring disgrace upon themselves, and I warned them that if they left my words and advice unheeded, I would not fail to report their conduct to your Excellency’ (C. 5881, p. 21; July 16, 1887).

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\* C. 4980, p. 59; Report to the Secretary of State for the Colonies, dated October 24, 1886.

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As far as Dinizulu was concerned, these threats were of no avail; he kept out of the way.\* This, however, was a small matter in comparison with what happened later. Dinizulu begged the Boers of the New Republic not to withdraw their protection, but to allow him to take refuge among them and to make his home in the New Republic instead of under English jurisdiction (C. 5331, pp. 41, 42).

The story can best be told in the words of Sir A. Havelock himself, taken from his Report to the Secretary of State :

(August 28, 1887.) 'In my last despatches on the affairs of Zululand I have mentioned a report of an intention on the part of Dinizulu to move from Zululand into the New Republic' (C. 5331, p. 81).

(August 31, 1887.) 'I have received a telegraphic despatch from Mr. Osborn, reporting that he had learnt that Dinizulu left Zululand for the New Republic' (C. 5331, p. 83).

(September 7, 1887.) 'It appears that Undabuko (Cetywayo's brother) accompanied Dinizulu to the New Republic' (C. 5331, p. 84).

(October 8, 1887.) 'I reported to you that I had directed Mr. Osborn to call upon Dinizulu and the other Chiefs concerned, for an explanation of their proceedings in having entered into communication with the authorities of the New Republic, and in having declared before the Executive Council at Vryheid, that they claimed the protection of the New Republic. . . . I regret to have to bring under your notice the disloyal [!] attitude which Dinizulu and his advisers have assumed, and also of their failure to explain their conduct in intriguing with the authorities of the New Republic. Mr. Osborn has urged upon me the expediency of resorting to force to punish Dinizulu for his misconduct' (C. 5331, pp. 40, 41).

(November 4, 1887; per telegram.) 'Dinizulu and Undabuko having failed to appear before Osborn to give full explanation of misconduct, I gave orders for them to make their appearance before me here. Undabuko arrived yesterday; he is coming before me to-day. Reasonable grounds for hoping Dinizulu will follow; if he does not, warrant will be issued for his apprehension on charge of treason felony.' †

\* C. 5331, p. 22.

† In Osborn's Memorandum of November 8, 1887 (C. 5331, p. 55), great stress is laid on "the very grave point of having asked the Boers for their protection over Zululand." Undabuko excused the non-appearance of Dinizulu on the plea that he was a mere child who would not be able to say anything if he did appear. A few days later, however, Dinizulu having been summoned by his



On the same day the Governor read an allocution to Undabuko in which he charged him with the following misdeeds:

'Undabuko and Dinizulu, accompanied by others, went to Vryheid in the New Republic, and forgetting that they were the subjects of the Queen [by compulsion], entered into communication with the Boer authorities, and asked them for protection against the English Government. The Governor has received information of their proceedings at the Usutu Kraal, not only from the report of persons who were present, but also from the Boer authorities themselves, who have sent him an account of what was done there. The same Boer authorities have also informed the Governor that Undabuko, Dinizulu, . . . and others came to them, asked for their protection, and *refused to give up the protection which Dinizulu and Mr. Grant accepted from them, now three years ago.*'\*

The anger and indignation of the Governor were not lessened by the Zulus' explanation of their visit to the Boers:

'Our object was to give a farewell visit to the Boers in token of our regard for what they had done for us . . . they have been our fathers. . . . We should not have been alive to-day if it had not been for the Boers' (C. 5381, pp. 52, 61).

If the Boers of the New Republic congratulated themselves upon having obtained a concession from Sir Arthur Havelock by his consent to the insertion of the last clause of Article IV—which provided that the Zulus should have a voice in regard to their removal from Boer protection—they soon found themselves undeceived. The Governor never intended to give the Zulus an opportunity to express

uncle Undabuko, joined him before the Governor. Both Chiefs in this acted on the advice of the authorities of the New Republic.

\* C. 5381, p. 54. It will be noticed that the Governor in this statement positively speaks of protection as having been accepted by the Zulus, contrary to the words used by him in the agreement of October, 1886, with the representatives of the New Republic, where he referred to *claims* made by the Boers to a protectorate over the Zulu Nation. (See above, p. 66, and also below.)



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their wishes, neither did he mean to keep his word to the Boers.

During the correspondence on the subject of the convention which was to embody the agreement of October 22, 1886, the Governor had made a draft, the third Article of which read as follows :

' Article III. The Government of the New Republic hereby declares that it abandons all claim or pretension to a protectorate or to authority over any portion of Zululand beyond the boundaries described in Article I and to Suzerainty over any Zulu people residing beyond the said boundaries.'

The clause referring to the consent of the Zulus to the withdrawal of the protection of the New Republic was thus ignored from the first.

When, therefore, Dinizulu and his Chiefs came to Vryheid to protest against this withdrawal—an act which the British authorities first called "improper," later "misconduct," and in the end "high treason"—the Government of the New Republic felt constrained to insist upon the elimination of Article III as it then stood. With this object, the State Secretary, D. J. Esselen, addressed to the Governor the following letter, dated September 1, 1887 :

' I have the honour, by direction of the Government, to address your Excellency on the subject of the Protectorate over the Zulu Nation by the New Republic.

' In Article IV of the Memorandum of Terms of Settlement of October 22, 1886, agreed upon between your Excellency, representing Her Britannic Majesty's Government, and the Deputation of the New Republic, it is agreed on behalf of the New Republic by the Deputation to abandon all claims to a Protectorate over the Zulu Nation ; provided the Zulu Nation made no objection to such abandonment of claims of a Protectorate.

' On the 12th April last, your Excellency in Despatch No. 70 wrote informing his Honour President L. J. Meyer that the Supreme authority of Her Majesty the Queen had been assumed and declared over Eastern Zululand, with the knowledge and acquiescence of the Chiefs and people [which was not true], and the President replied on April 16, 1887—

Despatch No. 71-87, paragraph 2—that the Zulus had not yet made known to him their desire to be relieved from the Protectorate over them by the New Republic, and that he had no power to withdraw the said Protectorate until they had done so.

'On the 19th May last, your Excellency again wrote informing President Meyer, for the Republic, that Her Majesty the Queen had been pleased to approve of Zululand becoming part of the British Dominions, and your Excellency sent a copy of a Proclamation to that effect to him. The receipt of your Excellency's letter and of the copy of the Proclamation attached thereto was acknowledged by the President without comment thereon.

'I have now the honour to bring to your Excellency's notice, that on the 27th of August last, Dinizulu, Undabuko, Mahanan, Chenibeswa son of Umnyamana, Mapovela, Sonketchan and Bantubenzama (representing Umnyamana), Umkuvan, N'Tuzea, Dabankulu, Maboko, Sibaum, and Makuluman, accompanied by a large number of other headmen of the Zulu Nation, had an interview with President Meyer and the other Members of the Executive Council at Vryheid, when they declared that they and the Zulu people still claimed the protection of the New Republic, as promised to them, and that they refused to give their consent to the withdrawal by the New Republic of the Protectorate over the Zulu Nation.

'They further stated that at a great Council of the Zulu Nation lately held at the King's Kraal, it was unanimously agreed, that they could not consent to the withdrawal of the Protectorate over them by the New Republic and that they strongly objected to such withdrawal.

'As the Government is convinced that there is genuine and decided objection on behalf of Dinizulu, of the Chiefs of the Zulu People, and of the Zulu Nation against the abandonment of the Protectorate over them by the New Republic, it will, under the circumstances, be unable to agree to Article III of the Draft Convention; and I have been directed and have the honour, to ask your Excellency to be so good as to recommend to Her Britannic Majesty's Government *that the said Article III be rescinded.*'\*

On September 7th, the Governor, Sir Arthur Havelock, sent the following reply to President Lucas Meyer:

'I have the honour to acknowledge the receipt of your despatch

\* This is the letter to which reference is made in C. 5331, p. 42. None of the letters given in this chapter are found in the Blue Books. The correspondence was carried on in English and has been transcribed from the official Records of the New Republic.

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No. 278/87 dated 1st inst., asking me to recommend to Her Majesty's Government that Article III of the proposed Draft Convention should be rescinded.

'2. Your despatch will be placed before Her Majesty's Government. In the meantime I desire in my capacity as Governor of Her Majesty's Territory of Zululand, to express my surprise and regret that the administration of the New Republic should have thought proper to hold communications of the nature described in your despatch, with Dinizulu, Undabuko, and other persons, British subjects, residing upon British Territory under British Laws. On behalf of Her Majesty's Government, I beg to remonstrate against any further proceedings of like kind on the part of your Government.

'8. I feel assured that Her Majesty's Government will learn with the same surprise and regret as myself, that the authorities of the New Republic, who have received at the hands of Her Majesty's Government signal marks of friendship and kind consideration, should have adopted a course of proceeding which, unless some explanation can be given, would seem to present an unfriendly aspect and disposition.'

As a matter of course the President thereupon reminded the Governor that in the agreement of October 22nd, Great Britain had made a definite promise, and on September 23rd he wrote :

'I am grieved to learn that the mere act of the Government in having received an unsolicited statement from Dinizulu and the principal Chiefs of the Zulu Nation, with reference to the Protectorate over them by the New Republic, should have caused surprise and regret to your Excellency, and should be looked upon as seeming "to present an unfriendly aspect and disposition," when it was understood between your Excellency and the Deputation from the New Republic on October 18, 1886, that the Heads of the Zulu Nation should send a message to me direct, in order to make known to me their desire with regard to the proposed abandonment of the Protectorate over them by the New Republic (Vide Memo of First Interview in Blue Book Zulu Affairs C. 4980 of February, 1887, p. 88).

'In receiving Dinizulu and the principal Chiefs of the Zulu Nation, for the purpose of learning their views with regard to the proposed abandonment of the Protectorate over them by the New Republic, the Government has been actuated by no [other] desire than to learn from the Zulus themselves their wishes in that respect, and has adopted a course which to me seems to have been perfectly legitimate in itself and absolutely necessary under the circumstances.'

The reply of the Governor was simply an ultimatum :

'I have the honour to inform you that Mr. Esselen's letter No. 278/87, of the 1st September last, in which it is intimated to me that the Government of the New Republic will be unable to agree to Article III of the draft Convention, has been placed before Her Majesty's Government. I beg to acquaint you that I am instructed by Her Majesty's Government to suspend further negotiations for the conclusion of a convention with the New Republic, unless Mr. Esselen's letter No. 278/87, of the 1st September is withdrawn.'

It would be useless to quote the rest of this correspondence *in extenso*. President Meyer demanded an explanation of the ultimatum. Havelock simply referred to his proclamations, completely ignoring President Meyer's argument that there was a previous arrangement which had been entirely overridden by the British proclamations.

It was felt, however, in the New Republic that it would be useless to insist. The Government of the South African Republic, also, which was directly concerned on account of the Union already contemplated with the New Republic, thought it wiser to waive further claims to a protectorate. The New Republic had become possessed of that protectorate by contract with the Zulus, and the Zulus refused to release the Republic from its obligations. But the British Government was determined, at any cost, to secure for themselves what had been given to others, and the Republics were in no position, even if they had had the wish, to compel recognition of their rights or the observance by Great Britain of its agreements. So the Zulus, against their own will, became British subjects.

## CHAPTER IX

### THE END OF THE NEW REPUBLIC

1888 Union of the New Republic with the South African Republic; Zululand, British to the sea.

THE treaty between Great Britain and the New Republic was never concluded. It became unnecessary at last because of the Union between the South African Republic and the New Republic. On September 14, 1887, the two Republican Governments had signed a treaty which provided for that Union. This treaty, in accordance with the provisions of the London Convention of 1884, was forwarded to the British Government, which objected to its terms in a despatch from the High Commissioner to the State President, containing *inter alia* the following paragraphs:

'Having forwarded to Her Majesty's Government a copy of the Treaty of Union between the South African Republic and the New Republic, which was enclosed in the letter from your Government of the 23rd September last, I am directed to acquaint your Honour that the treaty cannot be approved by Her Majesty the Queen in its present shape.

'Her Majesty's Government are prepared to approve a Union of the South African Republic and the New Republic, but a short Convention between Her Majesty's Government and the Government of the South African Republic providing for the extension of the London Convention of 1884 to the whole of the enlarged State must form part of the arrangement. The Government of the South African Republic should also disclaim all intentions of asserting the inadmissible Protectorate

## THE END OF THE NEW REPUBLIC 75

over the Zulus which has been claimed by the New Republic' (November 17, 1887).

Consequently, on June 11-20, 1888, "a binding treaty and engagement between Her Majesty the Queen and the South African Republic" was entered into as a supplement to the Convention of London,\* agreeing to the Union of the two Republics, defining the new boundary of the South African Republic, and also stipulating, in Article III, as demanded by Great Britain, that:

'The Government of the South African Republic on its own behalf and also on behalf of the Community styled in the Treaty of Union aforesaid the New Republic hereby for ever renounces all claim heretofore advanced by the Government of the said Community to exercise a Protectorate over the whole or any portion of territory known as Zululand, and now annexed to and forming portion of Her Majesty's Dominions.'

On July 21, 1888, the New Republic was formally incorporated with the South African Republic.

But the territory from its eastern boundary to the sea remained British.

Great Britain had what she wanted—territory which the New Republic had won as its reward, by fair agreement, for establishing peace in Zululand; and the possession of the coast, to the exclusion of the Boers, whose desire for a seaport was regarded as dangerously conducive to their prosperity.

The hemming in of the South African Republic had begun: in one direction, at least, expansion, growth, had been made impossible.

\* C. 5892, pp. 72-74. The text of this treaty will be found in the Appendix B, p. 477.



**PART II**

**BECHUANALAND AND THE ROAD TO THE  
NORTH**





## CHAPTER X

### INTRODUCTORY

**T**URNING now from the south-eastern to the western border of the South African Republic, we approach a phase of Anglo-Boer relations which exhibits discord of a character much more acute than was at any time disclosed in connection with Zululand. For years native tribes in Bechuanaland fought incessantly, aided by white volunteers, English as well as Dutch; while the Warren Expedition of 1885, the ostensible object of which was to pacify the country, threatened to bring about a racial conflict throughout the whole of South Africa. It is necessary, however, before reviewing the course of events after the signing of the London Convention of 1884, to deal with the origin and growth of the dispute.

It will be remembered that when the Boers left Cape Colony on their Great Trek, in 1836-37, they entered territory that had been devastated by the Matabele under Moselekatse. As was explained in Vol. I (p. 44) the Matabele were not natives of Central South Africa, but an offshoot of the Zulus. Wherever their armies marched they pillaged and murdered the aborigines, practically depopulating the country. In this way they overran the greater part of the Transvaal, about half of what subsequently became the Orange Free State, and most of the territory extending westward to the Kalahari Desert, which is

generally known as Bechuanaland.\* The few surviving aborigines hid in caves, or became the slaves or "dogs" of their conquerors. Some, however, managed to escape across the Vaal, remaining in the district between the Vaal and Vet rivers. Among these were some Barolong under a minor Chief named Machabi.

It was this stretch of country lying between the Vaal and the Vet rivers that the emigrant Boers under Commandant Potgieter purchased, one of the conditions being that the Barolong who sold the territory were to be protected by the farmers from the onslaughts of the Matabele.†

The Boers had not been long in the neighbourhood before the Matabele, in hopes of further plunder, attacked them and succeeded in taking them by surprise. The farmers lost most of their cattle; several men, women and children were killed, and five children were captured. The capture of these children compelled the farmers to take the offensive. A commando pursued Moselekatse; and Machabi, the minor Barolong Chief, with about fifteen followers, accompanied the Boers as guide. The other natives were too afraid of the Matabele to venture out against them.‡

This commando defeated Moselekatse (1837) and recaptured some of the stolen cattle, but did not recover the children.

Many years afterwards it was stated by certain missionary "historians" that it was the Barolong who had defeated the Matabele, and that the Boers had played a secondary part in the action. The Rev. John Mackenzie—about whom much remains to be said in connection

\* C. 3841, p. 118.

† Vol. I, p. 44.

‡ C. 3841, pp. 112-117; "Historical Sketch" forwarded to Lord Derby by Krüger and the other delegates when in London in 1883. The accuracy of this Sketch, which was never impugned by Lord Derby, was endorsed in every particular by the Volksraad on August 1, 1884 (C. 4213, p. 25).

with Bechuanaland—without repeating in so many words what he must have known was a perversion of the facts, tried to convey the same impression in a report he addressed to Sir Charles Warren in 1885. He said:

'The farmers had a share, *it may be* the chief share, in inducing [1] Moselekatse to leave the country which these farmers and their descendants now occupy' (C. 4588, p. 65).

It is necessary to bear in mind, therefore, that only fifteen Barolong accompanied their Chief Machabi.

Other expeditions followed, one in 1837, which Machabi again accompanied, and another in 1838, which discovered that, as a result of the earlier expeditions, Moselekatse had moved his headquarters far to the north. Wherever the Boer commandos went, the natives appealed to them for protection against the Matabele; but in all this vast stretch of country there were not more than ten thousand survivors.

In 1839 the Boers moved to what is now the district of Potchefstroom, several other small bands of natives putting themselves under their protection. In the following year, still hoping to recover the captured children and in order to put an end to the tyranny of Moselekatse, a commando moved against his great kraal at Magaliesberg. This commando was also victorious, and the Matabele then fled still farther north, beyond the Limpopo, leaving the country south of that river to the Boers. It was after this victory that Potgieter issued a Proclamation declaring that the whole of the territory which the Matabele had laid waste would thereafter be held by the emigrant farmers.

'To the few survivors of the original population this changed aspect of affairs was indeed a relief. They were thereby relieved from an unbearable tyranny, and the treatment which they experienced at the hands of the Boers was such that other natives rushed into the country

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from all directions, in order to live in safety under the protection of the Republic—the Barolong, for instance, who then crossed the Vaal river from Blesberg, in [what became later] the Orange Free State, and to whom Potgieter, at their request, gave six farms upon which they could live under Boer protection: first, two farms to Machabi and his followers, and four to the remainder of that tribe, which arrived later, and which are now under Moshette and Montsica.\* So also the Batlapin under Gazibone, who obtained a place to live in, under Boer protection, and also the Chiefs Sechele and Gatsisibi, who came in with their followers from the Thirstland or Kalahari Desert and placed themselves under the protection of the Boers' (C. 8841, p. 114 "Historical Sketch," quoted above).

Later on, in 1846-47, the emigrants entered into a treaty with Moselekatse, in which he pledged himself not to attack any of the tribes under the protection of the Republic. He adhered faithfully to his agreement, though he continued to plunder and "kill off" such tribes as were not protected in this way.

In order to define more clearly this sphere of protection and to include within it some tribes which had recently sought safety with the Boers, President Pretorius, on April 29, 1868, issued a Proclamation setting forth the boundaries of the Republic, which extended on the west to Lake Ngami and from there in a straight line to the most northerly point of the Langeberg.

Unfortunately for the natives concerned, the British Government, in 1870, protested against this boundary, and the Proclamation was not enforced. Robbery and slaughter were at once resumed by Moselekatse, and in consequence some of the weaker tribes in the vicinity of Lake Ngami were annihilated. Those tribes, however, which were indubitably within the borders of the Republic, such as the Koranna, Barolong, and Batlapin, did not suffer.

In after years the British Government denied that the Batlapin were subjects of the Transvaal. It will be well

\* Of these two Chiefs Moshette was the highest in rank. (See C. 3219, p. 80; Dr. Clark, *The Transvaal and Bechuanaland*, p. 7.)

therefore, at this point, to refer to an incident which shows that that tribe was subject to the Republic not only as a result of its having received from the Boers a place to live in after the defeat and expulsion of Moselekatse, but also by direct right of conquest.

In the year 1858, when the Orange Free State was at war with the Basuto, Gazibone, paramount Chief of the Batlapin, without any provocation or warning, embarked upon a raid which affected both the Transvaal and the Orange Free State. Apparently his object was to assist the Basuto. Several Boers, including women and children, were murdered, and two women were carried off, together with a large number of cattle.

Commandant-General Krüger was at once ordered by President Pretorius to advance against Gazibone and to recover the women and the stolen property. On his arrival in the neighbourhood, Krüger found that the women were in the care of Mahura, a Chief who was subordinate to Gazibone. Mahura, who had not taken an active part in the disturbances, surrendered the women, but said that he could not restore the cattle. As all the Batlapin were assembled under Gazibone at Taungs, where Mahura lived, Krüger warned him that the place would be attacked and that he must withdraw unless he wished to be classed with the other rebels. Mahura did not withdraw; the place was attacked; the Batlapin were defeated, and Gazibone fell in the battle. Mahura then surrendered and admitted his guilt. After he had done so, he was appointed to rule in place of Gazibone till the lawful Chief, the son of Gazibone, Botlasitsi Gazibone, should come of age. Mahura also undertook to return the stolen cattle, to pay two thousand head of cattle as a fine, and thereafter faithfully to obey the Government of the Republic.

Mahura was the father of Mankoroane, and many years afterwards the British Government, ignoring the rights of

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Gazibone's son, asserted that Mankoroane was the paramount Chief of the Batlapin and that the tribe was in no way subordinate to the South African Republic.\*

It had become the policy of the British Government to seek the support of natives against the Boers; and one method of accomplishing this was to set up subordinate Chiefs against the lawful Chiefs, when the lawful Chiefs were not sufficiently hostile to the Boers.

The case of Mankoroane, moreover, was not the only one of this kind. Moshette, for example, was the Chief of the Barolong, but when Montsioa rebelled against him, he was at once supported, at first by British agents and ultimately by the Colonial Office.

This policy of assisting rebellious chieftains to annoy the Boers reached its climax in 1871, when the Keate Award gave territory to Waterboer which had never belonged either to him or to his tribe.† But the Award did not stop there. It allotted land to Mankoroane and to Montsioa, not only without the consent of the legal Chiefs, Massouw and Moshette, but in spite of the fact that the latter had not even been granted a hearing by the arbiters. Finally, it bestowed upon both Montsioa and Mankoroane the status of paramount Chiefs—to which they had no claim whatever, but which naturally secured their "loyalty" to Great Britain.

The result, perhaps, was anticipated. The South African Republic, as we have seen,‡ refused to acknowledge the Award as binding, and the native chiefs, whose rights had been infringed upon, ignored it. The British Government, however, whose representatives had undoubtedly acted improperly, did not find it expedient at the time to do more

\* C. 3841, p. 114.

† Vol. I, p. 120, and footnote. It will be remembered that Waterboer's only claim to possession rested on his servility to the British Government, and that he had sold his servility in advance.

‡ Vol. I, Chap. XI, pp. 143, 144.

than protest. So the only practical result of the Award was confusion and strife on the south-western border of the Transvaal.

After the annexation of the Republic in 1877, the British authorities on the spot learned that in taking over the administration of the country they were also obliged to shoulder its difficulties—difficulties previously created by themselves in order to make the annexation possible. Then it was that the British authorities discovered that it would be impracticable to enforce the Award and that its effects were becoming increasingly annoying. Sir Theophilus Shepstone, therefore, as Administrator, advised that the authority of his Government should be extended over *the whole of the old limits* of the Transvaal, and that locations should be assigned to each of the tribes wrongfully excluded from the country by the Keate Award.\*

The suggestion was not adopted, although the discord and strife continued. At the time of the Griqua outbreak in 1878, Colonels Warren and Lanyon complained bitterly of Mankoroane's attitude and of his inability to make other chiefs, supposed to be under him, acknowledge him as their superior. He was a mere puppet in the hands of mischief-makers, Sir Owen Lanyon declared in 1879.†

Still nothing was done. Then came the War for Independence, and during that war an event occurred which increased the old trouble a hundredfold.

Before dealing with this event, however, it will be best briefly to summarise the situation, and to refer to the accompanying map for a better understanding of entanglements which, at the time even, were felt to be complicated and confusing.

In the *South* of Bechuanaland, the *Koranna*, under their Chief, David Massouw Riet Taaibosch (generally called

\* Vol. I, p. 145.

† C. 2454, p. 27.



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*Massouw*), whose capital was Mamusa, stood against the Batlapin under Mankoroane, who resided at Taungs.

The white volunteers under these two Chiefs founded later the Republic of Stellaland.\*

In the *North* of Bechuanaland lived the *Barolong*, divided into two parties, one under Moshette (capital, Kunana), and the other under Montsioa (capital, Mafeking). In this part of the country the white volunteers afterwards founded the Republic of Goshen.†

Moshette and Massouw were supposed to be friends of the Boers; while Montsioa and Mankoroane were reputed to be in favour of the British. Among the Barolong Moshette was assisted by Machabi, a third Chief (he lived at Polfontein); while Gazibone sided with Massouw in the south of Bechuanaland.

After the white volunteers serving with these various chiefs had founded their republics, Stellaland, of which Vryburg was the capital, was administered by G. J. van Niekerk. Of Goshen, with its capital Rooigrond, N. C. Gey van Pittius was administrator.‡

\* In the South of Bechuanaland, the Koranna, under Massouw, were the oldest inhabitants. Later on the Batlapin, under the first Gazibone, settled in his territory. This Gazibone—and, after him, his son and successor, who bore the same name—was the rightful head of the Batlapin, not Mankoroane, who was a son of the under-chieftain Mahura.

The followers of a Chief were often called by the name of their leader. Hence the declaration of Krüger before the Royal Commission of 1881, that Gazibone was the Chief of the Mahuras.

† In the North of Bechuanaland, the Barolong, under their Chiefs Machabi, Moshette, and Montsioa, settled on six farms which had been allotted to them by the Transvaal Government. Two of these fell to the share of Machabi (Polfontein); the remaining four farms were held by Moshette and Montsioa. Of these three Chiefs Moshette was the highest in rank; at least he stood above Montsioa.

‡ See Appendix C, p. 482.

## CHAPTER XI

### MOSHETTE AND MONTSIOA

- February 5, 1881 Meeting between Moshette and Montsioa. Machabi refuses to submit to Montsioa.
- May 9, 1881 Montsioa attacks Machabi and destroys nearly the whole of his tribe.  
Moshette is prevailed upon not to take any active measures against Montsioa pending the inquiry of the Royal Commission.  
The Commission remains inactive.
- August, 1881 Pretoria Convention by which Machabi is placed within the Republic and Moshette without.  
Moshette protests.
- September, 1881 Massouw, in the south, also protests and drives away Colonel Moysey, who is beaconing off the new boundary-line.
- October, 1881 Moshette declares war upon Montsioa, attacks and defeats him.
- November, 1881 Hudson sends Captain Nourse to Moshette as mediator; he fails in his mission.  
The volunteers are dispersed by Greeff, the Transvaal Border Commissioner.

ONE feature of the situation, common both to the problems in the north and in the south, was the activity of Englishmen residing with those Chiefs who considered themselves "British." Thus, with Montsioa was a certain Bethell, who acted as his adviser; while, with Mankoroane in the south, were two agents of the Cape Colonial Government, Daumas and King. In the neighbourhood was an English officer, Colonel Moysey. During the Boer War for Independence this gentleman appears to have conceived the idea of creating a diversion on the western border of the Trans-

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vaal, in favour of the British forces in Natal.\* In any case, he wrote a letter to Bethell telling him to play off tribe against tribe.† The result leads one to infer that Bethell, Montsioa's adviser, carried out Colonel Moysey's suggestions with considerable enthusiasm.

A meeting was held on February 5, 1881 between Montsioa and his neighbour Moshette—the latter being the paramount Chief legally, Montsioa being paramount “according to Keate.” The purpose of this interview was to decide on which side, Boer or English, the Barolong should stand.

Moshette said :

‘If the Boers come to us we can tell them that we belong to them, and if the English come we will tell them that we belong to them. *We will belong to those who conquer*’ (C. 3098, p. 28).

Montsioa was not so impartial, and for very good reason. Even apart from the advice he was receiving from Bethell, his position as paramount Chief, to which he was in no way entitled, was acknowledged by the British only; neither the Boers nor the lawful Chiefs would recognise him. If the Boers were to win, he would inevitably lose his standing. Consequently, he not only declared that he was “an Englishman,” ‡ but did all he could throughout the war to assist the British against the Boers. Just what form this assistance took the Blue Books naturally do not reveal. He himself, in after years, made a general claim to have helped the British Government during the struggle.§ It is admitted that “during the Transvaal War, Montsioa placed eight hundred men at the disposal of the British Government, proposing to attack Lichtenburg, and thus create a diversion,”||

\* C. 2868, p. 34.

† This letter was intercepted by the Boers and was at once published, C. 3419, p. 9.

‡ C. 3098, p. 27.

§ C. 3419, p. 58.

|| C. 3688, p. 28.

but the offer, in this form, was refused by General Colley.\* It was always maintained, however, that he had earned the gratitude of the British authorities.†

Now Machabi, a minor Barolong Chief, whose father had served with the commandos against Moselekatse, was a staunch friend of the Boers. At the meeting of February 5, 1881, he refused to recognise Montsioa's authority in this matter, and sided with Moshette. Montsioa was furious and seized the first opportunity for revenge. Collecting his own people and a number of English or pro-English refugees from the Transvaal—the latter, according to one report, numbering about sixty—during the night of May 2nd, he attacked Machabi, killing seventy-two men and twelve women. Among the killed were several of Moshette's personal followers who happened to be with Machabi at the time. Six of Machabi's people were skinned, and his brother's heart was cut out.‡ Bethell accompanied Montsioa's men, if he did not actually command them.§

It was now the turn of Moshette, the legal paramount Chief and protector of Machabi, to be furious. But the Royal Commission, appointed after the War for Independence to settle the affairs of the Transvaal, was at this time sitting at Newcastle, in Natal; and as soon as news of the fight reached Sir Evelyn Wood and the Boer leaders, General Joubert and Major Ernest Buller were commissioned to proceed immediately to restore order and to inquire into the cause of the disturbance. Moshette was then persuaded not to take action against Montsioa, pending an inquiry by the Royal Commission. That this inquiry would be held, he was assured solemnly both by Major Buller and by General Joubert.||

Unfortunately, the Royal Commission, for reasons best

\* C. 8686, p. 82.

† C. 3098, pp. 17, 24, 36.

|| Ibid. p. 21; C. 8381, pp. 74, 126.

† Ibid. pp. 81, 82, 40.

§ Ibid. p. 35.

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known to itself, and in spite of repeated requests by the Boer representatives, took no further notice of the matter. Moshette wrote twice, accusing Montsioa of murder, and finally visited Pretoria in person in order to lay his case before the Commission which was then in session there, but he never obtained a hearing.\* Instead of inquiring into the matter, the Commissioners accepted blindly the recommendations of the same Colonel Moysey, whose chief idea of policy it was, as we have seen, to set tribe against tribe and thus (as had been attempted in Zululand) to divide and rule. Following his recommendations, the Commissioners insisted upon a new south-western boundary, a definition of which was incorporated in the Pretoria Convention in utter disregard of the entreaties and warnings of the Boer representatives. This boundary placed Moshette and Massouw—another “pro-Boer” Chief—beyond the borders of the Republic, leaving them to fight it out as best they could, with the opposition paramount Chiefs created by the Keate Award. Furthermore, the boundary divided tribes that wished to remain united; for Machabi, the subordinate of Moshette, was brought within the Republic, while his paramount Chief was excluded.† The Convention also provided (Article XVIII) that “the British Resident will be the medium of communication with native Chiefs outside the Transvaal,” an arrangement little calculated to facilitate the transaction of business.

The first result of this arrangement was that when Colonel Moysey endeavoured to beacon off the line which the Pretoria Convention had defined, Massouw drove him out of his country, while Moshette also protested against a line “which he says is being made through his country without his being consulted.” ‡

\* C. 3831, pp. 74, 126; C. 3419, p. 6; C. 3841, p. 117.

† C. 3841, p. 117.

‡ Colonel Moysey's Report; C. 3098, p. 84. This was in September, 1881.

Both these Chiefs "expressly signified their desire to remain what hitherto they always had been, faithful and loyal subjects of the South African Republic." \*

As another English officer, Captain Nourse, reported not long afterwards (November 12, 1881) :

'In my interview with Moshette he expressed his strong wish to become a Transvaal subject as he had formerly been, and that the ground over which he claimed chieftainship should be brought within the line; the present position of the line between Machabi and Moshette, as defined by the Convention, appears to be very inconvenient, rendering Machabi subject to a divided allegiance on the one side to his Head Chief, Moshette, and on the other to the Transvaal Government under which he lives' (C. 8098, p. 127; see also p. 188).

Massouw made a similar statement in a letter to General Joubert. †

Meanwhile, Montsioa, who had cut out the heart of Machabi's brother and had skinned some of his followers, remained unpunished, and was still recognised by the British Government as an independent but "loyal" (*i.e.* pro-English) Chief.

Moshette, who was also independent—and it should be borne in mind that the Pretoria Convention left all these Chiefs in an independent position ‡—Moshette, in view of the failure of the Royal Commission to deal with his case, decided to punish Montsioa for his crimes. § As Montsioa had obtained the help of white men when attacking Machabi, Moshette very naturally followed his example when retaliating. He had no difficulty in doing so because there were several Boers living near the border who had suffered great losses at the hands of Montsioa during the War for Independence, and who welcomed the opportunity to secure compensation. || Moshette was also assisted by Massouw. ¶

\* C. 8841, p. 117.

† C. 8981, p. 78.

‡ C. 8098, p. 88.

§ Ibid. p. 131.

|| C. 8981, pp. 45, 76.

¶ C. 8098, p. 107; C. 8981, p. 50.

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As soon as he had completed his preparations, Moshette formally declared war and then, on October 22, 1881, attacked Montsioa, the "Englishman" (see *supra*, p. 88). Two fights took place, and Moshette captured a large number of cattle besides inflicting other damage.

The Boer Government, it will be understood, bound as it was by the terms of the Pretoria Convention, could not interfere. All communications with tribes across the border had to be carried on through the British Resident. The Resident, Hudson, accordingly sent Captain Nourse to report, and, if possible, to pacify the combatants.\* Captain Nourse found Moshette willing to make peace on condition that Montsioa returned the property he had taken from Machabi in May. He, Moshette, would then restore the cattle he had just captured. Upon Montsioa's refusal of these conditions, Captain Nourse reported that he had said to the Chief "that if he, Montsioa, would agree to any fair terms, Moshette would stop . . . that he, Montsioa, had taken everything in the first part of the war and now wanted only to talk of the latter part when he had lost. I did not think that was fair." † So the fighting continued, and Captain Nourse's mission, through no fault of his, had failed. He was able to report, however, that the Border Commissioner of the South African Republic, Greeff, had succeeded for the moment in dispersing Moshette's volunteers and that they had returned to their homes. ‡

\* C. 8098, p. 85.

† *Ibid.* p. 135; November 5, 1881.

‡ *Ibid.* p. 129.

## CHAPTER XII

### MASSOUW AND MANKOROANE

- November, 1881 Without provocation Mankoroane attacks Massouw. He is supported by the agents of the Cape Colony, Daumas and King, and is aided by other white volunteers. Massouw, on his side, also engages white volunteers.
- January, 1882 Mankoroane, being hard pressed by Massouw, is obliged to flee from his capital, Taungs. The number of volunteers increases, both English and Boers joining the contending parties.

AT this point the second of the two main struggles began: Mankoroane, the "pro-English" Chief of the Batlapin, attacked Massouw, the "pro-Boer" head of the Koranna, who had assisted Moshette in his struggle with Montsioa.\* Mankoroane had been recognised in the Keate Award as the paramount Chief of the Batlapin, although, as Colonel Moysey afterwards reported, Gazibone was "in reality of higher birth" and was still recognised by the Boers as the legal Chief.†

Mankoroane had no cause of complaint against Massouw. This was admitted subsequently by every British official from the High Commissioner downwards, who had to do with the matter. For example, on February 9, 1882, Captain Nourse telegraphed that "with regard to the war now going on between the Chiefs David Massouw and Mankoroane, the latter is entirely to blame for its commencement."‡ A few days later he reported that Man-

\* C. 3098, p. 107; November, 1881.

† Ibid. p. 105. And see *supra*, pp. 82, 84, and 86.

‡ C. 3381, p. 34.



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koroane had commenced the war "relying on assistance from the British Government should he be defeated."\* Hudson, the British Resident at Pretoria, also reported that Mankoroane was responsible for the war; † and in April, 1882, Sir Hercules Robinson, the High Commissioner, in a despatch to Lord Kimberley, said: "I think that Mankoroane is himself alone to blame for his present trouble. He was living in peace and security at Taungs until he interposed unnecessarily in the quarrel between Moshette and Massouw on one side, and Montsioa on the other, by attacking Massouw" (C. 3381, p. 73).

It is important to keep this in mind, because every possible effort was made subsequently by Sir Hercules Robinson, among others, to throw the responsibility for the disturbance upon the South African Republic.

And who instigated Mankoroane to attack Massouw and thus assist Montsioa against Moshette? The answer is that the British Agents with Mankoroane not only instigated the attack, but actually accompanied the expedition. The Rev. Mr. Bevan, a missionary, having complained of this officially, the Civil Commissioner at Barkly (Mr. Campbell) wrote to the Under Secretary for Native Affairs in Cape Town as follows:

'I cannot help thinking there is a good deal of truth in Mr. Bevan's letter, where he states that the Agents are to a great degree responsible for the present disturbance. Mr. King and Daumas took upon themselves to go out with Mankoroane to attack David Massouw, instead of remaining at their stations, and as far as I can understand both these Agents are assisting Mankoroane in the field. Under all [the] circumstances I do not consider that the Agents are of any assistance to the Government, but appear only useful in egging on the several chiefs into hostilities, which may result in very serious consequences' (C. 3381, p. 66; February 21, 1882).

Captain Nourse, in a telegram to the High Commissioner (February 9, 1882), declared:

\* C. 3381, p. 44.

† C. 8419, p. 101.

'I cannot too strongly condemn the actions of Messrs. A. Daumas and C. King. Both, I believe, are receiving Government pay and are employed as Government Agents in Mankoroane's country, by [?] not only personally fighting for him, but allowing themselves to be employed as recruiting agents, and making every endeavour to obtain ammunition for him to carry on the war' (C. 3881, p. 34).

As recruiting agents they were most successful. When he first attacked Massouw, Mankoroane had several Englishmen with him, besides the Agents. Whether with their approval or not is uncertain, but at the beginning of the war "he did not scruple to commit the horrible cruelty of having prisoners of war tied between two planks and having them sawn through alive."\* In any case his behaviour did not worry the Agents, who continued to recruit, Captain Nourse reporting that:

'Up to the time of my departure [February, 1882] Mankoroane had 19 white volunteers, "Englishmen," but numbers were expected daily from the Diamond Fields' (C. 3881, p. 44).

Massouw, in these circumstances, naturally did his best to raise an opposition white contingent. Like Mankoroane, Montsioa, and Moshette, he offered farms in return for armed assistance,† but by February he had succeeded in collecting a force of only eight Boers.‡ Nevertheless, Mankoroane from the first got the worst of the fighting, having been obliged to flee from his principal town, Taungs, in the early part of January, 1882. On February 10th Sir Hercules Robinson cabled to the Secretary of State that "Montsioa and Mankoroane, who have been always our firm friends and allies [in 1881], are in danger of extinction."§

Great was the indignation of the British Government and of the High Commissioner at the thought that Boers

\* C. 3841, p. 117.

† C. 3881, p. 44.

‡ C. 3419, p. 21.

§ Ibid. p. 5.

should dare to support Massouw and Moshette. Regardless of the fact that British officials had admitted time after time that Mankoroane and Montsioa had been the first to employ white volunteers, and that these volunteers were British subjects,\* Sir Hercules held the South African Republic responsible for the volunteer movement.† While he spared the volunteers of the pro-English Chiefs, those of Massouw and Moshette became "Boer-freebooters," "gangs of white marauders," etc., "without any pretence of a grievance, assailing Montsioa and Mankoroane."‡

Massouw's eight Boers had increased by this time to some three hundred. The proceedings of Mankoroane's volunteers had so greatly alarmed the farmers on the Transvaal border that, as Captain Nourse reported on February 16, 1882, "the farmers had deserted their farms and formed laagers."§ They became so exasperated finally that numbers of them joined Massouw in the hope of putting an end to the disturbance, and with the intention also of punishing the white men who made it impossible for them to carry on their ordinary avocations.||

But many Englishmen, as well as Boers, joined the standards of both Massouw and Moshette. With the former, according to Sir Hercules Robinson, were "about sixty deserters from Her Majesty's army."¶ And, he added, apparently to justify his continued vituperation of the Massouw party, these English deserters were "the worst and most violent of [the] lot." Hudson, on July 27, 1882, said that among Massouw's volunteers, who by that time numbered between five and six hundred, "I estimate deserters, old soldiers and Cape men, at about 100 to 120."\*\* With Moshette also there were "a large number of Englishmen, who appeared to be chiefly

\* Mr. Hudson, the British Resident at Pretoria, repeated this admission in September, 1882; C. 3419, p. 101.

† C. 3486, p. 60.

‡ C. 3419, p. 5; C. 3486, p. 50.

-§ C. 3381, p. 43.

|| Ibid. p. 67.

¶ Ibid. p. 148.

\*\* C. 3419, p. 49.

deserters from the Imperial army, English sailors, both from the navy and mercantile service."\*

But at that time it seemed never to occur to the High Commissioner that the British authorities were as much responsible for the participation of British subjects in the conflict as the authorities of the Republic were for the participation of Boers. It was the Transvaal alone that was "morally responsible for these proceedings." †

General Joubert pointed out in his Report of April 28, 1882, how absurd such an attitude was. The British Government demanded, he said, that Boers should be prevented from taking part in the struggle.

'And here I must remark that if Her Majesty's Government, possessing such extensive power and resources, is not able, or was not able, with the best desire to do so, to prevent her subjects taking part in these and similar conflicts and freebooting, it is very unreasonable now to demand that we, a far less favoured State, should so thoroughly prevent what Her Majesty has not prevented, as I shall, if it is desired, be able afterwards to prove; and that the volunteers who are now [April 28, 1882] fighting for Massouw also have among them born Englishmen who are only induced by the same motives which are employed by Mankoroane to obtain his volunteers.

'His Honour [Sir Hercules Robinson through the British Resident] appears entirely to ignore the real origin and cause of this wretched bloodshed; this namely, that Montsioa and Mankoroane were the attacking parties—they who now complain of the hiring of white volunteers by their opponents and who were the first to bring it into practice; and that their complaints are now only made because they, Mankoroane and Montsioa, now find out that their pupils surpass their masters' (C. 8881, p. 186).

Ultimately, under similar circumstances elsewhere, Sir Hercules Robinson came to practically the same conclusion, but only after a long and bitter experience, and after having blamed the Transvaal publicly, persistently, and without reason, during the intervening years.

\* February, 1883; C. 8686, p. 27.

† C. 3486, p. 60.

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It was on March 7, 1887, that he telegraphed to the Colonial Secretary, in reply to complaints that some Boers were encroaching on Swazieland, that:

'Government of South African Republic are no more able to control these men or European diggers when beyond their jurisdiction than we are' (C. 5089, p. 18).

## CHAPTER XIII

### THE FOUNDING OF STELLALAND

- January, 1882 The Transvaal Government sends General Joubert in person to the western border.
- March, 1882 The Transvaal Government repeatedly draws attention to the intolerable position arising from the faulty boundary-line and suggests the restoration of the old line of President Burgers by which Montsioa and Mankoroane would both remain outside the Republic.
- March-May, 1882 The High Commissioner misrepresents this proposal.
- July 26, 1882 Mankoroane makes peace with Massouw and Gazibone. The Transvaal Government is called upon by all parties to act as mediator.
- August, 1882 Mankoroane, encouraged by the High Commissioner, shows signs of unwillingness to fulfil the conditions of peace.
- September, 1882 The volunteers of Mankoroane join those of his adversary Massouw for the purpose of enforcing the treaty.
- September 19, 1882 All parties (Mankoroane, Massouw, and Gazibone) place themselves by a joint act of cession under the protection of the Transvaal.
- Sept.-Dec., 1882 The British Government refuses to approve this transaction, and prevents the Transvaal from doing anything in the interests of peace, but in other respects remains inactive.
- January, 1883 The cattle raids by Mankoroane's people increase. Massouw and Gazibone urge the Transvaal Government to take action on the cession of September 19, 1882.
- February, 1883 Once more the Transvaal Government draws the attention of the British Government to the deplorable state of affairs on the western border.
- April, 1883 Mankoroane and Massouw again apply to the Transvaal Government for intervention.
- August 6, 1883 The volunteers under Gerrit van Niekerk, acting with the authority of Massouw, proclaim the Republic of Stellaland.

**M**EANWHILE, it should be understood, the South African Republic was by no means idle. Everything possible was being done, so far as the restrictions of

the Pretoria Convention allowed, to mitigate the evils of the conflict. Burgers were called upon to guard the frontier and General Joubert visited the neighbourhood and did his utmost to prevent the traffic in cattle which had been captured by the contending Chiefs and brought within the borders of the Republic for safe-keeping or for sale. The expense and the trouble to the Republic were alike great, but, as the Boers well knew, neither would cease until the cause of this disorder was removed.\*

'One Kaffir race falls upon another Kaffir race and commits some murders, and tries, if possible, to take some booty. If they do not succeed in the latter, then the cattle of the dwellers on our borders is stolen, and the burghers are thus forced to choose sides and to mingle in the strife' (Letter from Mr. Bok, the State Secretary, to the British Resident, March 10, 1882; C. 8881, p. 69).

Such a condition of things was intolerable:

'One of these two things must be done, either his Honour [the British Resident] must, in the name of Her Majesty's Government, immediately intervene and work out a peace between the fighting natives, if necessary by force, or Her Majesty's Government must consent to this State effecting peace, which we are perfectly certain, acquainted as we are with everything which affects native affairs and conditions, would give us very little trouble indeed; and thus further bloodshed will be prevented' (C. 8881, p. 69; March 10, 1882).

But this would only restore order temporarily. The cause of the trouble had to be removed; and that cause was the arbitrary and impracticable boundary which the Pretoria Convention had prescribed. Change this boundary, urged Secretary Bok; agree to a line according to which "Moshette and Massouw fall within our Republic, and would enjoy our protection, as they have always wished," and all would be well. "Montsioa and others who do not

\* C. 8881, pp. 65, 76.

## THE FOUNDING OF STELLALAND 101

desire this protection would fall outside" the line as proposed by the Republic.\*

For some incomprehensible reason the High Commissioner, from first to last, persistently misrepresented this suggestion. He objected, he said, to *the inclusion of Montsioa and Mankoroane (the pro-British Chiefs) within the Transvaal.*† This objection to a proposal which had not been made may have been based on a misunderstanding; but later, with the original despatch of March 15th before him, in which it had been stated specifically that "Montsioa and others who do *not* desire" the protection of the Republic would fall *outside* the line proposed, he spoke again of "the annexation of the territories of the native Chiefs Montsioa and Mankoroane to the Transvaal State," adding, "this is the course urged by the Transvaal Government in their application now under consideration."‡ Nothing could have been more misleading.

Naturally, Sir Hercules Robinson, who was largely responsible for the terms of the Pretoria Convention, was slow to admit that the boundary which it defined was mischievous. In a telegram to the British Colonial Secretary (March 19, 1882) he declared that that boundary should be maintained unaltered, and that "the best policy" was to "leave independent native tribes outside to settle for themselves their own differences, intervention on our part being strictly limited to friendly mediation when practicable.§ The Secretary cordially approved (March 21, 1882) this policy of masterly inactivity at the expense of

\* Letter from Bok, dated March 15, 1882; C. 3381, p. 81.

The Government of the South African Republic repudiated in the strongest terms the responsibility for the boundary-line in the Pretoria Convention; "inasmuch as this Government never had the slightest voice in the settlement of the boundary, but was simply obliged to submit on the point for peace' sake, according to the minutes."

† March 20, 1882; C. 3381, p. 64.

‡ May 26, 1883; C. 3686, p. 71. See also despatch of July 6, 1882; C. 3419, p. 4.

§ C. 3381, p. 64.



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the Republic. No wonder that the Government of the South African Republic was indignant. Apart from the trouble and expense and the bad effect of the struggle on the natives living within the Republic, blood was being shed daily. They had begged the British Government either to restore order itself or to allow the Transvaal to do so; and the only answer they got was—let them fight it out. This, too, while the Republic was being held responsible for all the evil. On July 3, 1882, therefore, we find the British Resident at Pretoria telegraphing to the High Commissioner as follows:

'Have had a long interview with Government on subject of Mankoroane and Montsioa. . . . [Mankoroane is reported to have] said the English had betrayed him, and that he had determined to seek the intervention of Transvaal Government. He had, therefore, sent a letter to the Vice-President,\* urging him to intervene quickly and save him. . . . Government had received a letter from Mankoroane, which I saw, beseeching aid. The Government see no chance of saving either Mankoroane or Montsioa, unless the territory of Massouw and Moshette is placed within Transvaal jurisdiction. If this can be agreed to, the Vice-President would proceed with such a force as may be necessary, and effect a peaceful settlement upon basis of a new line, *securing both to Montsioa and Mankoroane their land outside this new line*. He protests against the inaction of the British Government in withholding its consent to that, at present lawless, country coming under administration and jurisdiction of a recognised Government of South Africa. He further protests against the establishment of any independent State, composed of the elements of which it must necessarily be formed, and insists that *either the British or Transvaal Government* must accept the responsibility for maintenance of law and order in that territory' (C. 8419, pp. 22, 23).

However, rumours of armed intervention soon afterwards reached the Chiefs and their white allies, with the result

\* The War for Independence had rendered an election for President impossible in the South African Republic, and the administrative power had been entrusted to a triumvirate consisting of Vice-President S. J. P. Krüger, Commandant-General P. J. Joubert, and M. W. Pretorius, an ex-President. These men were still in power at this time. The election for President took place in 1883, resulting in a victory for Paul Krüger.

that on July 26, 1882, Mankoroane and Massouw concluded peace. The terms—which were also signed by Gazibone, who had assisted Massouw—showed that Mankoroane had been thoroughly beaten. Among other things he agreed to provide farms for some of Massouw's volunteers. These farms were to be beacons off by a commission of five members, his advisers, King and Daumas, being two of the number.\* The terms of peace also set forth that :

' In the event of any dispute or difference arising between the members of the said commission, or later between the captains and their subjects, both parties declare that they will leave the case to the settlement of, and decision of, the Government of the South African Republic, by which decision both parties shall abide.

' Further, we declare, both sides, that we will never call in the protection of any other Government excepting the Government of the South African Republic, under whose protection we shall be safe and unmolested' (C. 8419, p. 67).

A separate " Act of Agreement," signed on the same day by Massouw, Mankoroane, Gazibone, Daumas, and others, read as follows :

' We the undersigned captains and our councillors, declare hereby and make known to Her Majesty's Government [at Cape Town], as well as the Imperial Government, that having heard, on good authority, that Her Majesty's Government intends interfering with us ;

' And whereas we have this day concluded a peace between us so that we hereby, in the name of our people, respectfully request that no Government shall interfere in this question ;

' Whereas the Chief Mankoroane has already called in the Government of the Transvaal State, and the said Government was prevented by Her Majesty's Government, and that we are fully convinced that the Vice-President, Paul Krüger, was quite capable of bringing the troubles to an end ;

' So we hereby give notice to Her Majesty's Government that we have already concluded a peace, and, in case of any dispute arising, we have agreed to call in the Government of the South African Republic to settle the same in accordance with our treaty of peace, dated 28th of July, 1882' (C. 8419, p. 55).

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\* C. 8419, p. 67.

A few days after the signing of this peace agreement, one of Mankoroane's volunteers, in the name of the Chief, telegraphed to the High Commissioner that he, Mankoroane, had lost nearly all his stock, had been reduced to the verge of starvation, had exhausted his ammunition, and that for these reasons he had made the best peace he could with his enemies.\* To this Sir Hercules Robinson replied on August 11th that he could not interfere, seeing that "the independence of the Chiefs outside the Transvaal boundary has been fully recognised by Her Majesty's Government." † But although he assumed this attitude of non-interference, he expressed himself in such a way as to show how intensely both the terms and the substance of the peace had annoyed him. ‡ He also went out of his way once more to condemn Massouw's volunteers.

Very naturally this did not encourage Mankoroane to adhere to the peace he had just signed. It is doubtful whether he had ever intended to keep it, but in any case, immediately after the receipt of the High Commissioner's despatch he withdrew his representatives who were then preparing to beacon off the farms which he had forfeited.§

This was not all. During the armistice preceding the conclusion of peace Mankoroane had "obtained supplies of ammunition and men:" "It is said," reported Hudson, "some four hundred Zulus, besides some white volunteers." || Apparently to encourage Mankoroane's further resistance, the High Commissioner, on August 5th, had suggested to the Cape Ministers that the "restrictions imposed by the proclamation of neutrality" might now be withdrawn—in other words, that the sale of ammunition and the enrolment of volunteers might be conducted openly, ¶ and the Cape Ministers under Sir Thomas Scanlen had agreed to this proposal. Four weeks later

\* August 7, 1882; C. 8419, p. 76.

† C. 3419, p. 70.

‡ Ibid.

§ Ibid. p. 88.

|| C. 8419, p. 48.

¶ Ibid. p. 66.

Hudson announced, "There can be little doubt that the suspension of hostilities has been in favour of Mankoroane, and detrimental to his enemies." \* "It appears likely," reported the Civil Commissioner at Kimberley, on September 10th, "that hostilities between Mankoroane and Massouw will shortly recommence." † That this was to some extent the result of the High Commissioner's telegram of August 11th can hardly be doubted, for in Mankoroane's message of August 7th he had said that he had made peace, had accepted the "protective shield" of the Boers, and that he now begged "formally to desire that the British Government will not trouble itself about me or my people any more." ‡ It was only after the receipt of the High Commissioner's message in which Massouw's volunteers were compared to "brigands," that Mankoroane thought he had reason to trust "still to our forcible intervention to save him." §

But now there was a new development. Mankoroane's volunteers, whom the High Commissioner had never called "freebooters" or "marauders" or other ugly names, suddenly made up their minds to "desert him and go over to the enemy." As one of them, named Smith, wrote to Hudson :

'It will be the means of bringing things to a climax much quicker, and in the end [it] will be much better for the natives themselves to have it decided quickly, as at present many of them are in a state of semi-starvation, and the longer ploughing is put off the worse it will be. They are now stealing wherever they can find anything to take, and I am afraid that murder will soon be committed amongst the white settlers on the border' (September 8, 1882; C. 3419, p. 99).

In December it was reported from Mankoroane's headquarters that "Mr. King, who was formerly Government

\* C. 3419, p. 93.

† Ibid. p. 92.

‡ Ibid. p. 77.

§ Telegram from Hudson, August 19, 1882; C. 3419, p. 75.

Agent . . . had joined the Boers [Massouw's volunteers], followed by the other white men who were here." \*

Once the volunteers had united, they proceeded to carry out the terms of peace agreed to on July 26th, by marking off the territory which Mankoroane had ceded.† They could easily have taken Taungs, Mankoroane's chief town, but refrained from doing so on account of the many women and children there, whom Mankoroane refused to send away.‡ Mankoroane was in sore straits, and the High Commissioner's encouragement, instead of helping him, had made matters worse. In any case, Mankoroane appeared to think so, for he turned once more to the Transvaal, joining with Massouw in an offer, called by them a cession of territorial rights, to "place ourselves with our territory, together with that of our volunteers, under the protection of the Government of the South African Republic." § Literally in order to save him from the immediate destruction which further fighting would have entailed, the Government of the Republic declared its willingness to accede to this proposal in so far as jurisdiction over the Chiefs and their people was concerned—subject, however, to the approval of the British Government.||

Naturally a great outcry was raised, the High Commissioner assuming the attitude that to have received a direct communication from Chiefs outside the border, and to have replied to it directly, without using the British Resident as intermediary, was a most serious "violation of the terms of the Convention." ¶ It counted for nothing that Mankoroane, "our ally," as the High Commissioner continued to call him,\*\* had been saved as the result of the Transvaal's action, although, on December 11, 1882, the High Commissioner had feared that "the total extinction" of

\* C. 3686, p. 5; see also C. 3486, p. 82.

† C. 3686, p. 5.

‡ C. 3419, pp. 89, 102.

§ September 19, 1882; C. 3656, p. 34.

|| C. 3486, pp. 35, 44.

¶ Ibid. p. 43.

\*\* January 22, 1883; C. 3496, p. 51.

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Mankoroane "cannot be much longer delayed."\* Anything was better than that the South African Republic should go to the rescue, gaining, possibly, some additional prestige with the natives, or a few square miles of territory which it did not want.† And meanwhile the British Government flatly refused to take action.‡

In January, 1883, Massouw and Gazibone had written to Vice-President Krüger saying that Mankoroane's people were continually stealing their cattle; that this must lead to a renewal of hostilities and perhaps to "the wiping out of both tribes"; and that they therefore again begged the protection of the Republic on the terms of the cession of September 19, 1882.§ All that the Government could do, however, was to point out to the British Resident that the state of things on the south-western border was becoming "worse and worse day by day," and that "action of some kind cannot longer be delayed." ||

The Colonial Secretary (at this time Lord Derby) now had an inspiration. He telegraphed to the High Commissioner that "Her Majesty's Government, admitting that the Chiefs Montsioa and Mankoroane have special claims through former services and promises, are willing to give them and others moderate allowances, if, when driven out of their country, they can be located in British territory" — that is, in Cape Colony, the Ministers of which were asked if they could provide land for the purpose.¶ When the Cape Ministers politely declined, the following telegram was sent to an official to be forwarded to Mankoroane:

'Tell Mankoroane Her Majesty's Government cannot intervene by force for his protection, but will consider, in event of either he or

\* C. 3486, p. 29.

† See also the defence of the Government of the Republic in Appendix D, p. 483, being the despatch of the State Secretary to the British Resident dated December 8, 1882; C. 3486, p. 43.

‡ March 1, 1883; C. 3686, p. 14.

|| February 8, 1883; C. 3686, p. 33.

§ C. 3686, p. 34.

¶ March 14, 1883; C. 3686, p. 40.

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Montsico being driven out of their country, what assistance can be given them" (March 27, 1883; C. 3686, p. 41).

It appears that Mankoroane had neither sufficient imagination nor sufficient faith to draw consolation from this message; for both he and Massouw continued to complain to the Transvaal Government that it "had not yet intervened to regulate their affairs, according to their request, in consequence of which it had become to both of them impossible to preserve the peace among themselves." \*

Meanwhile the volunteers, who were now united on the side of Massouw, and to whom farms had been allotted by the peace agreement of July 26, 1882, had organised a Government of their own. A Board of Management had been elected, with G. J. van Niekerk as Chairman, and by January, 1883, everything was working in a business-like manner.† The new boundary between Massouw and Mankoroane, which had been beacons off in December, 1882, was proclaimed by Massouw on January 16, 1883.‡ On the 18th, Massouw issued a "Commission appointing the Chairman of the Board of Management of our Volunteers to be Administrator over the territory inhabited by our white inhabitants." It was set forth in this Commission that the territory in question should be proclaimed by the Board "under the name or title of 'the Land of the Star,' Stellaland." § After some preparatory measures, such as the formation of a Landdrost Court and a High Court,|| the State of Stellaland, on August 6th, was formally proclaimed to be an independent Republic, the territory being described in another proclamation on the day following. ¶

\* C. 3686, p. 75.

† Ibid. pp. 17, 18.

‡ C. 4036, p. 41.

§ C. 4194, pp. 7, 8.

|| *Volkstem* of April 4, 1883. Hudson, the British Resident at Pretoria, gave a somewhat inaccurate summary of this Proclamation to the High Commissioner. (See C. 3686, p. 51.)

¶ *Volkstem* of August 28, 1883.



## CHAPTER XIV

### MONTSIOA AND MOSHETTE. THE FOUNDING OF LAND GOSHEN

- November, 1881 Montsioa refuses to make peace on the conditions proposed by Captain Nourse.
- 1882 Montsioa is defeated by Moshette.
- October 24, 1882 Montsioa and Moshette make peace and allot plots of ground to the volunteers.
- November, 1882 Montsioa, at the instigation of the British, tries to evade the conditions of the peace treaty.
- December, 1882 Gey van Pittius, on the authority of Moshette, proclaims the territory given to the volunteers a Republic, under the name of Land Goshen.
- February, 1883 Bethell takes the oath of allegiance to the Government of Land Goshen; but afterwards goes to Kimberley to procure ammunition for Montsioa.
- May 8, 1883 Krüger, the newly elected State President, in his speech to the Volksraad, refers to the troubled situation on the western border.
- June, 1883 The Transvaal Government proposes the sending of a Deputation to London with the object of finding a solution of the difficulty.
- November, 1883 Arrival in London of the Deputation (Krüger, Smit, and Du Toit).

**R**ETURNING now to the original struggle—that between Montsioa, “pro-English,” and Moshette, “pro-Boer”—we saw (p. 92, *supra*) that Montsioa refused to accept the terms of peace recommended by Captain Nourse in November, 1881. The fighting had then continued. In February, 1882, Sir Hercules Robinson reported that “Moshette has overpowered Montsioa.”\* It was not, however, until October, 1882, that Montsioa formally submitted.

\* C. 3381, p. 5.



On the 24th of that month, he and Moshette signed conditions of peace which provided for the surrender of a large tract of land by Montsioa.\* The land thus surrendered was to be made over to the volunteers in payment for their services. But Bethell was still at Montsioa's elbow, and there is no doubt that peace was signed only to gain some respite. From the first, Montsioa refused to recognise the new boundary as defined in the terms of peace. This he himself declared to a British official; † and on November 21, 1882, in conversation with the same official (Rutherford), he gave a "very broad hint that the peace would not last long." ‡ Of course he would not have given such a hint if he had not known it would be welcome, and, as a matter of fact, the official in question had done his best, without openly recommending such a course, to encourage further resistance.§ In the same way the Acting High Commissioner, in the following August, refused absolutely to comply with State Secretary Bok's request "to use his influence with Montsioa to prevent his now recommencing hostilities." || It is probable, however, even apart from this encouragement, that Montsioa's conduct, under the influence of Bethell, would have been the same.

Moshette's volunteers of course wanted to settle down on their farms. In the early part of December, 1882, their leader, Nicolaas Gey van Pittius, as the "Representative of Moshette, Paramount Chief of the Barolong," issued a Proclamation defining the new boundaries of that Chief's country and of the ground due and made over to the white volunteers of both parties, naming the latter Land Goshen ;

\* C. 8486, pp. 71-78. Article XVII of the agreement, which refers to this land, was not "superseded" as the Blue Book alleges. See statement by the Cape Ministers, Messrs. Thomas Upington, Q.C., and Gordon Sprigg, that a "strange error has been made in Blue Book in translation of Treaty referred to. We have seen original signed by Montsioa, and there is no supersession of Article XVII" (November 22, 1884; C. 4275, p. 89).

† C. 8486, p. 60.

‡ Ibid. p. 62.

§ C. 8486, p. 62.

|| C. 3841, p. 41.

and calling upon all within its limits to submit "to the laws and regulations made or which may be made by the Administration (Bestuur), thereto authorised by the Great Chief of the Barolong, Moshette." \* In February, 1883, Bethell—plans for further resistance notwithstanding—took the oath of allegiance to the Government thus constituted.† By the following March this small country had achieved the distinction of being referred to by the High Commissioner as "the robber republic." ‡

Montsioa, by this time, had had leisure to recuperate, and in June, 1883, Bethell went to Kimberley to try to obtain ammunition.§ A great confederation of natives had been formed, he declared, with Montsioa at their head. Unless the Imperial Government would undertake, not only to annex the territories of Montsioa and Moshette, but also that of Mankoroane, and to expel the "freebooters," he, Bethell, threatened an outbreak in July. "I have other suggestions," he added; "should like use of cypher code." || Such a request, in a telegram to the Private Secretary of the High Commissioner, throws considerable light on the situation, as we shall see.

The issue had become so complicated and so pregnant with danger to the peace of South Africa as a whole, that President Krüger (he had been elected President in April, 1883), in his speech at the opening of the Volksraad on May 8, 1883, said that the situation was no longer tolerable.

'We are further of opinion,' he declared, 'that the time has arrived to treat with the Government of Her Britannic Majesty about the modification of the Convention now that it has been proved that some of its Articles have not been able to bear a practical test and are unworkable' (C. 3686, p. 77).

On the south-western border, he said, all the Chiefs on both sides had urgently begged the Government of the

\* C. 3486, p. 80.

§ Ibid. p. 97.

† C. 4275, p. 89.

|| June 8, 1883; C. 3686, p. 97.

‡ C. 3686, p. 42.

Republic to take them under its supervision. The terms of the Pretoria Convention, which were responsible for all the trouble that had arisen, made it impossible for the Republic to take action with a view to restoring peace; but seeing that robbery, violence, and other irregularities continued to prevail in that neighbourhood, the President hoped that Her Majesty's Government would be prepared to consider the situation *de novo*.\*

On June 13, 1883, a telegram was despatched to the British Government suggesting that a deputation should visit England on behalf of the Republic in order to carry on negotiations directly with the Imperial Government.† After some preliminary discussion, this offer was accepted, and the deputation, consisting of President Krüger and Messrs. Du Toit and Smit, arrived in London in November, 1883. Their reception was not cordial. Prejudice had been created against them. They were met with distrust, and continually stumbled upon obstacles which they were not always able to overcome.

\* C. 3686, p. 78.

† C. 3841, p. 7.

## CHAPTER XV

### THE DEPUTATION IN LONDON

(November, 1883, to February, 1884)

The difficulties encountered in London by the delegates.

Report of a Volksraad Commission of 1882 on "loyal" and "pro-Boer" natives.

The Boers accused of supplying ammunition to the natives.

The accusations against the volunteers of the "pro-Boer" natives.

Letter from the Delegates to the Aborigines' Protection and the Anti-Slavery Societies.

**I**N the first place, everything possible had been done to make it appear in England that the struggle was racial, that "loyal" natives were being oppressed by disloyal or pro-Boer natives. Surely, however, after all that had been said about the fear and hatred which the natives entertained for the Boers, it was rather startling to assume that there were pro-Boer as well as pro-English natives! And, as it happened, it was a delusion. The contending Chiefs were, in reality, no more pro-Boer than they were pro-English. Each Chief was fighting his own battle for himself, and was trying to use either the Boers or the British, as circumstances dictated, for his own reinforcement. The Boers realised this; the British either could not or would not. This was well brought out in a report drawn up by a Commission appointed by the Volksraad in May, 1882.\*

\* This Commission was composed of F. G. Joubert (President), W. A. Cronjé, and Spies, and was elected by the Volksraad May 17, 1882. Their

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'One of the chief causes of misunderstanding,' the Report said, 'is the notion that the barbarous Kaffir tribes may be divided, in a political sense, into British-affected "loyal" and Boer-affected "disloyal" Kaffirs. Even if there were any pretence [ground] for this notion, still sound policy would dictate not to attach much weight to it, in view of interminable disastrous consequences which such a policy involves for the future of South Africa. While reconciliation between Afrikaners and Englishmen is desired, shall the firebrand of nationality be thrown among the Kaffirs? One shudders to contemplate the horrors which the introduction of such a controversy among the millions of blacks in South Africa will produce. Without doubt, such a political distinction among the Kaffirs is believed in, in perfect good faith, in some circles in England.'

But, the Report continued, the belief had no basis in fact. The Kaffirs' sole aim, in these matters, was self-aggrandisement, and their ambition had been played upon, in the case of Montsioa and Moshette, by Colonel Moysey and by Bethell (see *supra*, p. 88).

'It may not be believed, but the "loyal" Kaffir is just as cruel as the "disloyal." He burns his foe, and outrages the women, dashes out the suckling's brains upon the ground. Sometimes he goes so far as to place his foe between two planks and saw him through the middle.

'So long as the people in England will only believe in such atrocities being committed by those Kaffirs who live at peace with the burghers of the South African Republic, and desire to live within its borders, no quiet is to be thought of. . . .

'A condition of robbery, freebooting, murder, and homicide must cease. The influence of the Republic is great enough to enforce peace, if only the Chiefs come to know that the old farce of "loyal" and "Boer-affected" Kaffirs is no longer countenanced by the English Government' (C. 8419, pp. 9, 10).

But this common-sense view of the situation did not

report was submitted on June 8rd, and was unanimously adopted by the Volksraad. It has been printed in Appendix E (p. 486) in the original form in which it was approved of by the Volksraad, and is remarkable for the frankness and convincing earnestness of its statements. Owing to the use of a few unparliamentary expressions, the Volksraad agreed to some alterations. In this modified form it was sent to the British Resident and published in Blue Book C, 8419.

appeal to British officials. In spite of the fact that they were supposed to be neutral, and that their Government, like that of the Transvaal, had issued a neutrality proclamation; in spite, too, of the accusation so constantly brought against the Republic of not preventing breaches of neutrality on the part of its subordinate officials, the representatives of Great Britain, such as Hudson, the British resident, and Rutherford, his secretary, did not hesitate to assert publicly that they had helped the "loyal" chiefs against the "disloyal." Thus, Hudson, in September, 1882, in a despatch to the High Commissioner, declared with satisfaction that by visiting Mankoroane he had prevented the capture of the latter's chief town.

'As it resulted,' he wrote, 'Mankoroane gained the present dispersion of his enemies, was able to open up negotiations for peace and strengthen his position in every way, and to the present moment he has enjoyed these advantages. Without wishing to take any credit except for an earnest desire to serve Mankoroane, evidenced by considerable personal risk, I feel that without having committed Her Majesty's Government to any responsibilities I have secured for him all that could possibly have been done by any diplomatic intervention,' etc. (C. 8419, p. 108).

Neutrality! Imagine the uproar if some high official of the South African Republic had claimed one-half as much in connection with Massouw or Moshette. Imagine what would have been said in England if a statement had been made officially in the Volksraad that Moshette was well supplied with breech-loaders and ammunition, and if that announcement had been received by the members with applause. And yet, when the Under Secretary of State for the Colonies (Ashley) announced in the House of Commons (April 12, 1883) that Montsioa possessed a number of breech-loaders, "and there seemed to be no scarcity of ammunition," while "many have learnt to reload

Westley Richards and Martini cartridges"—the statement was greeted with cheers.\*

Partisanship was carried so far that while Bethell with Montsioa, and such men as Donovan, Scotty Smith, and others with Mankoroane, were recognised by British officials and treated in many respects as diplomatic agents,† the same officials refused to communicate in any way with the white men on the side of Massouw and Moshette. The most outrageous statements by men such as Donovan were accepted blindly by the Imperial authorities, and yet no one was surprised when the Rev. Mr. Mackenzie—anti-Boer though he was—not long afterward described Donovan and his companions as "regardless of loyalty or truth."‡

And the allegations that were made—all of them ventilated in the English press, all of them let loose afresh on the arrival of the Boer delegates in England! Massouw and Moshette, it was said, got all their ammunition from the Transvaal, and even from Boer officials. This statement was supported by a sworn declaration by an ex-volunteer of Massouw's,§ whose name, however, was suppressed, "the Boers being very vindictive" as Mankoroane wrote in forwarding the accusations.|| When the charge was examined, however, not only were the statements proved to be devoid of foundation, except in one case, but the true reason for such careful anonymity was also revealed. The witness had been expelled by his fellow-volunteers for theft; he had afterwards been imprisoned by the Transvaal Government for further theft; he had escaped from gaol, and he had then been taken under the protection of Mankoroane and Daumas, at whose instigation, or under whose patronage, he had sworn to the false statements in question.¶ Even the Acting

\* C. 3686, p. 48.

† C. 4036, pp. 16, 17, 18; C. 4194, p. 13.

|| April, 1838; C. 3686, p. 68.

† C. 3841, p. 1.

§ C. 3696, p. 69.

¶ C. 3841, pp. 9-14.



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High Commissioner, Lieut.-General Smyth, found it necessary to express his "concurrence with the conclusion arrived at by Mr. Hudson that the effect of the evidence 'is to impugn the character of Casparus Knoetze [the witness] and so to discredit the statements made by him as to render them almost valueless.'" \*

It is not suggested that the British officials who relied on this witness knew from the beginning that he was a scoundrel; but the charges were published in a Blue Book of July, 1883; the refutation, with General Smyth's verdict, in a Blue Book of February, 1884. In the intervening months the false statements had gone the round of the English press, had been quoted everywhere on public platforms, and had been established firmly in the minds of the British public as indisputable facts. Should such charges have been made publicly without first probing them? Should evidence have been accepted merely because it was conveniently hostile to the Republic? Should it not have been realised by the British officials that, as one of Massouw's volunteers said when questioned in regard to the affair, "we could obtain it [ammunition] elsewhere [than in the Transvaal] more easily and in larger quantities." † For what were the facts? In a Blue Book published before these charges were made, it had been shown (January 23, 1882) that the "pro-Boer" natives, Moshette and Machabi, both received ammunition from the Diamond Fields ‡); while, to General Joubert, Moshette "declared he got no powder or ammunition from the Boers, but from Smousers (travelling traders), who came from Griqualand West, whose names, however, he would not state, or rather denied knowing as they were English." § In the same Blue Book, moreover, in which the charges appeared, Bethell, on behalf of Montsioa, declared that he could obtain

\* C. 3341, p. 8.

† Ibid. p. 14.

‡ C. 3361, p. 46.

§ February, 1882; C. 3361, p. 75.



ammunition from the West Coast and Portuguese settlements.\* If he could, why not Moshette and Massouw equally well? Finally, it was shown that in October, 1882, English firms in Grahamstown, Cape Colony, had made large sales of arms and ammunition to at least one travelling trader (an Englishman), whose stock-in-trade was "confiscated" by the volunteers of Moshette.†

Then, too, before accusing Boer officials of violating neutrality on behalf of "Boer-affected" natives, it would have been well to have considered the statements in which British officials showed that they had no fear of rebuke from their superiors for advocating openly the sale of arms to "British-affected" natives. As early as January, 1882, for instance, in a telegram to the Under Colonial Secretary at Cape Town, reporting that Montsioa was getting the worst of his struggle with Moshette, the Resident Magistrate at Kimberley declared that "Montsioa is a loyal and influential Chief" and "I do not think that too great restriction should be placed on sale of ammunition to loyal Chiefs."‡ No wonder that these so-called *loyal* Chiefs did obtain it from Kimberley and from other towns in Cape Colony; nor that in July, 1882, Hudson reported that Mankoroane had recently obtained supplies of ammunition, and, in September, that the only thing which prevented him from obtaining more (still from Kimberley) was that he had not paid for his earlier supplies.§

But the chief point of attack was the alleged misconduct of the volunteers who were serving with the "Boer-affected" Chiefs, Moshette and Massouw. While in London, the Boer delegates were obliged constantly to meet criticism based not only on the charges that had already been published in the Blue Books, but also on the mistaken

\* C. 8686, p. 99.  
 † C. 8098, p. 160.

‡ C. 8841, p. 59.  
 § C. 8419, pp. 48, 87.

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notion that all the volunteers were Boers and that the Transvaal Government was answerable in some mysterious way for their behaviour. With one exception, these charges were unfortunately vague. This exception was the statement, duly supported by affidavits obtained by Bethell from natives, that the "Boer" volunteers with Moshette had murdered fifteen of Montsioa's people in cold blood. Immediate complaint was made to the Government of the South African Republic, and the Secretary to the Resident was sent to investigate. He reported that "no Boers or any white men" had committed the murders or been present when they occurred.\*

Was there, one may well ask, a universal conspiracy to embroil the Boers and the British Government? There was not. As we shall see later, opinion in Cape Colony was divided, not as between Boers and Britons, but as between those who favoured Imperial interference and those who were opposed to it. Of the latter party Cecil Rhodes himself was a prominent member. Some of those, however, who were working for interference, and whose clamour drowned all other counsels, were actuated by a motive which was and is better understood in South Africa than in England. They were working for interference because they wanted "contracts." This was first pointed out in the report by the Volksraad Commission of June, 1882, which has already been quoted in another connection, but Englishmen such as Sir Thomas Upington, Prime Minister of Cape Colony, afterwards supported the Volksraad's statements, while the most striking confirmation of all was that contained in the "Report of the Committee appointed by the [British] Army Council to consider the Question of Sales and Refunds to Contractors in South Africa," of 1905. In that Report it was asked :

\* C. 8486, pp. 7-9, 55.

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'Are the taxpayers of this country to continue to be the sport of the many questionable contractors who are as ready to follow their several avocations in the wake of a war as they are also willing to be its pioneers?' (Cd. 2485, p. 14).

In the Volksraad Report of 1882 it was pointed out that the press of Kimberley and of Natal, instigated by these contractors, had from the first attributed the trouble on the south-western border to the "Boers," and had persistently demanded Imperial interference.

With this end in view, and in order to stir up both the "Exeter Hall" party and the Colonial Office, the most extravagant reports had been sent to England of great commandos of Boers having violated the boundary and of murders and outrages beyond number.

'Since that time heaven and earth have been moved to bring about a new intervention by the British Government. This, of course, means the gold which the troops bring with them for the hungry adventurers. They well know how to set as many wires as possible in motion to excite the self-love of the English nation. To this end serve the lying statements that great commandos of Boers have trespassed beyond the borders. The accounts fabricated by them of murders and homicides cannot fail to wake up the Christian people of England. . . . In this way Kaffir wars are made, and how often have not their plans already succeeded? What do these speculators in the supply for the troops care for such a disaster as Isandhlwana? A thousand killed signifies a thousand men too few, who must be sent out from England at heavy expense, which chiefly comes into their pockets' (Report of Volksraad Commission, June 8, 1882; C. 8419, p. 8).

It was in November, 1884, that Upington said that "very many people in the [Cape] Colony were for direct Imperial intervention, but most of these had selfish ends to serve; they wished for troops that they might enrich themselves by getting good contracts." \*

Naturally, people of this class strove to arouse all possible prejudice against the Transvaal delegates in England,

\* C. 4275, p. 68.

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hoping to the last to prevent the settlement which the Boers knew would alone ensure peace. In these efforts men who were actuated by business motives were assisted both by members of the Aborigines' Protection Society and the Anti-Slavery Society, whose anti-Boer prejudice had been aroused by stories of "Boer atrocities" on the border, and also by Imperio-maniacs such as the Rev. John Mackenzie, who was authorised by the British Government to represent Mankoroane.\*

It must have been difficult to misrepresent the wishes of the delegates, for their statements, arguments, and suggestions were consistent throughout and eminently reasonable. But they were misrepresented, nevertheless, even by Sir Hercules Robinson, the High Commissioner.

\* See in Appendix F (p. 492) the Deputation's letters to these two Societies.

## CHAPTER XVI

### THE LONDON CONVENTION (1884)

The delegates urge that the natives in Bechuanaland shall be subjects of either Government in accordance with their own free choice.

Lord Derby is only ready to admit an artificial boundary-line, which leaves the trade route to the north outside the Republic.

At last the delegates resign themselves to the Derby boundary-line, subject to certain conditions.

The Convention is signed in London on February 27, 1884.

FROM first to last while in England, in all their correspondence and during all their interviews with Lord Derby, the Boer delegates urged :

'That the interested parties in those regions shall be in future subject to the Government of the South African Republic or of the Cape Colony, *according to their own free choice*, as our only object is to see them placed under some settled form of government, so that the difficulties at present existing may be removed and prevented in future' (November 23, 1888 ; C. 8841, p. 109. See also p. 130).

Lord Derby, on the other hand, proposed \* to establish an artificial boundary, differing very slightly from that of the Pretoria Convention, and again dividing the territory of native Chiefs regardless of their wishes, as had been done with such fatal consequences in Zululand. In reply to this proposal, the delegates, on December 7, 1883, wrote that it was :

'Their firm conviction that the proposed arrangement, instead of putting an end to the melancholy state of affairs by the restoring of

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\* C. 3841, p. 127.

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peace and order, which, as we have repeatedly declared, we desire above all things, would rather cause new and more serious complications by the tearing asunder of tribes and the practical deprivation of land from some in favour of other tribes' (C. 8841, p. 129).

Lord Derby retorted (and without protest by the Aborigines' Protection Society) that :

'While Her Majesty's Government desire that the boundary shall be revised in accordance, *as far as possible*, with the wishes of the Chiefs and tribes principally affected . . . the Native Chiefs may properly *be required* to accept the provisions determined upon for their protection' (December 11, 1888 ; C. 8841, p. 183).

Against the principle contained in the last clause of the above, the delegates had good reason for protest.

'The Deputation,' they wrote (December 12, 1888), 'would, moreover, by agreeing to the application of such a principle, make themselves guilty of a departure from, and violation of, the standpoint upon which the Government of the South African Republic has always based its Native policy, viz., that of *justice*, which standpoint does not allow the arbitrary disposal of the rights and claims of weaker and less civilised tribes [peoples], not even where the stronger thinks such arbitrary disposal to be for the benefit of the weaker party' (C. 8841, p. 185).

Lord Derby did not discuss this question of principle, vital to the whole issue as it was ; he merely said that :

'I do not think it right to conceal from you my conviction that the circumstances do not admit of such a delimitation of frontier as would leave the whole of the country claimed by Mankoroane and Montsioa outside the Transvaal and the whole of the country claimed by Moshette and Massouw within the State' (December 18, 1888 ; C. 8841, p. 187).

But this was not what the delegates were urging. They took their stand upon the principle of free choice, and if Moshette and Massouw had, at the last minute, voted to remain outside the borders of the Republic, it would not have affected either their principle or its application. For what the delegates wanted was peace, and they knew that peace could be insured only by considering the wishes and

the rights of the native Chiefs who were concerned. So they maintained their original objection to the boundary proposed by Lord Derby, because, as they said :

' It seems to us to be :

' (a) Dangerous to peace and order in South Africa. We fear that that line will cause new troubles and fresh bloodshed, and to this we cannot become accessory. Our main object, to secure peace and safety to our young State, would then be entirely frustrated.

' (b) In conflict with the principle that it should be left to the free choice of the native Chiefs to come with their tribes within the South African Republic, or to remain outside its boundaries . . .' (December 22, 1883 ; C. 5841, p. 140).

Rather than accept this new boundary, with the further cutting up of tribes which it involved, they said that they would retract their request for a modification of the western boundary and would, for the time being, try to make the best of the line agreed to in the Pretoria Convention.\* Negotiations could then be carried on in regard to other matters such as the abolition of the suzerainty.

This Lord Derby would not listen to. Instead, he turned once more to Colonel Moysey—the same Colonel Moysey who had devised the line of the Pretoria Convention and whose policy of setting tribe against tribe has been referred to already. All that officer did now was to suggest a slightly different division of the tribes.† And this slightly different division of the tribes was approved by Sir Hercules Robinson, was adopted by Lord Derby (who refused to consider the retention of the Pretoria Convention boundary), and under the guise of the "utmost concession" of the British Government was forced upon the delegates. Its virtue, from the British point of view, lay in the fact that it kept outside of the Republic all of the trade routes to the north. As the delegates pointed out, there were other trade routes a little farther to the west which

\* C. 5841, p. 142.

† Ibid. p. 143.

the boundary that they advocated would not touch, but this was not enough for Great Britain. On this point Rhodes was the power behind the Throne. "Don't part with one inch of territory to Transvaal," he telegraphed Sir Thomas Scanlen;\* and the Cape Premier was able to bring Lord Derby to this decision. That the Cape representative in London, Merriman, had already been instructed to "offer to divide the country, giving the Transvaal any portion to which it might have a reasonable claim," † did not seem to Rhodes a point worthy of notice. It was a question of trade routes, not of reasonable claims. No part of any trade route was to pass through Transvaal territory, and it was to obtain this object that Lord Derby, driven by Rhodes and Scanlen, insisted on the line ultimately laid down by the Convention. The Deputation, it should be said, offered to neutralise that part of the road which might fall within the Republic's boundaries, or to restrict the Republic's right to establish tolls upon it, but Lord Derby elected to pronounce their proposal impracticable.‡ The only inference we can draw is that it was not the Imperial policy to permit the least possibility of the Transvaal's developing a profitable northern trade.

Again the delegates declared (January 17, 1884) that, bad as the Pretoria Convention line was, it was at least preferable to the modification now suggested by Colonel Moysey, because:

'At last, after many struggles and sad bloodshed, a "modus vivendi" has been found by the contending parties, while we are firmly convinced that the modification recommended by Colonel Moysey will cause new complications and fresh bloodshed, because the tribes are thereby again torn asunder, the wishes of the lawful Chiefs and their tribes are ignored, and the rights of some tribes to the soil are infringed in favour of other tribes' (C. 8841, p. 155).

\* *The Life of the Rt. Hon. Cecil Rhodes*, by Sir Lewis Michell, vol. I. p. 157.

† *Ibid.* p. 156.

‡ C. 8841, pp. 142, 150.



If, however, the British Government persisted in its refusal to abide temporarily by the line of the old Convention, and persisted in its threat to cease all further negotiation unless the delegates accepted Colonel Moysey's proposal,\* then the delegates would be willing, they said, to resign themselves † to the Moysey boundary on the following conditions :

'1. That the Government of the South African Republic shall not be bound to take part in a demarcation which is to be ["might have to be" was meant] carried out by force of arms.

'2. That the Chiefs Massouw and Moshette shall, with their subjects, retain their "de facto" rights to land outside the said line.

'3. That the Republic shall not be held responsible for difficulties which might arise by placing part of the subjects of Massouw and Moshette outside the Transvaal' (C. 3841, p. 156).

Lord Derby, after some discussion, accepted these conditions.‡ He also withdrew a proposal he had made (December 4, 1883) to the effect that a joint protectorate should be established over the tribes outside the border; that a British Resident Commissioner should be appointed with a "small but efficient mounted police force" under him, and that the Transvaal Government should have the privilege of sharing with the British Government any expense which might be incurred in maintaining this British establishment.§ In place of this he accepted the counter-proposal of the delegates—who had objected, very naturally, to such an impracticable arrangement||—that Commis-

\* C. 3841, p. 137. We have quoted in Vol. I of this work the following extract from a Minute by Sir Hercules Robinson, dated December 28, 1883, in reference to the abolition of the Suzerainty; but it will bear repetition: "Why should Her Majesty's Government give up the debt, the suzerainty, the conduct of diplomatic intercourse, and all the other restrictions in the Pretoria Convention which the Delegates desire to get rid of, if they on their part are not willing to make any concession whatever or any sacrifice in return?" (C. 3841, p. 145). Sir Hercules Robinson at least had the grace to admit that to accept Colonel Moysey's boundary would be a "sacrifice."

† In the Blue Book the original Dutch expression "berusten" is wrongly translated "agree."

‡ C. 3841, pp. 164, 165.

§ Ibid. p. 127.

|| Ibid. p. 135.

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sioners should be appointed, both by the British Government and by the Republic, to guard the boundary on either side.\*

After the other outstanding questions, such as the abolition of the suzerainty and the modification of the debt, had been discussed and an agreement had been arrived at, the London Convention, embodying the new boundary, was signed on February 27, 1884.† Article I defined the new boundary at great length. Article II set forth that :

‘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. . . .’

Article XX set forth that :

‘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.’

As it happened, it was not possible for the Volksraad to ratify the Convention until August, some months after it had been drawn up in London. In the interim the Pretoria Convention of course remained in force—an important point which materially affected the whole situation and in particular the action of the South African Republic during this period.

\* C. 8841, pp. 142, 159.

† See Vol. I (*The First Annexation of the Transvaal*) for full text.

## CHAPTER XVII

### BOWER IN STELLALAND

- 1883 Rhodes goes to Griqualand West as boundary commissioner.  
February 27, 1884 Signing of the Convention of London.  
Lord Derby's cablegram concerning Convention and Protectorate.  
March 1, 1884 Further cablegram from Lord Derby respecting Captain Bower.  
March, 1884 Bower in Stellaland.  
April 12, 1884 Appointment of Mackenzie as Deputy Commissioner in Bechuanaland.  
April 30, 1884 Mackenzie arrives at Taungs.

WHILE these negotiations were being carried on in London, matters had not been standing still in South Africa. There had been a difference of opinion for some years between the Government of Cape Colony and Mankoroane as to the boundary of Griqualand West, and in April, 1883, Commissioners were appointed to investigate the matter. One of these Commissioners was Cecil John Rhodes, a member of the Legislative Assembly of Cape Colony and a supporter of Scanlen's Government.\* Now Rhodes at this time expressed himself strongly opposed to Imperial interference in the affairs of South Africa. He said he believed with the Afrikanders generally, that South Africans were the best judges of what was best for South Africa. On July 15, 1884, speaking in the House of Assembly, he said :

'As he had moved in this matter in the House last year [1883] he would like to make a few observations. The Imperial factor which he

\* C. 3686, p. 95.

warned the House then against had now been introduced into that country [Bechuanaland], and he could claim the credit that his forecast on that occasion of what would take place on the northern border had been realised. . . . He believed it was their duty to the Colony and their duty to the House to act immediately with reference to this question and not take a joint responsibility, and remove the Imperial factor on the borders of the Transvaal, which must lead to danger in South Africa' (C. 4194, pp. 88, 89).

This speech was made in 1884, some months after the signing of the Convention; but it shows what Rhodes' attitude was in 1883, when he acted as a member of the Commission appointed "to investigate and report upon the northern boundaries of Griqualand West."

Mankoroane, who, until then, had always appealed for protection to the Imperial Government, had now petitioned "that the Honourable the Government of the Cape of Good Hope may be pleased to annex and take under their governance" the whole of the Batlapin territory, since, he said, some of this had already been seized and he did not wish the country to be divided.\* Shortly afterwards (June 20, 1883), Massouw had petitioned the Transvaal Government "to act in accordance with the cession of September 19, 1882, and to immediately place us under your protection." † Also, in June, 1883, the Stellalanders had asked to be annexed to the South African Republic; ‡ but in the following month they prepared a new petition for annexation to the Colony §—anything, in short, to escape the misgovernment of Downing Street. On January 9, 1884, the Secretary of the Stellaland Republic wrote to inform Mankoroane that those of his subjects who had not yet vacated the territory belonging to the Republic, as set forth in Massouw's proclamation of January 16, 1883, must do so at once; otherwise "the Government of Stellaland will be compelled of itself to remove your subjects." ||

\* May 25, 1883; C. 3686, p. 95.

† C. 3841, p. 22.

‡ Ibid. p. 23.

§ This petition was published in August, 1883, in the *Zuid-Afrikaan* and re-published in the *Volkstem* of August 28, 1883.

|| C. 4036, p. 6.

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Thus matters stood on February 27, 1884, when the London Convention was signed. On that day Lord Derby sent the following oft-quoted telegram to the Acting High Commissioner :

' Convention signed to-day. New south-western boundary as proposed to the east of trade road. British Protectorate country outside Transvaal established with delegates' consent. They promise appointment Border Commissioners inside Transvaal, co-operating with ours outside. Mackenzie British Resident. Debt reduced to quarter million. Same complete internal independence in Transvaal as in Orange Free State. Conduct and control diplomatic intercourse Foreign Governments conceded. Queen's final approval treaties reserved. Delegates appear well satisfied and cordial feeling between two Governments. You may make above known' (C. 4086, p. 10).

Two statements in this telegram call for notice. In the first place mention was made of a British protectorate, which was to be established. Then it was only briefly stated that Mackenzie was or would be the British Resident. Now we are aware that in the Convention, the full contents of which became only known in South Africa at a later date, no mention whatever was made either of a British Protectorate or a British Resident. It had only been settled in Article II that commissioners would be appointed "in the country outside the Transvaal" in the same manner as the Government of the Republic would appoint border commissioners "inside the Transvaal." But as has already been shown, these appointments could only be made after the ratification of the Convention by the Volksraad, and this ratification was not given before August. As regards the establishing of a British Protectorate either by proclamation or any other manner nothing further was heard of it, not even at the time of Mackenzie's entering upon his duties as Deputy Commissioner of Bechuanaland, which was the title he finally obtained. But before he assumed his responsibilities another person was sent out to Bechuanaland to

make a preliminary report. On the 1st of March Lord Derby had again cabled to the Acting High Commissioner as follows :

'Governor [Sir Hercules Robinson, then in England] considers it desirable to obtain all possible intelligence as to position of affairs in Protectorate. Could you spare Bower,\* visit Mankoroane and Montsioa, explaining to them decision arrived at, Protectorate, and ascertaining exact number of freebooters occupying to westward trade road, with full details likely to be useful before making final arrangements?' (C. 4086, p. 10).

Captain Bower was sent to report accordingly. As an Imperial agent, in no way connected with either of the political parties in Cape Colony, it can hardly be supposed that he was biased in favour of the so-called "marauders" and "freebooters" of the Stellaland and Land Goshen Republics. Before he learned the facts, he was, indeed, biased against them, for, while still in Cape Colony, on his way to Bechuanaland, he telegraphed to the Governor that he might possibly "be able to save something, and perhaps prevent further spoliation"—the spoliation, apparently, of Mankoroane. This was on March 5, 1884. On the 9th, from Barkly West, he sent a telegram which shows that he was beginning to see things in a truer light :

'I found most contradictory statements current at Kimberley,' he said, 'and I would suggest that your Excellency should receive all reports from here or Kimberley with great reserve. . . . I am inclined to doubt the absolute correctness of the telegrams recently received respecting reported disturbances and the incidents attendant on them' (C. 4086, p. 25).

The fact was that the Imperial authorities in Cape Town had fallen into the habit of accepting blindly the statements of such men as Donovan and Daumas, the avowed agents of Mankoroane. Thus, when Donovan, on February 26th, had

\* Captain Graham Bower was the High Commissioner's Private Secretary. On April 1, 1884, he was appointed to be Imperial Secretary to the High Commissioner.

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telegraphed the contents of a letter from Daumas, saying, "All cattle taken; men disarmed; women undressed and flogged,"\* the Acting High Commissioner had not hesitated to forward this as authentic information both to the President of the Orange Free State and to the British Resident at Pretoria.† Sir John Brand, the President of the Orange Free State, at once instituted inquiries, and, failing to obtain confirmation, replied by forwarding a telegram from the Landdrost of Hoopstad, with which he evidently concurred: "I think many untrue reports are sent to the British Government, more than we know of here."‡

Captain Bower, when he arrived on the scene, found that Mankoroane himself had never even heard of women being flogged, though he said he had been told some had been stripped,§ while, in regard to another statement that three of Mankoroane's men had been "disarmed by a party of Boers and afterwards murdered," Captain Bower telegraphed that he had received at Taungs the affidavits of eye-witnesses, who declared that the men in question had not been disarmed before they were shot. He then added:

'There can be no doubt that the men have been killed, but the circumstances do not seem to be so bad as at first represented. It seems, too, that the murderers were Englishmen' (March 18, 1884; C. 4036, p. 26).

Further inquiry satisfied him that these Englishmen had been attacked when cutting firewood, and had "acted in self-defence."||

Revelation followed revelation. In a telegram to the Governor dated March 14, 1884, Captain Bower said:

'Mankoroane has at Taungs about eight hundred ill-fed Batlapin, of whom about four hundred are armed, and also about twenty white

\* C. 4036, p. 16.

† Ibid. pp. 18, 21.

‡ March 18, 1884; C. 4036, p. 28.

§ C. 4036, p. 35.

|| Ibid. pp. 27, 27, 38.



men. His stock has been driven in close to the town for protection, but the grazing ground is not sufficient to maintain them. In the neighbourhood are gangs of cattle and horse thieves under Scotty Smith, Yetty, etc. These men are allowed by Mankoroane to shelter their stolen goods in his country, and they are continually provoking his enemies by their depredations.

'At Mamusa, Massouw has about one thousand Basuto, making with his own people about fifteen hundred fighting men. These people could, I think, destroy Mankoroane; and the thefts committed by his people, as well as by the regular horse-stealers in the district, are a perpetual provocation to do so.

'In Stellaland the Europeans are quiet and orderly, awaiting events. I have everywhere been treated with the greatest respect and confidence, and this reception has been accorded to me in my character of an Imperial officer, and in a certain sense, as a representative of law and order. The interregnum will not, I hope, be greatly prolonged, for there is great difficulty in keeping Massouw quiet, as he has received great provocation and is confident of victory. . . . Mr. Niekerk [the head of the "robber republic," as Sir Hercules Robinson had described the Government of Stellaland on December 26, 1883 \*] has undertaken to use his influence to keep Massouw quiet, and if Massouw moves, he will send to inform Mankoroane, and if necessary, call out thirty armed Stellalanders for Mankoroane's protection. . . . I heard after I left yesterday, that Massouw had actually set out with his force, and I at once wrote to warn Major Lowe [the chief of police at Barkly West]; and Mr. Niekerk, in compliance with my request, set out to stop the advance of the Koranna and Basuto. I have just learnt that he was successful, and Mr. Niekerk adds that he will remain at Commando Drift to keep Massouw quiet' (C. 4086, p. 27).

On receipt of this news, Lord Derby deigned to express the opinion that "Niekerk's action praiseworthy." †

Captain Bower, telegraphing further on March 24, 1884, said:

'In South Bechuanaland matters are unchanged. The cattle and horse stealers living at Taungs [Mankoroane's capital] and in the neighbourhood still carry on their depredations. One of them, named Scotty Smith, is building a house at Taungs. This man has a large gang of Zulus and Colonial kaffirs, whom he has trained to work under him. He boasts that he has stolen 750 horses. I have no idea how many

\* C. 3841, p. 145.

† March 18, 1884; C. 4036, p. 18.



cattle he may have taken. The other gangs under Yetty, Yankee, Wright, Forster, etc., have also been active. Mankoroane himself has caused a few horses and cattle taken by his own people to be restored, but these are only a fraction of the stolen stock.

'The Stellalanders, despite the provocation they are daily receiving from the cattle-stealers at Taungs, have loyally stood by their engagement to protect Taungs and Mankoroane. Niekerk is still at Commando Drift, and will remain there until the country is more settled. He deserves great credit for the loyal way in which he has maintained his engagement, despite the very great provocation he has received. I fear that Mankoroane has collected a very bad class of white men, mostly Englishmen, round him, and that he is very badly advised' (C. 4086, p. 28).

In his report dated April 3, 1884, Captain Bower said:

'Whatever the original character of the Batlapin [Mankoroane's people] may have been, I have no hesitation in saying that they appeared to me at the time of my visit to have amongst them a larger number of thieves than any of the tribes with which I was brought in contact.\* And in the statements they made to me they told falsehoods with such appearance of good faith and sincerity that I was completely deceived. I think much of this may be attributed to the class of white men who have established themselves at Taungs. These men are mostly Englishmen, and may be divided into two classes, professional horse and cattle stealers, and land sharks. . . . The white land shark is even a more mischievous character than the professional thief. These men foster the enmities of native tribes and manufacture exaggerated stories likely to excite indignation or apprehension. . . .

'I met Mr. Niekerk, the head of the Stellalanders, at Commando Drift on the 18th of March. To my astonishment I learnt that there was no Boer laager and no aggressive movement contemplated by the Stellalanders [as had been reported to Lord Derby by the Acting High Commissioner on the strength of information supplied by Donovan]. † I learnt that he and his people were most anxious to preserve peace and to render me the most cordial and zealous assistance in any efforts I might make to that end' (C. 4086, pp. 84-86).

\* As early as 1878 another British official had been very unfavourably impressed by this tribe of natives. Surveyor Bailie, who had been sent by the administration of Griqualand West to the country of the Batlapin "to organise a regular supply of labour for the Kimberley Mines" reported among other things: "Mankoroane's people are the dirtiest, most lazy, and generally the most degraded and useless tribe I have visited" (C. 2220, pp. 47, 75).

† C. 4086, pp. 8, 9, 11.

Speaking of the community at Vryburg, the capital of Stellaland, Captain Bower reported:

'I had expected to find the place a den of freebooters and brigands, but found the Dutch section of the community engaged in considering the best means of providing funds for building a church! . . . It appears to me that the Stellalanders have made great progress towards the establishment of an administration. A gaol had been built and a gaoler and constables appointed. Some progress has been made towards the collection of revenue and a weekly post has been established. . . . The present inhabitants of Stellaland appeared to me to be a respectable class, quite equal to the ordinary class of colonial farmers. In many cases the farms granted to the volunteers have changed hands, and I met farmers from the Stellenbosch, Knysna, and Malmesbury districts of the Colony, who had paid large sums for the farms they now occupy. These men are gradually developing the resources of the country. . . . Everywhere I saw signs of improvement; houses being built, water being opened up, and land brought under cultivation . . . the public documents appeared to me to be neatly and regularly kept' (C. 4036, pp. 38, 44).

This hardly agrees with the prejudiced statements of Sir Hercules Robinson. Sir Hercules, indeed, had been grossly deceived, and afterwards he did his best to rectify his error, not, however, without first committing a worse one. For when he was asked by Lord Derby, in London, to recommend some one for the position of Resident Commissioner in Bechuanaland, he replied that in his opinion the Rev. John Mackenzie was "by far the best fitted for the post." \* Lord Derby appointed him, although a few days before he had been warned against him by Krüger personally.†

Now, if Captain Bower, or some one with a mind as open as his appeared to be at that time, had been appointed, it is conceivable that a peaceful solution might still have been found, difficult as that would have been in the face of the great error embodied in the London Convention—the division of tribes regardless of their wishes, "tearing them asunder," as the Deputation had said. But with

\* February 8, 1884; C. 4036, p. 3.

† C. 4213, p. 99.

Mackenzie as Commissioner, confusion and strife were inevitable. He was an Imperio-maniac of the most pronounced type and was known to be one.

As early as 1876, while he was still a missionary, and long before he had any political duties, Mackenzie had written to the Governor of Cape Colony, urging him to take possession of Mashonaland and thus "checkmate the Dutch." \*

"To checkmate the Dutch" had become, since then, the chief of his less personal ambitions. He discovered a bad motive in all that the Boers undertook. "It is commonly supposed," he wrote in 1883, that "it is 'freedom' which the dear Dutchmen want." † But this, he said, in the vein of Sir Henry Holland, ‡ was ridiculous.

Not many weeks before his appointment, while representing Mankoroane in London, he had described that Chief as having been "risen against by headmen [which of course was not the fact, neither Massouw nor Gazibone being his headmen], in dealing with whom he soon found he was dealing, behind them, with lawless men [Stellalanders] whom he had never injured, but who coveted the ground he trod, the water he drank, *the air he breathed.*" § And this man was set over them.

Mackenzie arrived at Taungs, as Deputy-Commissioner, about a month after Captain Bower had left. He had received instructions from Sir Hercules Robinson to adopt provisionally, "subject to my subsequent confirmation, such measures as you may, in your judgment, consider most judicious with a view to establish the protectorate" [which had not been proclaimed] and "to proceed to obtain by treaty from Mankoroane and Montsioa a concession to the Queen of the right to exercise civil and criminal

\* *John Mackenzie, South African Missionary and Statesman*, by W. Douglas Mackenzie. Hodder and Stoughton, London, 1902, pp. 173-77.

† *Ibid.* p. 285.

‡ See Vol. I, p. 328.

§ November 20, 1883; C. 3841, p. 97.

jurisdiction over all persons within their territories" (C. 4036, pp. 51, 53).

The situation, both from the British and from the Boer point of view, was complicated, and called for very delicate handling. Great Britain had not annexed the territories of Montsioa and Mankoroane, it had not even proclaimed a protectorate. British representatives could not exercise jurisdiction in those territories without obtaining the right to do so by treaty with the native Chiefs. Even then, according to the Law Officers of the Crown, although jurisdiction could in this way be obtained over the subjects of foreign civilised States resident within such territories, "the exercise of any such jurisdiction might be made the ground of diplomatic objection by the civilised State to whose subject it is extended, and it should not as a rule be exercised without the concurrence of that State, given generally or in the particular case" (C. 4036, p. 11). Lastly, as Sir Hercules Robinson warned Mackenzie :

'If you should obtain these treaties, you will bear in mind that they will have no legal effect until Her Majesty has, by Order in Council, declared the extent to which she may be pleased to avail herself of the powers, and exercise the jurisdiction, conferred upon her' (C. 4086, p. 58).

From the Boer point of view, on the other hand, the London Convention would not come into operation until after it had been ratified by the Volksraad at Pretoria, as provided in its final article,\* and as emphasised by Lord Derby in a letter to the delegates.† Hence, when the Acting High Commissioner, General Smyth, on February 28, 1884, declared "that Massouw and a number of those acting with him *have* become Transvaal subjects, and under the control of the Transvaal Government"

\* See *supra*, p. 127; and C. 4036, p. 58.

† Dated March 3, 1884; C. 3947, p. 59. In accordance with this view, Lord Derby left in Pretoria the British Resident, whose post was abolished by the London Convention.

(C. 4036, p. 21), he was entirely at fault, as Sir Hercules Robinson, theoretically at least, afterwards admitted. Until the Convention was ratified, the South African Republic had no more to do with Massouw and his territory, for instance, than before the Convention had been signed in London. Under these circumstances the South African Republic could not and would not acknowledge the appointment of Mackenzie, which had been made under the terms of the London Convention, and protested against his assuming immediate authority.\*

This, however, was the least of that gentleman's troubles, for his appointment was received with a chorus of disapproval from all of the moderate men in South Africa, particularly from those who believed in local government and in eliminating the Imperial factor which it was Mackenzie's ambition to make paramount.

His appointment, in fact, precipitated a crisis which had long been impending. With but few exceptions, the statesmen of Cape Colony at that time knew that they could work harmoniously with the Government of the South African Republic, if only they were left with a free hand. Difficulties there would be, doubtless, as there always must be between neighbouring Governments—as there always had been, for instance, between the Governments of Cape Colony and Natal. But it was inconceivable that such difficulties could give rise to war if—and the qualification was most important—if negotiations could be conducted locally, without the interference of Downing Street.

In the South African Republic the same feeling was prevalent, and in the present difficulty its Government would have greatly preferred to treat with the Government of its neighbour, the Cape, rather than with the Imperial authorities.

This, then, was the end to which all efforts were directed both in Cape Colony and in the South African Republic.

\* C. 4213, p. 72.

## CHAPTER XVIII

### MACKENZIE IN STELLALAND

- April 30, 1884 Arrival of Mackenzie at Taungs.  
May 3, 1884 The Mackenzie-Mankoroane treaty.  
May 6, 1884 Mackenzie leaves for Stellaland.  
May 13, 1884 Van Niekerk is appointed by Mackenzie as Her Majesty's Special Assistant Commissioner.  
Van Niekerk continues his duties as Administrator of Stellaland.  
July, 1884 Van Niekerk positively refuses to take the oath of allegiance to the British Government.

THE Rev. Mr. Mackenzie arrived at Taungs on April 30, 1884, and at once set to work to extract the necessary treaty from Mankoroane. He succeeded, without much difficulty, and despite the opposition of Donovan and other Englishmen whom Mackenzie declared to be "regardless of loyalty or truth." \* The treaty was in the form of a declaration by Mankoroane, who announced:

'I give the Queen to rule my country over white men and black men; I give her to publish laws and to change them when necessary, and to make known the modes of procedure of the courts, and to appoint judges and magistrates and police or other officers of Government as may be necessary, and to regulate their duties and authority' (May 8, 1884; C. 4194, p. 17).

From Taungs Mackenzie proceeded to Stellaland, hoping,

\* C. 4194, p. 13. According to his biographer, Mackenzie at this time "came to know that one of the most unprincipled land-jobbers in the country was in a position to use one of the leading news agencies" against him (*John Mackenzie, South African Missionary and Statesman*, by W. Douglas Mackenzie, p. 322). But Mackenzie seemed to forget that this news agency was corrupt and unreliable when its correspondents reported Boer atrocities.

he wrote, "that Her Majesty's representative will succeed in making such arrangements in Stellaland as shall be practicable here, and not bring the blush of shame to honest Englishmen's faces anywhere" (C. 4194, p. 17).

By the boundary fixed by the London Convention, a large part of Stellaland had been excluded from the Transvaal and was doomed to "Protection" by Great Britain. On April 8, 1884, the inhabitants had petitioned the Cape Parliament to annex their territory in order to save them from Mackenzie and Downing Street. Their petition, which on account of technical objections was never formally presented to the Cape Parliament, gave a brief account of the origin of Stellaland, and pointed out that it was now a flourishing community, in the chief town of which—Vryburg—there were some 350 inhabitants. It then set forth:

'That memorialists have learnt from the newspapers, as also officially from Captain Bower, adjutant to His Excellency the High Commissioner, that, by virtue of a Convention entered into on the 27th February, 1884, between the British Government and South African Republic, our territory is to be divided into two parts by a line, the one part to be handed over to the South African Republic, and the other part to be placed under British Protectorate.

'That memorialists, moreover, to their great surprise, have learnt that the British Government has thought fit to appoint a certain Rev. Mackenzie, formerly a missionary in these parts, as Resident over Bechuanaland. That it can be proved that he has wilfully misrepresented the condition and history of this country to the British Government and the British public, and that he has untruthfully stigmatised your memorialists, probably for the purpose of promoting his own welfare. [This was too severe; but Mackenzie had slandered the Stellanders outrageously, and their imputation of bad motive was comprehensible in the circumstances.] And that, consequently, his assumption of office as British Resident here is anticipated with the greatest aversion by your memorialists. That memorialists in these, their statements, have not deviated a hair's breadth from the truth, which will be clearly manifest should a Commission be sent to inquire into the existing state of affairs here.

'That it was the wish of memorialists to establish an Independent



State, but that in the aforesaid agreement between the British Government and South African Republic, this territory is so much diminished in extent that no other remedy remains but annexation to a well-established Government, which would be inclined to take over all engagements entered into by the Republic of Stellaland. But that they can never be content to allow their lawful property to be taken from them, or to be ruled by a British Resident in Bechuanaland.

'Reasons why memorialists respectfully, as aforesaid, request that Your Honourable House may think fit, with the approval of the British Government, to annex them and their territory to the "Colony of the Cape of Good Hope"' (C. 4194, pp. 8, 4).

Annexation to Cape Colony, and the consequent exclusion, not only of himself but also of the Imperial factor from Bechuanaland, did not of course suit Mackenzie's plans, and he reported within a week after his arrival that "immediate annexation to the Cape Colony will be an evil to all parties except one, the land-speculator."\*

When he arrived at Vryburg, Mackenzie did one thing in his power to create an appearance of submission to his authority: he nominated van Niekerk, the head of the "robber Republic," as Her Majesty's Special Assistant Commissioner. As he himself said, he did this "without consulting Mr. van Niekerk."† The only acknowledgment of the appointment was a note from the Volks Committee (of which we speak later) saying: "The Volks Committee fully approves that *His Honour the Administrator* [van Niekerk] shall take charge of the Government of Stellaland until such time as when it shall be decided whether the Colonial Government takes over this territory."‡ Van Niekerk took no oath of allegiance and continued to sign his letters, to Mackenzie himself among others, as "Administrator."§ Nevertheless Mackenzie reported to the High Commissioner that van Niekerk had become "Special Assistant Commissioner," and that "thus a somewhat

\* C. 4194, p. 17.

† Ibid. p. 81.

‡ Ibid. p. 81.

§ Ibid. p. 78.



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ticklish affair had been well got over." \* To van Niekerk he wrote: "I have to express my gratification that I am able to leave the affairs of this district in your hands." †

Van Niekerk continued to administer the district as if nothing had happened;—and nothing had, unless Mackenzie's shower of telegrams to Cape Town can be counted as occurrences.

But of course, as Mackenzie evidently realised, this state of things could not continue. He had to introduce a change of some kind, and seeing that van Niekerk did not succumb to the glamour of a Special Assistant Commissionership, any more than to the salary of "£600 to £1,000 a year," which the office carried with it,‡ there was nothing left to be done but once more to divide and rule. In South Africa, unfortunately, because of the different interests of "town" and "country," this is never very difficult, and Mackenzie found machinery ready to his hand.

On March 25, 1884, a Volks Committee had been elected in the town of Vryburg, at the suggestion of van Niekerk, to supervise affairs in connection with the petition to Cape

\* C. 4194, pp. 22, 23.

† May 14, 1884; C. 4194, p. 20.

‡ The Stellaland Government felt obliged to contradict vigorously the false reports spread by Mackenzie. In the *Volksstem* of June 3, 1884, we find the following:

### ' GOVERNMENT NOTICE.

' In the Kimberley newspapers, which have been received during the last days, appears a telegram from Stellaland reporting:

"The rule of the Queen has been proclaimed in Vryburg and been acknowledged."

"Van Niekerk has accepted the position of Special Assistant Commissioner," etc.

' I beg our friends in the Free State, in Cape Colony, and in the Transvaal not to believe these untruthful reports. No doubt they have been published and spread with a certain design.

' By Command,

H. VAN BOESCHOTEN,

' Government Secretary.

' Stellaland, May 31, 1884.'

§ Cecil Rhodes, by "Vindex," p. 120.

Colony.\* Mackenzie encouraged this Committee to assume an authority independent of the Government, the Executive Council, and the Volksraad. Finally having reported to Cape Town that this was the real governing body, he called upon van Niekerk to take the oath of allegiance to the British Crown. Van Niekerk refused to do so.† Mackenzie then informed the High Commissioner that his "Special Assistant Commissioner had been unmasked"—"he has openly joined the Transvaal party in Stellaland," he wrote.‡ On the same day the obedient Volks Committee went through the form of deposing van Niekerk from his position as Administrator.§ "I have gone with the actual Government of Stellaland," said Mackenzie.|| What he should have said was that he had persuaded the storekeepers of Vryburg who formed the so-called Volks Committee to rebel.

This pretence of control, however, did not last long: in less than three weeks the Volks Committee, in great alarm, was clamouring for help, declaring that it was in danger from van Niekerk.¶ A month later, Captain Bower, after visiting Stellaland, reported that he did not think that "more than 50 men have at any time accepted Mr. Mackenzie, and I am informed that this number is too high."

This for the moment disposed of the Volks Committee.\*\*

Massouw, meanwhile, had done what the Transvaal delegates when in London had foreseen to be probable and reasonable; he had issued a notice in which he and his councillors declared:

'We do hereby protest and make known that we will not acknowledge, accept, or allow any cutting off of any part of our lawful territory, or the

\* C. 4213, pp. 51, 53. See also C. 4251, pp. 16-18. † C. 4194, p. 83.

‡ July 16, 1884; C. 4194, p. 126. § C. 4213, p. 56.

|| C. 4194, p. 126. ¶ August 5, 1884; C. 4213, p. 36.

\*\* September 10, 1884; C. 4213, p. 98.

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establishing of such boundary definition [as the London Convention had laid down]; that we will not acknowledge, accept, or respect any arrangements made without our knowledge and consent; that we will not submit ourselves to any authority that may try to assume or usurp our territory; that we appeal to general principles of national rights, to law and humanity . . . and we hereby warn Captain Mankoroane to respect and adhere to the conditions of peace concluded by him with us on the 26th day of July in the year of our Lord 1882, and to now join with us, and solemnly, together with us, protest and take action against the herein-above recited deeds of unrighteousness and violence, as otherwise he will be held responsible for the evil.' (March 10, 1884; C. 4194, p. 20; *Volksstem* of April 25, 1884.)

## CHAPTER XIX

### MACKENZIE IN LAND GOSHEN

- May 12, 1884 Montsioa raids Rooigrond.  
May 16, 1884 Gey van Pittius demands an indemnity from Montsioa.  
May 29, 1884 The Mackenzie-Montsioa treaty.  
Mackenzie proclaims a British Protectorate over Montsioa's country, including Land Goshen.  
June, 1884 Mackenzie appoints Bethell, Montsioa's adviser, inspector of police.  
Mackenzie leaves Land Goshen.

LEAVING Stellaland in what he reported as a satisfactory condition—this was before the “unmasking” of van Niekerk and while the latter was still acting as Administrator—Mackenzie, in the early part of May, 1884, proceeded to Land Goshen. His purpose was to enter into a treaty with Montsioa and to proclaim a British protectorate over the country.\*

Bethell was still Montsioa's presiding genius, and, in view of Mackenzie's approach and of the protectorate about to be proclaimed, he decided to make a supreme effort to recover the ground that had been transferred to Moshette's

\* From Mackenzie's actions and proclamations it is apparent that he did not consider Great Britain had as yet formally assumed a protectorate over Bechuanaland. The writer has been unable to find any reference to such an official act in the Blue Books, and as early as 1885, in a pamphlet entitled “Bechuanaland,” by “A member of the Cape Parliament,” the statement is made that “until the establishment of the British protectorate—if that protectorate was ever formally established—Montsioa continued to be an independent Chief,” etc. R. Ch. Williams, the author of *The British Lion in Bechuanaland*, it is true, declares (p. 7) that the protectorate was proclaimed in March, but this statement lacks confirmation.

volunteers by the treaty of peace of October 24, 1882. If the Goshenites could be driven out, for a few days at least, until the protectorate had been declared, the Imperial Government would have an opportunity to argue that *at the moment* of the announcement Montsioa had reconquered what he had lost, and that therefore the claims of the Goshenites, unlike those of the Stellalanders, could justifiably be ignored. From that point of view it would not matter in the least if twenty-four hours after the proclamation of the Protectorate Montsioa were again dispossessed. If that were to happen, it would be a case of "outrage," of "insult to the British Flag" and so forth, and Great Britain could be relied upon to exact vengeance. That no Protectorate would be recognised until after the Convention had been ratified by the Pretoria Volksraad did not affect the situation in the least, as Bethell saw it. Nor does he seem to have been disturbed by the fact that he on February 1, 1883, had taken the oath of allegiance to the Government of Goshen. (C. 4275, p. 39.)

Consequently, on May 12, 1884, Rooigrond, chief town of the Goshenites, was surprised by Montsioa's men, when most of its inhabitants were absent at a wedding.\* Several houses were burned and cattle in the neighbourhood were stolen.† On May 16th, Gey van Pittius, the Administrator, called upon Montsioa to pay damages to the amount of £3,500 within forty-eight hours, failing which, he would be held answerable for the consequences.‡

And now, in the nick of time, Mackenzie appeared on the scene. He rushed through a treaty with Montsioa, in terms similar to those of the declaration made by Mankoroane,§ and the same day, May 22, 1884, declared a Protectorate over Montsioa's country, including that part of it which had been ceded formally to Moshette and the Goshenites. An

\* C. 4275, p. 67.

† C. 4194, p. 40.

‡ Ibid.

§ Ibid. p. 44, and see *supra*, p. 139.

attempt to interview Gey van Pittius at Rooigrond was unsuccessful, for the Administrator, less diplomatic than the head of the Republic of Stellaland, refused to have anything to do with the British representative or to recognise his position until the London Convention had been ratified.\*

Mackenzie then turned his attention to Moshette, who protested as vehemently as Massouw had done against the line which had been laid down by the British Government in the Convention. In a memorial to the Volksraad of the South African Republic, Moshette and his Councillors had declared :

'That although we, i.e. Moshette and his people and Montaios, averred in our treaty of peace that we would place ourselves, with all our possessions, under the Government of the South African Republic and its laws, we are now severed from it against our wish or desire, and that it is altogether an inconsistent and arbitrary measure which has been come to by the Commissioners of the South African Republic and Her Majesty's Government in making a division of the inalienable property allowed to us by the Convention between the South African Republic and Her Majesty's Commissioners in 1881. . . .

'That the undersigned apply to your honourable body, as to men of justice and understanding, under whose forefathers in the South African Republic they have become a great people, saying that, however willingly memorialists desire to belong to the South African Republic and subject to it, they under such treatment felt themselves constrained to stand on one side and remain independent rather than have their dearest and once acknowledged rights violated.

'Reasons wherefore memorialists earnestly and urgently supplicate that it may please the Honourable Volksraad not to ratify the proposed line' (C. 4194, pp. 65, 66).†

Moshette had every reason to complain. The Boer delegates when in London had done their best for him, but the British authorities, partly for the sake of the trade

\* C. 4194, p. 60.

† Published in the *Volksstem* May 13, 1884. The Transvaal Government Gazette contains no mention of this petition ever having been laid before the Volksraad.

route, and partly perhaps because Moshette was considered to be a "Boer-affected" native, had insisted upon cutting off from his jurisdiction a very large extent of territory. In these circumstances, and in the hope that the boundary line might be altered in his favour even at the eleventh hour, Moshette had not hesitated to assure Mackenzie that he was "a child of the Queen" like Montsioa and Man-koroane.\*

His protestations were of course unavailing, and although Mackenzie made as much of them as possible in the hope of discrediting the Republic, the fact remained on record that both Colonel Moysey and Captain Nourse had reported conversations with Moshette in which the Chief had "expressed his strong wish to become a Transvaal subject as he had formerly been." †

Before leaving Land Goshen, Mackenzie appointed Bethell, Montsioa's right-hand man, a sub-Inspector of Police—prospectively, it is true, for the police did not yet exist, but ultimately, it is to be presumed, for the purpose of investing him with authority as a British official in his dealings with the Goshenites on behalf of Montsioa. This was going further than the High Commissioner could countenance, and not long afterwards he telegraphed to Mackenzie :

'As to Bethell's appointment, the more I think of it, the more ill-judged does it appear to me to be at present' (July 30, 1884; C. 4213, p. 12).

\* C. 4194, p. 40.

† C. 3098, pp. 127, 133; C. 3841, p. 117.

## CHAPTER XX

### THE RECALL OF MACKENZIE

- July, 1884 Mackenzie returns to Stellaland.  
He appoints "Scotty Smith," a noted cattle thief, to be inspector of police in Stellaland.
- July 26, 1884 The Cape Ministers protest against Mackenzie's attitude.
- July 28, 1884 Mackenzie hoists the British flag at Vryburg.
- July 30, 1884 Mackenzie is called to Cape Town.  
Rhodes appointed provisionally.
- August 19, 1884 Mackenzie's resignation accepted.

THE appointment of Mackenzie, in fact, had been a blunder, and the High Commissioner soon became aware of it. One episode among several which contributed to his dissatisfaction with his subordinate may be mentioned. It was Mackenzie's habit, in his correspondence with the High Commissioner, to propound large schemes for the reorganisation of South Africa. One of his favourites was the formation of a Reserve Force of "Christian citizens" to suppress disturbances in native territories.\*

The High Commissioner, in reply, told him that his "reserve scheme" was "wholly impracticable," and added:

'You are under a complete delusion if you think you can obtain any help at present from either the Government, the Parliament, or the public opinion of this colony' (July 1, 1884; C. 4194, p. 54).

Mackenzie, however, did not limit his activities to such imaginative projects. Not content with appointing Bethell a sub-Inspector of Police in Land Goshen, he selected the greatest cattle thief in Taungs—"Scotty Smith," so fre-

\* C. 4194, pp. 55, 56.



quently mentioned by Captain Bower as having lived and raided under the protection of Mankoroane—as sub-Inspector of Police in Stellaland.\* Before many months had passed, Captain Bower, after a tour of the country, reported to the High Commissioner as follows (September 18, 1884):

'At Taungs cattle-stealing seemed to have increased greatly since the date of my former visit [in March, 1884—see *supra*, p. 138] . . . In the report of my last visit to Bechuanaland I referred to Scotty Smith as the most notorious of the professional thieves domiciled in Taungs. I stated that he boasted of having stolen 750 horses, and that I could not estimate the number of cattle he might have taken. He had organised a gang of about thirty white men and sixty Zulus, and by means of this gang he carried on his depredations in the neighbourhood of Taungs. Previous to my [recent] arrival in Bechuanaland I had anxiously considered what was my proper duty in respect of this man. I felt that there were strong reasons in favour of his immediate arrest. He was a notorious criminal, and it would be impossible to maintain the peace of the country so long as he and his gang remained at large, but at the same time I hesitated to order his arrest until I could learn whether he had been guilty of any recent cattle thefts. I considered that his appointment as sub-inspector of police amounted to a virtual condonation of his previous offences, and had he, after his appointment, given up his former malpractices, I would have considered myself bound by the acts of Mr. Mackenzie and debarred from arresting him, however desirable such a step might be. I learnt, however, that since his appointment to the police he had been engaged in one of the retaliatory raids on the Chief Racheen, and had subsequently assumed a threatening attitude towards Mankoroane himself. I considered that these facts cancelled any condonation of his previous offences, and I accordingly caused Smith to be arrested immediately after my arrival at Taungs" (C. 4213, p. 125).

In the same report Captain Bower says that some days after his arrival "it was reported to me that two of Scotty Smith's gang, Mostert and Foster, had arrived in the town with sixteen horses, supposed to have been stolen," † and that he had caused these men also to be arrested.

\* A short time afterwards this same "Scotty Smith" was sentenced by the then Chief Justice of the Orange Free State, F. W. Reitz, to eighteen months hard labour for having committed the crime of robbery of diamonds.

† C. 4213, p. 128.

No wonder that the Boers, at whose expense these men had prospered and whose peace was still further threatened by the appointment of Smith to a place of authority, objected to Mackenzie's administration. Telegraphing to the High Commissioner on August 26, 1884, Captain Bower had already said that some of the Stellalanders were "rabid." But—

'to understand their temper it is necessary to bear in mind the continually increasing cattle thefts by Mankoroane's people, and the cattle-stealers domiciled at Taunga. Mr. Mackenzie is accused by them of having favoured the thieves, and, although the accusation is clearly unjust, the unfortunate appointment of Scotty Smith was understood by the more ignorant as giving colour to the statement. In addition to the matter of the cattle, the appointments which have been made are considered as insulting to the Boers. One of the officers of Government has, I believe, served a term of imprisonment for illicit diamond buying, and most of the others are either justly or unjustly accused of offences within the limits of the criminal law' (C. 4218, p. 80).

Still, it was not merely to Mackenzie, the man and his acts, that the Stellalanders objected; they protested against British rule—against the iniquity of the system according to which a Minister in London, of whom they knew nothing and in whose election they had had no voice, nominated some one to rule over them, regardless of their wishes and needs. As van Niekerk said in a letter to the Volks Committee, dated March 31, 1884: Mackenzie is appointed and he comes. He is certainly our enemy, but what of that? Why attack him? It is undoubtedly not our intention to allow ourselves to be governed by a British Resident, "even were he ever so much a Boer friend," for we should then be in the same position as Batlapins. Let us therefore "stand firm by our lawful rights and [by] the annexation of the remaining portion of Stellaland, outside the new Convention line, to the Cape Colony."\*

In the protest which van Niekerk finally issued, there

\* C. 4218, p. 52.

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was no vituperation of Mackenzie, although it would have been easy for the "unmasked" Administrator to retaliate. Instead of doing so he adhered strictly to the principles at stake, writing as follows :

'Whereas the Convention of London, entered into between Her Majesty's Government and the deputation of the South African Republic, is not yet ratified by the Honourable Volksraad of said Republic, and is thus not yet in force; And whereas the burghers of Stellaland, seeing that in aforesaid Convention the said Deputation of the South African Republic agreed to a British Protectorate over Bechuanaland, outside the lately defined border line, to the west of the South African Republic, have by petition to the Cape Parliament requested that in the event that the new Convention shall be ratified by the Volksraad of the South African Republic, they may be annexed to the Cape Colony.

'Therefore I hereby, as Administrator of Stellaland, with the Executive Council and in the name of the people, protest against any authority being assumed and exercised in the territory of Stellaland by Mr. John Mackenzie as British Commissioner, holding said Mr. Mackenzie responsible for all the consequences of such act or acts until such time as the lawful Government of Stellaland has heard the resolution of the Honourable Volksraad of the South African Republic, and the result of the negotiations between the Cape Government and the Imperial Government with regard to annexation of Stellaland to the Cape Colony' (July 31, 1884; C. 4218, p. 50).

So, although Mackenzie made blunder after blunder, which led before long to his recall and resignation, as long as the power of appointment was vested in aliens, it mattered very little to men like van Niekerk what kind of men might be chosen to succeed him as Commissioner.

From the evidence afforded by the Blue Books, the probability is that Mackenzie's behaviour annoyed the High Commissioner, who by this time had learned something of the Boers, much more than it did van Niekerk. Scotty Smith's police, among whom was a force of "thoroughly well-selected" natives,\* brought matters to a climax.

\* C. 4218, p. 36.

The native contingent consisted of Scotty's Zulus. The white men, many of whom seem to have been Scotch, with names such as McFarlane, McKay, McMilland, Findlay, Graham, etc.,\* had also belonged to their leader's former troop. It seems to have been an organised band of horse-thieves. In any case Captain Bower, reporting in September, said :

'During my stay at Taungs a deputation from Scotty Smith's gang waited on me, and demanded payment for their services as police. Of the deputation of four men three were the worse for liquor, and the deputation was unable to give me any intelligible account of the terms of engagement, or the duties of the force to which they professed to belong' (C. 4218, p. 128).

Mackenzie, in fact, as was now realised, stood in the way of what the Imperial Government at this time desired above all things to bring about, namely, the annexation of Bechuanaland by Cape Colony. We have said already that neither the Colony nor Great Britain wanted the country, and that all that had been desired in the first place was to prevent its acquisition by the Transvaal. More and more the Imperial Government grew disinclined to govern Bechuanaland from London, a task which their own acts had made most difficult and expensive. Over and over again statements similar to the following passed between the High Commissioner and Lord Derby: "If we were to annex at once, *Colony might leave country* [Bechuanaland] *in our hands.*" † Under the circumstances the recommendations of the Cape Government had, perforce, to be listened to, so long as the least hope remained that Bechuanaland might be disposed of in this way. And the Cape Ministers, headed by Upington, were very emphatic among other things in regard to two points: they would have nothing to do with Bechuanaland unless "the Convention of London be ratified by the Volksraad of the South African

\* C. 4218, p. 131.

† December 29, 1884; C. 4275, p. 70.

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Republic";\* and they urged that "in their opinion, the most serious, if not the only, obstacle to the maintenance of peace in the Protectorate is the continuance in the office of Deputy-Commissioner of Mr. Mackenzie, who is not only an unpopular but an injudicious officer." †

Chiefly in order to keep suspended over the heads of Ministers the possibility that unless they annexed, the British Government might abandon the country and the Colony thus lose the trade route it had so earnestly demanded, no Order in Council had been issued confirming the treaties which Mackenzie had entered into with Mankoroane and Montsioa, nor was any such Order issued until January 27, 1885.‡ Great Britain had definitely decided on a Protectorate, but even so Lord Derby had provided a means of withdrawal in case of emergency. Commenting, on July 24, 1884, on a communication made by Rutherford, the Acting British Resident at Pretoria, to the Government of the Republic, he said that:

'The statement as to the British Protectorate of Bechuanaland being a matter quite outside the new Convention, was perhaps open to misapprehension' (C. 4194, p. 54).

This was not sufficiently explicit to confirm positively the argument of the Boers that the Protectorate would not become legal and binding until it had been proclaimed and the Convention had been ratified by the Volksraad, but at least it left matters in a condition of delicate uncertainty. Lord Derby also held out the menace that Her Majesty's Government might consider "itself relieved from the obligations which it undertook in the interests of the Cape Colony." §

\* July 26, 1884; C. 4213, p. 7.

† C. 4213, p. 18.

‡ C. 4432, p. 1. See also C. 4213, p. 76.

§ September 19, 1884; C. 4213, p. 76.

No Order in Council meant no jurisdiction.\* Consequently, although no one seems to have troubled about this at the time, at least half the things done by Mackenzie and by those who came after him were *ultra vires*.† It was an absurd position at best, but it was made all the more absurd when Mackenzie, in a moment of irrepressible enthusiasm, hoisted the British flag at Vryburg. As the High Commissioner wrote him: "Hoisting the British flag is technically the symbol of the assumption of sovereignty; Bechuanaland is only native territory, under British protection." † This was on July 28, 1884. ‡ Two days later he was requested by the High Commissioner to return to Cape Town, and was informed at the same time that Mr. C. J. Rhodes had been asked to proceed from Kimberley to Vryburg in order to act as Deputy-Commissioner in Mackenzie's absence.§ After his return to Cape Town Mackenzie, on August 19, 1884, resigned. ||

\* C. 4275, p. 70; and see *supra*, p. 137.

† *Ibid.* p. 81.

§ *Ibid.* p. 13.

† C. 4213, p. 12.

|| *Ibid.* p. 62.

## CHAPTER XXI

### RHODES IN STELLALAND

- August 3, 1884 Arrival of Rhodes at Taungs.  
August 15, 1884 At Rhodes' request Captain Bower goes to Stellaland.  
August 21, 1884 Bower arrives at Vryburg.  
Rhodes leaves for Land Goshen.

RHODES had been a member of Sir Thomas Scanlen's Government, and was in opposition to Upington and Sprigg. His policy, however, in regard to Bechuanaland was almost the same as theirs, and he had undoubtedly done his best to bring about Mackenzie's withdrawal. Thus, on July 29th, he telegraphed from Kimberley to Captain Bower that "the feeling in Stellaland is only anti-Mackenzie."\* This was somewhat of an exaggeration, but much nearer to the truth than the optimism of Mackenzie himself, who had reported to the last that "things in Stellaland are satisfactory." †

Rhodes arrived at Taungs on August 3, 1884. On the 7th he telegraphed at great length to the High Commissioner, telling him that Mackenzie's deputy there had informed him "that he was unable to stop Mankoroane's people from cattle-stealing, which had increased considerably," and which had "greatly irritated the farmers in Stellaland." Rhodes also said that he had met Mackenzie on the way up; that Mackenzie had reported "all well in Stellaland"; but that on his own arrival there he had found "the condition of affairs was very far from satis-

\* C. 4218, p. 15.

† Ibid. p. 17.



factory." Van Niekerk and his Council had issued a formal protest against Mackenzie's assumption of authority (see *supra*, p. 152). "Mr. Mackenzie had a copy of their protest in his possession when we met, but unfortunately forgot to inform me of it, so that I am unable to give its full tenor."

Lastly he said :

'I have also learnt that one of the causes of the renewed disturbances at Montsioa is the fact that Bethell raided on to [*sic*] the Boers who had settled on the boundary of Rooigrond and burnt their houses down. This occurred just after Mackenzie left Montsioa's, and the Boers believe he told Bethell to make the attack' (C. 4218, pp. 89-41).

The error in the foregoing—that Bethell attacked the Boers just *after* Mackenzie left—of which Mackenzie, in reply, of course made the most that he could, was not really important. The attack had been made just *before* Mackenzie's arrival; but the Boers may have been right, none the less, in believing that it was he who had instigated it.

Telegraphing again, a week later, on this occasion to Captain Bower, Rhodes said :

'The position is just as we thought, the town section accepted Mackenzie and the country party remained sullenly quiet. The few who first accepted him have now gone over, and I might say that the whole of country wards are unanimously with Niekerk . . . let me impress on you that the statement that Stellaland almost unanimously accepted Mackenzie is utterly erroneous' (August 14, 1884; C. 4251, p. 2).

As Rhodes found it necessary to proceed at once to Land Goshen, he asked if Captain Bower could be sent up to Stellaland to take charge of affairs during his absence.\* To this the High Commissioner assented, and on August 21st Captain Bower arrived again at Vryburg. It was after this visit that he drew up the report from which citations have been given above in regard to Mackenzie's police.

\* C. 4218, p. 124.



## CHAPTER XXII

### WAR IN LAND GOSHEN

- June 24, 1884 The Government of Goshen declare war on Montsioa because he refuses to pay compensation.
- June 26, 1884 The South African Republic issues a proclamation of neutrality.
- July 31, 1884 Battle between Montsioa and the Goshenites in which Bethell is killed.
- August 4, 1884 Wright taken prisoner by the Goshenites.
- August 8, 1884 Ratification of the London Convention by the Volksraad.
- August 14, 1884 Wright escapes and takes refuge at Zeerust.
- August 21, 1884 Meeting of Rhodes and General Joubert at Lichtenburg, near Rooigrond.
- August 25, 1884 They travel together to Rooigrond.  
The Goshenites attack Montsioa at Mafeking.
- August 26, 1884 Rhodes and General Joubert confer with the members of the administration of Land Goshen.  
Gey van Pittius agrees to an armistice of fourteen hours.
- August 27, 1884 Gey van Pittius proposes terms of arrangement. Rhodes demands an armistice of fourteen days. Gey van Pittius refuses. Rhodes leaves.  
Van Niekerk arrives at Rooigrond.  
Gey van Pittius writes to Rhodes that his demand for an armistice of fourteen days was a trick to give him time to provide Montsioa with provisions.
- August 28, 1884 Montsioa appeals to General Joubert for mediation, and places himself under the protection of the South African Republic.
- August 30, 1884 General Joubert succeeds in arranging terms of peace. Montsioa binds himself to destroy all his entrenchments and fortifications within eight days.
- September 6, 1884 Montsioa delaying the execution of his undertaking, the Government of the South African Republic cable to Lord Derby.

**WE** have seen that Mackenzie had proclaimed a Protectorate over Montsioa and Land Goshen on May 22, 1884, and that Gey van Pittius had refused to

recognise the legality of this proceeding. On June 24th, therefore—in view of Montsioa's attack of May 12th and of his failure to pay the damages which Gey van Pittius had claimed—war was formally declared by the Goshenites against Montsioa. The South African Republic immediately issued a proclamation (June 25, 1884) reminding officials and burghers of the proclamations of neutrality issued on October 21, 1881, and February 15, 1882, and stating further:

'That all Burghers of this Republic are most stringently prohibited from interfering in those disturbances, or from leaving their wards with that object, and all Landdrosts, Commandants, and Field-Cornets in this Republic are hereby enjoined to take particular care that effect be given hereto, and to report the offenders without delay to the Government' (C. 4213, p. 101).

Shortly after Mackenzie's recall news reached Cape Town that a fight had taken place between the Goshenites and Montsioa's people on July 31, 1884, "with the result that Montsioa had lost about a hundred men, including Bethell and Walker." \*

It was this fight that caused Rhodes to proceed at once to Goshen and to telegraph for Captain Bower to take his place in Stellaland.

Bethell's death created a great sensation in England, for reports soon magnified it into a cold-blooded murder. It was asserted that the Boers had first insulted and then shot him as he lay wounded and helpless on the ground, and that afterwards his body had been treated "in the most outrageous and indecent manner"—one rumour, which was printed in a London newspaper, even declaring that the corpse had been "hacked to pieces with knives." The charge of murder was based on the unsupported statement of one native, who declared that he had been wounded while fighting by Bethell's side and that he

\* C. 4213, p. 84.

himself had escaped the Boers only by feigning death.\* In this way, he said, he had seen and heard everything that happened before the Englishman was finally despatched. This testimony is hardly convincing to those familiar with Kaffir veracity, but, as there was no other eye-witness, the exact manner of Bethell's death remains unknown. It is certain, however, that in the general fighting he was seriously, if not fatally, wounded.

For the rest, it was definitely proved that his body was in no way mutilated or dishonoured. This accusation the Cape leaders, Upington and Sprigg, investigated in the course of their visit to Land Goshen in November, and they found "the report of indignities to Bethell's corpse certainly false." † The chief authority for the slander was an Englishman, who omitted to say in his affidavit how he knew the facts to which he swore, but added that "the day after the great fight . . . the Boers went out and despatched all the wounded they could find on the battle-field, using *long needle-like instruments* for the purpose of ascertaining whether life was extinct." This absurd statement was duly recorded as evidence in a Blue Book. ‡

Bethell's influence had long been evil in South Africa, and now his death, like his life, worked harm. Before they could be overtaken and proved false the many rumours of outrage and indignity to his body circulated widely, and undoubtedly did much to fan British hostility against the Boers. Another incident which occurred shortly after Bethell's death also contributed appreciably to this feeling.

This was the arrest of J. M. Wright, a Deputy Assistant Commissioner in Bechuanaland. Before his appointment to this place by Mackenzie he had been a volunteer in the service of Montsioa, and was with that Chief in Mafeking at the time of the fight. Under cover of a flag of

\* C. 4218, pp. 135, 136, 144, 145, 146; and C. 4275, p. 52.

† C. 4275, p. 67.

‡ Ibid. p. 52.

truce and on the pretext that they wished to discuss terms of peace, the Goshenites lured him to their camp and there made him prisoner.\* Their explanation of this act—and there is little reason for questioning it—was that it was done entirely for Wright's own safety.† It was expected that Mafeking would be attacked in force, and if Wright, a representative of Her Majesty's Government, had been injured in the fighting, the Boers might well fear the consequences. In view of his past record as a volunteer and his relations with Montsioa, there was no reason to suppose that, as a neutral, he would remain out of harm's way. While this explains, it cannot justify the violation of the flag of truce.

That no harm was intended to Wright personally is indicated by subsequent events. After his capture he was taken to Rooigrond and there kept under guard for ten days. At the end of that time "I managed to make my escape, and walked across country through the night to Zeerust," ‡ in the territory of the South African Republic, where he was, of course, safe from any further molestation.

The effect of these two incidents upon British public opinion was greatly heightened by reports of a number of other outrages which the Rooigronders were alleged to have committed about the same time, and which received wide publicity through the Blue Books and in other ways. The newspapers of the day were filled with statements and denials, and, out of the mass of conflicting testimony, much of it worthless, it is now impossible to sift the exact facts. Many of the rumours have since been shown to have been either utterly unfounded or grossly exaggerated, but it is also unfortunately true that excesses were committed by both sides. In fact, as the Government of the South African Republic had continually pointed out, the situation was intolerable. It was high time to estab-

\* C. 4213, pp. 96, 146.

† *Ibid.* p. 64.

‡ *Ibid.* p. 96.

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lish permanent order in the region, and for this the ratification of the London Convention seemed to pave the way.

The Convention of London was ratified by the Volksraad of the South African Republic on August 8, 1884.\* It was then arranged that a Commissioner from the Republic should meet Rhodes and that they should proceed together to Rooigrond to see what could be done to restore peace. General Joubert was chosen as the Transvaal representative.

The two Commissioners arrived at their destination on August 25, 1884. Fighting was still going on, but Montsioa's head place, Mafeking, was closely invested by the Goshenites, and was on the point of surrender—had been in fact reduced to the last extremity.† Rhodes induced Gey van Pittius to agree to an armistice for fourteen hours, at the same time requesting him to submit proposals for a settlement. These were submitted on the following day, but instead of discussing them or submitting alternative proposals, Rhodes insisted that the armistice should be extended to two weeks.

This being refused, Rhodes immediately left, returning to Stellaland. Shortly after his departure van Niekerk, with whom Rhodes had been working harmoniously in Stellaland, arrived at Rooigrond for the purpose of assisting him in his mission.‡ It was, of course, too late. Rhodes had gone, and had left Montsioa to his fate. Later, as we shall see, Joubert succeeded in obtaining some terms for him—a circumstance which appears to have been far from pleasing to Rhodes. He expressed himself bitterly about the Transvaal Commissioner, and on one occasion went so far as to declare that on him alone lay all the blame for the events that followed their visit to Rooigrond.§

\* C. 4218, p. 45. See Vol. I. pp. 845, 846.

† C. 4218, pp. 105-107, 125.

‡ Ibid. p. 119.

§ C. 4432, p. 28.

Though there is no mention of the affair in his own reports, he stated verbally that he had asked Joubert to ride over with him to the Goshenites and plead directly with them to suspend hostilities, instead of negotiating with Gey van Pittius and the Bestuur. This Joubert declined to do, and it is this refusal that Rhodes asserted was responsible for all the after events. What the effect of the project would actually have been, however, it is impossible to say, and it does not in any case free Rhodes from responsibility. He left Joubert to his own devices, abandoned Montsioa, and practically threw up his mission because he could not carry his point in regard to the armistice.

The significance of his demand for this truce was pointed out by Gey van Pittius in a letter addressed to Rhodes on August 27, 1884. After complaining that he had rejected the terms proposed to him without submitting alternative proposals and without indicating "in what other way you wished to bring about peace," Gey showed that the fourteen days' armistice had been intended as a trap. It had been made

'at a time when, as we have since been credibly informed, you had taken steps in Stellaland . . . to send an armed force through our territory with provisions, etc., for our enemies, not with a view to prevent bloodshed, but to put them in a position to maintain their opposition to us, and to prolong the war with greater determination than heretofore' (C. 4218, p. 91).

Rhodes, in his *official* report to the High Commissioner did not, of course, admit the real object of his demand. Instead he pretended that this long armistice was necessary for the purpose of forwarding the proposals of Gey van Pittius to Cape Town.\* But Captain Bower, in a despatch from Stellaland, revealed the secret. Provision wagons had been collected and orders had been given to

\* C. 4213, p. 107.

'take advantage of some favourable opportunity to convey the provisions to Montsioa. A charge of powder was to be placed in each wagon, with a fuse attached, and in case of attack the wagons were to be blown up. Later information obtained from one of Scotty Smith's Zulus, who had come in with stolen horses, induced me [Captain Bower] to delay this expedition, and the scheme was subsequently abandoned as impracticable, owing to the number of Rooigrond patrols then scouring the western portion of Bechuanaland' (C. 4218, p. 125).

The scheme had been abandoned, in other words, because the Goshenites had been sufficiently intelligent to refuse a fourteen days' armistice.

Rhodes' precipitancy and bad faith greatly increased the difficulties of General Joubert's position. Instead, however, of leaving Montsioa to his fate, as Rhodes had done, Joubert remained at Rooigrond to see what he could do for this "pro-English" Chief. On August 28th, Montsioa wrote asking him to act as mediator,\* and on the 30th, after an interview, sent him the following remarkable letter :

\*To Mr. Joubert from Chief Montsioa, Greeting.

'When I, the Chief, saw yesterday evening that you had listened to me, and had agreed to make peace, my heart was very thankful. I then said I will be under your arms. I will be under the Government of the Transvaal, with my people, and my land, and my country. When I met you this morning, I thought the peace will now be all right, I and my people and my country will come under the Transvaal, and I was grieved to hear you ask about the work of Mackenzie, for I know now that that work is fraud, which has brought me into the war, and therefore my heart was sore to hear that that work will hinder you from receiving me with my country and people under you. Where is Mackenzie now? Will he help if I am dead? No. I will hear nothing of him. I see that there is but one thing to bring peace into my land and give my people rest. Therefore I reject the ill word of Mackenzie, and I pray you to bring me under the protection and law of the Transvaal South African Republic; also not to abandon me without making peace between me and the Volunteers (Wollunteers). I put myself in your hands. I have called you in as mediator, and I am content with what you do. I desire but one thing, that is to come

\* C. 4218, p. 120.



under the protection of Republic's law with my people and country; and now, Mr. Joubert, you must bring me under it, and this letter of mine is my heart, and these words I shall speak as long as I live in the world, and here is my name. I will never again be without the protection of the Republic' (C. 4218, p. 187).

Montsioa of course did not adhere for long to this statement, but at the moment he may have meant at least part of what he said. In any case he was glad enough to obtain a respite by agreeing to peace on the terms obtained for him by Joubert—terms very much easier than those proposed by Gey van Pittius to Rhodes, for the latter contained a clause providing "that all costs and damages sustained by and during the present war with Montsioa must be indemnified and paid" by Montsioa,\* while the actual agreement, although embodying a complete surrender on the part of Montsioa, specifically withdrew this claim. The document was dated August 30, 1884, and was witnessed by Joubert. It was signed by Montsioa and his chief councillors, by Moshette and his councillors, and by Gey van Pittius and the executive officers of Land Goshen. The only clause in it which concerns us is that which resulted, almost immediately, in its nullification. This clause provided:

'That the said Montsioa promises, and hereby binds himself, within eight days from this date expeditiously and wholly to break down and destroy all entrenchments and fortifications constructed by him and his people in and around his town for their protection, and henceforward to hold it as an open town. Failure to fulfil these conditions (that is to destroy as herein required) or the rebuilding at any time hereafter of these fortifications, etc., shall be regarded as a resumption of hostilities, and as long as such fortifications shall continue to exist and until they be destroyed the army of the Government will not be disbanded, but will be maintained at Montsioa's cost.' †

\* C. 4218, p. 117.

† Ibid. p. 98. In a subsequent conversation which General Joubert had with Bower and Rhodes, the General was able to say with satisfaction: "I have been working two days to persuade the people of Goahen, and with the help of van Niekerk and de la Rey a change has been brought about in their demands: 1st, so that he will now be allowed to remain in his town without being com-



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Montsioa, being probably under the impression that, by temporising, the British Government would ultimately come to his assistance, persistently put off the fulfilment of the agreement. As the days passed and still Montsioa's entrenchments remained intact, it was quite evident that he did not intend to demolish his fortifications. This placed him in a position of real danger, for the volunteers were in no mood patiently to submit to the violation of the newly made peace. Fearing the renewal of bloodshed, the Government of the South African Republic, in order to expedite matters, on September 6th, sent direct to Lord Derby the following telegram :

'Our Commandant [General] Joubert has brought about peace on western border; all parties laid down arms upon Transvaal Government taking them under its protection and jurisdiction. If Her Majesty's responsibility be handed over to us effective measures will promptly be taken to restore and maintain permanent peace, subject to Her Majesty's approval, the rights of all Native Chiefs being respected. Matter urgent, and requires immediate reply' (C. 4218, p. 48).

Lord Derby wired to the High Commissioner for information and was advised "that answer to Pretoria be delayed."\*

So the Government of the Republic remained without answer.

pelled to pay damages, and 2nd, is not obliged to surrender his weapons; 3rd, has been guaranteed a certain extent of territory sufficient for him to live upon, over and above the ground which he had given up by a former treaty, which has been restored to him (here follows description). It is called ten farms of 3,000 morgen, but it is very much larger in extent."

\* C. 4218, p. 65.

## CHAPTER XXIII

### THE GOVERNMENT OF THE SOUTH AFRICAN REPUBLIC AND MONTSIOA

- September 16, 1884 Receiving no answer from Lord Derby to their telegram of September 8th, the Government of the South African Republic provisionally take Moshette and Montsioa under their protection, subject to Article IV of the Convention of London.
- September 17, 1884 The Government of the Republic inform Lord Derby of their action by telegram.
- October 1, 1884 The Government remind Lord Derby by cable of their telegrams of 8th and 17th September.
- October 6, 1884 The Government write to Lord Derby.  
Acting on the advice of Rhodes, Sir Hercules Robinson urges upon Lord Derby the necessity of military preparations.
- October 7, 1884 Lord Derby instructs the High Commissioner to protest against the Proclamation of the Republic, by which Moshette and Montsioa are placed under their protection.
- October 13, 1884 The Proclamation is withdrawn.

WHILE waiting for the answer that did not come, the Government at Pretoria was kept in a state of the utmost anxiety, daily fearing to receive intimation that hostilities on the frontier had been renewed. Alarmed by rumours of a probable breach of the peace, the Government considered it advisable to interfere and took decisive action. They were blamed bitterly for what they did, but taking into consideration all the circumstances of the case, it would be difficult to say what else they could have done, unless they were prepared to sit by, watching the extermination of Montsioa, without lifting a finger to save him. In Article II of the London Convention, Great Britain had undertaken

to "maintain order" in Bechuanaland. But order was not being maintained. There was no one to protect Montsioa and to compel him to remain quiet. Rhodes was in Stellaland, and the volunteers, several hundred strong, had the Chief Montsioa entirely in their power and certainly would not spare him. England sent neither a protest nor an acquiescence. Subject, therefore, to the subsequent approval of the British Government, as provided for in Article IV of the new Convention, President Krüger issued a Proclamation, on September 16, 1884, setting forth that in view of the serious situation of affairs on the western border, and of the fact that both Montsioa and Moshette had voluntarily placed themselves under the protection of the South African Republic, "in the interest of humanity, and for the protection of public order and safety," "the Chiefs Moshette and Montsioa, with their subjects and rights, shall be regarded as standing under the protection and control of the Government of the South African Republic." Then came the statement :

'This proclamation is made provisionally, and subject to the terms contained in Article IV of the Convention of London' (C. 4218, p. 136).\*

\* The care which the Government of the South African Republic took to make clear to all concerned the provisional nature of the Proclamation is indicated in a letter sent on October 6th to the Rev. S. J. Du Toit, who had succeeded Joubert as Special Commissioner on the western border. Without any instructions from Pretoria, without in fact troubling to ascertain the views of his Government on the matter, Du Toit had announced his intention of hoisting the Republic's flag in the territory covered by the Proclamation. He was informed thereupon by State Secretary Bok :

"The Government is of opinion that it would not be advisable now at once to hoist the flag of the South African Republic in Land Goshen and at Montsioa's, and to appoint officials, inasmuch, according to Proclamation and Treaty, everything as yet is only preliminary, and this Government has not yet been informed as to the opinion and the views of Her Majesty's Government in regard to this matter. As the Government, judging from the documents, conclude that the flag of the South African Republic has already been hoisted, they deem it desirable that the flag be hauled down in order to prevent misunderstanding, as no answer has as yet been received from Her Majesty's Government."

As a matter of fact, Du Toit had already ostentatiously hoisted the flag, but on receipt of this letter he was compelled to lower it. Later, when the British Government raised some question about his action, they were informed of this letter, but it is not to be found in any Blue Book.

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On the following day a telegram was sent to Lord Derby, saying :

' Being implored by Montsioa, Government took him under protection ' (C. 4218, p. 75).

This cablegram again was left unanswered, as was also another sent on October 1st :

' Received no reply our pressing telegrams September 6th and 17th, in interests humanity ' (C. 4218, p. 84).

As the Government pointed out, in a letter written a few days later (October 6th) :

' In the cause of humanity, as telegraphed, this Government was forced to take immediate steps because Montsioa, by not acting in accordance with the terms of the treaty entered into between himself and the Volunteers of "Roodgrond," viz.: The breaking down of his fortifications, exposed himself to an immediate renewal of the attack of these Volunteers, which would undoubtedly have led to the total destruction of himself and his people.'

' The land question between the Volunteers of Goshen and Montsioa not having been settled, his people would not have been able to plough and sow, in the meanwhile the time left for so doing would have passed.

' Immediate help was necessary since Montsioa's people were reduced to want by reason of the war ' (C. 4275, p. 8; October 6, 1884).

The part which the High Commissioner played in this matter was peculiar. The first intimation he had of the proclamation of September 16th was contained in a press telegram from Pretoria which omitted, perhaps deliberately, the important qualification : " This proclamation is made provisionally, and subject to the terms contained in Art. IV of the Convention of London." Without waiting to verify the news, he forwarded it by telegraph to Lord Derby on the 17th, adding that the action of the Republic was " an open and defiant violation of the Convention."\*

\* C. 4213, pp. 83, 84.

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This mistake had a three days' start of the truth, and was difficult to overtake. It was not until the 20th that the High Commissioner telegraphed further that Rutherford, the Acting British Resident at Pretoria, "confirms press telegram *re* proclamation reported in my telegram of 17th September. Proclamation is made provisionally and subject to terms of Article IV, London Convention of 1884."\* But writing on September 24th, confirming his telegram of the 17th, the High Commissioner did not call attention to nor correct his original error. In spite of the fact that he had the full text of the proclamation before him, as given above, having received it in Cape Town on the 20th,† he repeated, without comment or excuse, his original opinion, based though it was on an entire misconception: "It appeared to me clear," he wrote, "that the choice of Her Majesty's Government lay between the abandonment of the Protectorate and the Convention, or an announcement that existing engagements would be insisted on if necessary by force of arms."‡

Why not have objected in the first place, in reply to the telegram from the State Secretary of September 6th, ten days before the proclamation was issued? Why the subsequent persistence in error? Why let the days pass without calling upon the Government of the Republic for an explanation, and why, above all, clamour at once for "military preparations" as he did in a further telegram of October 6th? §

On October 7th an answer was at last received at Pretoria from Lord Derby. It was merely: "You will receive a communication through the High Commissioner."|| This communication was a protest. With the least possible delay the Government replied that:

\* C. 4213, p. 76. † Ibid. p. 136. ‡ Ibid. p. 84.  
§ Ibid. p. 87. According to Michell (vol. i. p. 196), Sir Hercules  
Robinson did so on the advice of Rhodes.  
|| Ibid. p. 87.

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'This Government is ready to at once withdraw provisional proclamation by which Montsioa was taken under jurisdiction of Republic, which provisional measure had only this object, the immediate establishment of peace on our borders and prevention of further bloodshed. This object is fully accomplished. But this withdrawal must be approved by Volksraad, decision of which will be sent speedily by telegraph, and by letter also' (October 10, 1884; C. 4251, p. 33).

Following this a Proclamation was issued on the 13th, and was communicated to the High Commissioner, withdrawing the provisional measures of September 16, 1884.\* Thus, for the time, the incident was closed. It need never have occurred. But through alternate hurry and delay, through mistakes which never were rectified, through obstinate adherence to verdicts which proved unjust, the affair gradually grew so much in importance and compass that it set the whole of South Africa by the ears. This was quite uncalled for, in fact it was really a crime.

\* C. 4213, p. 104.

## CHAPTER XXIV

### THE CAPE MINISTERS IN BECHUANALAND

- August, 1884 A German Protectorate proclaimed over Damaraland.
- September 21, 1884 Lord Derby sounds the Cape Ministers as to their co-operation in case of active demonstration.
- September 23, 1884 Answer of the Cape Ministers.
- October 13, 1884 They propose to the High Commissioner to send some of them to Bechuanaland in order to effect a peaceable solution.
- October 17, 1884 The High Commissioner agrees reluctantly, at the same time urging Lord Derby to continue military preparations and recommending Sir Charles Warren as leader of the expedition.
- November 10, 1884 Warren appointed as Military and Civil Commissioner for Bechuanaland.
- November 14, 1884 Warren leaves England.
- November 22, 1884 The Cape Ministers Upington and Sprigg wire that they have succeeded in arranging the terms on which Land Goshen might be incorporated with Cape Colony.
- December 3, 1884 The High Commissioner declares himself opposed to this arrangement.
- December 4, 1884 Arrival of Warren at Cape Town.

**E**VEN the Cape Ministers, worried by the High Commissioner's talk of an "open and defiant violation of the Convention," and then appealed to by Lord Derby on September 21, 1884, for a clear expression of the "extent of co-operation to be given by Colony on account of trade route and otherwise, if active measures taken"\*—even the Cape Ministers allowed themselves to be rushed into giving the Imperial Government a 'free hand in the matter, though they very soon regretted having done so. It is true that the fear of German aggression was also held over their

\* C. 4213, p. 76.

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heads—Germany having unexpectedly annexed Damaraland in August—and it was probably that fear, rather than the action of the South African Republic, which induced them to respond to Lord Derby's appeal with the following Minute :

'1. That without presuming to dictate to Her Majesty's Imperial Government the line of policy to be followed in Her Majesty's South African possessions, Ministers cannot refrain from expressing their opinion that, in view of the German annexation on the West Coast and other threatened encroachments calculated to cripple the Colony in its trade and otherwise, decisive measures should be taken for the maintenance of British authority in South Africa.

'2. Ministers are of opinion that in taking such a course the Imperial Government will be thoroughly supported by Her Majesty's subjects of every nationality in this Colony.

'3. Looking to the future welfare of the Cape Colony and of the adjoining Colony and States, Ministers cannot doubt the essential importance of maintaining the Convention of London.

'4. Ministers are sensible of their duty to the Crown in this portion of Her Majesty's dominions, and they are prepared to render to the Imperial Government such assistance as may be reasonably required with the view of paving the way for the annexation to the Colony of the territory forming the Protectorate, in accordance with the resolution of the Legislature last Session, and upon the terms defined in the Minute of Ministers of the 26th July last.

'(Signed) THOMAS UPINGTON.'

(September 23, 1884; C. 4213, p. 186.)

But when the Cape Ministers discovered that the military measures proposed by the High Commissioner were intended for use against the Goshenites, and possibly against the Transvaal, rather than as a warning to Germany; and when they learned from the telegrams of October 10th and 13th, that not only the intentions but the acts of the Republic were eminently pacific, they did their utmost to recover the ground they had lost.\* On October 13th,

\* In this they doubtless took the lead from Hofmeyr. It ought to be remembered that the Upington-Sprigg Administration was wholly dependent on the Afrikaner Bond.



in reply to a request from Lord Derby to be informed "what part the Government of the Cape would be prepared to take in the matter" of "maintaining the Protectorate,"\* Ministers suggested, "with a view to avert bloodshed and race bitterness, that some of their number should proceed to Protectorate for purpose of communicating with its inhabitants and endeavouring to restore order and effect a peaceful settlement without the intervention of armed force." †

When telegraphing the contents of this Minute, the High Commissioner expressed his disapproval of the suggestion, adding, however, that Ministers "might be offered every facility for visiting Protectorate and ascertaining the wishes of the inhabitants," but that this should in no way interfere with or delay the military preparations. On October 17th he sent the following telegram to Lord Derby:

'I have had further correspondence with Ministers, and they request me to inform you that, in their opinion, the expulsion of marauders [Ministers had not said "marauders"] by force from Montsioa's country would entail grave responsibility on Her Majesty's Government, and render annexation [by the Colony] difficult, if not impossible. They think if their recommendations, explained in my telegram of 18th October [see above] be adopted, a peaceful solution can be obtained and annexation rendered practicable. I do not concur in their view. It is possible, if Ministers are willing to leave the marauders, or a large section of them, in possession of Montsioa's country, annexation may be brought about and trade route to the north, as far as Molopo, secured to the Colony, but without force I do not believe that Ministers can effect any settlement as regards Montsioa's country which will be satisfactory to Her Majesty's Government. It appears to me necessary, for the vindication of British honour and authority, that the marauders be removed from the lands which were in possession of Montsioa [for a few days] when he was formally taken under British protection. This, I feel convinced, can now only be effected by force. Such a course, as Ministers observe, will doubtless entail responsibility on Her Majesty's Government, but I think, under the circumstances, it should be faced. A change seems to have come over Ministers in the

\* C. 4213, p. 101.

† Ibid. p. 103.

last week, but I concur in the advice offered by them [before they knew the facts] in their previous Minute of 28rd September, that in view of recent encroachments, decisive measures should be taken for the maintenance of British authority in South Africa. Nevertheless, as military preparations would occupy at least two months, I advise that Ministers be told that they may go at once into Protectorate, as desired by them, to try and effect a peaceful settlement, but any agreement arrived at between them and freebooters of Goshen must be subject to approval of Her Majesty's Government. I think they should be told, too, that no arrangements will be satisfactory to Her Majesty's Government that do not secure for Montsioa and his tribe the lands which were in their use and occupation in May last [immediately after Bethell's raid], when they were formally taken under British protection. In the meantime, while Ministers are negotiating, I think military preparations should be pressed forward, but active operations should not be commenced whilst Ministers are in the country" (C. 4213, p. 139; and see C. 4251, p. 8).

After this, the correspondence which passed between Ministers and the High Commissioner became decidedly acrimonious,\* but need not detain us. The outcome was that while preparations for a military expedition were being made in England and at Cape Town, Upington and Sprigg proceeded to Land Goshen, where they arrived in the middle of November, 1884. On the 22nd they telegraphed that they had arranged conditions under which Land Goshen might at once be annexed to Cape Colony, the first providing:

'As imperatively required by Her Majesty's Government, Montsioa to be replaced in occupation of garden grounds and grazing lands of which Montsioa and tribe were in undisturbed possession in May last, when they were formally taken under British protection' (C. 4275, p. 38).

Ministers also reported that:

'General meeting of inhabitants has been summoned for the 28th November to ratify settlement, but there is no likelihood of alteration. Reports as to state of country much exaggerated, great majority of

\* C. 4275, pp. 9-18.

white inhabitants are respectable law-abiding people, many of whom have acquired rights by purchase. Personal observations we can assure your Excellency that Montsioa, whose people are not numerous, will have ample ground under proposed settlement; in fact, they will be in better position than under his Treaty concluded with Moshette dated the 23rd October, 1882. . . . When Montsioa entered on that Treaty he was independent Chief, and Treaty was considered by all parties to be binding, and was acted upon by Montsioa and by his advisers, Messrs. Bethell and Walker, who applied for farms in accordance with it for themselves and several other white men who fought on Montsioa's side' (C. 4275, pp. 88, 89).

Upington and Sprigg again telegraphed, for the information of the High Commissioner, on November 28th, saying that a public meeting had been held and that "the feeling in favour of annexation [to Cape Colony] is thoroughly genuine." They added:

'Hearing both sides has enabled Ministers to form fairly correct judgment, and they cannot refrain from advising your Excellency that the presence of armed forces in this country would, under the circumstances, be not only unnecessary but unjustifiable. People here not what represented' (C. 4275, p. 67).

It was in the course of a speech delivered while at Rooigrond, that Upington said he must tell his audience "that very many people in the Colony were for direct Imperial intervention, but most of those had selfish ends to serve; they wished for troops that they might enrich themselves by getting good contracts."\*

It was the people who favoured intervention who triumphed, although their leader, the High Commissioner, Sir Hercules Robinson, was actuated by no such ignoble motives.

Sir Hercules objected to the conditions of annexation which had been arranged by the Cape Ministers, partly on the ground that indirectly these conditions recognised the validity of the treaty of October, 1882. As Ministers

\* C. 4275, p. 63.

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pointed out, this treaty had been entered into by Montsioa when he was an independent Chief and had been accepted by every one concerned; but the Imperial Government, Sir Hercules protested, had never acknowledged it.\* This point, however, as well as his other objections to the arrangement, † would in all probability never have been raised if he had desired Ministers to succeed and if he had been prepared to countenance any settlement arrived at without a display of force. His Minutes to Ministers indicate that nothing short of a military display would have satisfied him. He had, moreover, followed his plea of October 6th for military preparations by a further telegram on October 13th containing suggestions of Rhodes as to the composition of the force to be employed and with a recommendation that Sir Charles Warren, whom, he said, he did not know personally, would be the best man to organise and command the expedition. ‡

Sir Charles Warren, when approached by the Imperial Government, submitted a memorandum on October, 29, 1884, giving his view of the best means of bringing the undertaking to a successful conclusion.§ The title of Major-General was bestowed upon him for the period of the expedition, and on November 10th he was appointed Military and Civil Commissioner in Bechuanaland; || on November 14th he left England and arrived at Cape Town on December 4th ¶—a few days after the Cape Ministers had submitted their recommendations in regard to a settlement. Even if the High Commissioner had not made up his mind from the beginning that nothing but a show of force would answer his purpose, he would have been tempted, in view of Sir Charles Warren's arrival, to save both that gentleman an inglorious return to London and himself the

\* December 3, 1884; C. 4275, p. 52.

† C. 4275, p. 89.

|| Ibid. p. 8.

‡ C. 4213, p. 102.

¶ C. 4432, p. 119.

§ C. 4227, p. 5.

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reproach of having demanded military aid unnecessarily. Furthermore, in the event of Warren's services being found superfluous, Lord Derby himself would hardly have been free from blame. It was not these personal considerations alone, however, that turned the scale. If they spoke only of Land Goshen, Robinson, Rhodes, and their followers kept their eyes on the Republic. The military preparations were not planned against the Goshenites alone. They were meant as a menace to the Transvaal, as a warning to Afrikaners in general, in Cape Colony as well as elsewhere. Above all the South African Republic was to be made uneasy in the possession of its recently acquired independence, irresolute in its efforts to develop, and deterred from expansion in the northern hinterland—punished, perhaps, for Amajuba.

So the "Bechuanaland Field Force" proceeded on its way.

## CHAPTER XXV

### THE STELLALAND AGREEMENT OF SEPTEMBER 8, 1884

- August, 1884 Rhodes leaves Goshen for Stellaland.  
September 8, 1884 Agreement between Rhodes and the Government of Stellaland.  
December 8, 1884 This agreement is ratified by Sir Charles Warren in a telegram to van Niekerk.  
December, 1884 Warren invites Rhodes to return to Stellaland as Deputy Commissioner.  
December 25, 1884 Meeting between Rhodes and the Executive of Stellaland, in which the agreement of September 8th is ratified and the Executive decide not to oppose Warren's expedition.

WHEN Rhodes returned to Stellaland from Goshen at the end of August, 1884, he found that Captain Bower had already discussed terms of agreement to be made with the Administrator van Niekerk—not with Mackenzie's Volks Committee at Vryburg which was no longer a serious factor, Captain Bower reporting on September 10th, as we have seen, that:

'I do not think that more than fifty men have at any time accepted Mr. Mackenzie, and I am informed that this number is too high. I have only been able to get the names of four persons of the farmer class who accepted Mr. Mackenzie' (C. 4218, p. 98).

It was a difficult matter to arrive at an understanding in regard to the future government of the country. Mackenzie's conduct, as Captain Bower said, had made some of the Stellalanders "rabid." They had determined to tolerate no longer the pretensions of the Vryburg Volks

Committee, and were prepared to clear them out of the town. Mankoroane's cattle thieves had also irritated them beyond endurance, and the question of annexation to Cape Colony had not yet been settled.

Fortunately, however, van Niekerk and Joubert had returned from Goshen, and as far as they could do so without compromising the interests in their charge, they co-operated cordially both with Captain Bower and with Rhodes, with the result that on September 8, 1884, the following agreement was signed by C. J. Rhodes, Commissioner of Bechuanaland, on the one part, and on the other by a duly appointed Commission of the Government of Stellaland:

'*Article I.*—That all transactions entered into between Mr. John Mackenzie with the Volks Committee and the Proclamations issued by him be cancelled.

'*Article II.*—Pending the annexation to the Cape Colony, Stellaland shall continue its own government, however recognising Her Majesty's Protectorate, and subject to the conditions that all executive acts must be taken in concert and with the consent of the Commissioner of Bechuanaland.

'*Article III.*—That the land titles issued by the Government of Stellaland be recognised.

'*Article IV.*—That in accordance with the proposal offered by Messieurs P. J. Joubert, Superintendent of Native Affairs, and H. Schoeman, member of the Native Location Commission for South African Republic, on the one side, and Mr. C. J. Rhodes, Commissioner of Bechuanaland, on the other, the proposal contained in copy of letter marked "A" shall be adopted, and copy of letter marked "B" to the administration of Stellaland.

['The suggestion is,' Mr. Rhodes explained, 'we shall each collect a list of claims for stock thefts. Niekerk agrees that in case of non-agreement we refer the matter for arbitration' (C. 4218, p. 97).]

'*Article V.*—That with the object of Stellaland Government completing its affairs, the period of three months shall be reserved before Article II will come in force with its Protectorate, and during which time the public shall maintain their rights and have them fulfilled in accordance with Article IV' (C. 4218, pp. 97, 128).

Mr. Rhodes, when reporting the above, added:



'A settlement being thus arrived at, the idea of marching upon Taunga [Mankoroane's town] was abandoned, and the people, numbering about four hundred, and all armed, quietly dispersed to their several homes' (C. 4218, p. 109).

The agreement thus entered into by Rhodes had previously been approved in outline by Captain Bower, with the exception of Article V, which was entirely a new departure.\* It virtually suspended the establishment of a Protectorate for three months, Mackenzie having proclaimed a Protectorate over Goshen but not over Stellaland. Rhodes reluctantly consented to the addition of this Article, after a three days' discussion which took place when Captain Bower had left for Taunga. He was convinced that without it he would have to return with his object unattained, and he was determined to succeed where Mackenzie had failed.

The Rev. John Mackenzie, who afterwards wrote a defence of his own actions in two large volumes entitled *Austral Africa*, and who did not hesitate to characterise the policy of Rhodes and Sir Hercules Robinson as one of "straits, subterfuges, and falsenesses," † made great capital out of the insertion of this Article, and still more out of its suppression by the High Commissioner when communicating the terms of the agreement to Lord Derby. It is a fact that although Rhodes telegraphed to the High Commissioner the terms of the agreement in full on September 10th, the High Commissioner, when forwarding them to Lord Derby next day, also by telegraph, successfully conveyed the impression that the Stellalanders had recognised the Protectorate as immediately operative. He said (September 11th) :

'Basis of arrangement is that, pending the annexation to Cape Colony, Stellaland shall continue its own Government, recognising British

\* C. 4218, pp. 129, 130.

† *Austral Africa*, vol. i. p. 487.



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Protectorate, and subject to condition that all executive acts must be taken in concert with, and with consent of, Deputy Commissioner, Stellaland; titles to be recognised, and cattle thefts to be investigated on both sides' (C. 4218, p. 65).

Not a word about three months' interregnum without a Protectorate. And Rhodes himself, in his formal report, dated September 20th and written in Cape Town after consultation with the High Commissioner, skidded over the difficulty by putting tremendous emphasis on Article II and by ignoring, as the High Commissioner had done, Article V. Rhodes explained that Captain Bower, before leaving for Taungs—

'left with Mr. van Niekerk several heads of agreement, which embodied as he said, the utmost to which he could recommend your Excellency to assent. These, with slight modifications—chiefly as to the mode of settling the question of cattle thefts—were agreed to by the meeting, but not until three days had been spent in discussion of the terms, with danger frequently arising of the negotiations being brought to an abrupt conclusion. The clause which created the greatest difficulty was Article II, insisting upon the practical recognition of Her Majesty's Protectorate, by providing that all executive acts of the Stellaland Administration should be subject to the assent of the Deputy Commissioner in Bechuanaland. On this point I declined to yield, and ultimately the assent of the meeting was obtained to the clause in the terms originally drafted by Captain Bower. A settlement being thus arrived at, etc.'

This agreement of September 8th was confirmed by Sir Charles Warren, two days after his arrival in Cape Town, in a telegram to van Niekerk.\* Sir Charles did this on the advice of the High Commissioner, who explained to him that the three months' period would expire on December 8th, and that it would not be advisable to confirm the agreement with the object "of preventing the Stellalanders either joining the Goshenites or interfering with the troops passing through their country for Rooigrond." † At the same time, also on the advice of the High Com-

\* December 6, 1894; C. 4275, p. 71.

† C. 4492, p. 117.

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missioner, Sir Charles requested Rhodes to return to Stellaland as Deputy Commissioner.\* Rhodes agreed to do this, and on December 25, 1884, at a meeting attended by Rhodes as Deputy Commissioner, van Niekerk as Administrator, and by the various members of the Stellaland Executive Council, the following resolution was passed:

'That the Agreement entered into on the 8th September, 1884, between the Commission elected by the Burghers of Stellaland and C. J. Rhodes, Esq., Deputy Commissioner for Bechuanaland, shall be fully carried out. That the military officers [the Commandants and Field-Cornets] shall make this resolution known to the people; and further, that in case troops are marched through Stellaland to Land Goshen, the Burghers will remain quiet and cause no collision.

'Unanimously accepted on both sides' (C. 4432, p. 92).

Thus Rhodes had cleared away the difficulties out of Warren's path.

The High Commissioner, with evident satisfaction, reported this to Lord Derby on December 29th, adding:

'I think it would be more politic to adhere for the present to the settlement of 8th September than assume direct government of Stellaland, as we have at present no jurisdiction there [no Order in Council having been issued], and could only obtain it by annexation to Empire, which had better be delayed until we can come to some arrangement with Colony as to taking over Bechuanaland. If we were to annex at once, Colony might leave country in our hands' (C. 4275, p. 70).

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\* C. 4432, p. 85.

## CHAPTER XXVI

### THE CONFERENCE OF FOURTEEN STREAMS

- January 16, 1885 Warren complains of Rhodes to the High Commissioner, and calls Mackenzie to his side.
- January, 1885 Telegraphic despatches between Sir Hercules Robinson and Sir Charles Warren concerning Rhodes and Mackenzie.
- January 24 and 26, 1885 The Conference at Fourteen Streams.
- February 3, 1885 Meeting between Rhodes and the State Attorney of the Republic with a view to settle the terms of an inquiry into the cattle thefts.
- February 4, 1885 The State Attorney informs Rhodes that President Krüger is willing to abide in every respect by his previous assurances, but he suggests that it might be better under the circumstances to let the matter rest by mutual consent.
- Rhodes receives a communication from Warren, informing him that he refuses to abide by his agreement about the thefts.

**S**IR CHARLES WARREN, meanwhile, was organising his forces carefully, for he fully expected, as we shall see, to fight not only the Goshenites but the South African Republic as well. The instructions he had received before leaving London were :

'To remove the filibusters from Bechuanaland, to restore order in the territory, to reinstate the natives on their lands, to take such measures as may be necessary to prevent further depredation, and, finally, to hold the country until its further destination is known.'

He had been told further :

'You will, as Special Commissioner, be under the directions of Sir Hercules Robinson Governor of the Cape Colony and Her Majesty's

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High Commissioner in South Africa, who will, however, be requested to leave you a very large discretion as regards all local matters. . . . In regard to all operations in the field, and the organisation of the Mounted Volunteer Force, you will receive your instructions from the Secretary of State for War and the General commanding in South Africa, and will not be accountable to the Colonial Government or to the High Commissioner' (C. 4227, p. 4).

General Warren had four thousand men in his command. Most of them belonged to the regular army, but volunteers had also been enlisted. Moreover, a native corps had been formed—black men to fight against white—a step which evoked considerable comment at the time.\* On January 22nd the whole force was in camp at Barkly West. Warren, however, had arrived there in advance of his men, and on January 16th had sent a telegram to the High Commissioner which marked the opening of a long and bitter quarrel. So far from being grateful to Rhodes for his action in Stellaland, it was, he said, "causing serious complication, and must lead to civil war [between the Vryburg Volks Committee and van Niekerk's Government] if not controlled. He should be told at once to take all orders from me."† To which the High Commissioner replied, also on the 16th:

'Rhodes will be quite ready to come away whenever you wish, but I would advise that you should ascertain from him actual position and bearing of the two sections before dispensing with his services and assuming the direct administration yourself whilst still at a distance' (C. 4432, p. 8).

At the same time that he complained to the High Commissioner of Rhodes's action, Warren telegraphed to the Rev. John Mackenzie, who was in Cape Town, requesting him to proceed at once to Barkly.‡ Mackenzie was an old friend of Sir Charles Warren's, the two men having met in 1878, when Mackenzie was in charge of the mission station

\* *Mackenzie*, vol. ii. p. 42.

† C. 4432, p. 8.

‡ January 16, 1895; *Mackenzie*, vol. ii. p. 84.

at Kuruman during a native rising which Warren had been sent to suppress. But after the recent disagreement between Mackenzie and the High Commissioner, which had led to Mackenzie's recall and resignation, to send for him at the very outset of the expedition was certainly pointed. Not content with this, Sir Charles emphasised his action by telegraphing to the High Commissioner on January 20th that Rhodes was coming to see him, and on the same day telegraphing again that :

' Mackenzie is here, and will be able to give me much information which I have been *unable to obtain from other sources* ' (C. 4482, p. 18).

To which the High Commissioner, not to be outdone, replied :

' Yours of to-day. I am very glad to hear that Rhodes is coming to see you at once. Being clear-headed, honest, and quite disinterested, as well as fresh from Stallaland, he will be able to furnish you with more reliable information as to the present position there than you will be able to obtain from any other source ' (C. 4482, p. 18).

For a time, then, though not for long, both Rhodes and Mackenzie were in Warren's camp ; and when Warren arranged to talk matters over with President Krüger, both Rhodes and Mackenzie accompanied him to the conference at Fourteen Streams. As soon as the High Commissioner heard of this, he telegraphed to Warren that he presumed he had not overlooked the fact that Mackenzie was not a *persona grata* to the Transvaal Government, and that his presence was not likely to facilitate proceedings.\* Of this Sir Charles Warren took no notice, and on January 24 and 26, 1885, a meeting was held at Fourteen Streams, on the boundary-line of the Transvaal and Bechuanaland, at which were present Sir Charles Warren, Rhodes and Mackenzie, President Krüger, Dr. W. J. Leyds, State

\* C. 4482, p. 17.

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Attorney, and Advocate T. N. de Villiers, a member of the Volksraad.

In a report which he submitted several weeks later (March 16, 1885) to the High Commissioner, Rhodes wrote as follows of certain aspects of this meeting :

' From Barkly West I proceeded with the Special Commissioner [Sir Charles Warren], at his request, to meet President Krüger at Fourteen Streams. Mr. Mackenzie was also of the party, and I ventured upon representing to Sir Charles Warren that I did not think the presence of that gentleman at the conference would be calculated either to forward negotiations or promote a good personal understanding between ourselves and the representatives of the South African Republic. The General, in the exercise of his discretion, did not think well to be guided by my advice, but, in the result, it became fully apparent that the presence of Mr. Mackenzie at the conference was provocative of much suspicion and irritation on the part of President Krüger and his advisers. The President, again, had invited us to a friendly conference, and it had been agreed that both parties should be accompanied to Fourteen Streams by nothing more than a personal escort. There was never the slightest reason—none, at any rate, with which I was made acquainted—to fear that an act of treachery was in contemplation, and the fact of our moving to the place of meeting as though we were in an enemy's country, with scouts in advance, and skirmishers thrown out on either side, was not only to my mind ridiculous in itself, but suggested a feeling of distrust which was deeply wounding, and justly so, to the susceptibilities of Mr. Krüger and the officers of his Government by whom he was accompanied' (C. 4492, pp. 86, 87).\*

\* This performance of Warren's was in reality even more offensive than Rhodes was aware of. Warren had heard rumours that Boer forces were being collected, and wrote to the President that in that case he would not attend the conference. Replying in a letter dated January 24, 1885, Krüger not only explained the absurdity of these rumours, but pledged his personal honour that there would be no collision. Among other things Warren had heard that the President had horse artillery with him. "As for the mounted troopers who accompany me," wrote Krüger, "they serve only as a guard of honour and as despatch riders. When they started with me from Pretoria they were forty in number, but from point to point one has been left behind, so that their number has now decreased to twenty-five." The President added that a number of men had collected out of curiosity at the appointed meeting-place, but "neither I nor one of my company has seen one person who carried arms." The rumour that commandos had been called out was disposed of by the simple statement that burghers along the western frontier had been notified that they might be called upon to assist in marking out the new boundary in accordance with the South African custom of indicating such lines by tramping down paths through the

Rhodes, however, was mistaken in supposing that it was merely Mackenzie's presence which aroused suspicion on the part of President Krüger. Mackenzie's presence was an outward and visible sign of General Warren's state of mind, for it very soon became evident to those who met him that he was looking for a fight.\*

President Krüger's object in meeting General Warren was to preserve peace.† He also wished to do what he could for the Goshenites, as he foresaw that they were likely to be treated badly now that the controversy was to be settled by force alone. He knew that they did not intend to resist Warren's advance, and he had written to Warren on the 24th to that effect. And Warren ought to have been convinced of it, for on January 9, 1885, van Niekerk had written to Sir Charles Warren to inform him that Gey van Pittius and the Bestuur (the Government) of Land Goshen were with him in Stellaland and were anxious to confer with the Commissioner in order to ascertain "the views of Her Majesty's Government, and to settle all matters amicably." He also assured the Commissioner, on the authority of the Bestuur, that no armed resistance from the burghers of Land Goshen would be encountered.‡

veldt. In any circumstances, to suppose that the Transvaal contemplated an act of bad faith was to suppose its Government not only dishonourable but insane. After these personal assurances, however, Warren's ostentatious precautions were insulting in the extreme. Of Krüger's letter, it should be added, he makes no mention in any of his reports.

\* If the Cape ministers had to complain—as they did (see *infra*, p. 195)—of Warren's tone, the more reason President Krüger had to do so. Throughout the proceedings his behaviour was markedly discourteous. He was full of suppressed threats. One incident in connection with the meeting was entirely in line with the General's manœuvring of his escort. He caused to be displayed to President Krüger and his companions, as if they had been savages from the interior and had never seen one before—a heliograph!

† "In suggesting this meeting there is no doubt that President Krüger was actuated by an intense desire to avert hostilities" (*The British Lion in Bechuanaland*, p. 29, by R. Ch. Williams, the author, who was with the expedition as the correspondent of the *London Standard*). See further, Appendix G.

‡ C. 4432, p. 5



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At Fourteen Streams, President Krüger, who knew that the arrival of an army on the borders of the Transvaal might do incalculable harm, also assured General Warren that he would encounter no resistance, and pointed out that it was at least superfluous to march an army of four thousand men for the removal of fifty whose intentions were known to be pacific. "I would, if possible," he said, "prevent the movement of troops into Bechuanaland and the consequent semblance of war."\* But the General declined to be deprived of his march.

After discussing the beaconing off of the new boundary, Sir Charles asked a question that was remarkable in view of his repeated assertion that natives did not wish to remain in the Transvaal,† and in view of his supposed championship of native rights. He said :

' Could the President make arrangements that natives shall not cross over the border into Bechuanaland ? '

To which the President replied :

' If these people love your rule and come to you, you ought surely to receive them. . . . The natives may be dissatisfied with my rule ; suppose they want to go into the country the other side of the protected territory, can I force them to stop in the Transvaal ? They are not slaves.'

And Sir Charles, instead of offering shelter for the poor, down-trodden natives of the Republic, said :

' They have their land in the Transvaal, and I have none for them across the border ' (C. 4432, p. 80).

As for the claims of the Goshenites, for whom Krüger pleaded earnestly, Sir Charles declined to recognise them :

' My idea is that I must have the country cleared before I can consider individual claims ; to find the people standing on the ground and insisting on their claims is to me simply an act of rebellion. . . . '

\* C. 4432, p. 28.

† Ibid. p. 18.



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Discussing the international status of the Goshenites, the majority of whom, by the way, were not of Transvaal origin, but who had come from the Orange Free State and the Cape Colony,\* President Krüger remarked that if, as General Warren maintained, Gey van Pittius must be classed as an inhabitant of the Transvaal, he was not, in any case, a burgher. To this the General replied :

*'A man cannot thus divest himself of his nationality. In this case, if he is not a Transvaal or a British subject, he must be a robber'* (C. 4482, p. 81).

The Republic's Attorney-General thereupon observed that he did not agree with General Warren on this question. "A man," he said, "may not have any nationality and yet be respectable." But Sir Charles did not wish to listen to reason, and the attempt to make him do so was soon given up.

The only practical result of the conference was that Rhodes and the State Attorney of the Republic arranged to meet afterwards to discuss the question of cattle thefts. An investigation of those thefts was promised in the agreement of September 8th, and it was decided at the conference that the South African Republic would be responsible for Massouw and the British Government for Mankoroane. As each had unquestionably stolen from the other, however, it was decided that compensation should only be made for the difference in the total amount of the thefts on whichever side that might be found to lie.†

With this understanding, the Republic's State Attorney (Dr. Leyds), accompanied by Mr. T. N. de Villiers, met Mr. Rhodes on February 3, 1885, to arrange for the investigation. Immediately it became apparent that instead of settling any difficulties, the inquiry would only create new ones. On the next day, therefore, the State

\* C. 4810, p. 41.

† C. 4482, p. 82.

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Attorney wrote to Rhodes, informing him that while President Krüger was willing to abide in every respect by his previous assurances, he suggested that it might be better under the circumstances to let the matter rest by mutual consent. The letter concluded by reiterating that "His Honour [Krüger] would, however, repeat the assurance of his desire to fulfil his promise . . . if it be insisted on." \*

To this suggestion no formal reply was made, for on the same day that he forwarded it to Warren, Rhodes received a remarkable communication from the General. "I think it therefore necessary to say at once," Sir Charles wrote, "that I will consent to no arrangement in which Mankoroane will be required to give up cattle in any general adjustment of accounts." † This, of course, put all further negotiations about the thefts out of the question. The "extraordinary proposition," as Rhodes called it in his report, amounted to notice that any adverse award would be repudiated, while a favourable one would be binding. "Arbitration," wrote Rhodes, "upon such conditions as those to which I was thus restricted appeared to me to be only saved from the appearance of being ridiculous by being positively dishonourable, and the inquiry therefore did not proceed." ‡ Warren offered no excuse for his refusal to abide by his engagement, and the only inference is that at Fourteen Streams, when he agreed to the inquiry, he believed it would result in favour of Mankoroane, and that additional information led to a change of opinion. In itself, the collapse of the inquiry was not greatly regretted by any one, but when the subject of cattle thefts revived some months later, in a slightly different form, Rhodes declared: "I am of opinion that the course taken by Sir

\* C. 4643, pp. 12, 13. This letter is so badly translated in the Blue Book that even the sense is obscured.

† C. 4432, p. 93.

‡ Ibid. p. 87.

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Charles Warren . . . has debarred Her Majesty's Government from again raising the question as to other portions of the Bechuanaland territory." \*

Together with his arrest of van Niekerk, which took place a few days later, and his action in regard to the land grants in Stellaland, this act of Warren's played an important part in the bitter controversy which broke out between Rhodes and the General. In the course of this quarrel Warren was flatly accused of bad faith. The charge and the evidence that substantiates it lend the short-lived cattle inquiry its chief significance, for Warren's behaviour was prophetic of his attitude towards events which were more seriously to influence the relations of Boer and Briton.

\* C. 4648, p. 13.

## CHAPTER XXVII

### WARREN AND THE CAPE MINISTERS

- February 1, 1885 Warren telegraphs the High Commissioner about secret meetings being held in Cape Colony.
- February 1885 The Cape Ministers, being informed of this, demand particulars. Warren does not give them, but asks for 500 or 1,000 Mounted Police.
- February 25, 1885 Warren complains of hostile movements in the Orange Free State.
- February 26, 1885 President Brand's answer.
- February 28, 1885 Warren's message from Land Goshen, asserting the intention of the Transvaal to begin hostilities in the beginning of April.
- March 2, 1885 Sir Hercules Robinson's despatch to Lord Derby concerning these unfounded rumours.
- March 5, 1885 Lord Derby desires the removal of Mackenzie. Still, he accedes to Warren's request and allows Mackenzie to remain.

SIR CHARLES WARREN, we have said, was determined to carry his march through, even if nothing more formidable than a cow or two seemed likely to oppose him. Certainly no human being dreamed of resistance. But this, if it had been believed in England, might have led people to inquire what the expedition was for and why so much money was being spent. It was, apparently, to forestall such inquiries that General Warren despatched a whirlwind of telegrams, to be found in the Blue Books, declaring that he was threatened on all sides with armed opposition. On February 1, 1885, he telegraphed to the High Commissioner that "secret meetings" were "being

held at several places" in Cape Colony with a view to impeding his movements.\* The Cape Ministers, when they were consulted on the subject, asked for particulars, as no such meetings had been reported to them. The General thereupon repeated his statement, but without supplying particulars, and demanded that the Cape Government should station "from five hundred to one thousand Cape Mounted Police" in the northern portion of the Colony. Upington, on behalf of Ministers, replied that they were still awaiting the facts, adding (February 4th):

'As, however, the maintenance of peace and the prevention of agitation within the Colony are of the highest importance and urgency, Ministers would feel obliged if His Excellency [the High Commissioner] would ascertain and inform them whether it is true that the Rev. John Mackenzie, the late Deputy Commissioner of Bechuanaland, is now in the camp of Sir Charles Warren, and personally advising him' (C. 4482, p. 20).

Warren then said that if Ministers would not supply police, he would have to consult the General commanding in South Africa in regard to the employment of more troops. But again he gave no facts. So Ministers again asked for them, adding that the request for one thousand Mounted Police was absurd, for there were not that many in the Colony, and before the extra number could be raised "it is to be hoped Sir Charles Warren will have fulfilled the object of his expedition and retired from the country."†

Sir Charles retorted—still without giving any facts:

'I hoped to avert a crisis, but, if I do so, it will be in the face of difficulties made by the *Ministers favouring the revolutionists, and refusing assistance to those who are for peace and order*' (C. 4482, p. 28).

This was too much for the Cape Ministers. They had already found it necessary to comment, on February 7th, upon the "extraordinary tone" assumed by Sir Charles Warren,

\* C. 4482, p. 19.

† Ibid. p. 22.

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and now in a Minute to the High Commissioner, dated February 10th, they said :

' Upon this communication from Sir Charles Warren, Ministers regret that they are obliged to comment in severe terms. Sir Charles Warren has been repeatedly asked for proofs of the grave charges which he brings against the inhabitants of Griqualand West [that part of Cape Colony to which he had particularly referred] and other persons, but he has persistently neglected to furnish such proofs. Ministers have twice asked whether it is true that the Rev. J. Mackenzie, the late Deputy-Commissioner of Bechuanaland, is in the camp of Sir Charles Warren, and personally advising him. Of this inquiry no notice whatever has been taken. Ministers are, therefore, driven to the conclusion that Sir Charles Warren feels himself unable to substantiate the charges he has made, and that he has hesitated to admit that he is acting upon the advice of a gentleman who was discredited in his recent official capacity.

' Ministers feel that they would be wanting in self-respect if they failed to notice the language in which Sir Charles Warren's message is couched. Proceeding, as that message does, from an officer holding Her Majesty's commission, Ministers received it with surprise, and they respectfully request his Excellency to telegraph to Sir Charles Warren the contents of this Minute ' (C. 4432, p. 24).

Finally, in reply to complaints from Sir Charles that peace was being endangered on account of thefts of timber from Bechuanaland, Ministers declared that :

' In view of the imputations cast upon the inhabitants of this Colony and upon Ministers by Sir Charles Warren, they decline to attach any weight to the representations of that officer ' (C. 4432, p. 49).

Finding it impossible to prove that he ran any danger from Cape Colony, and having quite exhausted the patience of Ministers, Sir Charles, with a great clash of arms, now prepared to receive cavalry from the Free State. He telegraphed to the High Commissioner on February 25th that :

' [A] person just arrived from Pretoria . . . states positively that when at Potchefstroom on Saturday week there was a six-pounder gun there just arrived from Bloemfontein. He was told by persons who had seen it; and that another was expected. On the Tuesday on the road

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Kopje Engelkene [Kopje Enkel in the Free State] he saw a wagonload of Government ammunition escorted by five artillerymen. He also heard that Van Vreyden had boasted at Bloemhof that he had been promised a thousand men about [i.e. from the neighbourhood of] Winburg in the Free State. . . .\*

The High Commissioner, as in duty bound, at once telegraphed to Sir John Brand, the President of the Free State, asking him if he had any information on the subject. To which the President replied :

'There are so many absurd and malicious reports, by evil-designing persons, that it would be well if the originators could be punished. That part of the report mentioned in your Excellency's telegram about six-pounder from Bloemfontein, and Government ammunition escorted by five artillery [men], if it means Orange Free State artillerymen, who are all here, is evidently a fabrication, and shows what credence can be given to the rest. I know nothing of the boastings of Mr. van Vrede mentioned in your Excellency's telegram' (C. 4432, p. 63; February 26, 1885).

Nothing daunted, and determined to justify somehow the existence and proceedings of his army, Warren telegraphed direct to Lord Derby on February 28th that he was in Land Goshen, fifty miles from Rooigrond, where he had

'Arrived with head of column to-day. Country appears peaceful as yet, but rumours of ambuscades prepared [!] . . . Rumours from all quarters for weeks past that Transvaal intends fighting beginning April; that Africander bondsmen from Colony and Free State will join. Are waiting till crops carried' (C. 4432, p. 21).

The General seems to have sent this telegram direct to the Secretary of State, instead of through the agency of the High Commissioner, in order to save it from a cold-water douche *en route*. But it did not escape this long. Although Sir Charles secured for his message a start of several hours, he was obliged to forward a copy of it, without too

\* C. 4432, p. 62. See also p. 53 for a telegram of February 20th and the High Commissioner's uncommonly dry reply.

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marked a delay, to the High Commissioner, and the latter, as soon as he had received it, telegraphed to Lord Derby—on March 2nd—that :

'Warren has sent me copy of cable message which he forwarded to you direct, 28th February. I believe that rumours referred to in his telegram are unfounded.'

And the High Commissioner then repeated in his message a counter-rumour from Pretoria to the effect that Warren's real objective was Pretoria, where he was to hoist the British flag, as well as at Bloemfontein.\*

It may be that Warren's alarmist message—followed, needless to say, by no "ambuscade," or any other corroboration of the rumours—stirred Lord Derby to action. For on March 5th he sent a telegram to the High Commissioner, of which the following extract only is given in the Blue Book :

'Inform Warren Her Majesty's Government consider inexpedient the presence of Mackenzie in camp. Ultimate settlement very difficult unless he separates from him' (C. 4482, p. 84).

Sir Charles replied :

'Request permission from Her Majesty's Government to use my own discretion with regard to the presence of Mackenzie at present in my camp; consider that his presence urgently needed at investigation I am carrying on both in Stellaland and Goshen. He has been persecuted [by the High Commissioner, Rhodes, and the Cape Ministers, it is to be supposed], treated with great injustice, and I am sure that you will agree with me when what has happened of recent date is reported fully; majority of Boers in Stellaland strongly in his favour' (C. 4482, p. 85).

And Lord Derby withdrew his objection.

\* C. 4482, p. 21.



## CHAPTER XXVIII

### THE ARREST OF VAN NIEKERK

- January 27, 1885 Order in Council, making provisions for the civil and criminal jurisdiction in Bechuanaland.
- February 14, 1885 Warren proclaims martial law and takes van Niekerk prisoner at Vryburg, accusing him of murder.
- March 23, 1885 A British Protectorate proclaimed over Bechuanaland and the Kalahari.
- April 9, 1885 Van Niekerk is released by the Court of Stellaland. He is immediately re-arrested by Warren and delivered to the authorities at Cape Colony.
- June 10, 1885 Van Niekerk is set at liberty with the approval of the Cape Attorney-General.

**B**UT these telegrams anticipate events. Before Warren imagined ambuscades in Land Goshen he had spent some time in Stellaland, upsetting, as far as he could, all of Rhodes's arrangements and re-enacting the performances of Mackenzie. The most important steps which he took, apart from the disinterment and rehabilitation of the Volks Committee, were, first, the proclamation of military rule in Stellaland, and, second, the arrest of van Niekerk.

It should be explained that an Order in Council had been issued on January 27, 1885, confirming the treaties entered into with Mankoroane and Montsioa on May 3 and 22, 1884, respectively, and "providing for the establishment of civil and criminal jurisdiction in Bechuanaland"—"the civil and criminal law to be administered under this Order" to be "the civil and criminal law in

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force in the Colony of the Cape of Good Hope at the date of the commencement of this Order, so far as applicable."\* But this Order did not make Bechuanaland British territory. Even the High Commissioner's Proclamation of March 23, 1885, by which a British Protectorate was established over Bechuanaland and the Kalahari, had not that effect. Sovereignty was not proclaimed until September 30, 1885.†

On February 14, 1885, a meeting, convened by Sir Charles Warren, was held at Vryburg, which van Niekerk was invited to attend. During the meeting General Warren announced that it was his intention to place the country under military rule. Immediately afterwards he issued a Proclamation to that effect, the terms of which were as follows:

'Whereas certain freebooters have invaded and occupied lands in Bechuanaland, belonging to tribes under protection of Her Majesty the Queen, and whereas it is necessary to expel these freebooters by a military force, and whereas these freebooters are connected with and in communication with persons inhabiting the settled districts of South Africa, and whereas some of these freebooters are now living in the district called Stellaland, and whereas the district called Stellaland has a nominal government administered partly by persons living outside Stellaland, who admit that they have no power to govern Stellaland, and who cannot enter Vryburg, the seat of Government, without the presence of an armed force, and who state that any fresh elections in Stellaland will cause a breach of the peace, and whereas there is no law or real government in Stellaland, and immediate steps are required in aid of law and order, and to avoid the risk of disturbances, military rule is hereby declared in Stellaland, while Her Majesty's troops are in occupation, to be applied so far as is necessary to supplement the existing inadequate machinery of the Government, always provided that no responsibility of any nature whatsoever is incurred by Her Majesty's Government with reference to the debt of Stellaland, and the 'good-fors' [or promissory notes] issued by the so-called Government, the circumstances of which debt should be inquired into by an

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\* O. 4492, pp. 1-8.

† C. 4648, p. 98.

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adequate court, after consultation with the people of Stellaland, who must take upon themselves all responsibility with regard to all retrospective claims for the administration of government up to the present date.

' Given under my hand and seal this fourteenth day of February, 1885.

(Signed) CHARLES WARREN,

H.B.M. Special Commissioner for Bechuanaland.'

(C. 4482, p. 94.)

The term "freebooters," scattered so liberally throughout this Proclamation, had not been applied to the burghers of Stellaland by British officials for several months. Even the Rev. John Mackenzie, when unaccompanied by British troops, had expressed gratification at leaving the affairs of Stellaland in the hands of van Niekerk.\* But criticism of Sir Charles Warren's proceedings may well be left to Rhodes, who will be cited later.

After the meeting on the evening of February 14th, at which military rule had been proclaimed—and to which, we must repeat, van Niekerk had been expressly invited—he was arrested by order of Sir Charles Warren. Adriaan de la Rey,† whom the General sought to seize at the same time, received warning from some unknown source and managed to escape. The next morning Warren convened another meeting and threatened the townspeople with a fine of £100 unless he was informed of the name of the man who had sent word to de la Rey.‡ It does not appear, however, that he ever learned it.

The charge against both men was that of being concerned in the death of a certain James Honey, who was alleged to have been murdered in February, 1883.§

As soon as he heard of the arrest (February 23, 1885), Captain Bower, who was then at Cape Town, wrote to the High Commissioner stating these facts:

\* See *supra*, p. 142.

† Not to be mistaken for the Boer general of the last war.

‡ C. 4482, p. 89.

§ *Ibid.* pp. 44, 89.

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' The late James Honey was one of the gang of cattle-stealers who, after the conclusion of the peace agreement of July, 1882, between Massouw and Mankoroane, carried on their depredations on the northern border of this Colony. . . . Besides stealing cattle, Honey became engaged with other freebooters in an attempt to bring about a native rising against the Stellalanders. I have learnt this from one of Honey's fellow-conspirators, and have no doubt as to the fact' (C. 4482, p. 56).

Captain Bower then went on to say that Honey had been arrested by the Government of Stellaland and later shot by four men, "it is said by order of Mr. Niekerk, the Administrator of Stellaland."

To support this charge Warren relied upon a truly appalling account of Honey's death, which is published at length in a Blue Book.\* We need not, however, go into the details of the evidence against van Niekerk, for the truth or falsehood of the accusation was by no means the real issue. The true animus which inspired the prosecution is quite unconsciously shown by Mackenzie, who says in *Austral Africa* that "the case really tried and decided by the arrest and examination of van Niekerk was, the Queen *versus* the enemies of the Imperial Government and supremacy in South Africa," † a singular and significant way of looking upon a murder trial. Van Niekerk was discharged by the court of Stellaland, in which he was first arraigned, and was then re-arrested by Sir Charles Warren and turned over to the Cape Colony authorities. Of the legality of this proceeding, however, the General himself seems to have had some doubt, for he sought advice of the High Commissioner, who refused to accept any responsibility. ‡ Ultimately van Niekerk was released by the Crown Prosecutor at Kimberley. This action was approved by the Attorney-General, who wrote to the High Commissioner on June 10, 1885: "I have read the evidence in the case and I approve of Mr. Hoskyn's [the

\* C. 4492, pp. 189-92.

† Vol. II, p. 150.

‡ C. 4482, pp. 144, 145.

Crown Prosecutor's] action in the matter; the evidence, in my opinion, being insufficient to justify a prosecution."\*

But Sir Charles Warren had far more to answer for than an arbitrary arrest and the misuse of his military power. His action involved the whole question of British good faith. It must be remembered that the alleged crime was said to have been committed in February, 1883. In the two years which had elapsed since then, Captain Bower, Mackenzie, and Rhodes had all sought van Niekerk's assistance, and it was at Warren's own request, expressed in his telegram of December 6, 1884, that van Niekerk continued to administer Stellaland, thus putting himself in Sir Charles's power. In his letter to the High Commissioner, Captain Bower, who, for reasons he does not state, believed that van Niekerk had been connected with Honey's death, said:

'Mr. Niekerk's influence has been utilised by successive Imperial officers, and it is of great importance that there should be no possible imputation of bad faith. . . .

'I must, however, point out that at the time of my visit to Bechuanaland in March, 1884, I was perfectly aware of the principal facts as stated, and it was with a full knowledge of these facts that I accepted Mr. Niekerk's assistance. . . . Mr. Mackenzie was also acquainted with the facts, and on his arrival at Vryburg he informed Mrs. Honey, who came to demand the punishment of the murderers, that he could do nothing for her. He also met Petrus Celliers, one of the murderers, and giving him his hand, led him to understand that the matter could not be revived. . . . Mr. Niekerk's influence has since been utilised by both Mr. Rhodes and myself. We were both cognizant of the facts, and I certainly understood that the question of the murder had been buried.' (C. 4482, p. 56).

† For Rhodes, the arrest of van Niekerk seems to have been

\* C. 4588, p. 81. † The Crown Prosecutor at Kimberley declined to prosecute on the ground of there being no evidence. I mention this, as it may be stated that it is due to the pro-Boer sympathies of Cape politicians that it was not proceeded with. The real facts are that the barrister who decided on the merits of the case is an Oxford man and certainly thoroughly English in his views.' (Rhodes in a private letter to Lord Harris; see Michell, vol. i, p. 218.)

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the last straw. He quarrelled openly with Warren. In his report to the High Commissioner he said :

'It was already being said that whatever suspicion there might be of Mr. van Niekerk's complicity with foul play in the case of Honey, there could not be much doubt of foul play on our part as regards van Niekerk himself, and it seemed to me that official usages did not impose upon me the necessity of bearing any portion of that reproach, when I was absolutely without any responsibility for the act out of which it arose. . . .

'Under the circumstances which had arisen, I felt that I could no longer retain my position with honour. Every promise which I had made to the Stellaland people . . . had, although ratified by Sir Charles Warren, been repeatedly violated ; whilst proceedings almost ludicrous in their illegality had been instituted against Mr. van Niekerk, who had been made use of by us for our own purposes almost up to the moment of his arrest' (C. 4482, pp. 89, 90).

On his part Sir Charles asserted that Rhodes entirely concurred in the necessity for Niekerk's arrest, and stated that, "had the affidavits been before him, he could not have done otherwise." \* As Rhodes tells quite a different story in his report, this aspect of the matter becomes largely a question of veracity between the two men. It is apparent, however, that no one—with the exception of Mackenzie—wished to share the responsibility of van Niekerk's arrest with Sir Charles. The High Commissioner himself did not hesitate to express his opinion. "I cannot see," he telegraphed Warren, "either how, looking to the time and place of the murder, and the nationality of the murderers, you can legally adjudicate in the case." † And in a list of "unwise acts which contain the seeds of future trouble," committed by Sir Charles, which he sent to Lord Derby, he included "his arrest and prosecution of van Niekerk for alleged complicity in a crime committed long before the establishment of British Protectorate." ‡

It was not, however, the bad policy but the bad faith of

\* C. 4432, p. 122.

† Ibid. p. 45.

‡ Ibid. p. 48.

the act that really mattered. Warren had telegraphed to van Niekerk, confirming Rhodes's agreement of September 8th and asking him to continue to administer Stellaland provisionally. With Warren's reasons for regretting this, van Niekerk had nothing to do. In the words of the author of *The British Lion in Bechuanaland*, R. C. Williams, "He accepted Sir Charles Warren's pledges and believed in them, and has lived to repent his folly in the dust" (p. 26).

To make the case still blacker, it was van Niekerk's own desire to leave a clean slate behind him and his reliance upon Warren's pledges which put him in the general's power. Otherwise there was nothing to prevent his seeking and finding safety for himself. He had been offered an official position in the South African Republic, in whose territory the Convention of London had placed his own property. A seat in the Volksraad of the Republic was ready for him also, and a new and prosperous career lay open to him. But before he embarked upon it he wished to finish his work in Stellaland. For this reason he came to Vryburg to meet Sir Charles Warren to hand in his resignation as Administrator and to render what aid he could to the new Government of the country he had ruled. Sir Charles received him, it seems, cordially,\* and certainly invited him to the meeting on February 14th. At this meeting military rule was proclaimed. Immediately after it, van Niekerk was arrested on a capital charge.

The only explanation Warren offered of his action was that the evidence on which he had arrested van Niekerk had been obtained only on the day of the meeting.† But even this explanation, which completely ignores his previous promises, is not borne out by facts. Before the receipt of this "important evidence," before Sir Charles had even arrived at Vryburg, it was reported that van Niekerk was to be seized. Mrs. van Niekerk heard the rumour and

\* Williams, pp. 85, 86.

† C. 4432, p. 44.



wrote to her husband, warning him. To quote from the correspondent of the *London Standard* with the expedition:

' Van Niekerk went at once to Mr. Rhodes and the other officers then present [in Vryburg] and asked whether there was any ground for such fear. Each of these officers gave Mr. van Niekerk their absolute assurance that he might implicitly rely on the telegram of the 6th of December for his security. On such assurances as these van Niekerk stayed.'\*

These facts did not trouble Sir Charles. He remained delighted with what he had done, and even attributed to it much of the "success" of his Expedition.† The High Commissioner did not agree with him, and said so to Lord Derby on June 24, 1885 :

' The arrest of Mr. Niekerk,' he wrote "as well as the action taken in regard to the Stellalanders, has, however, done much to impair the good results of the expedition, and to create a widespread feeling of distrust and resentment throughout the Dutch population of this country' (C. 4588, p. 49).

The High Commissioner put the case mildly. Both van Niekerk's personality and his rule in Stellaland made him respected by the entire Dutch and many of the English population of South Africa, and his arrest was regarded as an act of deliberate treachery. Williams, in the concluding pages of his pamphlet on the Bechuanaland Expedition, is more emphatic :

' Let the Imperial Government ask their advisers what the result of this step has been. They will be told in answer, if they are truly told, that they have roused a storm of indignation in every Dutch heart. . . . To the world at home van Niekerk simply poses as a detected criminal and a double-dealing politician. To the world of South Africa he figures as the persecuted victim of British mismanagement and official treachery' (*The British Lion*, etc., pp. 85, 86).

\* Williams, p. 37.

† C. 4588, p. 58.



## CHAPTER XXIX

### WARREN AND HIS OPPONENTS

- February 14, 1885 Arrest of van Niekerk. Rhodes threatens to resign. He remains in office provisionally on the assurance of Warren that he will keep to the agreement with the Stellalanders.
- February 19, 1885 Rhodes asks for his dismissal.
- February 21, 1885 He makes the offer of governing Stellaland with ten policemen.
- February 22, 1885 Rhodes goes to Cape Town.
- March 11, 1885 Cablegram from the High Commissioner to Lord Derby lodging complaints against Warren.
- March 18, 1885 Rhodes resigns his post and at the same time formulates his accusations against Warren.
- March 21, 1885 Warren replies to these accusations.
- March 23, 1885 Warren complains of Sir Hercules Robinson to Lord Derby.
- April 18, 1885 Warren withdraws his proclamation of martial law.

**A**LTHOUGH the case against van Niekerk collapsed, the episode had one unexpected result. To it was largely due Rhodes's quarrel with Sir Charles Warren and his resignation as Deputy Commissioner, which led, ultimately, to the revelation of much in connection with the expedition that might not otherwise have been brought to light.

On the morning after van Niekerk's arrest, Rhodes had an interview with Warren and stated that he intended to resign. At the General's request, however, and upon his assurance that "the engagement of the 8th September, 1884, should be honourably carried out," Rhodes consented to remain, in the hope, he reported, that his "efforts might still avail to prevent the complete alienation of the Boer

inhabitants."\* The situation soon became unbearable, and on February 19th Rhodes telegraphed Captain Bower :

'Your message of yesterday received ; please tell His Excellency [the High Commissioner] I will do as he wished, i.e. remain here a day or two longer, but my position is positively unbearable, as I feel that by my presence here I am condoning the daily breaches of the agreement of the 8th September [with the Stellalanders] ' (C. 4482, p. 52).

The High Commissioner at once telegraphed to Sir Charles Warren :

'Rhodes telegraphs he is anxious to leave Stellaland as he feels that by his presence he is condoning daily breaches of the agreement of 8th of September. I am very sorry to lose his services, but I think he must be left free to act as his own sense of honour dictates. I have caused him to be so informed ' (C. 4482, p. 52 ; February 20th).

From Sir Charles Warren, on February 21st, came the following reply :

'Rhodes was only sent to Stellaland pending my arrival. I consider his presence here in Stellaland as prejudicial to peace. You have said that he need only stay here so long as I wish. I have to submit that he should be withdrawn at once. Until he is removed I do not consider it safe to move on ' (C. 4482, p. 53).

To Captain Bower, on the same day, Rhodes telegraphed :

'The two days have elapsed and I have not a word from you, but before inspanning I submit one more proposition for his Excellency's consideration. *Am prepared to administer Stellaland with ten policemen*, and if you have any reliance on my judgment I state it will remain perfectly quiet, whatever happens in Rooigrond. But I must have entire control.†

'The new policy [General Warren's] is already showing its effects. The people are flying from the country in all directions. You can ask the General himself . . .' (C. 4482, p. 58).

But of course the High Commissioner, who had been

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\* C. 4482, p. 89.

† It is interesting to observe that Joubert had made a similar statement in regard to Zululand (see *supra*, p. 28).

ordered to leave Sir Charles "a very large discretion as regards all local matters" (see *supra*, p. 185), could not interfere to the radical extent suggested by Rhodes. In consequence his resignation was accepted. It was impossible for him to leave Stellaland at once, however, since, among other things, he had been asked to state in detail the General's "various breaches of the agreement of the 8th of September." \* On the day of his departure, February 22, 1885, Sir Charles requested him to "refrain from holding political discussions with persons in this territory." † He had just received Rhodes's "case" against himself, which was, to some extent at least, the case of the Stellalanders against the Special Commissioner; and it had probably annoyed him.

It is needless to reproduce here Rhodes's letter at length. ‡ Subsequently, in a report to the High Commissioner, he condensed his charges, with the exception of the van Niekerk episode, as follows :

'Every promise which I had made to the Stellaland people [in the agreement of September 8th] as regards their form of government, their land grants, and their losses from cattle thefts, had, although ratified by Sir Charles Warren [in his telegram to van Niekerk of December 6th], been repeatedly violated' (C. 4482, p. 90).

As to the land titles which had been guaranteed, Sir Charles, said Rhodes, had been "uncandid," "inaccurate and unfair." § Instead of adhering to the boundary which had been recognised when the agreement of September 8th was made, he adopted another boundary and thus nullified, "to the extent of a considerable number of farms, the assurances of the 8th of September, frequently repeated, that all duly issued land titles within the recognised limits of Stellaland would be regarded as binding and valid." Such conduct Rhodes "could only regard as a deliberate and unqualified breach of faith." ||

\* C. 4482, p. 58.

§ Ibid. p. 68.

† Ibid. p. 96.

|| Ibid. p. 88.

‡ Ibid. pp. 95, 96.

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In reply to these criticisms, Warren stated that Rhodes had entirely concurred in all the acts which he now asserted to be breaches of the agreement of September 8th, but in the same letter the General declared that he did not consider himself bound by this agreement because his telegram to van Niekerk, endorsing its terms, had been drafted by the High Commissioner.

'I think it must be allowed,' he wrote on March 21, 1885, 'that the sending of the telegram on the 6th of December framed by your Excellency cannot be construed into my assenting to an agreement which I had no opportunity at the time to consider, and which I have since found to be one most ill-considered and ill-judged' (C. 4432, p. 119).

Commenting upon this, the High Commissioner denied that he had hurried Sir Charles into an endorsement of the September agreement. Sir Charles, he said, when signing the telegram, had assured him that he had already carefully considered the matter on his passage out.\*

'But even if such a plea were correct, and he [General Warren] had been, as he implies, entrapped into assenting to an ill-considered and ill-judged agreement, this does not affect the binding character of the pledge, so far as the Stellalanders are concerned. With a view to keeping them quiet at a critical time, a promise was made to them. It had the desired effect, and now that its objects have been accomplished [and troops are on the spot], to depart from the faithful fulfilment of it would, in my opinion, be a violation of an honourable undertaking' (Sir Hercules Robinson to Lord Derby, April 8, 1885; C. 4432, p. 118).

To the charge that he had violated the agreement by adopting a boundary different from that which had been recognised, at the time the agreement was made, Sir Charles made no reply. The High Commissioner not only endorsed Rhodes' accusation but called attention to the General's failure to answer it, though he repeated his own erroneous statements about the matter. "It is really

\* C. 4432, p. 117.

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difficult to know how to deal with such persistent inaccuracy," Sir Hercules said.\*

The fact is that the full correspondence published in the Blue Books, from which the extracts already quoted have been taken, affords abundant proof that the High Commissioner, like Rhodes, went as far as official tiquette permitted in questioning Warren's statements and reports.

All these mutual criminations and recriminations, in which Bower and Mackenzie also had a part, would be unworthy of notice, however, were it not for their bearing upon the relations of Briton and Boer in Bechuanaland. For it is curious but true that the more violently their alien governors disagreed, the better the chance of the Boer colonist to be treated fairly. True, they lived in perpetual uncertainty. They never knew, from day to day, whether proclamations and agreements would outlive the night; whether Warren's influence was to be paramount or whether the High Commissioner would triumph in the end. But it was because the quarrel was chiefly about Stellaland that the colonists there, in spite of their greater uncertainty, fared better on the whole than their neighbours of Land Goshen. The Goshenites had offended both Rhodes and Mackenzie. In consequence, in their case, since there were no conflicting prejudices, there was no justice.

Rhodes's condemnation of General Warren was all the more significant because he was in opposition to Upington's Administration with which Warren had already quarrelled bitterly. But Rhodes disappeared from the scene on February 22, 1885, and although his influence continued

\* Sir Hercules Robinson made it quite clear that he had no faith in Warren's reliability. His letter to Derby, quoted above, begins in these terms: "My Lord, I have the honour to forward a copy of a report which I have received from Sir Charles Warren, giving what purports to be a résumé of his proceedings and correspondence in reference to Bechuanaland, since his arrival in this country on the 4th December last. This résumé appears to me to be so inaccurate and incomplete as to be valueless as a means of forming a fair judgment upon the transactions referred to."

to be felt from Cape Town, his resignation left Warren and Mackenzie masters of the situation in Bechuanaland. Feeling "safe" now that Rhodes had departed, they proceeded to Land Goshen, reaching Montsiosa's location on March 10th, only to find "the territory clear of freebooters." \* On March 11th, the High Commissioner sent a long and important telegram to Lord Derby. He said :

'I have endeavoured to carry out your instructions of 10th November last by leaving Warren very large discretion, but, as he wholly ignores my authority, taking action in important matters of policy without previously consulting with me and communicating direct with you, I trust I may not be held in any way responsible for his proceedings, many of which I consider most injudicious. His employment of Mackenzie in the face of protest of Cape Ministry and Government of South African Republic; his sending for, as legal as well as financial adviser, an official just publicly dismissed by Cape Colony Government for irregularity in his accounts; his arrest and prosecution of Niekerk for alleged complicity in a crime committed long before establishment of British Protectorate; his enrolment and equipment of a black regiment; and his dismissal of Rhodes, who is disinterested—are all unwise acts which contain the seeds of future trouble. The consequences already are estrangement on part of Cape Government, as well as of Opposition, of which Rhodes is a leading member; distrust and alarm on part of Government of South African Republic and Orange Free State, President Krüger being convinced Warren means, if he can, to provoke a fight; whilst the Dutch population of the Transvaal, Orange Free State, and Colony will be rendered irritable and sullen. A continuance of this policy, if it does not lead to war, will at all events render necessary the presence of considerable military force in Bechuanaland for some time to come, will impede annexation Colony and will leave Her Majesty's Government with a troublesome and costly Protectorate or Crown Colony on their hands, for an indefinite period. I believe all this to be wholly unnecessary' (C. 4432, p. 48).

The High Commissioner then said that as the Expedition had reached Montsiosa's town without encountering opposition, military operations were, "with prudent management," at an end. He suggested, therefore, that either he should

\* C. 4432, p. 48.

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go to Bechuanaland as High Commissioner, thus relieving Warren of his civil duties, or that Warren should be given separate and independent authority.\*

On these troubled waters Lord Derby endeavoured to pour oil by instructing Warren to "obtain the sanction and concurrence of High Commissioner on all questions of policy whenever practicable," and by informing the High Commissioner that "Warren will be reminded of instruction to communicate through you."† But this did not please Warren, who, on March 23rd, again telegraphed directly to Lord Derby complaining that :

' I have experienced so entire an absence (of) support from High Commissioner since I took up my duties as Special Commissioner, and my position in Bechuanaland is so restricted as to local matters by High Commissioner, that I have found great difficulty in carrying on work under the present conditions ' (C. 4482, p. 58).

Having received a copy of this, the High Commissioner retorted :

' As to Warren's complaint of want of support and restrictions in local matters, these do not seem to me justified by facts. In the rare instances in which he has consulted me I have given him my best advice; whilst, as a rule, I have subordinated my judgment to his, and allowed to pass without remark proceedings commenced without reference to me which in my opinion were wanting in legality, judgment, and good faith ' (C. 4482, p. 60).

So the conflict continued, first on one subject, then on another. In the course of the controversy, Warren informed the High Commissioner, on April 13th, that he had decided to withdraw his proclamation of military rule. Possibly on account of financial reasons connected with the administration of the country, or possibly in a mere spirit of opposition to Sir Hercules Robinson, he persisted in his decision,

\* C. 4432, p. 48.

† Ibid. p. 57; March 21, 1885.

although Sir Hercules objected on the strength of legal authority approved of by Sir Charles himself, and finally informed the General that "from the date of the withdrawal of your proclamation, all acts, other than those authorised by the Order in Council, will have no legal validity." \*

\* C. 4482, pp. 149, 150.



## CHAPTER XXX

### WARREN'S ACHIEVEMENTS IN THE NORTH

- April, 1885 Warren visits native Chiefs in the north of Bechuanaland.  
April 27 and 28, 1885 Meeting of Warren with Sechele.  
May 12 and 13, 1885 Warren's meeting with Khama. The latter makes an offer of territory which does not belong to him.

BY this time, however, General Warren had found a new field of operations. Leaving Stellaland, he proceeded to the north, collecting "concessions" from native Chiefs, and, incidentally, protecting them from Boer raids, the possibility of which the General evolved out of the depths of his own consciousness. Thus, on April 27, 1885, he and Mackenzie interviewed a Chief named Sechele, for the purpose of breaking to him as gently as possible the news that he and his country were now, after the Proclamation of March 23, under the Protection of Great Britain. Afterwards General Warren spoke of "the cordial reception of the Protectorate" by the Chief Sechele.\* How cordial that reception was will be gathered from the following official report of the interview:

'Present: Chief Sechele and his two sons Sebeli and Kari, Kosi Lintse, Chief's brother, headmen and several hundred of the Bakwena tribe; Sir Charles Warren, Mr. Mackenzie, Mr. Sam Edwards, Mr. Baden-Powell, and others.

'*Sir O. Warren.*—I have been desired by the Queen's Government to give you the following notification. The Queen's Government has

\* C. 4643, p. 57.

established a Protectorate over the part of Bechuanaland and the Kalahari west of the Transvaal, north of Cape Colony, and westward towards Namaqualand.

'*Sechele*.—Has the Chief nothing more to tell us?

'*Sir C. Warren*.—No.

'*Sebeli*.—What in us has brought this on, that the country should be taken from us?

'*Sir C. Warren*.—Does Sebeli know what it means by the country being taken?

'*Sebeli*.—Seeing what I now know, the boundary line running northwards about Tati and round west in the Kalahari takes us all in, therefore it is that I ask, what in us has brought this on?

'*Sir C. Warren*.—But does Sebeli know what being taken means?

'*Sebeli*.—I have been told, and I have seen it in the papers, that our country is taken, and *we the Bakwena were never consulted*; therefore I ask why it has been taken.

'*Sir C. Warren*.—I said that a Protectorate had been established; I did not say the country had been taken from them.

'*Sebeli*.—What is the Protectorate for?

'*Sir C. Warren*.—Does Sebeli consider his tribe require no protection?

'*Sebeli*.—What is meant by protection?

'*Sir C. Warren*.—The protection may mean protection from the inside or protection from the outside.

'*Sebeli*.—When a man takes a shield and holds it up, he holds it up against something; what is it that we are to be protected against?

'*Sir C. Warren*.—Is there nothing you want protection against?

'*Sebeli*.—*You may see it, but we the Bakwena do not see it yet.*'

General Warren at last mentioned the Boers outright. But still Sebeli was obdurate: "We do not want any protection," he said.

Kosi Lintse, the Chief's brother, then spoke, saying that he was an "Englishman" in any case, protection or no protection.

Kari, Sechele's other son, did not object to protection; "but if there is to be a paying of taxes, then it is another thing."

Sebeli again spoke, but General Warren interrupted him, saying that he was talking too much. "He is quite right to be cautious, and to know where he is going before he

goes in for a thing, but he is going too far when he says you want no protection. It is nonsense."

Sechele then chimed in. "We have all got our own words, and our way of speaking," he said. "*I don't know what you are accustomed to, but we always say what is in our minds.*"

Then the meeting adjourned, to reassemble later in the day. Sechele still maintained that so far as protection was concerned he had "no particular grievance to be rectified"; and when Sir Charles Warren asked him: "But suppose a Boer commando comes down to-morrow, and sweeps away your cattle, what then?"—Sechele replied: "Have you a commando ready that you say this? Is there one close to this camp to play off against me directly you go away?"

The Chief did not want to consent to British protection without knowing more about it.

'I ask you,' Sechele said, 'in what way this Protectorate gives protection . . . it is an expression made in the dark and in uncertainty, as at a childbirth when one cannot tell whether a girl or a boy is to be born.'

As if he had a presentiment of Lo Bengula's ultimate fate he wanted to know first what British protection had worked out for other Chiefs, and he returned to that subject again and again. Warren's generalities did not satisfy him.

'It is good,' he retorted, 'we are both of one mind in our talk. But now as to deeds. When Mankoroane, Montsiosa, and Ghasitsiwe are resuscitated, then we shall see the results of a Protectorate. Go back and do the work you have in hand, and then we shall see the benefit of a Protectorate.'

At the end, a declaration, signed by Sechele, his sons, and his brother, was handed to the General. After a few courteous phrases it said:

'But we wish to see how the Queen's Protectorate will help the other Chiefs which are included in it. . . . Should we find that they are well protected by the Queen, we also shall then be agreeable and without a word of dispute' (C. 4588, pp. 87-42).

This was Sechele's "cordial reception of the Protectorate," of which Sir Charles Warren, Her Majesty's Special Commissioner, spoke in his report.

After this the Special Commissioner proceeded, for the same purpose, to interview Khama, the Chief of the Bama-ngwato, whose territory was bounded on the north by Matabeleland. Khama, compared with Sechele, was quite friendly. But when, on May 12th and 13th, General Warren "mentioned expenses of Protectorate," Khama "made important statements and magnificent offer to England."\* This magnificent, this "unprecedented and friendly offer," which, Sir Charles said, was "worthy of the favourable and prompt consideration of Her Majesty's Government," was to convey to Great Britain eighty thousand square miles of territory—which did not belong to him. It was the country of his neighbours, the Matabele, with whom he was at war. It included the Tati goldfields, which for many years had been leased by Lo Bengula, Chief of the Matabele, to an English company.† We cannot wonder that the Colonial Secretary did not share Warren's enthusiasm: "Her Majesty's Government are not prepared to entertain the offer made by Khama," was the verdict.‡

\* C. 4588, p. 12.

† C. 4839, p. 67.

‡ C. 4588, p. 118. Four years later (in 1889), J. S. Moffat, Assistant Commissioner in the Bechuanaaland Protectorate, writing on July 10th, and referring to the proceedings of General Warren and the Rev. Mr. Mackenzie in 1885, declared that: "Much of the talk of Native Chiefs on that occasion was delusive and temporising, and they have most of them either gone back on their own words, or they did not fully understand the extent of the engagements into which it was proposed that they should enter." He added that: "It is worthy of notice that in every instance in which a Bechuana Chief offered Sir Charles Warren territory in 1885 for the use of the Government a part if not the whole of what was offered was in dispute with some other Chief" (C. 5918, pp. 217, 218).

## CHAPTER XXXI

### ANTI-BOER POLICY

- April 27, 1885 President Krüger urges on the High Commissioner the expediency of incorporating Bechuanaland with Cape Colony and pleads for the rights of the Goshenites.
- May 23, 1885 General Warren opposes the immediate incorporation with Cape Colony.
- June 8, 1885 Warren in his report makes the proposal that no settlers of Dutch extraction shall be allowed to obtain land in the new Protectorate.
- June-July, 1885 The High Commissioner, the Cape Ministry, and Rhodes against Warren's proposition.

**I**N the telegram reporting Khama's offer (March 23, 1885), General Warren said :

'Reviewing whole question of Protectorate, I am convinced that immediate annexation to Cape Colony would be prejudicial in the highest degree to interests of all concerned, and most repugnant to wishes of natives' (C. 4588, p. 12).

President Krüger, writing to the High Commissioner on April 27, 1885, had, on the contrary, urged the expediency of incorporating Bechuanaland in the Cape Colony, in continuation of the policy inaugurated by Rhodes and the Cape Ministers :

'Considering the great importance of order and quiet on the south-west border of this country, I take the liberty to express my opinion that a peaceable solution, and a restoration of confidence in Her Majesty's Government in South Africa, will be secured by following in Bechuanaland, and especially in Land Goshen, a policy in the same spirit as that [followed] by the Honourable C. J. Rhodes in Stellaland, and by the Cape Ministers in Goshen.

'The agreement of the Cape Ministers complied with the condition of Her Majesty's Government, that Montsioa's tribe would have to get so much land for grazing and gardening purposes as necessary for the tribe, and of which they were in possession in May, 1884; whilst on the other hand the subjects of Moshette and Montsioa, white as well as coloured persons, remain in possession of their rights, obtained by them in a lawful manner from the Chiefs, through the administration of Land Goshen, which rights, with regard to white persons, are now entirely ignored by General Warren.

'An annexation to the Cape Colony on similar terms would give satisfaction and also inspire confidence; it would create a permanent state of peace and obedience, which this Government has at all times been striving for in the territory under discussion' (C. 4588, p. 16).

The statement in President Krüger's letter that the rights of the Boer colonists in Land Goshen had been "entirely ignored" by General Warren, was fully borne out by the facts. Warren adhered throughout to the attitude he had adopted during the conference with President Krüger at Fourteen Streams. The Boer colonists in Land Goshen had no rights, he declared. In exceptional cases they might receive privileges, such as reaping crops already sown, but in that case they must pay half the produce to the Special Commissioner; and even this privilege was granted only "provided they have not participated in hostilities."\*

General Warren asserted that he had friends among the Dutch. Perhaps he had. But that he heartily disapproved of the Dutch race as a whole cannot be doubted. This disapproval was exhibited with what, under the circumstances, proved to be beneficial vividness, in connection with the offer of Khama—and of other Chiefs who followed Khama's example—to transfer tracts of country, which did not belong to them, to the British Government. Evidently inspired thereto by the Rev. Mr. Mackenzie, who was declared by Warren to have been of the greatest service,†

\* C. 4482, pp. 25-33.

† "Khama's entire confidence in him [Mackenzie] has done much to assist in bringing about the very satisfactory offers made by that Chief." (C. 4588,

the Chiefs stipulated, according to Warren, that only English or English colonists should be allowed to settle on the lands in question; colonists of Dutch extraction were to be excluded (C. 4588, p. 57). And in certain proposals, which Sir Charles Warren described as "very valuable and interesting," made by a Mr. Percy Fraser, who accompanied the Expedition, and whose remarks were attached to the General's own report, it was also recommended that the lands to be transferred should "be settled by colonists of British parentage until the proportion of loyal settlers shall be sufficiently large to hold disloyal or turbulent settlers or freebooters in check" (C. 4588, pp. 62, 81).

The High Commissioner, commenting upon this suggestion, remarked that :

'It can scarcely be necessary for me to enlarge here upon the serious political consequences which would result from the establishment in South Africa of a British Crown Colony, in which all persons of Dutch extraction are to be permanently disqualified from the acquisition of land, upon the ground of their origin alone' (C. 4588, p. 51).

The Cape Ministers were emphatic :

'A report has been made by Sir Charles Warren which includes a proposal that no person of Dutch extraction should be permitted to acquire land in the country over which that Protectorate extends: a proposal which, in the opinion of Ministers, is an insult to Her Majesty's loyal subjects of Dutch extraction in her South African dominions' (C. 4588, p. 115).

The Cape Ministers had an exceptional right to express an opinion on the subject because General Warren proposed

p. 18). Mackenzie's attitude, described in these words by Warren, was totally at variance with the idle and hollow phrases used by himself, when he tendered his resignation (August 19, 1884): "It is notorious in Stellaland that I have set my face against all race distinctions among Europeans. . . . My well-known position is, that the interests of the English and the Dutch-speaking people in South Africa are perfectly identical; and, therefore, that we should forget these distinctions, and all think of ourselves as South African citizens" (C. 4218, p. 62).



that Cape Colony should contribute to the cost of carrying out his scheme.\*

Cecil Rhodes, politically an opponent of the Ministry, supported them heartily on this point. Warren's attitude afforded him the opportunity of striking another blow at Warren and at the same time to set himself up as a sincere friend of the Afrikaners.† On June 30th he ended a noteworthy speech in the Cape House with these words :

'If the report of such a condition in the settlement by Sir Charles Warren is correct—that no man of Dutch descent is to have a farm—it would be better for the English colonists to retire. I remember, when a youngster, reading in my English History of the supremacy of my country and its annexations, and that there were two cardinal axioms—that the word of the nation, when once pledged, was never broken, and that when a man accepted the citizenship of the British Empire, there was no distinction between races. It has been my misfortune in one year to meet with breach of the one and the proposed breach of the other. The result will be that when the troops are gone, we shall have to deal with sullen feeling, discontent, and hostility. The proposed settlement of Bechuanaland is based on the exclusion of colonists of Dutch descent. I raise my voice in most solemn protest against such a course, and it is the duty of every Englishman in the House to record his solemn protest against it. In conclusion, I wish to say that the breach of solemn pledges and the introduction of race distinctions must result in bringing calamity on this country, and if such a policy is pursued it will endanger the whole of our social relations with colonists of Dutch descent, and endanger the supremacy of Her Majesty in this country' ("Vindex," *Cecil Rhodes: His Political Life and Speeches*, pp. 126-7).

By this time Warren had taken a step farther in his repudiation of the agreement of September 8th with the

\* C. 4598, p. 51.

† There are still so many persons who are convinced that Rhodes at one time of his life was sincere in his protestations of friendship for the Afrikaners, that we cannot omit to mention what he himself said about it. In his letter to Lord Harris, quoted above, he wrote: "My main object in the whole question has been to retain the interior and shut the Transvaal in. . . . Do not be led away by the assertion that I am pro-Dutch in my sympathies." (See *Mitchell*, vol. i. p. 212.)



Stellalanders. No longer denying that he had violated it and perceiving the impossibility of pretending longer that he had been trapped into endorsing it, he now declared roundly that it "ought not to be carried out," on the ground that it was made "with persons not representing Stellaland." \*

Perhaps it was this declaration which evoked from Rhodes, a few days later, his parting shot at Sir Charles. Forwarding to the High Commissioner a petition from a number of the inhabitants of Stellaland, he said that it would have been signed more numerously "but that a number of persons feared to attach their signatures lest they should be visited with some mark of Sir Charles Warren's displeasure." And then: "As I am unwilling that any person should be placed in jeopardy in consequence of my action, I beg that your Excellency will, for the present, not communicate the names of the signatories." †

\* C. 4588, p. 13. For the High Commissioner's refutation of this argument see C. 4588, p. 28, where Sir Hercules also calls attention to the fact that the agreement had "been honourably observed by the Boera."

† Ibid. p. 27.

## CHAPTER XXXII

### WARREN LEAVES SOUTH AFRICA

- June 8, 1885 Warren's Report ; he boasts of having pacificated South Africa.  
July 6, 1885 The Cape Ministry proposes conditions for the incorporation of Bechuanaland with Cape Colony.  
July 17, 1885 Sir Hercules Robinson proposes another solution for the future settlement of Bechuanaland.  
August 11, 1885 Lord Derby informs Warren that his troops will be disbanded and that he will be released from his duties.  
August 13, 1885 Lord Derby rejects the proposal of the Cape Ministry and approves of Sir Hercules Robinson's scheme.

SIR Charles Warren's mission was now drawing to a close.

On June 8, 1885, he reported :

'Thus, by 20th March, or three and a half months after leaving Cape Town, I have pacificated South Africa, allayed the seditious foment which existed among the Goshen sympathisers, I have removed the filibusters from Bechuanaland, restored order in the territory, and reinstated the natives on their lands except in parts of Mankoroane's territory and Rooigrond, and in parts of Stellaland, where I proposed to make careful inquiries into alleged claims of Europeans" (C. 4588, p. 53).

*"I have pacificated South Africa."*

That the High Commissioner did not agree with him was natural. The High Commissioner, however, was in a difficult position. He was at one with his Ministers in wholesale condemnation of Sir Charles Warren's methods ; but he was responsible for the Expedition. It was he who, in spite of advice to the contrary from his Ministers, had

insisted upon the need for military measures. Ministers had said there was no such need. They pointed out now that, "as anticipated by Ministers, [the Expedition] has met with no opposition."\* The High Commissioner solved the difficulty, in his opinion at least, by declaring that "recent events have taught a salutary lesson to the Transvaal people." † He meant, presumably, that the Transvaalers had been cowed by the sight of four thousand men with Sir Charles Warren and the Rev. Mr. Mackenzie at their head. Others seem to have thought that the lesson the Transvaalers had learned was that an agreement entered into with British officials was not worth the paper it was written on if it should become convenient for other British officials to violate it.

The only question that remained to be settled after Sir Charles had summarised his achievements was the appointment of a Land Commission to inquire into Bechuanaland titles. This also had given rise to a rather acrid discussion between the Special and the High Commissioner, the former favouring a radical inquiry and the overriding of the September agreement, the latter urging that the agreement should be adhered to, but that an inquiry might be conducted in regard to "the claims of Europeans to land in the territories of *native Chiefs* within the Protectorate" ‡—that is, outside the limits of Stellaland. A compromise was effected finally by the Secretary of State.§

\* July 6, 1885; C. 4588, p. 115.

† C. 4432, p. 168.

‡ C. 4588, p. 34.

§ C. 4432, p. 204. The terms of this compromise were elaborated afterwards by the High Commissioner as follows: The Land Commission was to beacon off locations for native tribes, these locations to be inalienable. "Any valid European claims falling within these locations to be provided for outside. The lands outside the native locations to be considered waste Crown lands, and the Commission to inquire into validity of the numerous European claims to them; the balance, if any, to be available for European settlement."

As to Stellaland, the Commission was to examine titles "proceeding on basis of Peace Agreement of July, 1882, and Rhodes's Agreement of 8th September,

In regard to the future government of the country, General Warren—who had been instructed to hold the country only “until its further destination is known”—proposed to form the whole of the Protectorate into a Crown Colony, with a Lieutenant-Governor, a Legislative Council, and all the other machinery which that system involves. The High Commissioner reported that the scheme was based upon financial calculations which were “simply visionary.”\*

The Cape Ministers, having been asked once more “whether, and under what arrangements, Colonial Government will now propose to Parliament annexation of so much territory as it considers it desirable to include in Colony, and protection of remainder of Protectorate”†—replied on July 6, 1885, that Sir Charles Warren’s proceedings had made annexation by them almost impossible.

‘Ministers, however, deem it to be their duty to give all aid in their power for the purpose of relieving the Mother Country of burthens in territories so remote, and to aid to the utmost in securing peace and prosperity therein, which they urge upon Her Majesty’s Imperial Government can only be done through the instrumentality of Her Majesty’s responsible advisers in this Colony’ (C. 4588, p. 115).

Ministers therefore submitted certain conditions as the basis of an arrangement by which the annexation of Bechuanaland to the Cape Colony might ultimately be brought about. With reference to these conditions, the Imperial Secretary of State, in a despatch dated August 13, 1885, said :

‘While they [the conditions] were intended only to lead to ultimate annexation, they appeared to Her Majesty’s Government to involve this

1884”; title to be withheld “in any cases of flagrant coercion or unfairness—such cases to be specially reported on.”

In Goshen, all claims advanced by persons who had had the audacity to recover land fleched from them by Montsiosa just before Mackenzie announced a Protectorate, “not to be entertained” (C. 4643, p. 4).

\* C. 4588, p. 51.

† C. 4432, p. 203.

country in a heavy expenditure, not relieving it from its responsibilities nor securing it from future embarrassments, but taking away from it the control of Native and other policy. Such an arrangement appeared to Her Majesty's Government to combine many disadvantages, and they have thought it preferable that they should for the present keep the administration of Bechuanaland affairs under their more direct control' (C. 4588, p. 119).

Under the circumstances the British Cabinet decided to adopt a scheme of government which had been proposed by the High Commissioner as soon as he had realised that annexation to Cape Colony was out of the question. He had submitted his proposal in a telegram to the Secretary of State, dated July 17, 1885. Briefly put, it came to this: Bechuanaland was to be divided into two parts, the territory to the north of the Molopo remaining a Protectorate, the Chiefs being left "to govern their own tribes in their own fashion." The territory to the south of the Molopo was to be "declared British soil," and a Commission as Governor was to be given to the Governor of the Cape, with powers of legislation by Proclamation. Acting locally under the Governor, there would be a Chief Magistrate or Administrator.\*

As soon as this had been determined upon, the Secretary of State telegraphed, on August 11, 1885, to Sir Charles Warren that the troops which had been engaged in his Expedition were gradually to be withdrawn, and that:

'Her Majesty's Government do not contemplate arrangements such as would make it desirable to retain a military officer of your high rank for purposes of civil administration only when force is dispersed. You will receive instructions to return home when your Staff is broken up. Her Majesty's Government recognise fully ability and success which have marked military expedition, on which despatch follows by mail' (C. 4588, p. 117).

Sir Charles Warren left South Africa towards the end of September, 1885. On his way from Bechuanaland he

\* C. 4588, p. 106.

passed through Bloemfontein and visited Kimberley, Grahamstown, Port Elizabeth, and other Colonial towns, where he received addresses and made speeches. In Cape Town, says the Rev. John Mackenzie, "Sir Charles's carriage was unharnessed and ropes attached, by which the crowd pulled it to the Commercial Exchange," where more addresses were presented and where Sir Charles made some more speeches. The final scene in the history of the Expedition is thus described by Mackenzie :

'The enthusiasm of the people of Cape Town was by no means exhausted by what they had transacted [toasts to Sir Charles, Mackenzie, Southey,\* etc.], for on the day of sailing Sir Charles Warren found himself surrounded everywhere by people pressing to bid him a sincere and grateful farewell. Several leading citizens accompanied him to the ship, and a large crowd had assembled on the quay, who raised a concluding cheer as the head of the Bechuanaland Expedition left South Africa' (*Austral Africa*, vol. ii, p. 891).

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\* Sir Richard Southey, formerly Lieutenant-Governor of Griqualand West, was the presiding genius of the Cape Town celebrations. We have already had occasion in Vol. I to notice the rôle he played in connection with the dispute with the Orange Free State over the Diamond Fields, and in connection with the arming of the natives.

## CHAPTER XXXIII

### THE FINAL RESULT

- September 11, 1885 The delimitation of the boundaries between the South African Republic and Bechuanaland is completed.
- September 30, 1885 Bechuanaland to the south of the Molopo is proclaimed British territory; Bechuanaland north of the Molopo remains a British Protectorate.

ON September 11, 1885, before Sir Charles Warren left South Africa, the work of beaconing off the boundary between Bechuanaland and the Transvaal had been completed. The Commissioners, Captain Conder appointed by Great Britain and T. N. de Villiers by the South African Republic, according to Article II of the London Convention, for the delimitation of the south-western boundary of the Republic, had concluded their labours in April, 1885. But the Commissioners had disagreed on several important points. These points were submitted to a referee, Justice Melius de Villiers of the Orange Free State, who had been appointed by President Brand, as also provided for in Article II of the Convention. The referee gave his award on August 4th; the work of beaconing was at once proceeded with, and was finished, as we have said, on September 11th.\*

Shortly after this had been done, the High Commissioner issued a Proclamation (dated September 30, 1885, but published in the Official Gazette under date of October

\* C. 4643, p. 172.

7th) declaring that whereas a British Protectorate had been established over Bechuanaland and parts of the Kalahari :

' Now, therefore, I do hereby proclaim, declare, and make known that from and after the publication hereof that portion of the aforesaid Protectorate which is bounded on the east by the South African Republic, on the south by the Colony of the Cape of Good Hope, on the west by the Molopo river, and on the north by the said Molopo river to its junction with the Ramathlabana spruit, and thence by the said spruit to the frontier of the South African Republic, shall be and shall be taken to be British territory under the name of British Bechuanaland.

' And I do further make known that the remainder of the aforesaid territory not included within the boundaries of British Bechuanaland shall continue to be as at present under Her Majesty's protection' (C. 4648, p. 93).

As Administrator and Chief Magistrate of Bechuanaland, and as Deputy Commissioner for those parts of Bechuanaland and of the Kalahari under British protection, Judge Sidney G. A. Shippard of Cape Colony had been appointed provisionally on August 17, 1885, commissions being issued to him on October 1st.\* Judge Shippard was also appointed President of the Commission "to inquire into and decide upon the various questions connected with the land settlement of the Cis-Molopo territory." †

The question had been settled at last; it need hardly be added that to the inhabitants of Land Goshen and Stellaland the settlement was most unsatisfactory. President Krüger's intercession had been in vain; and, acting on his advice, Gey van Pittius and his Rooigronders abandoned the country—to avoid bloodshed, as they wrote the President, and in the hope that the justice of their claims would be recognised at a future day. In this, however, they were destined to be disappointed.

\* C. 4648, pp. 51, 172, 173.

† Provisionally on August 26th, and definitely on October 1, 1885; C. 4648, pp. 52, 173.



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In Stellaland, also, despite a more equitable settlement of the land question, there was bitter discontent. In a petition addressed to the High Commissioner in January, 1886, the truth of the statements in which Sir Hercules Robinson did not deny, it was complained that :

' All proclamations, ordinances, and resolutions passed and adopted by the Republican Government of, and Her Majesty's representatives in, Stellaland prior to the 7th October, 1885 [when the proclamation of sovereignty had been published], are now declared to be null and void, notwithstanding that in no civilised country has a proclamation ever been known to have retrospective power.'

And further it was stated :

' The Dutch language is banished from the law courts and Government offices (*vide* Proclamation relating to laws and regulations, para. 6), to the inconvenience and detriment of the population, of which at least 90 per cent. consists of Dutch Afrikaner farmers ' (C. 4839, p. 29).

Those who could not reconcile themselves to the new despotism had to leave the country.

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It was in this way that Great Britain secured for herself the right of way to the north, to that part of Africa which, to the exclusion of the Transvaal, was soon to become the Hinterland of the Cape Colony and of the British possessions in general. Surely, however, the Republic had the clearest right to consider that region—Matabeleland and Mashonaland—its own Hinterland. Not only were there the most obvious geographical reasons for this, but it was the Boers who had first taught Lo Bengula, the ruler of the Hinterland, the superior power of the white race. We must not forget that the Boers, not the English, were his conquerors.

The South African Republic, which had opened the Transvaal to civilisation, was fully convinced, not only

of its right but of its ability to do the same with the country north of the Limpopo. This view was frankly stated by the Deputation of the Republic in London in 1883 and 1884. It was apparently accepted by the British Government also, for in the London Convention, which expressly stipulated that all treaties made by the Republic with native tribes to the west and east must be submitted to Great Britain for approval, there was no restriction placed upon the Republic's right to treat with the natives to the north. By the omission of this clause in Article IV of the Convention, the north had virtually been recognised as the Hinterland of the Transvaal; and the consent of Great Britain given in advance to the extension of the authority of the South African Republic in that direction.

In the words of the High Commissioner, writing in 1888: "It is true that at the time of the conclusion of the Convention of London, the Government of the South African Republic were not debarred from a northward extension." \*

These acknowledged rights in the north, however, the Republic was never permitted to enjoy. They were exchanged for the promise held out by the British Government of some advantages in the east, but when the time for payment came, these in turn were denied the Boers. In order fully to understand this transaction we must turn now to Swazieland.

\* C. 5918, p. 146. See also footnote, p. 270.



**PART III**  
**SWAZIELAND AND THE HARBOUR**

February 14

February 19  
February 21

February 22  
March 11

March 18

March 21  
March 28  
April 1

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## CHAPTER XXXIV

### SWAZIELAND TO 1887

- 1846 and 1855 Earliest treaties between Boers and Swazies.
- 1875 Umbandine crowned King of the Swazies by delegates from the South African Republic. In a new treaty the Swazies acknowledged themselves again to be subjects of the South African Republic.
- 1881 The Pretoria Convention declares the Swazies independent.
- 1884 The London Convention retains this clause. Umbandine protests against the appointment of a British Commissioner in his country; complains to England about the presence of Theophilus Shepstone.
- 1885 The High Commissioner asks for an explanation of the rumour that the Government of the Republic is pressing Umbandine to accept its protection. The Government declares these rumours entirely unfounded. Umbandine complains to the Republic of Shepstone.
- 1886 Bulwer, the Governor of Natal, recommends a British Protectorate over Swazieland. The Legislative Council of Natal also urges this.
- 1887 Continued activity of the Shepstones.  
The High Commissioner opposes the idea of a British protectorate. Umbandine appoints Shepstone Resident Adviser and Agent.  
The High Commissioner expresses his view of Umbandine's bad government, and recommends that Swazieland be placed under the Republic.

**T**HE question at issue between the South African Republic and the British Government in connection with Swazieland was formulated by Sir Arthur Havelock, the Governor of Natal from 1886 to 1889, in these words :

*'Examining the question from the political point of view, I should say that if it be the policy of Her Majesty's Government to permit the Dutch Republics to develop into a sound and healthy power in South Africa the movements and aspirations of the South African Republic as*

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regards Swazieland and as regards the acquisition of a means of access to the sea should be left to take their natural course' (March 17, 1889; C. 6200, p. 182).

If, on the other hand, it was the policy of Her Majesty's Government not to permit the Dutch Republics to develop into a sound and healthy power in South Africa, it followed (although Sir Arthur Havelock did not carry his statement so far) that the movements and aspirations of the South African Republic, as regards Swazieland and as regards the acquisition of a means of access to the sea, should be opposed and repressed.

The issue could not have been more clearly stated, nor could the outcome have revealed more luminously the intentions of the British Government toward the South African Republic.

Swazieland is a compact block of territory lying on the eastern border of the Transvaal. It is rather larger than Wales, rather smaller than the State of New Jersey. Its native population was estimated by Sir Francis de Winton in 1889 at about 63,000. According to the same authority, "the men are lazy, dirty, and untruthful. The women do all the agricultural work." The total white population in 1889 was not known accurately, but it was certainly under five hundred. Of these, "roughly speaking, the subjects and sympathisers of the South African Republic represent three to one as to other nationalities." \*

The country itself was of no value to the people of the Transvaal, except in so far as it provided during the winter months grazing ground for their cattle, which, in the cold season, could not find sufficient food on the high veldt. But the Government of the South African Republic desired its possession, and asserted their ancient rights to it, because through Swazieland lay the road to the sea. This, however,

\* Report on Swazieland, by Colonel Sir F. de Winton, February, 1890; C. 6201 of August, 1890, pp. 8, 13.

was also the reason that England refused to acknowledge the Transvaal claims, although, in itself, the country was of even less value to England than to the Boers.

As early as 1846 and 1855 the Swazies had entered into agreements with the Boers, and it was on these agreements that President Pretorius in 1868 had based the Proclamation, by which the boundaries of the South African Republic were defined. We have seen how Portugal at first objected to this boundary-line, and how the matter was settled by a treaty in 1869 by which a line running over the Lebombo mountain range was accepted as the boundary. To the west of this range the Swazies were regarded as vassals of the South African Republic.

The Swazies considered themselves subjects of the Transvaal. In 1871, for instance, when they applied for the protection of the Republic against their enemy, Cetywayo, they based their claim on this assumption.\*

At the death of Umswazie, the old King, his son Umbandine was crowned King (in official language it was called, "appointed Chief and Governor of the Amaswazie tribe") by Boer delegates specially sent over for that purpose by President Burgers of the South African Republic. This occurred in 1875.†

At the time Umbandine was crowned, both he and his councillors confirmed the contract made with the Republic by the late Chief, and, while reserving the right to manage their own internal affairs, acknowledged their position as subjects of the South African Republic.‡

\* The resolution adopted by the Executive Council of the South African Republic on March 20, 1871, in regard to the matter, is in the following terms:

"Resolved to inform the Chief Amaswazie by the Landdrost of Lydenburg that the Government is willing to lend him protection as to a subject if he desires it, and in that case will send a Commission to settle the conditions."

† He wrote a Memorandum on this subject dated March 16, 1889 (C. 6200, p. 134). One of the delegates was G. M. Rudolph, who afterwards entered the service of the English. The other delegate was C. J. Joubert.

‡ With the exception of the description of the boundary, the "Agreement or New Understanding" of July 1, 1875, concluded on this occasion, will be found



Thus matters stood in 1877, at the time of the Annexation of the Republic, and so they remained during the three years of English occupation. The Convention of 1881 deprived the Republic of its suzerainty over Swazieland. Article XXIV of the Convention declared that "the independence of the Swazies, within the boundary-line of Swazieland as indicated in the first Article of this Convention, will be fully recognised" by both contracting parties. In the Convention of London, Article XII contained the same statement; while Article IV, as we have seen already, set forth that:

'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.'

It will be remarked that the Article just quoted contains no stipulation concerning native tribes to the north of the Republic. With those tribes, treaties could be entered into without reference to the British Government. In other words, in 1884 Mashonaland and Matabeleland were expressly recognised as spheres in which the Republic could legitimately expand officially, as well as by reason of the natural and inevitable overflow of its border population such as we have already noticed in the case of Bechuanaland.

In the case of Swazieland this overflow was following a line of practically no resistance. The country was well known to the Boers—four hundred of them, for instance, had accompanied Rudolph and Joubert as an escort at the time of Umbandine's coronation in 1875.\* The Swazies were friendly; they regarded the burghers as their "fathers," and they were anxious to lease grazing rights during the winter months, receiving cattle in payment.

in the Appendix H, p. 507. Particular attention is called to Articles I, II, IV, V, and VIII.

\* C. 6200, p. 184.

The consequence was that every winter a considerable number of Boers trekked into Swazieland from the high veldt of the Transvaal.\*

After 1881 some trouble arose from time to time through the presence of Swazies within the borders of the Republic. These people imagined, as the British Resident at Pretoria reported, that because their independence had been recognised in the Convention, there was no need for them, although residing in the Republic, to pay taxes to the authorities.† When taxes were demanded of them, they complained loudly and appealed to their King for redress. On one such occasion, in 1884, Rutherford, the Secretary to the British Resident, was sent to inquire into the matter. The report which he submitted on his return contains a statement which throws light upon the earlier of the complications which ensued. When he reached Umbandine's chief kraal, he found that a Natal native messenger had arrived from the Shepstones, who had already played such a prominent part in Zululand, to say that the Swazies should not enter into relations with the British Resident at Pretoria, as the latter "had nothing to do with Swazieland affairs, which concerned Natal only and had to be considered there."‡ This meant, as the sequel will show, that Swazieland was to be made a "Shepstone Reserve." One of Sir Theophilus Shepstone's sons was Secretary for Native Affairs in Natal, and he purposed to have one of his brothers appointed British Commissioner in Swazieland.

The London Convention had provided in Article II that "Her Majesty's Government will, if necessary, appoint

\* On account of the difficulties engendered by the condition of affairs in Bechuanaland, and the false accusation that there the movement was fostered by the Government, the Republic did what it could to prevent this movement into Swazieland. In January, 1885, a circular letter was sent to the landdrosts throughout the Transvaal informing them that the Government was opposed to the entry of burghers into Swazieland, and that it was contrary to the interests of the Republic. The officials were instructed to warn burghers to this effect.

† C. 4037, p. 60.

‡ Ibid. p. 118.

Commissioners in the native territories outside the eastern and western borders of the South African Republic to maintain order and prevent encroachments," and the High Commissioner, when forwarding Rutherford's report in April, 1884, advised that effect should be given to this clause—of course at the expense of the Swazies.\* One of the Shepstones was already in Swaziland, waiting to be appointed. Unfortunately, from their point of view, Umbandine developed opinions. In answer to the High Commissioner's recommendation, the Secretary of State for the Colonies had replied that inquiries might be made to ascertain whether the Swazies would be willing to pay the cost of an Agent and a small police force. Inquiries were made in August, 1884, and Umbandine and his chief councillors expressed a strong disinclination to pay for such a doubtful privilege. Umbandine said "that Mr. A. Shepstone wished to be his Agent, but that he did not like him; but that, as he was Mr. [Sir Theophilus] Shepstone's son, and had brought him a message from his brother, the Secretary for Native Affairs in Natal, he could [not] well tell him to go home, as [although] he was tired of him." If he consented to the appointment of a Commissioner, said the King, "perhaps they would appoint this son of 'Somsou's' (Sir Theophilus Shepstone's). I wish he would go away. I am getting quite thin with his continual worry [the King was very fat]. I will talk it over with Izantzlaan [his Prime Minister] and the Indunas, but we are too poor to pay the cost." †

In April of the following year, rumours reached Cape Town that General Joubert had been visiting Swaziland and had urged Umbandine to accept the protection of the South African Republic. The High Commissioner promptly

\* C. 4037, p. 109.

† C. 4214, p. 95. The usual way of spelling the Kaffir name for Sir Theophilus Shepstone is Somsou, and this is the way it appears on his statue in Pietermaritzburg.

demanded an explanation from President Krüger, and was told by telegraph in reply (May 29, 1885) that "similar rumours reached us with respect to Mr. Shepstone trying to induce Umbandine to accept British Protectorate. In view of the London Convention recognising the independence of the Swazies, we did not take the slightest notice."\*

In a further answer, by letter, the State Secretary said (July 14, 1885):

"This Government would, however, further state that the Swazie King has complained to this Government about Mr. Shepstone. The King complains about the difficulties caused him by Mr. Shepstone, and expresses his displeasure that Mr. Shepstone should incite the Swazies against the Boers, suborn his principal men, and sow dissension. Mr. Shepstone furthermore sought to urge the Swazie King to request the English Government to appoint him (Mr. Shepstone) as Resident, and to submit to the King for signature documents relative to this point, and an English Protectorate. This Government, of course, perfectly agrees with what you [the High Commissioner] said, that the independence of the Swazies must be acknowledged" (C. 4645, p. 12).

By this time there had been a certain influx of Englishmen into Swazieland owing to the discovery of gold there. The Swazies—or, rather, the King's signature to "concessions"—began to be sought after. Consequently, as usual with natives in such circumstances, the King and his councillors began to play off Boer against British interests and *vice versa*. In October, 1885, messengers arrived in Natal complaining in vague and general terms of Boer encroachments, with protestations that the Swazies regarded the Governor as their "Great House." † These messengers were received by the Shepstone who was Secretary for Native Affairs, and their words were translated and forwarded by him to the Acting Governor. Sir Henry Bulwer, the Governor, who was in England at that time, took the hint, and in a memorandum addressed to the Colonial Office,

\* C. 4645, p. 4. The punctuation of this despatch in the Blue Book is incorrect.

† Ibid. p. 64.

urged that a Protectorate should be extended over Swazieland.\* The provisions of the London Convention did not trouble him. Nor did they trouble the Legislative Council of Natal, which, in October of the same year, while demanding "a settled form of Government in Zululand under British rule, and in union with Natal," at the same time demanded a British Protectorate over Swazieland.†

While, however, the Shepstone in Natal was busy in recording messages complaining of Boer encroachments, the Shepstone in Swazieland found it impossible to prevent the despatch of messengers to Pretoria. On one occasion (March, 1886) a letter was sent from Umbandine and his councillors to President Krüger stating that "the King's strongest desire and longing is to stand on a friendly footing with your Honour, like a child with his father; † at another time (August, 1886) the messengers declared that they were "sent by King Umbandine to the President of the Transvaal to talk over and complain of things which are troubling him in his country," and that "the trouble in his country is from white people, not from Boers but from Englishmen." §

In Natal, H. C. Shepstone at last became rather too zealous. He reported to the Governor that messengers had arrived from Umbandine with further complaints and for the purpose of informing the Governor that the King was sending "to Sir T. Shepstone, whom he regards as his father and immediate Chief, to beg that he will send up one of his sons to be his agent and representative with all the white people who are now flocking, he says, to his country on account of the discovery of gold there." "I am not yet aware," added the Secretary for Native Affairs, "whether Sir T. Shepstone will comply with the request." ||

At the same time H. C. Shepstone submitted a letter

\* January 14, 1886; C. 4913, p. 16.

† C. 5089, p. 24.

§ Ibid. p. 26.

† C. 4980, p. 64.

|| Ibid. p. 8.

written by a certain John Gama, a Natal native who was in the service of the Shepstone family and who had been sent to Swazieland to watch over the family interests there. In this letter, which purported to have been written on behalf of Umbandine, the King requested that "Offy," otherwise Theophilus Shepstone, one of the sons of Sir Theophilus, who had recently visited the country, might be sent back there to "take care of him."

This double dose of pressure seems to have opened the eyes both of Sir Arthur Havelock, who had been appointed Governor of Natal in February, 1886, and of the High Commissioner, Sir Hercules Robinson; for they agreed that the Swazie King should be informed that Mr. T. Shepstone "is in no way accredited by Government, and that if he returns to Swazieland it is in a private capacity."\* Further, when forwarding this correspondence to the Imperial Secretary of State, Sir Hercules pointed out that :

'Umbandine apparently desires whilst retaining his Chieftainship to be protected by the British Government [Umbandine subsequently gave evidence that he desired nothing of the kind], but I think it very doubtful whether he or his people would submit to taxation to defray the cost of such a measure. A protectorate, too, over native territories containing a larger European population has been proved to be attended by so many legal difficulties as to be unworkable; and, as I have already stated . . . I do not think we are under any obligation to the Swazies which would require Her Majesty's Government to assume, at the expense of the British taxpayer, a troublesome and costly control over a country which is not accessible through British territory. As I have pointed out, Swazieland is surrounded on three sides by the Transvaal, and is bounded on the fourth by the Lebombo mountains, through which the only pass is by the road from the Portuguese settlement at Delagoa Bay.

'If, then, it be decided that Her Majesty's Government are not called on to accept such a responsibility, I think it would be only fair to Umbandine that he should be so informed. An intimation might also be conveyed to him that if he should be unable to govern the European population scattered throughout Swazieland, and should desire the South

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\* C. 5089, p. 9

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African Republic to annex his country, Her Majesty's Government will be prepared to negotiate with the Transvaal Government so as to obtain securities for the preservation of native rights and interests' (C. 5089, p. 4; January 26, 1887).

But if the High Commissioner could not discover any advantage in proclaiming a British Protectorate over Swaziland, H. C. Shepstone continued to think differently. On January 31, 1887, he again urged that it should be done.\* Although he failed to procure for his brother an official position as British representative, he did succeed, with the help of John Gama, in persuading Umbandine, as a step in that direction, to "select Theophilus Shepstone, Esq., C.M.G., who had come to apply to us for a mineral concession" as "our Resident Adviser, and Agent in all matters in which white people are concerned in and about our country." The document, dated February 25, 1887, continues:

'And we further authorise and empower the said Theophilus Shepstone [Junior] to supervise and collect all our revenues arising from concessions, rentals, royalties, licences, fines, duties, and stamps, or from any other source whatever, and to account to us for the same' (C. 5089, pp. 87, 88).

In January, before this arrangement was so happily consummated, H. C. Shepstone had forwarded to the higher authorities alarmist reports from a certain Rathbone to the effect that native messengers from the Landdrost of Wakkerstroom in the Transvaal had visited Umbandine, threatening the Swazies "that unless the Swazie King at once hands over his country to the Transvaal," a commando would march into Swaziland during the coming winter.† Theophilus Shepstone had added a note accentuating the importance of this communication and announcing that he was on the point of starting for Swaziland and that, before doing so, he would "be glad, if his Excellency

\* C. 5089, p. 17.

† Ibid. p. 18.



[the Governor of Natal] wishes it, to wait on his Excellency personally on the subject." \*

These papers were received in London on March 2, 1887, and, strange as it may seem, Sir Henry Holland, who was then Colonial Secretary, treated them seriously.† He telegraphed to Sir Hercules Robinson on March 5th to call on the Government of the South African Republic, "if they admit truth of statement," to give "explicit instructions to their officers that any interference with independence of Swazieland, unless with consent of Swazie King, would be breach of Convention."‡

Sir Hercules Robinson, however, who, as we have seen, had been greatly prejudiced against the Republic in 1883-4, both before and after the signing of the London Convention, had recently learned some important lessons in connection with Bechuanaland. Among other things, he had discovered not only that the Boers were not so black as interested persons had painted them, but that local adventurers were as unscrupulous in their dealings with the natives as in their vilification of the Boers. Consequently, the High Commissioner's reply (March 7th) to Sir Henry Holland's telegram was unexpectedly impartial and dispassionate in tone. He said :

' Yours 5th March. Answers from Government South African Republic sent by mail 28rd February and 2nd March. They deny truth of statements, and furnish proofs in support of their denial. Umbandine seems to have been double dealing, complaining of Boers to me and of English to President of Republic. Government of South African Republic states that they have no intention of interfering with independence of Swazieland. It appears to me that if the apprehended encroachments are made on Swazieland, they will be, as in Zululand, by individual Boers from Transvaal, Orange Free State, and Natal. Government of South African Republic are no more able to control these men or European

\* C. 5089, p. 16.

† For Holland's singular lack of perspicacity in South African affairs compare Vol. I. p. 826.

‡ C. 5089, p. 18.



diggers when beyond their jurisdiction than we are. Umbandine is allowing Boers to enter Swazieland for winter grazing, and has sold gold concessions over nearly the whole of his country, in some cases three or four deep for the same area, while squandering proceeds in dissipation. He apparently expects Her Majesty's Government to protect him and save him from consequences of his folly. I think if we do not want the country ourselves we should now allow it to be placed under control of Transvaal. I advise that Umbandine be informed we do not mean to protect or annex his country, and that if he cannot control the Boers and diggers whom he has himself allowed to enter Swazieland, he had better place himself under Government of South African Republic, with whom, if he wishes, we will negotiate for the security of native interests' (C. 5089, p. 18).

No responsible official or adviser of the British Government had at any time suggested that "we want the country ourselves." On the contrary, they had stated that owing to its inaccessibility it would practically be impossible for Great Britain to govern it.\* And yet, though not possessing it, to go through the form of handing it over to the Republic without obtaining a *quid pro quo*, without striking a "Kaffir bargain"—this was more than the British Government could contemplate as possible. Consequently, nearly seven years passed before an adequate compensation was found and the country handed over to the Republic. Even then, so incompletely and so unsatisfactory was the transfer, that nothing could have furnished better evidence that it was *not* "the policy of Her Majesty's Government to permit the Dutch Republics to develop into a sound and healthy power in South Africa." †

In the intervening years, the British Government devised futile compromises—from which fairness and common sense were most carefully eliminated—and allowed Swazieland to drift into anarchy.

\* See C. 5089, p. 4.

† See *supra*, p. 234.

## CHAPTER XXXV

### SWAZIELAND FROM 1887 TO 1889

- March, 1887 Shepstone intrigues against the South African Republic and makes false accusations against the Landdrost of Wakkerstroom, Krogh. He fails to be appointed official British representative.
- May 16, 1887 White inhabitants elect a temporary Government.
- May 19, 1887 The British Government proposes a Joint Commission.
- July, 1887 A new Committee is elected. The Boers, expecting speedy intervention by Great Britain and the Republic, abstain from voting and are not represented.
- August, 1887 The British Government withdraws its proposal for a Joint Commission.
- January 20, 1888 The Government of the Republic urges maintenance of order in Swazieland and expresses its willingness to assume this responsibility itself.
- July 27, 1888 Umbandine expresses a desire for a Joint Commission. His relations with Shepstone strained.
- January, 1889 The High Commissioner urges his Government to come to a decision.
- February 13, 1889 The Government of the Republic declares that the Swazieland question can only be settled by its annexation to the Republic.
- February 15, 1889 Umbandine dismisses Shepstone and appoints Miller in his place.
- February 28, 1889 Miller transmits to the High Commissioner a request from Umbandine for British protection.
- April 29, 1889 Hermann Eckstein protests against this and denies that Umbandine wants British protection.
- May 1, 1889 Eckstein forwards to the High Commissioner a document obtained from Umbandine conferring extraordinary powers upon him and his colleagues.
- June 4, 1889 He forwards affidavits to prove that Umbandine's request for British protection was fraudulent.
- July, 1889 Colonel Martin (on behalf of Great Britain) and General Smit and Dr. Krause (on behalf of the Republic) go to Swazieland.
- July 29, 1889 The white inhabitants meet and pass a resolution in favour of government by the Republic.
- August 9, 1889 The British Government at last decides in favour of a Joint Commission.
- September 14, 1889 Sir Francis de Winton appointed British Commissioner.

**T**HE country clearly was in need of government of some kind. The interests of the Boers who had grazing rights conflicted, as the High Commissioner had pointed

out in his telegram of March 7, 1887, with the mining rights granted subsequently. The Boers argued that "the granting of mineral concessions over the land on which they have secured grazing rights will interfere with their privileges as regards grazing, that they will not enjoy the same quantity of grass as they otherwise would if concessionaires put up machinery and drive cattle [possibly diseased] through the country."\* Further, mining concessions had been granted several deep, one after the other,† and T. Shepstone, the King's Agent, whose business it was "to supervise and collect all our revenues arising from concessions," etc., himself admitted that he had personally received one concession of ground knowing that it had been leased already to another.‡

The presence of "Offy" § Shepstone, as Umbandine's Agent, by no means simplified matters. Both he and his family were well known to the Boers, and were distrusted and disliked. The story which the Shepstones had promulgated, that the Landdrost of Wakkerstroom, J. C. Krogh, had sent threatening messages to Umbandine, evoked a reply from the Landdrost which did nothing, when published, to add to the family's popularity. The Landdrost, after declaring that T. Shepstone's letter contained "the grossest untruths," produced an affidavit from a certain de Jager who swore that he had recently visited Umbandine's chief kraal and that there the King had been asked in the presence of his council and of several whites :

' 1st. Whether he, Umbandine, had called in the assistance or the protectorate of the English Government over his country.

' 2nd. Whether he or his Council had lodged a charge (with reference

\* C. 5089, p. 68.

† C. 6200, p. 108.

‡ Ibid. p. 9.

§ Theophilus was generally known as "Offy" and frequently signed himself this way.

## SWAZIELAND FROM 1887 TO 1889 249

to a threat) against the Landdrost of Wakkerstroom, with the English Government.

'Umbandine with the whole of his Council thereupon declared, under Kaffir oath, and in the presence of [numerous white men, including Rathbone, the sender of the original message to Shepstone] . . . that neither he nor his people had ever called upon the English Government for assistance or a protectorate, or laid a charge with the English Government against the Landdrost of Wakkerstroom. None of the persons present, not even Mr. Theophilus Shepstone, who was present at the interview, have protested against this declaration made in public' (C. 5089, p. 49).

Unpopular though they were, the Shepstones nevertheless had influence in Swazieland, and, at the instigation of Theophilus, a solution of the situation was proposed that was simple in the extreme. It was contained in a letter written by the Rathbone already mentioned, but on this occasion purporting to be signed by Umbandine in person, and merely "witnessed" by Rathbone. In this the King was made to say (March 31, 1887), that he wished Theophilus Shepstone to be appointed officially as British Resident in Swazieland.\*

The Secretary of State, however, did not entertain this proposal favourably. The British Government, he said, could not "recognise Mr. Shepstone as an official British representative." † He suggested, instead, that the South African Republic might be willing to join in a Commission "to inquire into the state of affairs in Swazieland." Not perhaps a brilliant, but in any circumstances an eminently safe suggestion, which in this particular instance had distinct possibilities.

In the meantime, Shepstone having convened a meeting of concessionnaires for the purpose of creating a Committee to govern the white inhabitants, a number of them assembled on May 16, 1887, and elected representatives. It was decided, however, that as the Boer inhabitants were

\* C. 5089, p. 44.

† Ibid. p. 50; May 19, 1887.

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not present, the Committee should retain office until July 31st only, and that another election should then be held.\*

On the appointed day the concessionnaires again assembled and a new Committee was elected. The Boers, however, of whom there were some forty present out of a total of seventy, believing that a Joint Commission would shortly intervene, refused to vote, and many of them afterwards refused to recognise the authority of the Committee.† Both the High Commissioner and the Secretary of State concluded, however, that as efforts were now being made by the whites, on Shepstone's initiative, to govern themselves, a Joint Commission was no longer necessary.‡ So a settlement of the difficulty was once more quietly postponed. The country was therefore left in the hands of a Committee, all the members of which were concessionnaires of one kind or another, and all of whom wanted more mining concessions or monopolies. The Boer element was not represented at all. So far as the King was concerned, according to his Prime Minister, Sandhlana, he "had no preference for any particular class of white people. He liked them all, both English and Dutch; the white people were all the same."§ So long as the white men paid for their concessions and monopolies and left him in peace, the King did not care what concessions and monopolies he gave nor to whom he gave them.||

Thus the situation remained until the end of the year. On January 20, 1888, in view of the ill-feeling and confusion which continued to prevail in Swaziland, the Govern-

\* C. 5089, p. 72.

† C. 6200, pp. 19, 21, 29.

‡ Ibid. pp. 9, 10.

§ *The Natal Mercury* of May 25, 1887; quoted in C. 5089, pp. 68, 78.

|| Some idea of the condition to which the King was reducing the country may be gathered from a list of the monopolies granted by Umbandine, drawn up by the Swaziland Government Committee, and dated October 21, 1889. It is to be found in Appendix I.

ment of the South African Republic wrote to the High Commissioner pointing out that as long ago as March, 1887, the Swazi King had expressed his willingness to have the question of conflicting grazing and mining rights decided by the two Governments which had signed the Convention of London, and declaring further that :

'The interests of this Republic demand that in Swazieland, bordering as it does on the Republic, peace should prevail. This Government is quite prepared to take the responsibility of it upon itself. But in the first place it is necessary that the status of those who possess mining rights and those who possess grazing rights should be clearly defined' (C. 6200, p. 56).

It was a reasonable proposal, and was accepted finally by the British Government, but only after the lapse of eighteen months, and after innumerable telegrams had passed between the Imperial Secretary of State, the High Commissioner, and the Governor of Natal. Umbandine, when asked whether he was still willing to submit matters to the decision of a Joint Commission, at first replied, through Shepstone, that he did not consider an inquiry necessary (April 16, 1888). But not long afterwards he sent word to the Governor of Natal, behind Shepstone's back, that he would be glad to receive the Commission, his messengers adding that relations between himself and Shepstone were "very much strained."\* Even this did not elicit a decision from the British Government. At last, in January, 1889, the High Commissioner suggested that the time had really arrived "when Her Majesty's Government should decide as to the policy to be adopted in Swazieland when the present extemporised Government can no longer be maintained. The country must before very long be annexed by England or by the South African Republic." †

On the 13th of February of the same year the Govern-

\* C. 6200, p. 85; July 27, 1888.

† Ibid. p. 104.

ment of the Republic wrote to the High Commissioner saying:

'This Government is of opinion that the best, the most just, and the only practical solution [of the Swaziland question] will be the addition of Swaziland to this Republic, a solution which this Republic is prepared and willing to enter upon and carry out with observance of all lawfully obtained interests. That addition would be just on account of the relations which have always existed between the emigrant Boers and the burghers of the South African Republic on the one side, and the Swazies on the other.

'That the Swazies still exist as a nation is to be thanked [is due]<sup>m</sup> to the protection which this Republic has for years granted to them.

'It is this Republic which, by the crowning of Umbandine (for which this Republic has made great sacrifices), put an end to the internal disturbances by which the Swazies would have exterminated themselves. The Swazies then placed themselves by treaty under the protection of the Republic.

'No other solution than the addition of the territory to the Republic appears to this Government to be practicably possible.

'The geographical position of Swaziland requires that solution. Of the approximate 320 miles which constitute the boundary of Swaziland there are no less than 220 common to this Republic. I need not draw your Excellency's attention to the fact that your Excellency has yourself frequently remarked that Swaziland is entirely enclosed on three sides by the Republic whilst the fourth boundary-line is formed by the Lebombo Mountains, through which there is only one pass, on the way from the Portuguese possessions' (C. 6200, pp. 110, 111).

Moreover, since the Swazie King, during recent years, had constantly granted to private persons concessions and monopolies of such a nature that it lay in the power of the concessionnaires to arrest the development of the country and to create difficulties there which would gravely affect the Republic, the Government had considered it necessary to make pecuniary sacrifices in order to acquire some of these concessions, among which were (1) a railway concession, (2) a postal concession, (3) a telegraph concession, (4) a concession of river and canal transportation,\* and (5) a surveying concession.

\* The Blue Book translation reads "railway navigation," which is, of course, absurd.



It followed, therefore, "that a future settlement of the Swazieland question, whenever required, is only practically possible by annexation to the Republic" \*

In reply to this despatch, Lord Knutsford (formerly Sir Henry Holland) telegraphed to Sir Hercules Robinson asking, as if it were quite a new idea, if the latter considered it desirable "to have Joint Commission in South Africa for reconsideration of London Convention of 1884 with respect to Swazieland and other points." †

To this the High Commissioner replied on the following day (March 28, 1889) :

'I think Joint Commission to inquire on the spot into the present condition of Swazieland and wishes of King and people, as well as of white residents and concessionnaires, a necessary preliminary before determining to reconsider London Convention of 1884' (C. 6200, p. 115).

Thus the original proposal of the South African Republic of January 20, 1888, was brought once more to the front, on this occasion by the British Secretary of State. Nevertheless, in June, 1889, the same Secretary of State was still "considering the advisability of appointing a joint British and Transvaal inquiry into the existing circumstances of Swazieland," ‡ and did not finally decide to do so until the following August.

Meanwhile, the concessionnaires who haunted Umbandine's kraal were not inactive. Umbandine, it will be recalled, had lost confidence in his Resident Adviser and Agent, T. Shepstone. On February 15, 1889, he dismissed him, requiring him at the same time "to hand over to my white committee all books and documents relating to or dealing with my affairs." § In this he was encouraged by a section of the "white committee"; and when, the day after his dismissal, Shepstone sent his native

\* C. 6200, pp. 110, 111.

† Ibid. p. 176.

‡ Ibid. p. 115.

§ Ibid. p. 117.



factotum, John Gama, to ask the King to explain his action, the Committee's Secretary, a certain Allister M. Miller, talked defiantly:

'His [Shepstone's] Kaffir has come to-day to tell you that Mr. Shepstone is a great man, but there are quite as great men in the Committee. When Mr. Shepstone's Kaffirs tell the Swazie that Mr. Shepstone is the son of the Queen of England it makes white men laugh, because of their lies. When Mr. Shepstone talks of coming here with an army, the white men, who he says will run away, laugh louder, for he is only fooling you. . . .'

To which the King replied, "It is the same old dispute," and so closed the interview.\*

It seemed, indeed, that, in dismissing Shepstone, Umbandine had jumped out of the frying-pan into the fire. For the next thing he did was to appoint Miller to fill his place—"the said Allister M. Miller to exercise full rights and powers to register documents, transfer grants, and otherwise to fulfil the duties of a secretary and agent." † A week later, on February 28, 1889, Mr. Miller "witnessed" a letter which purported to be signed by Umbandine, in which the King, addressing the High Commissioner, said:

'And our petition is, that a British Protectorate be declared over this our Kingdom of Swazieland, and further that your Excellency do recommend to Her Majesty the Queen, and to Her Imperial Parliament, the immediate appointment in this country of a representative of the British Empire.'

This letter was certified by Rathbone as having been translated correctly to the King, and the King's signature—or rather his cross—was witnessed by a certain Captain Ewing as well as by Miller. ‡ Surely, it will be supposed, there could have been no doubt of the genuineness of a document thus attested. It was followed, however, by a

\* C. 6200, p. 145.

† Ibid. p. 117.

‡ Ibid. pp. 142, 143.

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telegram, dated April 29, 1889, from Hermann Eckstein, of Johannesburg,\* to the High Commissioner, in which Eckstein said :

'May it please your Excellency, I have at different times bought large interests in Swazieland for my own and other home firms, and these interests have been purchased in reliance on the Convention of London in which the Independence of Swazieland is guaranteed. I have just received information that certain persons have applied to your Excellency to annex Swazieland, *pretending falsely that it is the wish of the King*. It would be very detrimental to the interests which I have bought, in reliance on the guarantee of the Convention of London, if the independence of Swazieland should be interfered with.

'I have best authority for stating the people praying for the annexation of Swazieland have misrepresented the facts to your Excellency, and that it is neither the wish of the King nor the Swazie nation, nor the Europeans mostly interested in the welfare of Swazieland, to see the country annexed to any European State. Should circumstances arise which would make a change of Government imperative, it would be for the interests of all concerned, and especially for the interests of the capitalists whose money is invested in Swazieland, that the country should fall under the rule of the Transvaal, which is the only Government immediately adjoining that could enforce therein the laws of a civilised State. I therefore humbly pray . . .' etc. (C. 6200, p. 146).

Next, on May 1st, President Krüger telegraphed to the High Commissioner :

'In reply to your Excellency's despatch of 25th April [reporting the receipt of Umbandine's letter], I answer that I have read it with the greatest astonishment, as it is entirely in conflict with the messages which Umbandine sends to me. It cannot be otherwise than deception. Umbandine does not at all know and understand what a Protectorate means' (C. 6200, p. 156).

Mr. Eckstein then wrote to the High Commissioner, enclosing a certified copy of a document—perhaps one of the most remarkable in history—dated May 1, 1889, signed by King Umbandine and his chief councillors, "witnessed"

\* Hermann Eckstein, of the firm of Eckstein & Co., of Johannesburg, was one of the founders of the Rand Mines, Ltd. He became subsequently a partner in the firm of Wernher, Beit & Co., and died on January 17, 1893.

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by the same Captain Ewing who had "witnessed" the petition for a British Protectorate, and, most astonishing of all, "duly registered in the books of the King" by Allister M. Miller. This document sets forth that, whereas it was proper that Hermann Eckstein and another concessionnaire should be properly secured in the working of their concessions :

'Now I, [Umbandine] on my behalf and on behalf of my people, promise, engage, and agree to and with the said concessionnaires, for good and sufficient consideration received by me from them this day, that I will not on any account give up the independence of my country to any foreign power whatsoever, excepting with the consent of the said concessionnaires, but will on the contrary resist the conquest or annexation of my country or the getting of any authority therein by any foreign power to whom the said concessionnaires may object, to the best of my ability and with force of arms if necessary; and I, Umbandine, assisted by my councillors, do accept the assistance offered by the said concessionnaires, and authorise and empower them in the event of my being attacked, or the conquest or annexation of my country being threatened, to bring in such foreign powers as they may think fit for the protection of my Kingdom or otherwise. And it is a condition hereof that the said concessionnaires shall pay me yearly the sum of £100 (one hundred pounds sterling), the first payment to be made on the 1st day of May, 1890 . . .' (C. 6200, p. 161).

Eckstein forwarded a copy of this document to the High Commissioner as conclusive evidence "that the petition for protection handed to your Excellency in the name of King Umbandine is, to say the least of it, insincere and unreliable." He added :

'A further proof in support of my statement is that there are two Swazie Chiefs at present in Pretoria who have stated publicly that they are there by order of their King to deny that he has sent any white men with a petition for protection to your Excellency' (C. 6200, p. 160).

But this was not all. On June 4, 1889, Eckstein forwarded to the High Commissioner two affidavits, one by a certain Ernest Cooper, "interpreter to King Umbandine

of Swazieland," the other by a certain J. R. Harrington, to the effect that when the petition of February 28th had been translated correctly to the King, the latter "stated that the same differed entirely from the translation and interpretation which was given him of the said petition upon his signing it, with the exception of three or four words," and that, in brief, he had never had the slightest intention of petitioning either for a British Protectorate or for a British Resident.\* And the King made these statements in the presence of Allister M. Miller.

After this incident, and while the British Government was still trying to make up its mind to consent to a Joint Commission of Inquiry, Theophilus Shepstone wrote to the Government of the South African Republic, and to Natal, stating that a meeting of the white inhabitants of Swazieland was to be held on July 29th in order to discuss the future government of the country, for the existing white committee's term of office would expire on August 31, 1889. Shepstone added that he feared serious disturbances would take place, since all sections of the community would be represented at the meeting.† Umbandine at the same time sent messengers to Pretoria asking General Smit (the "Fighting General" of Majuba Hill) to come to him to help preserve order.‡

The Government of the Republic at once informed the Acting High Commissioner in Cape Town of the circumstances, stating that Umbandine's request would be acceded to.§ It was arranged, however, that General Smit and Dr. Krause, the State Attorney, who was to go with him, should be joined by Colonel Martin of the British Army. They were not to constitute a Joint Commission (the British Government was still considering that matter); they were

\* C. 6200, pp. 171, 172.

† Ibid. pp. 162, 163.

‡ Ibid. pp. 161-4, 175, 180.

§ Ibid. pp. 162, 163; June 5, 1889.

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only to make a sort of semi-official visitation, for the purpose of giving "friendly and disinterested advice" to the grazing licence-holders on the one hand and to the mining population on the other, by which means, it was said, "disturbance ought to be avoided." \*

Colonel Martin arrived in Swaziland on July 15th, the Transvaal representatives having preceded him.

That the Boer element would by far outnumber the English at the meeting of July 29th was certain. It seemed likely also that resolutions would be passed which would not be to the liking of the British Government. Possibly on this account Colonel Martin did his utmost to have the meeting postponed. General Smit and Dr. Krause, who had been instructed to meet the Colonel's wishes so far as possible, agreed to support him in this matter.† It was found, however, that postponement was impracticable, and the meeting was held on the appointed date.

Two days before, as Colonel Martin reported to the Acting High Commissioner :

' Captain Ewing (see *supra*, p. 254) brought me a document to read, which it was proposed to ask the King to sign, and which was a request from Umbandine to the Government of the South African Republic, provided the consent of Her Majesty's Government was obtained, to take over the Government of the white inhabitants in Swaziland. Captain Ewing said General Smit and Dr. Krause had seen it, and would not have anything to do with it, without my consent. I informed Captain Ewing that I would not have anything to do with documents of that description; and if Umbandine signed it while I was in the country, and without my advice, I should enter a protest against it' (C. 6200, p. 185).

On what ground Colonel Martin would have protested, seeing that Umbandine was recognised as an independent ruler, and that the Colonel had not even received a special

\* Instructions issued to Colonel Martin by the Acting High Commissioner; C. 6200, p. 176; June 20, 1899.

† C. 6200, p. 180.

commission before entering the country, it is difficult to say. The incident showed, however, that the voting at the meeting of the 29th would not take place on purely national lines; there were Englishmen as well as Boers who regarded the possibility of Downing Street rule with lively abhorrence.

Colonel Martin as well as General Smit and Dr. Krause were present when the meeting came to order. It passed off quietly, but, by "an overwhelming majority," as Colonel Martin reported, those present "resolved that the Committee should cease to exist, and that Swazieland should be governed entirely by the South African Republic."\*

On August 9, 1889, Lord Knutsford telegraphed to the Acting High Commissioner, General Smyth, that Colonel Martin would be appointed Secretary to the Commissioner, who would shortly be sent out as the British member of the much-postponed Joint Commission (C. 6200, p. 177). This appointment was not notified at once to the Government at Pretoria, but we shall refer to this question in a following chapter. Shortly after this the Transvaal representatives and the Colonel left Swazieland (C. 6200, p. 191). On September 14, 1889, Lord Knutsford wrote to General Smyth to say that Colonel Sir Francis W. de Winton had been selected as British Commissioner.†

Sir Francis de Winton was instructed (September 26, 1889) "to determine what course is most desirable in relation to Swazieland" and to act "in concert with a Commissioner from the South African Republic."‡ But the instructions, which covered a wider field than this, and the general problem with which he had to deal, require explanation and a momentary digression.

\* C. 6200, p. 187.

In this, Colonel Martin did not give the sense of the resolution correctly. The Republic was requested to take upon itself the government of the white inhabitants on "condition that the independent position of Umbandine as Swazie King and his right over his native subjects be recognised" (C. 6200, p. 188).

† Ibid. pp. 177-191.

‡ C. 6201, p. 4.

## CHAPTER XXXVI

### ZAMBAAN AND UMBEGESA

- October 13, 1887 Ratification by the Tongas of the treaty between Great Britain and Queen Zambili, which erroneously includes the territories of Zambaan and Umbegesa.
- January 30, 1888 State Secretary of the Republic points out this error and shows that Zambaan and Umbegesa are independent Chiefs who have already made treaties with Ferreira, a Transvaal Commissioner.
- February 7, 1888 High Commissioner replies that the whole of the territory in question is now within the sphere of British influence.
- March and December, 1888 British officials declare that Zambaan and Umbegesa are subject to the Swazie King.
- October 20, 1888 State Secretary again writes to the High Commissioner, explaining the facts of the Ferreira agreements, and adds that the territory of these Chiefs is of no value to Great Britain but indispensable to the Republic if it is to have access to the sea.
- November 7, 1888 The High Commissioner writes to the British Minister that communication with the sea is a legitimate ambition for the Republic, which would make considerable concessions to secure it, but that the Swazieland question ought to be settled first.
- February 13, 1889 Government of the Republic argues that Swazieland can only be satisfactorily settled by annexation to the Republic.
- February 23, 1889 Zambaan and Umbegesa declare their independence and ask to come under the Republic's protection.
- March 17, 1889 The Governor of Natal writes that the Republic's aspirations should be permitted if the Dutch Republics are to become "a sound and healthy power."
- May 3, 1889 President Krüger offers to withdraw from the north if Great Britain withdraws from Swazieland, the country of Zambaan and Umbegesa, and from Tongaland.
- May until October, 1889 British Government postpones answer to this offer, and sends a Commissioner to investigate the question of Swazieland.

**T**HE eastern boundary of Swazieland, as we have seen, ran along the top of the Lebombo mountains. Stretching eastward from this line to the Pongola river and south of



Portuguese territory, lay the tribes of Zambaan and Umbegesa. To the east of these tribes again, between the Pongola river and the sea, lay Tongaland or Amatongaland. Tongaland possessed a possible site for a harbour, Kosi Bay.

In June, 1887, some messengers arrived in Natal from Zambili, the Queen of the Tongas, to enlist the assistance of Great Britain in view of alleged encroachments by the Portuguese on the northern border of Tongaland. These messengers were invited to enter into a provisional agreement with the Governor of Natal, Sir Arthur Havelock, binding themselves to refrain from entering into any correspondence or treaty with other Powers without the consent of the High Commissioner. They consented, and the agreement was signed on July 6, 1887. On October 13th of the same year it was ratified by Zambili.\*

By this treaty Tongaland was brought within "the exclusive sphere of British influence," whatever this vague expression—then new to diplomacy—might mean. Because of the responsibility involved in such a step, the country, which had absolutely no value for England, was not immediately annexed. Placing the coast-line, however, within the sphere of British influence, was equivalent, it was quite evident, to placing another barrier between the Boers and the sea.

In this agreement, moreover, the boundaries of Tongaland, both on the west and on the south, were wrongly defined. On the south, it was said to be bounded by Zululand, although as a matter of fact there were tribes lying between Zululand and Tongaland which had never been under Zambili or under Zululand. This was admitted afterwards by the British authorities. On the west, the boundary was given as "the Swazie country." This placed the independent Chiefs, Zambaan and Umbegesa, where they did not belong—as subjects of Zambili.

That these Chiefs were not her subjects or in any way

\* C. 6200, pp. 18, 17, 39, 40.



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under her authority was admitted freely by British officials so long as they had no motive to suggest the contrary. Thus, C. R. Saunders, the officer sent to procure Zambili's ratification of the provisional treaty of July 6, 1887, reported on his return (November 17, 1887) that Zambaan's "tribe *adjoins* the Amatonga people" and that—

'The Queen [Zambili] complained also of the difficulty she often experienced in bringing offenders to trial, in consequence of their always being able to find a refuge among Zambaan's people, and stated that when application was made to the Chief *for their extradition* he refused to give them up' (C. 6200, pp. 43, 47).

From the first, however, the British Colonial Secretary showed that he was prepared to use, for his own purpose, the inaccurate wording of the agreement. With Saunders's report before him—in fact, when commenting upon it—he said (February 9, 1888) :

'As, in the treaty recently made with Zambili, she is recognised by Her Majesty's Government as Regent and Paramount Chief over all the country as far as the Swazie country to the westward, I conclude that it would not be open to Her Majesty's Government now to recognise Zambaan as an independent Chief' (C. 6200, p. 54).

It was as if France had bound Holland by treaty; had included Belgium in its definition of Holland, and had then declared that the treaty with Holland bound Belgium also.

As soon as the Government of the South African Republic received notice of the treaty with Zambili, the State Secretary wrote to the High Commissioner (January 30, 1888) pointing out that its description of the boundaries of Tongaland was inaccurate and that Zambaan and Umbegesa were independent Chiefs.

'A portion of the people of these Chiefs live within this Republic, and therefore also pay hut-tax. The Chiefs have, however, repeatedly pressed

to pay taxes on all their cottages, to come in under the Republic with all their people, and to transfer their territory to the Republic.'

In consequence of which, J. Ferreira, a Commissioner for Natives, had concluded agreements, in his own name, with the Chiefs Zambaan and Umbegesa, which contained a clause providing for the transfer of the rights acquired by Ferreira directly to the Republic. This clause had been inserted at the wish of the Chiefs. The Government of the Republic, the State Secretary continued, had been corresponding in regard to the taking over and ratification of these agreements " (to take place with observance of Article IV of the Convention of London), when your letter of the 8th December last reached this Government, and gave this Government occasion to make the remarks contained in this despatch." \*

In reply (February 7, 1888), Sir Hercules Robinson entirely ignored the fact that the agreement with Zambili had inaccurately and unjustifiably included Zambaan and Umbegesa, and the further fact that these Chiefs had expressed a wish to be under the Republic. Neither their rights, nor the rights of the Republic did he treat as worthy of consideration. " I have the honour to acquaint you," he wrote tersely, " that the territory described in the treaty with Zambili is regarded by Her Majesty's Government as exclusively within the sphere of British influence." †

Shortly afterwards, the High Commissioner received a report from the Governor of Natal, saying that a Natal native messenger had been sent to Zambaan on a kind of fishing expedition, to ask Zambaan if he " had any complaints to make [against Boers], or whether there was anything [such as Boers] that troubled him in his country." In reply

\* C. 6200, p. 58. These agreements were published in the *Government Gazette* of the Republic of April 23, 1888. Their full text will be found in the Appendix J, p. 512.

† *Ibid.* p. 59.

Zambaan had sent word that "he had nothing to complain of and had not gone or sent to the [Natal] Government at any time about his troubles." The Natal messenger added that Zambaan would not send messengers of his own to carry this reply "because he was afraid that his country would be taken from him by the English Government." \* How astonished the British authorities must have been, if they believed one half of what they said about the ardent desire of natives to escape from Boer rule and to fly for refuge to the English flag!

The Secretary of State having decided that Zambaan could not be an independent Chief, it became a problem how to dispose of him. Although, in the treaty with Zambili, he had arbitrarily been included among the subjects of that Queen, despite the protests of the South African Republic, this contention was not long adhered to, and it became necessary to show that he belonged somewhere else. He himself, of course, was never consulted on the subject. Instead, the Governor of Natal turned for information to H. C. Shepstone, his Secretary for Native Affairs in Natal, and to Osborn, Resident Commissioner in Zululand, both of whom reported promptly that "it seems that Zambaan is a Swazie Chief, and that as such, Umbandine, the Swazie King, has a claim or a right to authority over him." † The next step was to ask Umbandine what he thought about it. ‡ The King's opinion was forwarded through the obliging "Offy" Shepstone:

'I am directed by the King to state, for his Excellency's information, that both Umbegesa and Zambaan are Swazie subjects and both acknowledge the Swazie King' (C. 8200, p. 102).

No proofs of any kind were furnished for these statements. Having been arbitrarily handed over to Queen Zambili, Zambaan was now snatched away from her and thrust in

\* C. 8200, p. 74.

† Ibid. p. 70.

‡ Ibid. p. 90.

among the Swazies. And still another change of race was in store for him. Later on, when Swazieland had come to be regarded as dependent upon the Transvaal, and to have maintained any longer that Zambaan and Umbegesa were Swazies would have implied that the Republic had some claim to their allegiance, British officials reconsidered the matter and concluded that these Chiefs after all were Zulus. Thus, on September 3rd, 1892, the Resident Commissioner in Zululand reported :

'Zambaan and his tribe, as also Umbegesa, and the other Chiefs were all subjects of the late Zulu King. . . . Moreover, the geographical position of Zambaan's district and that of the other Chiefs referred to show plainly that they form, and should form, part of Zululand' \* (C. 7780, p. 28).

While these efforts were being made to set up some serviceable claim in opposition to that of the Transvaal and

\* The geographical position of the territories in question is the very thing that contradicts this statement. In this connection a comparison of the maps in the various Blue Books reveals some significant facts. In the map facing p. 75 in C. 4645, the Umkusi river (which is spelt in various ways at different times) is given as the northern boundary of Zululand. The country immediately north of the river is marked Tongaland. In the same Blue Book, facing p. 40, there is another map in which "Umbegesa's country and Zambaan's country" are placed between Amaswazieland and Amatongaland and apparently considered as independent territories.

Both these maps bear the date of 1885. They were therefore drawn not only before the treaty between Zambili and the British Government, but also before the agreements between Zambaan and Umbegesa and Ferreira. Later on, when the territory of these Chiefs became of importance, and it was desired to prove that they were Zulus, the boundary of Zululand was simply moved to the northward. This is shown in the map attached to de Winton's report of February, 1890 (C. 6201, p. 18). The colour marking Zululand has now crossed the Umkusi river and spread a long way along the Pongola, partially shutting in Umbegesa and Zambaan to the eastward. The country of these Chiefs, however, is not painted in the colour of Zululand or that of Tongaland or of Swazieland. It is simply left a plain white.

It is also worthy of notice that in the correspondence which took place in 1889 in regard to the exact boundary of Zululand, the British Colonial Secretary informed a Governor of Natal that "it is moreover pointed out that the magisterial district on the Zululand border is defined as extending up to the Umkusi, and that the Chiefs north of that river were not given the impression that they were under the British flag" (C. 6200, p. 109). The maps on pp. 205 and 226 of C. 6200 are also of interest in this connection.

to the wishes of the Chiefs concerned, the Government of the South African Republic sent a despatch to the High Commissioner on October 20, 1888, in which an appeal was made, not only to the reason but to the generosity of the British Government. Referring to the High Commissioner's communication of February 7, 1888, which in the meantime had been approved by H.M.'s Government, the State Secretary said that during the early part of the year the Government of the Republic had sent a Commission to inspect the open lands between the Pongola, the Swazie boundary, and the Lebombo. (It should be remembered that no one disputed the fact that some of Zambaan's people lived within the borders of the Republic and paid taxes to the authorities.) This Commission, having arrived on the border to inspect the lands on the Transvaal side of the line, received a message from Zambaan requesting the Commission to grant him an interview.

'The Commission having complied with his wish, he desired to know the nature of its business. So soon, however, as this was communicated to him, he objected in an unmistakable way to the erection of beacons between his territory and the South African Republic, and expressed himself in plain terms with regard to it, making reference to what had taken place between him and J. Ferreira in this matter. In order to show that he persisted in his former repeatedly expressed desire to come in under this Republic, and to transfer his territory to this Republic, he brought the Commission two elephants' teeth, saying: "These two teeth I give as a gift to your Government; they must be regarded as my mouth, and you must take care that your Government gets my message, that I do not wish to be separated from it; but that it must continue regarding me as a subject."

'I need not draw your Excellency's attention to the fact that this urgent request, addressed as it was to a Commission which had nothing to do with the matter of the agreements, which indeed knew nothing whatever about them, and also without the least reason for it being given from this side, must be noticed as a strong protest against his separation from this Republic. . . . This Government trusts consequently that what is related above may favourably incline the British Government to the removal of any difficulties which may still exist on its side against the acknowledgement of the said agreements. But it is

of opinion that it can in all fairness also adduce other reasons why these hindrances ought to be removed if the British Government wishes to promote the interests of this Republic. The territory of these Chiefs is certainly of great importance to this Republic, of more importance to it than to the British Empire. This Republic would, by reason of the existence of a large river in that territory, obtain a closer connexion with the sea, and such a connexion is naturally considered very desirable by this Republic.

'If the British Government, by the acknowledgement of the concluded agreements, will promote such a connexion, this will, according to the firm opinion of this Government, also carry with it this advantage that the public opinion of the people of this Republic will be thereby favourably influenced, for they will acquire by it the *tangible proof that the British Empire, far from the wish to oppress this young State, is ready to grant its support and help to it, and more and more to promote the friendly relations . . .* or, and it is not indeed possible for this Republic to entertain such an opinion, it must be that the British Government has for its object to separate this Republic as far as possible from the sea, and thus to retard its development *and finally to annihilate it*' (C. 6200, pp. 93-94).

When forwarding this despatch to the British Government, the High Commissioner said (November 7, 1888):

'I do not consider that if the Government of the South African Republic were allowed access to a navigable river at a point distant from the sea-coast, the interest of Her Majesty's possessions in South Africa would be prejudicially affected, as they would be by the acquisition of a port on the sea, and I can understand that *the securing of communication with the sea is a legitimate and proper ambition for the attainment of which the Government of the South African Republic would probably be ready to make considerable concessions in other matters.* But I do not think it would be to the interest of Great Britain to consider any proposals for this end until the question of the future of Swazieland is ripe for settlement. To concede the claim now made by the Government of the South African Republic would be to exclude Her Majesty's Government from any effective influence in the settlement of the Swazieland question when the progress of affairs in that country makes the establishment of some more settled form of government a necessity' (C. 6200, p. 92).

For which the Republic "would probably be ready to make considerable concessions in other matters." In the

fewest possible words, this was the policy of the British Government—not to concede, not to give tangible proof that it wished to assist a young and neighbouring State, but, first to seize all that the Republic wanted, and then to bargain for its transference to the Republic.

At the moment, however, there was nothing that the British Government coveted which the Republic possessed and which could be demanded by way of payment. And then, as the High Commissioner said, it would in any case be better, from the British point of view, to wait until the Swazieland question had been settled.

Although not very confident, the Government and the people of the Republic were still hopeful of securing the longed-for road to the sea. As yet they did not consider Zambaan and Umbegesa lost to them. The High Commissioner had written, on January 3, 1889, that Her Majesty's Government had no feeling *per se* hostile to the legitimate desire of the Government of the Republic to obtain communication with the sea, but that the acquisition of territory which would debar Great Britain from effective control in the settlement of the Swazieland question could not be sanctioned.\*

In their reply to this vague assertion, the Government of the South African Republic laid stress on their desire that these expressions of good-will should be substantiated by a friendly action. In the letter of February 13, 1889, quoted on p. 252, they wrote :

'This Government will be glad to learn that Her Majesty's Government approves in principle this future settlement of the Swazieland question by the annexation of Swazieland to this Republic, and that therefore in view thereof Her Majesty's Government has no more objection to the annexation of the territory of the Chiefs Zambaan and Umbegesa to this Republic' (C. 6200, p. 111).

After this despatch had been written, the following

\* C. 6200, p. 110.



declaration was received at Pretoria and was forwarded in due course to the High Commissioner :

' I, the undersigned Zambaan, Chief, living to the east of Swaziland and to the west of Amatongaland, supported by my Council and Captains, hereby repeat the request several times before made to the Government of the South African Republic, to take me with all my people and all my territory under the protection of the South African Republic, and I hereby place myself with all my people and all my territory as a dependent (onderhoorige) under the protection of the South African Republic.

' I hereby declare that I am an independent Chief, do not belong under [Natal], Amatongaland, nor under Zululand, nor under Swaziland ; that I have asked protection from no other Government, and also that I shall not do so " (C. 6200, p. 140).

This was signed by Zambaan and his Captains on February 23, 1889. An identical document was received from Umbegesa.

Shortly afterwards, on March 17, 1889, Sir Arthur Havelock, the Governor of Natal, wrote the remarkable despatch, quoted at the beginning of this section, in which he said that both from a topographical and from a political point of view, " I should say that if it be the policy of Her Majesty's Government to permit the Dutch Republics to develop into a sound and healthy power in South Africa, the movements and aspirations of the South African Republic as regards Swaziland and as regards the acquisition of a means of access to the sea should be left to take their natural course." \*

This, then, was the situation in the early part of 1889 : the majority of the white inhabitants of Swaziland desiring to be governed by the South African Republic ; Umbandine, King of the Swazies, denying that he wished for the protection of Great Britain, and contracting with Eckstein, of Johannesburg, to defend his independence ; Zambaan

\* C. 6200, p. 132.



and Umbegesa asking to be taken under the protection of the Republic; the Republic anxious to obtain an outlet to the sea, through the territories of these Chiefs; Great Britain—aware that the Republic would “be ready to make considerable concessions in other matters” in return for an outlet to the sea—waiting until something sufficiently desirable could be demanded by way of compensation, and determined (as the result proved) to obtain in this way as much as possible while conceding nothing that could by any possibility be retained by herself.

Circumstances at last made it practicable for the Republic to offer a *quid pro quo* for all, down to the last dot, that the Government had asked Great Britain to concede.

It has already been said that Article IV of the London Convention had left the Republic free to enter into treaties with native tribes to the north, without reference to the wishes of Great Britain. Now, in July, 1887, Lo Bengula, King of the Matabele, had entered into a treaty with P. J. Grobler, as the representative of the Republic, which gave its burghers considerable privileges in Matabeleland and Mashonaland. There was no disputing the right of the Republic to expansion in that direction.\* But the rumours of great mineral wealth in Mashonaland, Lo Bengula's dependency, had excited many people in England and in Cape Colony, and it had become almost a mania with some of them to add these northern territories to the British Empire. In these circumstances—which will be explained in detail later—the President of the South African Republic, on May 3, 1889, sent a telegram to

\* Writing to Lord Knutsford on December 19, 1888, Sir Hercules Robinson said: “It is true that at the time of the conclusion of the Convention of London the Government of the South African Republic were not debarred from a northward extension” (C. 5918, p. 146). Lord Knutsford wished to question this (C. 5918, p. 157), but, as the High Commissioner had been actively concerned in the negotiations leading to the Convention and Lord Knutsford had not taken any part in them at all, the authority of Sir Hercules seems much the better.

the Acting High Commissioner which the latter condensed and repeated to the Secretary of State in these terms :

'President of South African Republic telegraphs proposing friendly settlement regarding Matabeleland and Swaziland—Transvaal Republic to withdraw all claims to the north, and use influence to support British expansion in Bechuanaland and Matabeleland if Her Majesty's Government withdraw from Swaziland, the territory of Zambaan and Umbegesa, and Tongaland, including Kosi Bay.'\*

In reply to this, on May 8th, Lord Knutsford telegraphed to the Acting High Commissioner :

'In answer to your telegram of 4th May, inform President of South African Republic Her Majesty's Government will fully consider his communication, although they cannot, of course, say at present whether they will be able to entertain it' (C. 6200, p. 185).

Three months later, on August 13, 1889, the State Secretary wrote to the High Commissioner to remind him that as yet no reply to the proposals of the Republic had been received. After another interval of two months, on October 9, 1889, Lord Knutsford wrote that :

'Her Majesty's Government have not overlooked the proposals made by them [the Government of the South African Republic] on this subject, but that it appeared probable that the questions relating to the territories on the east could be best considered after the receipt of the report of the Commissioners now proceeding to Swaziland' (C. 6200, p. 204).

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\* C. 6200, p. 185; see also p. 158, and C. 7780, p. 18. The full text of Krüger's telegram will be found in Appendix K, p. 614.

## CHAPTER XXXVII

### SIR FRANCIS DE WINTON (1889)

- October, 1888 Illness of Umbandine.  
September, 1889 Murder of Sandhlana and other Indunas by order of Umbandine.  
Shepstone apprises the Government of the Republic of the serious situation.  
The Government in their turn inform the High Commissioner.  
Appointment of Sir Francis de Winton.  
October, 1889 Death of Umbandine.  
Reappointment of Shepstone.  
November, 1889 Sir Francis de Winton at Pretoria.  
December, 1889 The British and Transvaal Commission in Swazieland.  
A provisional Government Committee consisting of representatives of Great Britain, the South African Republic, and Swazieland appointed for four months. Each nation is represented by one member.  
The Commissioners leave Swazieland.  
Sir Henry Loch takes office as High Commissioner.  
February, 1890 De Winton sends in his report, which, however, is not published until August.  
Rumours about the Bowler trek.  
President Krüger invites Sir Henry Loch to a conference.

IN the instructions issued to Sir Francis de Winton, the British Commissioner, he was directed to bear in mind that the Government of the Republic had proposed, as a friendly settlement, "to withdraw all its claims to the lands north of the Republic, and to use its influence to support British expansion in Bechuanaland and Matabeleland, if Her Majesty's Government will withdraw itself to the east of the Republic." He was told, further, to impress upon Umbandine "that your mission is one of inquiry and recommendation only," and to act, whenever possible, "in

' This Government has thereby come into the necessity to secure the controlling power in this grant by great pecuniary sacrifices in order to prevent that power from falling into wrong hands.

' The country is lawless, orderless, and without government.

' This is so manifest that it appears to this Government quite unnecessary, and, in view of the urgent circumstances, fatally impossible and inhuman, to confirm this state of affairs yet longer by waiting for a second and Joint Commission, mention of which was made in former correspondence, which Commission would not be able to do anything more than has already been done, and could only confirm what has now been made manifest.

' Under these circumstances, now that a solution of the Swazieland question must be immediately undertaken, this Government reiterates what it already declared in above mentioned letter, dated 18th February last, viz., that it is now ready and prepared to enter upon and carry out that solution with an eye to all legally acquired rights, not only of the subjects of this Republic, but also of those of Her Majesty as well as those of the inhabitants of Swazieland and of whites as well as of coloured people.

' This Government wishes to express its confidence that it will soon learn that Her Majesty's Government has no objection to this.'

At the end of the letter the State Secretary said :

' A press telegram reports the information incredible to this Government, that Sir Francis de Winton is appointed Commissioner for Swazieland. This Government would be obliged if your Excoellency would inform it what is the truth of this. Matters in Swazieland have already gone too far to be able to be rectified by the sending of a Commissioner' (C. 6200, pp. 227, 228).

What was difficult for the Government of the Republic to believe was nevertheless true. Sir Francis de Winton's appointment was confirmed officially and a settlement of the country thus postponed indefinitely.

our own private revenue or otherwise derivable from my kingdom of Swazieland out of all mineral and farming rights bonuses on batteries rental payable on stampheads at work and on concessions granted by me, transferdues on sales and all other the private revenues which may now be or hereafter become payable to me or my successors etc. etc. . . . and the said J. B. Harrington or his foresaids should he or they elect to act hereunder shall monthly pay me or my successors so long as he or they act hereunder at the end of each month a monthly payment at the rate of twelve thousand pounds (£12,000) Sterling per annum out of all amounts so collected in such manner etc. etc. . . ."

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Secretary, Dr. Leyds, on September 25, 1889, sent a copy of it to the Acting High Commissioner and reminded him of the despatch of the previous February in which the Government of the Republic had expressed its willingness to assume the responsibility of maintaining order in Swazieland. Of the situation in that country the State Secretary said :

' This condition of affairs in Swazieland cannot be allowed to continue. And this Republic *especially*, which encloses Swazieland on nearly all sides, and thus experiences every trouble and all difficulties, and continually suffers under such a condition of affairs, can and may not remain inactive.

' Not alone [it is not only] that the King commits murders and atrocities which cannot be tolerated on its borders by any civilised State, but the result to this State moreover is that a large number of Swazies, afraid of being put to death by the King without any cause or form of trial, flee into the territory of this Republic, where they know they are safe, but where they, at the same time, bring this Republic into difficulties as regards dwelling-places, etc.

' Owing to the geographical position of Swazieland it has besides become a cherished asylum for fugitive criminals from the Republic, who from thence can commit crimes in the Republic unpunished.

' Security of life or property exists in Swazieland neither for whites nor natives. . . .

' Already in my letter of the 13th February last, attention was drawn to the rights, concessions, and monopolies of every kind, which were granted by the King.

' I have now the honour further to forward you herewith a copy of an irrevocable procuration [power of attorney] granted by Umbandine with the advice and consent of his Council to a certain R. Harrington.

' This document speaks for itself.

' It shows in the very plainest manner that Umbandine, without giving heed to his interests or his rights as Chief, gives great power into the hands of private persons.\*

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\* We shall have occasion to refer again to this concession. The following is an extract from this remarkable document :

" That I Umbandine King Swazieland etc. etc. irrevocably nominate constitute and appoint John Robert Harrington of Barberton, his heirs, executors and assigns or temporary or permanent substitute with power of cession of these presents to collect and receive from all and every person whomsoever all rates, taxes, rents, fees and dues payable to me and my heirs as

## SIR FRANCIS DE WINTON (1889) 275

' This Government has thereby come into the necessity to secure the controlling power in this grant by great pecuniary sacrifices in order to prevent that power from falling into wrong hands.

' The country is lawless, orderless, and without government.

' This is so manifest that it appears to this Government quite unnecessary, and, in view of the urgent circumstances, fatally impossible and inhuman, to confirm this state of affairs yet longer by waiting for a second and Joint Commission, mention of which was made in former correspondence, which Commission would not be able to do anything more than has already been done, and could only confirm what has now been made manifest.

' Under these circumstances, now that a solution of the Swazieland question must be immediately undertaken, this Government reiterates what it already declared in above mentioned letter, dated 18th February last, viz., that it is now ready and prepared to enter upon and carry out that solution with an eye to all legally acquired rights, not only of the subjects of this Republic, but also of those of Her Majesty as well as those of the inhabitants of Swazieland and of whites as well as of coloured people.

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' A press telegram reports the information incredible to this Government, that Sir Francis de Winton is appointed Commissioner for Swazieland. This Government would be obliged if your Excellency would inform it what is the truth of this. Matters in Swazieland have already gone too far to be able to be rectified by the sending of a Commissioner ' (C. 6200, pp. 227, 228).

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our own private revenue or otherwise derivable from my kingdom of Swazieland out of all mineral and farming rights bonuses on batteries rental payable on stampheads at work and on concessions granted by me, transferdues on sales and all other the private revenues which may now be or hereafter become payable to me or my successors etc. etc. . . . and the said J. B. Harrington or his forsaids should he or they elect to act hereunder shall monthly pay me or my successors so long as he or they act hereunder at the end of each month a monthly payment at the rate of twelve thousand pounds (£12,000) Sterling per annum out of all amounts so collected in such manner etc. etc. . . ."

In the early part of October Umbandine died. The Queen Dowager, the Regent and Headmen of the Swazies thereupon reappointed Shepstone as "the Resident Adviser and Agent of the Swazie nation in all matters in which white people are concerned in and concerning our territory of Swazieland, and to advise us in all matters concerning neighbouring states and countries," with the same powers that he had exercised before his dismissal by Umbandine.\* Shepstone's reappointment was dated October 21, 1889. A month later he issued orders, at the request of the governing natives, for the dissolution of the White Committee of management.† This left matters in the hands of Shepstone until the arrival of the Commissioners.

The British Commission, consisting of Sir F. de Winton, Colonel Martin, Advocate Schreiner, and Captain Baden-Powell, arrived at Pretoria on November 11, 1889.‡ While in Pretoria the Commissioners had frequent interviews with President Krüger and the Executive Council, the results of which were embodied in a Memorandum, providing (1) for the recognition of Umbandine's successor, a young boy; (2) for an arrangement to be arrived at with the Swazie Nation by which the government of the whites, after the departure of the Joint Commission, and pending a final settlement, could be carried on by a committee of three persons, one appointed by the Swazies, one by the Government of the South African Republic, and one by the British Government; (3) for the announcement by the Joint Commission that as soon as the Swazieland question had been settled by the two Governments a legal court would be established, "before which the legality of all concessions can be tested, and by which a legal title can be established"; (4) for the payment of the proposed Committee of Management out of the revenue of Swazieland, with the consent of

\* C. 6200, p. 238.

† C. 6201, pp. 26, 28.

‡ Ibid. p. 10.



the Swazies; and (5) for a joint inquiry into the status of the Chiefs Zambaan and Umbegesa, with regard also to any treaties or arrangements entered into with those Chiefs.\*

On November 21st the British Commissioners, accompanied by Generals Joubert and Smit, Dr. Krause, the State Attorney, and by Mr. van Alphen, the Commissioners of the South African Republic, left Pretoria for Swazieland.

One of the first acts of the Joint Commission after their arrival was to arrange for the issuance of a Proclamation, in the name of the Nation (December 11, 1889), appointing the Commissioners, during their stay in the country, in conjunction with Shepstone, to rule the whites.†

In regard to Zambaan and Umbegesa, it was General Smit who suggested, at a meeting of the Commissioners on December 5th, that the matter should be considered. Shepstone thereupon remarked that he could "summon Umbegesa to attend and explain his position to the Commission, as he is a Swazie subject, but that *Zambaan is a dependent of the Transvaal*," and that therefore it would be better that "a summons be sent by both Commissions to those two Chiefs."‡ This was accordingly agreed upon, but both Chiefs refused to put in their appearance, and the matter was not reverted to. Later on, when Colonel Martin was left in Swazieland as the British member of the governing Committee, the High Commissioner, then Sir Henry Loch, distinctly ordered him *not* to inquire into the validity of Ferreira's agreement with Zambaan.§

So far as the white inhabitants were concerned, the Commissioners had met some of the leading men on November 30th, before arriving at the King's kraal, and had urged them, in the words of Sir F. de Winton, to "draft up certain resolutions as to what you are all agreed upon."|| The result of this appeal was

\* C. 6201, p. 27.

† Ibid. p. 12; C. 6200, p. 251.

‡ Ibid. p. 21.

§ February 18, 1890; C. 6200, p. 257.

|| C. 6201, p. 28.



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a meeting of whites on December 16, 1889, which was attended by 127 Dutch and 17 English, who resolved unanimously, as reported by the British Commissioner, that the "present form of Government over whites is inadequate and some other form should be initiated"; "that the aid of some foreign Government should be called in for this purpose," and "that as majority of whites are burghers of South African Republic this should be the only Power to intervene."\*

Memorials were also presented by other residents, some of them asking for British rule and some for that of the Republic; but while all the Boers asked for the Transvaal to step in, the English seem to have been divided between that and Imperial intervention.† In any case, the conclusion de Winton came to was that "the subjects and sympathisers of the South African Republic represent 3 to 1 as to other nationalities."‡

The Commissioners left Swazieland on December 19, 1889, after having arranged with the Swazies for the issuance of a Proclamation appointing a Provisional Government Committee in accordance with the scheme agreed to in Pretoria.

This Proclamation, which was dated December 18, 1889, was signed by the Queen Dowager, by the Regent, and by the leading councillors of the Nation. It provided that, for a period of four months, Theophilus Shepstone, as Resident Adviser and Agent of the Swazies, Colonel Martin, as "nominated representative" of Great Britain, and D. J. Esselen, as "nominated representative" of the South African Republic, should constitute a Committee for the government of the white population, with power to frame laws—although "no such law shall have legal effect until duly confirmed by us," the Swazies.§ The

\* C. 6201, pp. 48, 50.

† Ibid. p. 18.

‡ Ibid. pp. 48-58.

§ C. 6200, pp. 251, 252.

Committee were to receive pay at the rate of £4 4s. per day each, to be recoverable ultimately from the Swaziland revenue.\* It was a makeshift method of government, but an improvement on the chaos that had existed previously; and it was not intended, at least by the Republic, to be more than a temporary arrangement.

Sir Francis de Winton's report, which he submitted on on February 25, 1890, was not published until the following August. His opinion of the Committee of Whites, which had been dismissed on October 21, 1889, fully justified the Boer population—although he did not say so—for having refused to participate in its proceedings. Referring to the Minutes of this Committee, Sir Francis said :

'The Committee having no experience in administration, and nearly all having private interests in the country, the record of these Minutes are [*sic*] a painful evidence of internal dissensions, continued differences, and an absence of any desire to contribute to the real welfare of the country. Latterly the country was left to govern itself, as the members were engaged in getting concessions for themselves and their friends.'

The British Commissioner then drew attention to a memorandum submitted by T. Shepstone, in which the latter had declared that :

'The Committee is and has been for over twelve months divided, owing to various causes, for instance, jealousy of each other, members using their position to get improper grants or concessions from the King for their own personal gain, bribery, and a disregard for the benefit of the population as a whole. Fines inflicted and not recovered, traders and storekeepers losing cattle and having no remedy, and other instances of a like character.

'The Committee has become a by-word, and does not even collect from its own members (the largest debtors to the Revenue) the amounts due on the tariff imposed by it on the white population' (C. 6201, pp. 10, 26).

Sir Francis, when referring to the concessions granted by

\* C. 6200, p. 243.

Umbandine, expressed the opinion "that the Swazie King and his Council did not understand the nature of these concessions, but it is equally true that they signed the documents, and received money for them.\* At the same time, however, he enclosed a memorandum by the Rev. Jackson, a missionary who had lived for some years in Swazieland, who had "studied closely the history, manners, and customs of the Swazie people,"† and whose opinion on this subject was the reverse of his own. Speaking of "the great men in the land" (natives), Jackson said that since the death of Umbandine they had frequently blamed the King for granting certain concessions. "They, however, knew perfectly well what was being sold, and they were very glad to receive sums from the purchase money, and if they did not approve of what was being done they at least appeared to approve."‡

But these were matters that referred to the past, and the British Commissioner's chief business lay with the future. He had been instructed to advise "what settlement of that territory may be best conducive to the advancement of the various interests commanding consideration."§

In his report, after pointing out the expense and other drawbacks of British control, Sir Francis de Winton said :

'In former communications to Her Majesty's Secretary of State, President Krüger states the willingness of the Government of the Transvaal to withdraw their claims to Matabeleland and Mashonaland, provided Her Majesty's Government withdraw from Swazieland.|| The extension of British influence over these two countries has now become a matter of some importance in view of the action which is being taken in the direction of these territories by the British South Africa Company. The proximity of the Transvaal to Mashonaland, the pioneering habits of the Boers, and the fact that Lo Bengula has made overtures to the South African Republic, render it important in the interests of peace that the Transvaal should support the scheme

\* C. 6201, p. 14. † Ibid. p. 7. ‡ Ibid. p. 21. § Ibid. p. 4.  
|| Not from Swazieland only, as has been shown.

of the British South Africa Company, and withdraw her pretensions ["pretensions" duly recognised, however, in the London Convention] to extend her influence north of the Limpopo.

'The area of Matabeleland and Mashonaland, roughly estimated at 80,000 square miles, is ten times larger than Swaziland; the land is stated to be rich in minerals, and would afford a good opening for British commerce, manufactures, and enterprise. Looking at these facts, the proposal of the President of the South African Republic to withdraw their claims, and support the extension of British influence, north of the Limpopo or Crocodile River, merits serious consideration; for, bearing in mind the present condition of affairs in Swaziland, it would appear a wise and sound policy to secure the future control of the large and important territories of Matabele and Mashonaland, unhampered by concessionaires, for the British Empire, rather than cling to the doubtful possession of a territory, the conditions of which would render a protectorate by Great Britain a work of considerable difficulty' (C. 6201, p. 15).

For these reasons Sir Francis advised that what the South African Republic offered to concede should be accepted, but that, on the other hand, only about one-tenth of what the Republic asked for in exchange should be granted.

The few concessions that Sir Francis did recommend were unknown to the Government of the Republic until the publication of his report in August, and in the meantime important conferences had taken place.

By the time that the British Government had finished with the matter, Sir F. de Winton's tenth part had been reduced beyond recognition, and then, when this had been promised, only the first instalment, as it were, was ever paid. Meanwhile the South African Republic had fully carried out its part of the bargain.

The South African Republic had offered to withdraw from the north, "on condition that Her Majesty's Government withdraws itself to the east of this Republic in Swaziland, the territory of Zambaan and Umbegesa, and Amatongaland, including Kosi Bay." \*

\* C. 6200, p. 153, and *supra*, p. 271.

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Sir Francis de Winton proposed :

1. That the Government of the South African Republic should "convey to Her Majesty's Government all rights which they may consider themselves entitled to of any lands or land, to the north, north-west, or west of the River Limpopo," and should bind themselves "not to interfere in any way" with the Matabele and Mashona.

2. That the Government of the South African Republic should allow *free entry* for all African produce and manufacture.

3. That the Government of the South African Republic should allow the extension of the Cape Colony and Natal railway systems into the Transvaal.

4. That the Government of the South African Republic should conclude a treaty with Great Britain "by which deserters from either country can be recaptured and sent back to the country to which they belong."

In return for these favours the British Commissioner suggested that his Government might make the following concessions :

1. That although the independence of the Swazies was to be recognised by both Governments as fully as heretofore, the Government of the Republic might be allowed to enter into such treaties with the Swazies "as will enable it to make proper provision for the government of the white residents," "no treaty with the representatives of the Swazie nation to be considered as ratified without the consent and approval of Her Majesty's Government."

2. "That a properly constituted legal court shall be established, by which all doubtful concessions may be considered, and that Great Britain should leave the appointment of such a court to the judiciary of the Transvaal, reserving a right to appoint one member, either from the Bench of Cape Town or Natal, should it be deemed expedient to do so."

3. In regard to the territories of Zambaan and Umbe-gesa, Sir Francis recommended that the British Govern-ment should "admit the claim of the South African Republic to the territory of Umbe-gesa, such territory to be bounded on the east and south by the Ungovuma and Pongola rivers"; but he considered, "after careful inquiry," [?] that the territories belonging to Zambaan, to Sibonda and others, "do not belong to Swazieland, these Chiefs being tributaries of the Zulu nation,"\* to which British dependency he advised that they should be annexed, "for the better preservation of peace," etc.

4. In regard to Amatongaland, Sir Francis, instead of being prepared to concede the "withdrawal" for which the Republic asked, suggested that the British Government should announce that they were "prepared to assume a Pro-tectorate over Amatongaland." He added, however, "that should the South African Republic be desirous to construct a railway from the Transvaal through Swazieland," the British Government might afford facilities, and might allow the Republic, on payment to the owners, to acquire land round Kosi Bay, "say 10 miles radius," which would be sufficient, he was of the opinion, "to guarantee to the South African Republic a harbour of their own." Even this was to be subject to conditions:

'That the South African Republic are prepared to enter into Treaty arrangements by which the port created by them shall never pass out of the hands of the Government of the Transvaal into the possession of any other Power, except Great Britain; also that, *before* the neces-sary arrangements are concluded, the Transvaal shall enter into a Customs Union either with the Free State, Cape Colony, or Natal; or should the Cape Colony tariff appear too high, with Natal only, on such terms as the Transvaal and Natal may arrange among themselves' (C. 6201, pp. 17, 18).

Sir Hercules Robinson, the former High Commissioner,

\* In the beginning of his report Sir Francis had called them independent (C. 6201, pp. 13, 14).

writing on "The Swazieland Question" in the *Fortnightly Review* of February, 1890, advised that Swazieland should be made over to the South African Republic (as if Swazieland were British and were at the disposal of the British Government); also "some portion of the native territories between the Lebombo mountains and the Pongola river," with an outlet to the sea. He recommended this on condition that a Joint Commission should set apart locations for natives; that the Republic should withdraw all claims to the north, and should enter into a Customs Union with the British Colonies and the Orange Free State. Subject to these conditions he wrote, "I should see more good than harm in the Transvaal having a seaport. *It would enable us to coerce them cheaply if necessary*, and, by rendering naval protection against the outside world indispensable, would pave the way for the ultimate establishment of a Federal dominion of South Africa under the British flag." This article did not pass unnoticed in Pretoria.

Lord Knutsford, after giving Sir F. de Winton's proposals his careful consideration, decided that it would be feasible for the British Government to accept all that the Commissioner thought the Republic ought to concede; but when it came to making concessions in his turn, he declared that it would be "quite impossible to obtain sanction of Parliament" to the recommendation giving to the Transvaal the exclusive government of the white population of Swazieland. "They must be placed under a government which derives its authority both from Great Britain and Transvaal Government, and which is under control of these two Governments jointly," he telegraphed to the High Commissioner on March 5, 1890.\*

Previous to this, in January and February, 1890, rumours had reached Cape Town that a trek of Boers into Mashona-

\* C. 6200, p. 250.



land was being organized in the South African Republic by a man named Bowler.\* The High Commissioner, Sir Henry Loch, who had succeeded Sir Hercules Robinson, at once complained to President Krüger, requesting the President to prevent any such movement.

So peremptory was the tone of this despatch and of the telegram that followed it, so indicative of a desire on Loch's part to find the Transvaal at fault, that it was obviously the High Commissioner's intention to magnify the episode into an occasion for a serious quarrel. Before matters went further, therefore, President Krüger determined to ascertain whether a personal conference might not result in the adoption of a more friendly attitude. In the case of Sir Hercules Robinson, a frank interchange of opinions had brought about a better understanding between the President and the High Commissioner, and it was natural that Krüger should hope for the same result with Sir Hercules' successor. He was soon to be undeceived.

In the words of the High Commissioner :

'On the 18th February President Krüger telegraphed that he noticed with regret that then, as on previous occasions, it was sought to sow misunderstandings between Her Majesty's Government and the Government of the South African Republic, and that it appeared to him most desirable, in view of the interests of the whole of South Africa, that we should become personally acquainted and open-heartedly discuss with each other all questions that were pending, and suggested that we should meet on the British side of the Vaal River at Blignaut's Pont' (C. 8217, p. 14).

The two chief questions to be discussed at this conference were Swazieland and the projected trek into Mashonaland ; for the Government of the Republic was aware that no agreement on Swazieland was possible unless the trek were settled at the same time. For this reason Krüger proposed

\* The correspondence in connection with this Bowler trek will receive fuller attention in Part IV. This Bowler trek is not to be confounded with the better known Adendorff trek, about which we shall hear in a succeeding chapter.



that Rhodes should be invited to attend. Although only a private citizen, Rhodes was already a tremendous power in South Africa. It was foreseen that he would soon become Prime Minister of Cape Colony; he was in absolute control of the Chartered Company, and there was good reason to believe that his influence with Loch was supreme. Rhodes's chief interest was in the north and in any discussion of the affairs of that region it was impossible to leave him out of account. The conference suggested by President Krüger took place at Blignaut's Pont on March 12th and 13th. Rhodes accepted the invitation and attended with Sir Henry Loch. President Reitz, of the Orange Free State, and Sir Gordon Sprigg, the Premier of the Cape, who had also been invited, were not able to be present.

Before he came to Blignaut's Pont, Loch had received Lord Knutsford's telegram of March 5th, giving his verdict on Sir F. de Winton's recommendations. This telegram contained, therefore, the instructions upon which the High Commissioner was to act during his conference with the President. On March 7th Lord Knutsford telegraphed further to suggest that the Swaziland Proclamation of December 18, 1889, authorising the government of the whites for four months by the three Commissioners (Colonel Martin and Messrs. Shepstone and Esselen), might be extended indefinitely.\* Of this telegram the Transvaal representatives of course knew nothing, and, at Blignaut's Pont and for a long time Loch himself acted as if it had no existence. In the course of the conference, however, it was agreed to extend the Provisional Government, not indefinitely, but for four months.†

As regards Rhodes, he had every reason to be satisfied with the steps already taken by President Krüger to stop Bowler's intended trek to Mashonaland. Krüger's hope, however, that the meeting would bring about a change

\* C. 6200, p. 253.

† Ibid. pp. 253, 269.

of tone in the relations between the High Commissioner and the Republic was hardly realised. He had suggested a friendly discussion of existing differences, and he found himself confronted with a peremptory demand to accept the draft Convention that had been drawn up.

Ultimately the negotiations which followed the conference resulted in the Swaziland Convention of August, 1890; but, as we shall see in the next chapter, a good deal was to happen before this was arrived at.

## CHAPTER XXXVIII

### THE CONFERENCE AT BIGNAUT'S PONT AND HOFMEYR'S PROMISE

March, 1890	Conference at Blignaut's Pont.
June, 1890	Hofmeyr is sent to Pretoria as Special British Agent.
July 17, 1890	Hofmeyr's promise.

THE conference at Blignaut's Pont marks a turning-point in the history of South Africa. Not only what was done but the way in which it was done gives to the proceedings there and immediately afterwards a painful significance. Loch was a new arrival in South Africa. He had taken the place of Sir Hercules Robinson, who, after many years of experience, had come at last to show in his dealings with the Boers not only some consideration for their rights but for their feelings as well. For some of them, indeed, it may be surmised that he had come to entertain a genuine respect.

But at the same time he had lost the confidence of his Government, especially of his immediate chief, Lord Knutsford, and in May, 1889, he had been obliged to resign.\*

After the temporary occupation of his post by General Smyth, Sir Henry Loch had been appointed.

With Loch it was quite different. Thoroughly convinced of the superiority of the British to all other races, he

\* *Mitchell* vol. 1. pp. 278, 274.

despised the pretensions of the Boers and detested their stubborn assertion of independence. From the tone which he adopted in his correspondence with them, President Krüger and the officials of the Republic might have been Government clerks in danger of dismissal for insubordination.

It was, as we have seen, this extraordinary attitude which prompted President Krüger to seek an immediate conference with the new High Commissioner. Nor did it pass unnoticed in less official circles. Commenting on the correspondence published in a Green Book of the Republic, the *Pretoria Press* of September 30th expressed astonishment that the language addressed to the highest officers in the Transvaal "should be so brusque and so intentionally, if we may use the term, insulting." Although in itself such an attitude was not one to facilitate negotiations, it might have resulted in little harm if the difficulty had not been increased by the High Commissioner's determination at Blignaut's Pont to wrest a personal triumph out of his first encounter with the Boers. The conference had been intended, in Krüger's words, as an opportunity for "open-hearted discussion." Loch went to it armed with threats and with a draft Convention of his own making in his pocket. He had no intention of discussing matters; he was there to dictate.

The High Commissioner's own story of the events which began at Blignaut's Pont and culminated in the Convention of August, 1890, is contained in his report to Lord Knutsford, dated August 13th. So inaccurate is the account that it is impossible to consider it as anything but deliberately misleading. And here it may be well to call attention to the fact that the omissions in the Blue Books covering these transactions are so serious that to obtain any accurate conception of the course of events it is necessary to go to other sources, chiefly the Green Books of the South African Republic and contemporary letters.

Loch's version is as follows : \*

'The result of the negotiations I embodied in the form of a [new] draft convention, which I forwarded on the 29th of May for the consideration of the State President and the Executive Council, at the same time pointing out that the only legal alternative that remained in the event of no settled system of joint government being established before the 18th August, on which date the powers of the present provisional government ceased, would be for Her Majesty's Government to act under the second Article of the London Convention of 1884; and appoint a British Commissioner in Swaziland, supported by such force as might be necessary to maintain law and order in that country. †

'On the 16th June I telegraphed to President Krüger requesting to be informed if he intended submitting the Convention to the Volksraad, as the time left for ratification was short and it was desirable that I should inform Her Majesty's Government of the intentions of the Government of the South African Republic in this matter.

'On the 17th June I received a telegram from the State President informing me that the Executive Council had great objection to the proposed Convention, and that it was impossible to say if the matter could be brought before the Volksraad.

'In view of the extreme gravity of the situation in the event of the Convention being rejected, I considered it desirable that I should appoint an agent to proceed to Pretoria and to act as my representative, and after personal communication with the President and the Executive Council to advise whether any *modus vivendi* could be found, by which resort to a course of action that would almost inevitably necessitate ultimate military operations could be avoided. . . . Under these circumstances I addressed myself to Mr. Hofmeyr, the leader of the Afrikaner party in the Cape Colony, and after making himself thoroughly acquainted with the position of affairs he undertook, as Her Majesty's Special Agent, and in the highest and most honourable spirit of patriotism, the task of explaining to the Government of the South African Republic the serious nature of the situation. . . .

'There was very considerable opposition in the Volksraad before the Convention was ratified, but I trust that the strong feeling that was then

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\* The expression used by Sir Hercules Robinson in dealing with a certain report of Sir Charles Warren is applicable in this instance: "This résumé appears to me to be so inaccurate and incomplete as to be valueless as a means of forming a fair judgment upon the transactions referred to" (see *supra*, p. 210).

† In this case, as by the terms of the London Convention the British Government was debarred from annexing Swaziland, the Commissioner would have had no legal authority over white men in Swaziland who were the subjects of foreign countries (see *supra*, p. 137).

evinced in opposition to the Convention may soon be forgotten in the advantages which will result to the Transvaal more than to any other country by the establishment of a stable government and judicial courts in Swazieland, that will provide security to all who have interests in that country and in which the citizens of the Republic possess so large a share' (C. 6217, pp. 15, 16; August 18, 1890).

So far Sir Henry Loch.

And now what really happened? To discover that, it is necessary to consult Green Book No. 1, 1890, of the South African Republic.

For the true understanding of what follows, however, it is necessary to explain that the Government of the South African Republic consisted of the State President and the State Secretary. This Government, in certain cases specified by law, was not entitled to act except on the advice and with the consent of the Executive Council, a body in which the State President, the State Secretary, the Commandant-General, the Superintendent for Native Affairs, and three members holding no other office had seats. Among the matters which were under the control of the Executive Council were treaties, which, again, were also subject to ratification by the Volksraad. All this had been explained at Blignaut's Pont to Sir Henry Loch, who appeared to be in utter ignorance of the constitution of the Republic.

From the very outset the High Commissioner took up a position which the negotiations at the conference gave him no right to assume. During the return journey to Pretoria President Krüger had repeatedly and publicly declared that he had come to no agreement with the High Commissioner except in regard to the prolongation of the provisional government in Swazieland. Sir Henry Loch, however, acted as if some agreement really had been reached. On the 28th of April he wrote to President Krüger:

'I have the honour to inform your Honour that Her Majesty's Govern-

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ment have approved the terms of agreement, provisionally arrived at between your Honour and myself, at our conference held at Blignaut's Pont on the 18th ultimo.'

This was sent, if not in answer, at least after the receipt of a private and confidential letter from President Krüger to Sir Henry Loch, dated April 17th, which needs no comment and from which we here give an extract:

'I hope you will not think I have been doing nothing in the matter, because I have not sent you any news. But my position is so very difficult, and I need time to persuade people, otherwise my plans will meet with failure, especially in the Volksraad.

'I repeat, mine is a most difficult position. While with the one hand I must restrain, I must urge on with the other. I must restrain the people, who are so irate about the insult to our flag at Johannesburg;\* I have done that everywhere and successfully. I must urge on the Executive Council in regard to the Convention proposed by you.

'I must not conceal from your Excellency that the said proposal has not met a favourable reception from the Executive Council. On several points the draft met with decided opposition.

'In the first place it was a great disappointment to the members of the Executive Council (as it had been to me) to find that Her Majesty's Government cannot agree to the annexation of Swaziland to the Republic, that it does not even make or hold out any promise for the future. This decision of Her Majesty's Government, for which the members of the Executive Council fail to see any reason, deprived them at first of any desire to discuss the draft Convention. However, it has now come before the Assembly again. (With regard to this matter also I want time.) However, I very much doubt whether I shall obtain the support of the Executive Council and of the Volksraad, unless the draft Convention be considerably modified.†

We see that in the first place Krüger asked for time, and further that he spoke of modifications *in the proposal which Loch had made at Blignaut's Pont*, not of an agreement arrived at by them.

It was clear to Krüger from Loch's despatch of

\* The flag of the Republic had been torn from the flagstaff in front of the house in Johannesburg where President Krüger had recently spent a night.

† Since this was a private letter and not an official communication, it has not been inserted in the Green Book, nor printed in any other publication.



April 28th that the High Commissioner would not listen to any reasonable representations, and that notwithstanding the obvious efforts which were being made by the President to give him satisfaction, he intended to persist in his most unreasonable, if not impossible, demands. Moreover, Loch gave such a very misleading statement of what had taken place at Blignaut's Pont, that he only augmented the difficulties to which Krüger had referred in his confidential letter. President Krüger, therefore, replied at once :

' Your letter of the 28th without number. I cannot omit to point out to your Excellency that there is a misunderstanding. Your Excellency speaks of the " terms of agreement provisionally arrived at." I, on the contrary, refused to accept or to sign this agreement. I agreed only to lay your draft before the Executive Council and to recommend it. I have strictly kept my promise. Your letter will be taken into consideration by the Executive Council ' (Green Book No. 1 of 1890, p. 8).

In reply to this the High Commissioner telegraphed to the President on May 9th, ostentatiously repeating his statement :

' Your Honour's telegram of 8th instant. I quite understand that the terms of agreement provisionally arrived at were upon the understanding that you would submit and recommend them for the approval of the Executive Council ' (Green Book No. 1 of 1890, p. 8).

Like every one who had been present at the Conference (and the writer in his capacity as State Secretary was one of them), Loch knew that there had been no agreement, provisional or definite. Krüger, and the State Secretary, representing the Republic, had flatly refused to bind themselves to any of Loch's demands. Krüger had been explicit. In speaking of the draft the High Commissioner had brought with him, he had told Loch : " If we were to accept it, all that would happen would be that I should lose my position as President. Do you want that? "

This attitude on the part of the President did not please



Sir Henry Loch. He had gone to the conference under the impression that Krüger would at once give in, and that, in the face of the opinion generally expressed that South Africa was "the grave of reputations," he would be able to boast of a signal victory obtained in the very first months of his administration. The conference threatened to break up, and it was feared that the High Commissioner would return to the Cape in a mood which presaged little good for the future. It was then that the Imperial Secretary, Captain Bower, came forward, explaining "in confidence and as a friend," that the High Commissioner would be exceedingly disappointed if he were to return to the Cape with empty hands, without even a promise. Thereupon President Krüger was induced to give the promise that he would lay the draft Convention before the Executive Council with a recommendation from himself. He persisted in his refusal to sign Loch's draft, however,\* and he made it quite clear that on his own part he had several objections, which, however, he was personally willing to lay aside, solely on account of his desire to meet the wishes of Her Majesty's Government. Moreover, he repeated again in distinct terms that he had no power to bind the Executive Council or the Volksraad, both bodies being perfectly free and independent in their deliberations and decisions.

This was the whole of the matter and this was what the State President had reported to the Executive Council. It can, therefore, be easily understood that the members of this Council, who had just met for the discussion of a new draft Convention, forwarded by the High Commissioner with his despatch of April 28th, and to which many objections were raised, were far from pleased with the repetition of the inaccurate statements of Sir Henry Loch.

\* In his *Life of Cecil J. Rhodes*, vol. 1. p. 127, Sir Lewis Michell asserts that "he [Krüger] had, indeed, to sign a draft Convention" at Blignaut's Post. This statement is, of course, absolutely erroneous, as the official correspondence quoted in the text clearly shows.

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This is indicated by the telegram sent by the President on May 12th :

'Your telegram of the 9th May places me in a difficult position. At the conference I informed your Excellency that the entering any agreement, even if it were provisional and subject to ratification, was beyond my competence, and that my doing so would injure my position and the course of subsequent negotiations. For these reasons, although not adverse to your proposal in principle, I have only taken upon myself to submit your proposal and to recommend it. I should highly value this being communicated to Her Majesty's Government. Your words "agreement provisionally arrived at" therefore place me, as I said before, in a difficult position. I shall endeavour to forward as soon as possible the full answer of the Executive Council. A rush of business has caused this being delayed so far. In the meantime, I may inform your Excellency that, although the Executive Council is not in principle against your proposal, still it has several objections against some special points' (Green Book No. 1, 1890, p. 8).

What followed was also described by Loch as "negotiations." He telegraphed to the President "that Her Majesty's Government will not concede any other terms beyond those of which I have already informed you," and he forwarded to Pretoria a draft of a one-sided Convention, drawn up by himself. To this he had already attached his signature and he had also filled in a date on or before which the Volksraad would be required to ratify the treaty. The position in Swazieland, so he declared, demanded that immediate attention should be given to the treaty, for otherwise :

'The only legal authority in Swazieland will be that fixed by the second Article of the Convention of London, and it will be necessary for Her Majesty's Government to consider what steps should be taken to maintain order and prevent encroachment' (Green Book No. 1 of 1890, p. 4).

It pleased Loch to forget that the provisional Government in Swazieland had already been extended for a term of four months, and that nothing stood in the way of a

further prolongation—an expedient, in fact, which had already been suggested by the Secretary for the Colonies himself. And what he wrote of the maintenance of order was of course nothing less than a veiled threat against the Republic.

Loch fully expected, it appears, that the Volksraad would ratify his Convention without any more ado, and that the members of the Government would, without demur, place their names under that of the High Commissioner. It does not seem to have entered his head that the person with whom one enters into negotiations has a right to make proposals and counter-proposals. When the Government spoke of objections and modifications, Loch answered peremptorily that he would not hear of them until the Convention had been accepted by the Volksraad exactly as he had sent it. The Government could make its objections known to J. H. Hofmeyr, who was on his way to Pretoria, as Special British Agent; "but before such negotiations could be opened it is a condition *sine qua non* that the Convention should be ratified by the Volksraad." This telegram, dated June 26, 1890, is worthy of being quoted verbatim:

' Without attaching entire credence to the report that your Honour and the Executive are sending a mission to England \* to discuss matters that were fully entered into between your Honour and myself at Blignaut's Pont it is right I should acquaint your Honour that I am instructed by Her Majesty's Government to inform you that all negotiations must pass through me as Her Majesty's High Commissioner † and further that failing the ratification of the Convention by

\* This referred to a mission General Joubert was about to undertake to England.

† This Loch took it upon himself to say. The right of the South African Republic to communicate directly with the British Minister for Foreign Affairs had been fully recognised by the British Government. Ordinarily, however, there was no object in doing so, since all questions were referred back to the High Commissioner for his opinion. The practice of negotiating through him was, therefore, purely one of expediency and in no way obligatory upon the Republic.

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the Volksraad at an early date it is the intention of Her Majesty's Government to appoint British Commissioners at the termination of the term of office of the present provisional government under Article II of the London Convention 1884 supported by such force as may be deemed necessary by Her Majesty's Government for the maintenance of law and order. Should there be any points not included in the Convention that your Honour may desire to submit for the consideration of Her Majesty's Government I shall be glad if your Honour will explain them to Mr. Hofmeyr who leaves next Saturday for Pretoria that they may form the subject of subsequent negotiations, if considerable and can if approved be embodied in a protocol but before such negotiations could be opened it is a *sine qua non* that the Convention should be ratified by the Volksraad' (Green Book No. 1, 1890, p. 16).

Among other extraordinary things in this despatch is the fact that the words "in that country," added in Loch's official report already quoted, after "to maintain law and order," do not appear; and that without them the note may readily be interpreted as a threat to the Transvaal itself. Far more remarkable is the statement that the Convention must be signed first and discussed afterwards. Such a method of "negotiating" is only comparable to Sir Charles Warren's notion of arbitration in the question of the cattle thefts.

No wonder that in Pretoria much bitterness was felt. The members of the Government and of the Executive Council expressed that feeling in a letter which the State Secretary wrote on their behalf to Hofmeyr, who, in imitation of Sir Henry, seemed inclined at first to ignore the Executive Council.\*

"In the first place," we read in this letter, to which we have occasion to refer again:

'I have to state again the fact, which has already been several times pointed out to His Excellency the High Commissioner, that the Government, with regard to the questions bearing on your mission, cannot act or negotiate without the Executive Council, and still less against their opinion.

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\* This letter, dated July 11th, is found in Green Book No. 1, pp. 18, 19.

' For this reason the present is also the expression of the opinion of that Body.

' On the 29th of May last, a Convention was sent by His Excellency the High Commissioner, to be signed and ratified. As had been the case with the draft, which had been submitted by His Excellency, the High Commissioner, at the meeting at Blignaut's Pont, the Executive Council found at once much to object to in the proposed Convention and His Excellency was informed of the same per telegram of the 17th of June. These objections have not as yet been removed. Notwithstanding it is not the intention of the Executive Council to refuse to take the matter into consideration. On the contrary, the Council is most anxious to work together with Her Majesty's Government, in order to settle the questions pending between the two parties on an equitable basis and in a friendly spirit, and to meet it as far as possible.

' It is now a bitter disappointment to the Executive Council to find that an obstacle has been put in the path to such conciliation, by the declaration of His Excellency the High Commissioner, that no alteration, not even any negotiation with regard to the conditions of the proposed Convention, is possible till after they shall have been accepted and approved by the Volksraad.

' Unacceptable conditions have first to be accepted, unacceptable engagements first to be entered into, and only after this is a chance to be given to have them altered.

' Every negotiation, even that tending to improve the provisions of the Convention—improvements recognised as such by both parties—is refused.

' It is only natural that the Executive Council asks if this is just and fair.'

The State Secretary then went on to say that the Government and the Executive Council did not see their way to placing the Convention before the Volksraad in its existing form, because they were convinced that the Volksraad would refuse to sanction it.

This declaration thoroughly frightened Hofmeyr. While at Cape Town he had become convinced that the High Commissioner would stop at nothing to gain his end, would even, if necessary, have recourse to force. On the one hand, therefore, he tried to impress upon the members of the Government of the Republic the fact that there really did exist a "situation of extreme gravity," even if it had

been created entirely by Loch, and, on the other hand, he did his best to induce Loch to meet some of the objections raised by the State Secretary in his letter of July 11th. Loch, who if the worst came to the worst would have ventured on war, bethought himself in time that the course of peace was the better in the end. Although he went on recruiting soldiers in Natal, under the name of police, whom he drafted into Swazieland in disguise and by various routes through the Transvaal, he authorised Hofmeyr to give in on some minor points and to hold out a prospect that the more serious objections should be dealt with after the ratification of the Convention. Hofmeyr acted upon these instructions, and on July 17th sent a despatch to the Government in which this statement occurs :

'Thirdly : Her Majesty's Government will be prepared when the joint Government is established and concessions claims are settled to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic, as far as possible' (Green Book No. 1, 1890, p. 21).

Here then was a distinct promise. But it was only a paragraph in a letter, not a clause in a treaty; and therefore the State Secretary inserted it as an Article (IX) in the Draft Convention which he was instructed to draw up, as a result of the discussions which had taken place between the Executive Council, the Government, and the Special Agent. The High Commissioner, however, would not admit this Article, and on his instructions, specially mentioned by Hofmeyr, the latter wrote to the Government of the Republic on July 26, 1890, in terms to which particular attention should be given :

'The Article No. IX of the Draft Convention, submitted by the State Secretary, cannot be incorporated in the amended Convention. Your Honour's Government already possesses in the "thirdly" of my letter of the 17th July the written promise of Her Majesty's Government, and that

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should be accepted as sufficient to guarantee that the obligations will be acknowledged' (Green Book No. 1, 1890, p. 82).

After this, it was hardly possible to insist further on the insertion of this promise in the Convention. Hofmeyr, in his own mind, was fully persuaded that the British Government would adhere to it.

We shall see that in this he made a mistake, but at that time Hofmeyr was sincerely convinced that he had obtained for the Republic something for which the Government and the people owed him thanks, and in return for which it was worth while to give in on some points, which were felt in the Republic to be veritable obstacles. His appearance on the scene, however, as the agent of Loch, with whom closer acquaintance did not bring higher esteem; his strenuous efforts to force on the Transvaal a Convention, which visibly favoured British interests, caused him to be regarded with distrust in Pretoria, where, as the leader of the Afrikaner party, better things had been expected of him.

It must be granted that Hofmeyr found himself in a difficult, somewhat dubious, position. Above all, he was a Cape Colonist and he had allowed himself to be won over by Rhodes, who had promised his support to Hofmeyr's party (which principally consisted of winegrowers and agriculturists and whose interests did not always coincide with those of the inhabitants of the Transvaal). Rhodes had also held out to him the prospect that he would secure the trade route to the north for Hofmeyr's own dearly loved Colony. In return, Hofmeyr bound himself not to oppose Rhodes's designs, but if possible to further them.\*

Had his hands not been tied, Hofmeyr could have brought into play his party, on whose votes Rhodes's majority in the Cape Parliament depended, and in this way could have worked through Rhodes on Sir Henry Loch in favour of the Republic.

\* Michell, vol. i. p. 94.



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Nevertheless, he did what he could to prevent hostilities, and this was, after all, what he had gone to Pretoria for. It was, however, principally due to the conciliatory spirit with which he was met there that he succeeded in his mission.



## CHAPTER XXXIX

### THE FIRST SWAZIELAND CONVENTION (1890)

- July, 1890 Objections raised by the Transvaal Government against the draft Convention of the High Commissioner.  
July 17, 1890 Hofmeyr's promise.  
August 2, 1890 Krüger signs the revised Convention.

**T**HE Convention which Loch was thus endeavouring to force upon the South African Government and to which Hofmeyr had undertaken to secure the consent of the Volksraad was open, from the Boer point of view, to many and important objections.

In the first place it neither put Swazieland under the protection of the Republic nor held out any prospect that this would be done in the future. Instead, a scheme of administration was proposed which, in the opinion of the Executive Council, held in it "the seeds of differences with Her Majesty's Government which it is the great wish and object of the Executive Council to prevent and to avoid."

In the second place, the Republic was required to make various concessions and promises, which had no connection whatever with Swazieland and for which nothing worth having was offered in return. The State Secretary, in the letter already quoted, says on this point:

'In return for the concessions demanded from the Republic (i.e. the recognition of equal rights in Swazieland to Her Majesty's Government as those of the Republic, the yielding in the matter of the Customs Union, the extension of the railway lines, the free importation of pro-

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duce of the South African Colonies, and the supporting of the policy of Her Majesty's Government in the regions to the north-west and the north of the Republic) it is proposed to make a few concessions to the Republic. The prospect is held out to it of obtaining the Sovereignty over some territory on the sea-coast in Amatongaland, and from there to the eastern frontier of Swazieland.

'The provisions and restrictions, however, which qualify this concession, give it very little value in the eyes of the Executive Council. In the first place, the provisions of Article VI of the Draft Convention and Article XIII of the protocol attached to it, seriously impair the idea of Sovereignty. In the second place, the said territory would be wholly separated from the actual territory of the Republic and that by tracts of land over which it was expressly forbidden to acquire Sovereignty; a provision by which the possession of a port becomes practically illusive. And finally it is intimated that this Sovereignty could only be obtained by treaties, in regard to which the Republic would not be a free agent, but which would be subject to the unrestricted approval of Her Majesty's Government—a provision which allows the Republic even less freedom of action than Article IV of the existing London Convention.'

The proposed treaty was also unsatisfactory in regard to Zambaan and Umbegesa, Zambaan being excluded from the Republic altogether and sovereignty over Umbegesa being made dependent upon a new treaty with him, which would then require Great Britain's consent. There were other minor objections but on these the State Secretary did not dwell. He concluded by saying :

'In order to arrive at an understanding, the Executive Council is ready to make concessions. Notwithstanding their objection to the administration of Swazieland as proposed, the Executive Council would accept such a measure as a temporary arrangement; they are also willing to accede to the proposed injunction with regard to the territories to the north-west and the north of the Republic, on condition that Her Majesty's Government withdraws from the east of the Republic, so as to leave the Republic a free hand in obtaining full sovereignty over a tract of land, connecting the territory of the existing Republic with the sea. The Executive Council further agrees, as soon as the said sovereignty shall be obtained, to join the Customs Union and to admit the produce of the South African States and Colonies free of customs duty.'

After the favourable opinion of Lord Knutsford had been obtained by Sir Henry Loch, Hofmeyr wrote on July 17th the letter to President Krüger of which mention has already been made, containing in par. 3 the promise, which the State Secretary reproduced in his Draft Convention under Art. IX. As we have seen, the High Commissioner objected to the insertion of this Article and it was withdrawn, after Hofmeyr, in his letter of July 26th, which has been already quoted (see *supra*, p. 299) had declared that the written promise of Her Majesty's Government should be sufficient.\* On the strength of this promise, thus repeated, President Krüger signed the revised Convention on August 2, 1890.† It had already been signed by Sir Henry Loch on July 24th,‡ and on August 7th it was ratified by the Volksraad of the Republic.

The Convention thus finally signed and ratified—ratified “conditionally” by the Republic, as the Marquis of Ripon afterwards admitted §—covered the following points :

The independence of the Swazies, as recognised by the Convention of London of 1884, was affirmed.

With the consent of the Swazie Government, expressed in the form of an Organic Proclamation by the Queen-Regent and Council, the powers and authorities of the

\* The facts connected with the signing of the Convention were fully admitted by Lord Knutsford's successor and opponent, the Marquis of Ripon. In a despatch to Sir Henry Loch, dated December 1, 1890, Ripon said: “In a letter dated the 26th of July, Mr. Hofmeyr commented at length upon this Draft Convention (pp. 29-32 of Green Book), and with regard to this 9th Article, he wrote as follows: ‘XI. Article No. 9 of the Draft Convention submitted by the State Secretary cannot be incorporated in the Amended Convention. Your Honour's [President Krüger's] Government already possesses in the ‘Thirdly’ of my letter of the 17th of July the written promise of Her Majesty's Government, and this should be accepted as sufficient guarantee that the obligations will be acknowledged.’”

“The proposed Article No. IX was thereupon withdrawn” (C. 7212, p. 189).

It is interesting to note that, when quoting Hofmeyr's promise, Ripon was obliged to refer to a Green Book of the South African Republic. This was because Lord Knutsford had not considered it expedient to give that promise publicity in a contemporary Blue Book.

† C. 6200, p. 298.

‡ C. 6217, p. 14.

§ C. 7212, p. 139.

Provisional Government Committee, conferred by Proclamation dated December 18, 1889, and extended by subsequent Proclamation for a further period, was to be continued for an indefinite time.

A Chief Court was to be established composed of three judicial members, or of one member, approved by the High Commissioner and by the President of the South African Republic. This Court was to undertake judicial inquiry into the validity of disputed concessions, as soon as the Swazie Government had framed and published a list of those concessions of which it approved (Art. II, *h*).

Neither the Court nor the Government Committee was to exercise authority in respect of any question, matter, or thing in which Swazie natives alone were concerned (Art. II, *i*).

No grants of any kind were to be made thereafter by the Swazie nation without the approval of the High Commissioner and of the President of the South African Republic (Art. V).

The British Government formally recognised the validity of some concessions already acquired by the South African Republic (Art. VII).

The British Government consented to the acquisition by the Republic, by treaty with the Swazies, of the ownership (but not of the sovereignty) of land in Swazieland for the purpose of constructing a railway across Swazieland, the extent of such land to be three miles in width at the most (Art. VIII).

Any deficiency in the revenue for the government of Swazieland under the Organic Proclamation was to be borne equally by the two contracting Governments (Art. IX).

Then followed Art. X: "The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into Treaties with any

natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and Government in those territories by the British South African Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company."

Then: The Government of the Republic might acquire by treaty with Umbegesa and with the Queen of Amatongaland, rights of ownership over a strip of land not exceeding three miles in width for the construction of a railway or for other purposes between the frontier of Swazieland and the sea-coast near Kosi Bay; and the British Government would recognise the sovereignty of the Republic over this strip of land, and also over an area of ten miles in radius from Kosi Bay or thereabouts, to be acquired similarly by treaty (Art. XI, XII).

But no treaty entered into as above with these native rulers would be considered binding until approved by the British Government as provided by Article IV of the London Convention (Art. XV).

The Government of the Republic was in no case to part with its control over any of the territory to be acquired, and in the event of disputes with foreign powers in connection with that territory the Government of the Republic agreed that negotiations should be conducted by the British Government in consultation with the Government of the Republic (Art. XVI, XVII).

The Government of the Republic agreed, in the event of acquisition by it of the territory as aforesaid, to enter with Cape Colony, the Orange Free State, and any other South African Colonies that might then be parties thereto, into the then existing Customs Union; and the approval by the British Government of any treaties entered into by the Republic with Zambaan, Umbegesa, and Zambili,

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would be conditional upon the entering of the Republic into the said Customs Union within six months after such approval had been given (Art. XIX, XX).

If, before the expiration of three years these conditions had not been complied with, either party to the Convention would have the right to terminate its effect on August 8, 1893 (Art. XXI).

Then came Art. XXII: "The Government of the South African Republic agrees to admit free of any duties of Customs into the South African Republic all articles the produce and manufacture of any State, Colony, or territory bordering on the territory of South African Republic, into which the produce and manufactures of the South African Republic are admitted free of such duties, subject for such period as it may be a party to the Customs Union Convention to such exceptions as may be thereby prescribed."

The Government of the South African Republic undertook to withdraw all opposition, direct or indirect, to the extension of railways from or through any of Her Majesty's Colonies in South Africa or the Orange Free State to or towards the boundaries of the South African Republic, and further, to take into consideration the extension of such railways, subject to all existing rights and Treaties, from the said boundaries into the territory of the South African Republic to the townships of Johannesburg and Pretoria (Art. XXIII).

The British Government consented to the inclusion within the borders of the Republic of a piece of land belonging to Swazieland, known as the Little Free State (Art. XXIV).

That was all. Needless to say, the Volksraad showed the greatest disinclination to give its consent to the treaty. This appears distinctly from the resolution granting the conditional ratification:

'The Volksraad having under its notice the Convention concluded on the 2nd of August at Pretoria, between the South African Republic and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, observing with regret that Her Majesty's Government is still unwilling to agree to provisions by which the just claims and rights of this Republic are acknowledged, nevertheless wishing to maintain and to strengthen friendly relations with Her Majesty's Government, also considering and trusting in the promise of Her Majesty's Government, namely, that when the joint Government in Swazieland shall have been established and the Concession Claims shall have been settled, such questions shall be taken into consideration as the Government of the South African Republic may lay before Her Majesty's Government with the desire to meet as far as possible the wishes of the South African Republic, regarding the said Convention for that reason as a transitory measure, considering that it is desirable to make it apparent that the approval of the said Convention shall not be regarded as the relinquishing of rights and claims which the Republic has on territory situate to the east of that Republic, and expressly reserving to itself those rights and claims, further considering that it is necessary for the Republic not to make itself a party in questions which may exist or may arise between Her Majesty's Government and other Governments, with respect to territory situate to the north and north-west of the Republic, and expressly declaring that the ratification of the said Convention is not making itself a party in any sense whatsoever; lastly considering that it is impossible to cause Article XXII of the said Convention to be of force and effect, so long as the South African Republic does not enter into the Customs Union Convention, resolves, on condition that Article XXII of the Convention shall be of force and effect only during the time when the South African Republic shall be a party to the Customs Union Convention, to express its approval of the said Convention.' \*

If the provisions of the Convention were disappointing to the Republic, so far as the British Government was concerned it was a most elaborate way of conceding nothing and of acquiring something valuable in return—the withdrawal of the Republic from the north. All that the British Government conceded positively, without nullifying

\* Green Book No. 1, 1890, p. 60; C. 6217, pp. 16, 17. The last paragraph of this resolution has been omitted, since it refers to certain Kaffir tribes, on the north-western borders of the Republic, a matter which need not occupy our attention at present.



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conditions, was the possession of the tract of country known as the Little Free State.

The Little Free State consisted of about 50,000 acres of land in the western part of Swazieland, bordering upon the South African Republic, which had been purchased from Umbandine by Boers in 1876 and in 1888. No Swazies lived there; Umbandine refused to govern the few white inhabitants and urged its absolute annexation by the Republic, while the inhabitants themselves unanimously requested annexation. The acquirement of sovereignty over this land, already owned and occupied, could not possibly benefit the Republic; so the British Government's "concession" was purely nominal, and was designed merely to relieve themselves of a useless burden in the administration of Swazieland.\*

But whatever the defects of the Convention—and they were many from the Boer point of view—it at least put an end temporarily to a serious crisis.

As Hofmeyr reported on his return to Cape Town from Pretoria (August 18, 1890):

'It appeared to me that not only in the Executive Council and in the Volksraad, but also among the burghers throughout the length and breadth of the South African Republic, there is an intensely strong feeling prevalent with reference to Swazieland, viz., that that territory, both historically and geographically, belongs to the Republic and should be incorporated with it. I feel firmly convinced that this feeling is so strong that if no arrangement had been arrived at and Her Majesty's Government had under Article II of the London Convention, appointed Commissioners in Swazieland to maintain order and had supported such Commissioners by force, many Transvaal burghers would have offered armed opposition to such a course, whatever the attitude of their President and Government, and the results may have been most disastrous for the peace of South Africa' (No. 279 of June, 1891).

The Government of the Republic, anxious as ever to preserve peaceful relations with the British Government,

\* C. 8300, pp. 94, 112, 113. See also Appendix L, p. 515.



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was greatly relieved, therefore, when the Volksraad consented finally to ratify conditionally this unsatisfactory document.

Taking into account the peaceful character of the Transvaal population, Hofmeyr's fear of an outbreak of hostilities may have been exaggerated, but it cannot be denied that there was great tension in the country,\* caused on the one hand by the hauling down of the Transvaal flag in Johannesburg, and on the other by the disappointment evinced at the absolute denial of the historic rights of the Transvaal over Swazieland, which the older and more influential Boers had expected to have at last recognised.

The Government, on this account, thought itself fortunate in having prevented an open rupture, even if it had to bear the accusation of having shown itself too weak and compliant.

\* The leading article in the *Zuid Afrikaan and Volksvriend* of December 30, 1890, can safely be taken as the expression of the feeling of the Afrikaner Bond. A translation of it is given as Appendix M, p. 518.

## CHAPTER XL

### THE ADENDORFF TREK (1891)

September 5, 1890	Bunu, Umbandine's successor, is shown to the people.
September 13, 1890	Issuing of the Organic Proclamation regulating the administration of the white population. The Swazies retain self-government.
Oct., 1890-Jan. 15, 1891	Inquiry into the validity of the contested concessions.
Beginning of 1891	The Adendorff trek is being prepared.
April 25, 1891	The Government of the Republic forbids participation in this movement.
May 5, 1891	The Government of the Republic reminds the High Commissioner of Hofmeyr's promise.
December 21, 1891	The Government again reminds the British Government of this promise.
January 26, 1892	Lord Knutsford authorises the High Commissioner to hold a conference with President Krüger.

ON September 5, 1890, Umbandine's young son, Bunu, or Umgwane, was "exhibited" as King of the Swazies in the presence of the British and Transvaal representatives.\* On August 16th he and the Queen Regent, with the head men of the nation, had signed a Proclamation extending the Provisional Government for one month in order to give time for the preparation of the Organic Proclamation contemplated by the new Convention.† This Organic Proclamation was issued on September 13, 1890, inaugurating the Joint Government of the white population.‡ The Swazies continued to govern themselves. The British Government insisted that there should be no interference

\* C. 7212, p. 9. Bunu means Boer; the English therefore preferred to call him by one of his other names, Umgwane.

† Ibid. p. 6.

‡ Ibid. pp. 13, 14.

with their liberty. It is questionable whether strict adherence to this stipulation would have benefited the rank and file of the Swazies. Upon Umbandine's death, for example, the Queen Regent and headmen intended to "kill off" a number of people so that real tears might be shed for the late King, and so that he might have spirits to cook for him in the next world. It was their custom, and they objected strongly to its discontinuance. In these circumstances, all that the British representative—bound as he was by his instructions not to interfere with the liberty of the Swazies—found it possible to do, was to express the "hope" that "the nation would take the wishes of the Governments into consideration."\* As this hope was supported by the representative of the Republic, and by Shepstone, the Swazies at last consented to leave their dead King unprovided with cooks. But there could have been no better evidence of how humiliating and unsatisfactory was the position of both civilised Governments in Swazieland. That such a state of things could last for ever, as the British Government appeared to think, was impossible on the face of it.

The question of the reconsideration of the Swazieland Convention was brought up in 1891.

In the early part of 1891, preparations had been made by a number of Boers, under a man named Adendorff, to trek into Mashonaland. On April 25th of that year, the Government of the Republic had issued a Proclamation declaring that, in view of the Swazieland Convention of 1890, such a trek would be illegal.† The Volksraad confirming this Proclamation prescribed severe penalties for participation in such a movement.

On May 4, 1891, Sir Henry Loch telegraphed to Lord Knutsford that in his opinion President Krüger was doing his best to stop the trek, but that he had to contend

\* C. 6200, p. 272.

† C. 7212, p. 121.

with great difficulties. The High Commissioner added: "My opinion is that Joint Swazieland Government cannot be indefinitely successfully continued." He asked, therefore, in order to strengthen the President's hands, to let him "understand that Her Majesty's Government will not refuse discussion [of revision of Convention], sooner than time originally understood."\*

In reply to this Lord Knutsford telegraphed:

'If the trek is stopped Her Majesty's Government will not refuse discussion as to Swazieland sooner than the time originally understood, but Her Majesty's Government can pledge themselves no further than this' (C. 7212, p. 121; May 5, 1891).

The "time originally understood" by the Republic for the reconsideration of the Swazieland question was the time designated in Hofmeyr's letter of July 17, 1890—as soon as the Concessions Court had done its work, etc. Lord Knutsford and Sir Henry Loch, who had caused this promise to be conveyed, tried to evade its prompt fulfilment by reason of a telegram from Lord Knutsford, in which mention was made of a three years' period. This telegram, it should be distinctly understood, had never been communicated to the Government of the Republic. The matter was explained clearly by Lord Ripon, in his despatch of December 1, 1892, in which he pointed out that the British Government was bound, not by a telegram of which the Republic had no cognizance, but by the promise made by Hofmeyr, with the consent both of Lord Knutsford and Sir Henry Loch, and which had never been repudiated by either of them.† But Lord Ripon's honourable acknowledgment of the facts at the end of 1892, although welcome, could not obliterate the sinister impression produced on the Government of the Republic by the conduct of Lord Knutsford and Sir Henry Loch, for which, until 1892, they had been vouchsafed no explanation.

\* C. 7212, p. 121.

† Ibid. p. 138.

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suppression of the Adendorff trek—had been duly carried out by the Government of the Republic, and that even then the British Government had failed to recognise its obligations. Meanwhile, the Government of the Republic, in accordance with the terms of the Convention of 1890, had acquired a three-mile strip of ground for the construction of a railway through Swaziland and through the countries of Umbegess and Zambaan, but no definite steps had been taken to acquire a harbour in Tongaland, since to do so would be useless "so long as Swaziland remains in a position in which it now is." Finally, the State Secretary said that Theophilus Shepstone, the official representative of the Swazie nation, had recently been in Pretoria, and that he had expressed the "opinion that the government of Swaziland by any other power than the South African Republic will be impossible." Once more, therefore, the Government of the Republic requested the British Government to give "its immediate and favourable consideration to the matter."\*

After receiving this despatch, Lord Knutsford, on January 25, 1892, authorised the High Commissioner to confer with President Krüger in person.†

Four months later the High Commissioner informed the President that he would be willing to confer with him after another period of four months—in "September next." And yet, in the despatch conveying this astonishing information, and in which the High Commissioner repeated the customary remark about the "friendly feelings" of Her Majesty's Government, Sir Henry Loch said:

'I beg to express my appreciation of the manner in which your Honour has co-operated with me in endeavouring to overcome difficulties inherent to [sic] the occupation and administration of a new country, and which in comparatively so short a period has resulted in the successful establishment of law, order, and good government' (C. 7212, p. 129).

\* C. 7212, pp. 127, 128; December 21, 1891.

† *Ibid.* p. 128.

These fair words, unaccompanied by fair action, did not beguile the Government of the Republic. Sir Henry Loch, while expressing his appreciation of President Krüger's conduct, had not only postponed further action until the following September, but had also expressed his willingness to confer with the President in terms so carefully guarded that on July 29, 1892, as the time for the conference drew near, the State Secretary wrote to Sir Henry to ask him if, in accordance with the terms of Hofmeyr's undertaking, the British Government really entertained "a desire to meet the wishes of the South African Republic as far as possible."\* The High Commissioner, in reply, was as vague as before, and deliberately avoided repeating Hofmeyr's words.† Nevertheless the Executive Council of the Republic advised the President to take part in the conference.‡

No doubt the Executive, in voting this resolution, was led by the consideration that it was not only necessary to claim the fulfilment of Hofmeyr's promise, but also to protect certain already vested rights the High Commissioner seemed inclined to assail.

From October, 1890, until January 15, 1891, the Judicial Commissioners appointed by Great Britain and by the South African Republic, in terms of Article II, sub-sections *c* and *h* of the Convention, were busily occupied in deciding upon the validity of disputed concessions.§ Their verdict, of course, was final. As the Marquis of Ripon said in December, 1892: "These concessions have been validated by the Court established for their examination under the Convention of 1890, and Great Britain, which was party to that Convention, remains, under all contingencies, bound to respect them."|| Nevertheless, in June, 1891, while Lord Knutsford was still Secretary of State for the

\* C. 7212, p. 188.

§ Ibid. p. 21.

† Ibid. p. 184.

|| Ibid. p. 141.

‡ Ibid. p. 185.

Before the High Commissioner had taken action on Lord Knutsford's telegram of the 5th of May, the State Secretary of the Republic telegraphed on the 6th of May, repeating the terms of a despatch of March 12th which, it appeared, had not reached its destination. In this despatch attention had again been called to the promise conveyed by Hofmeyr, and it had been urged that as the existing joint Government of Swazieland was both expensive and unsatisfactory, the whole question should be reconsidered.\*

In reply, the High Commissioner, on the 7th of May, ignored the point that a promise had been made, and merely stated that Swazieland could not be considered as long as the Adendorff trek into Mashonaland gave promise of trouble.†

This virtually added a new condition to the fulfilment of an outstanding promise.

While telegraphing in that sense to the South African Republic, however, the High Commissioner wrote to Lord Knutsford, on May 9, 1891, that it was "undeniable that the existing system of Government in Swazieland has many practical inconveniences"; that "there is no doubt that the Government of the South African Republic are loyally exerting themselves to discourage the threatened trek, and to fully carry out the engagements which they have entered into with Her Majesty's Government," and that, "provided the Government of the South African Republic succeed in their endeavours to stop the trek," the British Government "should accept the proposal for a reconsideration of the whole Swazieland question."‡

A month later, on June 17, 1891, Sir Henry Loch wrote further to Lord Knutsford as follows:

'I have the honour to acquaint your lordship that from recent information received the trek agitation is now practically over, and that this

\* C. 7212, pp. 123, 124.

† Ibid. p. 124.

‡ Ibid. pp. 122, 123.



result is in a great measure due to the energetic co-operation of the President of the South African Republic, who had exercised the whole weight of his personal authority in order to pass specially coercive legislation for the purpose of breaking up the trek and thus fulfilling his engagements to Her Majesty's Government.

'There can be no question as to the loyalty of the President of the South African Republic in this matter, and he has, as I am aware, trusted throughout that his loyal co-operation would secure for him the early realisation of *the hope which was held out* at the time of the ratification of the Swaziland Convention, that Her Majesty's Government will be prepared, when the Joint Government is established and concession claims are settled, to consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible' (C. 7212, p. 125).

The only comment that the above despatch calls for is that when Sir Henry Loch wrote it and quoted from Hofmeyr's letter of July 17, 1889, when he spoke of Hofmeyr's promise as "*the hope which was held out,*" there was no one better acquainted than he was with Hofmeyr's written assurance to the President that this "*written promise of Her Majesty's Government . . . should be accepted as sufficient guarantee that the obligations will be acknowledged.*"\*

Nevertheless, *seven* months after Sir Henry Loch had written, no matter how unsatisfactorily, to remind Lord Knutsford that "*there is also an obligation resting on Her Majesty's Government,*" † the State Secretary of the Republic had occasion to write to the High Commissioner to point out that no reply had been received to the telegram of the 6th of May, in which the British Government had been urged to abide by its promise and to reconsider the Swaziland question, except a telegram in which the High Commissioner had practically attached a new condition to the fulfilment of that promise. The State Secretary then pointed out that this new condition—the

\* C. 7212, p. 139.

† Ibid. p. 123.



suppression of the Adendorff trek—had been duly carried out by the Government of the Republic, and that even then the British Government had failed to recognise its obligations. Meanwhile, the Government of the Republic, in accordance with the terms of the Convention of 1890, had acquired a three-mile strip of ground for the construction of a railway through Swazieland and through the countries of Umbegeza and Zambaan, but no definite steps had been taken to acquire a harbour in Tongaland, since to do so would be useless “so long as Swazieland remains in a position in which it now is.” Finally, the State Secretary said that Theophilus Shepstone, the official representative of the Swazie nation, had recently been in Pretoria, and that he had expressed the “opinion that the government of Swazieland by any other power than the South African Republic will be impossible.” Once more, therefore, the Government of the Republic requested the British Government to give “its immediate and favourable consideration to the matter.”\*

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\* O. 7212, p. 188.

§ Ibid. p. 21.

† Ibid. p. 184.

|| Ibid. p. 141.

‡ Ibid. p. 185.

Colonies, Sir Henry Loch, because the Swaziland revenue was falling off, did not hesitate to question whether concessions, already confirmed, need be considered as binding.\*

This question, which ignored the foundation of all Government, Sir Henry Loch brought up again during the following year in connection with a concession which had been acquired by the South African Republic.

On July 6, 1889, a certain John Robert Harrington had been granted by Umbandine a concession, or rather an irrevocable power of attorney, to collect the private revenue of the King and his successors, in consideration of the payment of a fixed sum of £12,000 a year, out of the amounts so collected. The Government of the South African Republic, realising that such a concession, in the hands of a private individual, might become a source of danger to the peace of the country, made considerable financial sacrifices in order to acquire it from Harrington, accomplishing this finally in September, 1889, while Umbandine was still alive. The concession was confirmed in due course by the Special Court.†

In the early part of 1892 the Government of the Republic began to exercise the rights which this concession, or power of attorney, conferred. Thereupon, on March 25, 1892, Sir Henry Loch, in a despatch to the President, objected to the Government's proceedings.‡

The State Secretary in reply (April 25, 1892) explained that in view of Hofmeyr's promise, given on July 17, 1890, that as soon as the Joint Government had been established and the Concessions Court had finished its work, the British Government would reconsider the Swaziland situation "with the desire to meet the wishes of the South African Republic as far as possible"—his

\* C. 7212, p. 31.

† *Ibid.* pp. 25, 28, 29, 45. This concession has already been referred to on p. 274.

‡ *Ibid.* p. 43.

Government had agreed to suspend temporarily the operation of the Private Revenue Concession. Nearly two years had elapsed since then, however, and Hofmeyr's promise was still unfulfilled. In the meantime the Concession had been duly confirmed by the Special Court and the Swazie nation wished it put into operation. Without it there was no revenue obtainable, and the King had no income. It had been, therefore, impossible to delay longer.\*

\* C. 7212, pp. 44, 45.

## CHAPTER XLI

### AN INTERVIEW WITH PRESIDENT KRÜGER (1892)

IT was about this time that a Special Correspondent of the London *Times*, Miss Flora Shaw (now Lady Lugard), reported a remarkable interview with President Krüger.\* By way of introduction, the writer first gave her own understanding of the Transvaal Boers' feeling about Swazieland :

'There is scarcely a farmer in the whole population who does not dread and resent the finding of payable minerals upon his farm. The anecdotes which abound with regard to their conduct when the fear is realised and minerals are found have their touching as well as their comic side. Corn and stock, not gold and silver, constitute their wealth. If a man can sell his farm and move on, well and good ; trekking enters into their customs and costs them little.

'But "moving on" grows more and more difficult every day. Where are they to move to ? They look round them. South and west there is no issue. Northward ? They used to think, not many years ago, that there across the Limpopo lay a limitless field in which their instinct of expansion might find play for generations yet to come. But their President—the man whom they themselves have chosen for their head—has entered into a compact with England by which he binds himself and them never to extend the frontier beyond the river. England is filling that country which they had vaguely thought of as theirs.

'They fall back like caged animals upon themselves and the farms

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\* *Letters from South Africa*, by the *Times* Special Correspondent ; reprinted from the *Times* of July, August, September, October, 1892 ; Macmillan & Co., London, 1893. These letters are exceedingly valuable, in so far as they give the impressions of an educated Englishwoman who tried conscientiously to look at all sides of the South African situation in 1892.

rendered hateful to them by the sound of pick and stamp battery close at hand, and turn their faces eastward towards the sea. Out that way beyond the mountains, out that way towards the world, their appetite for space and freedom may be gratified. They have, after all, the blood of old Holland in their veins. The land of the continent has been closed to them. They ask for a sea-gate. It is easy to understand. They see that England has surrounded them by a ring fence, that she has even made irruption in irrepressible form within the fence. They feel the danger that they may be stifled out of their national existence, and they want an air-hole' (pp. 48, 49).

Then the writer tells of her interview with President Krüger. In the course of a long conversation the President said to her :

"Historically, geographically, administratively, it [Swaziland] is ours. All this being so—admitted so by English as well as by Dutch statements of the case—you will understand the strong feeling with which the Dutch people asks, 'Why is it kept from us?' It is kept by right of the strongest, not to do yourselves good, but to do us harm. Well, if we were dangerous to you the argument might have some force. But who are we? What can we do? Can we rival England? Can we even injure England? You are afraid to give us a seaport! Can our two or three ships upon the sea upset the balance of the first Navy of the world? England, who has everything to gain by working with us! Show me what it is she fears from us" (p. 51).

"The work of England and the Transvaal in South Africa is the same work." Claspng his hands vigorously, he turned to me, "We ought to be working together thus," showing the interlaced fingers and palms pressed one to another. "Instead we are doing this"—and he struck one forefinger across the other—"hindering, not helping, the development which is good alike for all. You think that if I had a port I might give encouragement and preference to foreigners. It is nonsense! England, if she will but treat me fairly, shall have the preference always. I personally sympathise with her, because she is the only country which has the same religious spirit as the Transvaal. But if it were not so I must, for reasons of interest, still give her every preference. I give you my word that I ask nothing better than to work with England as a younger brother might work with his elder. I desire to be in amity and in profitable relations with the greatest power in South Africa, but I will not work with her as a slave. If I would I could not. Our spirit as a people is too much like the English spirit.

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It is stronger than us; it masters any advantage that we might gain, and forces us to maintain our independence."

"He spoke with a rugged emotion, which had its own peculiar force, and from all that I have been able to learn his representation of the feeling of the people is strictly true. . . . "And now can you wonder," he continued, "that we feel sore when we find that a Government as strong and prosperous as the English Government, a Government with which all our best interests incline us to work harmoniously, can condescend to trick and quibble with us, and time after time take the advantage of our mutual agreements, yet hold back the price for which we made them?" (pp. 52, 53).

The *Times* correspondent then explains how Hofmeyr's official promise had been violated:

" "This," President Krüger said to me in summing up the situation, "is how we regard the matter. Great Britain, in the person of her representative, refused to enter into a bond with us, but gave us the word of a gentleman. We accepted that word. We fulfilled our part of the bargain upon trust, and the word has not been kept. We have no redress. There is nothing in the bond to show what our expectations were, but the Swazie question now bars the way to all hearty co-operation with English schemes—first, by the irritation which it causes; secondly, by the fact that so long as that which we hold to be a promise is unredeemed it is not possible to put faith in any promise made by England" (p. 57).

## CHAPTER XLII

### THE SECOND SWAZIELAND CONVENTION (1893)

August, 1892	The Salisbury Cabinet is replaced by that of Gladstone. Loch goes to London.
December 1, 1892	Lord Ripon's note on the policy of Lord Knutsford.
April 18-20, 1893	Conference between Loch and Krüger at Colesberg.
June 5-7, 1893	The conference is being continued at Pretoria.
June 7, 1893	Resolution of the Volksraad regarding the negotiations.
November, 1893	Signing of the Convention.
June, 1894	Ratification of the Convention.

IN August, 1892, on Gladstone's accession to power in place of Lord Salisbury, the Marquis of Ripon succeeded Lord Knutsford at the Colonial Office. On August 25th Sir Henry Loch telegraphed to the new Colonial Secretary that he would like to confer with him personally before meeting President Krüger.\* Lord Ripon accepted his proposal but instructed Sir Henry to send a "cordial message to President of the South African Republic, stating that Her Majesty's Government attach great importance maintenance of friendly relations with South African Republic, and give full explanation of why it will be necessary to postpone conference on Swazieland"—the High Commissioner's visit to England putting this off until February, 1893.† It was after Sir Henry Loch's visit to England that Lord Ripon wrote the long despatch of December 1, 1892, in which he reviewed what had taken place during Lord Knutsford's Secretaryship.

\* C. 7212, p. 134.

† Ibid. pp. 135, 136.



The position which Lord Ripon had to face was difficult. Lord Knutsford, foreseeing his own disappearance from office, had postponed dealing with the Swaziland question as long as possible in order to throw the responsibility for its solution on his successor. Lord Knutsford probably realised that in many respects the British Government had no choice in the matter and would be obliged ultimately to concede at least something of what the Republic had been led to expect. But he did not wish to be accused of "truckling to the Boers." He preferred to leave his successor to face that charge, and it was to defend his Government against it that Lord Ripon wrote the despatch of December 1, 1892. His defence was fatally successful, for although he spoke of "considerations of good faith," he proved conclusively that the concessions which he contemplated were not to be made as a fulfilment of past promise, but only as of necessity; and he proved also that he would concede nothing that was not necessary beyond question.

From the Boer point of view, therefore, the small concessions which were made—like so many others made by the British Government in South Africa—appeared to be the gift of compelling circumstances; while the memory of the many concessions which were not made, but which had been expected, survived in the minds of the Boers as a grievance against Great Britain.

Lord Ripon, after showing that Hofmeyr's promise of July 17, 1890, had been authorised both by Lord Knutsford and Sir Henry Loch, and that it had not been kept, pointed out that if the Swaziland Convention of 1890 were to lapse, it would be necessary to revert to the status established by the Convention of London of 1884, which guaranteed the independence of the Swazies and which only authorised the British Government to appoint a Commissioner to reside in the country merely "to maintain

## SECOND SWAZIELAND CONVENTION 325

order and prevent encroachments." It would be impossible to annex Swazieland, as Lord Knutsford had admitted, and further: "It would be a breach of the London Convention even to take the minor and less effectual measure of declaring a protectorate, without the consent of the South African Republic." \*

But, in view of the concessions granted by Umbandine and acquired by the South African Republic, if the Convention of 1890 were to come to an end and the London Convention were to be taken as the sole basis of procedure, then "this anomalous situation would arise: The South African Republic would have extensive powers of taxation, but no rights of government. Great Britain would have rights of government, but no powers of taxation." Lord Ripon did not explain upon what grounds Great Britain would have "rights of government," and it would, indeed, have been difficult for him to have found any. His purpose, however, was to impress upon the British taxpayer the fact that in such a case he would have to pay out money and get nothing in return.

Moreover, Lord Ripon wrote, as Sir Hercules Robinson, years before, had so often pointed out—Swazieland was so situated that it would be almost impossible for British troops to enter the country except through the territory of the South African Republic.

As to British interests in Swazieland :

'It has been represented that some millions of British capital have been invested in Swazieland, but so far as I yet have been able to ascertain, this statement can only be accepted with material reservation, inasmuch as the figures usually quoted do not represent actual money subscribed or invested, but only the nominal capital of the different companies interested in the country.'

"Taking all the circumstances into consideration," said Lord Ripon, "it seemed best to accede to the request of the

\* C. 7212, p. 141.

Government of the South African Republic, and to reconsider the Swazieland question on the basis of withdrawing the British Representative in the existing Joint Government." \*

It was an exceedingly able despatch. Although addressed to Sir Henry Loch, it was of course intended to silence opposition in the British Parliament and press. If it did not produce silence, it succeeded admirably in defeating Lord Knutsford's aim and in leaving the responsibility where it belonged—with Lord Salisbury's Government. But if Lord Ripon had the least desire really to assist the development of the Republic, he concealed his desire with elaborate care. Courteous, he showed himself—and this was a welcome change. But more than courteous—ready to concede anything except that which circumstances compelled—he scrupulously was not.

Probably in order to support the Secretary of State for the Colonies, the Lords of the Treasury, on January 19, 1893, pointed out in a communication to the Colonial Office that :

'The revenue derived from European settlers in Swazieland, exclusively for the support of the European administration, is about one-fifth of its cost. . . . The result of this state of things is a very heavy yearly charge divisible between the United Kingdom and the South African Republic.

'The latter country is so much interested in Swazieland as a close neighbour that the charge seems to be a matter of indifference to it ; but the interest of the United Kingdom in Swazieland is not so palpable and obvious as to prevent my Lords from being extremely anxious to reduce or terminate the charge' (C. 7212, pp. 101, 102).

Their lordships earnestly hoped, therefore, "that some arrangement may soon be made which will relieve the Imperial funds of a charge for which it seems to them difficult to find any adequate defence."

In replying, on January 2, 1893, to Lord Ripon's despatch, Loch, while confining himself principally to a

\* C. 7212, pp. 137-42.

## SECOND SWAZIELAND CONVENTION 327

repetition of his chief's own words and arguments, made use of one expression which demands our attention :

' While I cannot admit that the South African Republic has any ground to claim Swazieland as a matter of right, still I am of opinion that, subject to the acceptance of certain conditions, it is desirable upon the grounds of good faith and political expediency that Her Majesty's Government should consider such questions as the Government of the South African Republic may bring before it, with a desire to meet the wishes of the South African Republic as far as possible ' (C. 7212, p. 143).

Future events made it obvious that what Loch had in view was "the acceptance of certain conditions" by the Republic. It was for this purpose, and not to settle the Swazieland question, that he insisted upon the personal interviews which took place with President Krüger in the course of the year. Whether or not it was wise in the President to consent to these conferences is a question which may well be asked. The Government of the Republic was indeed reluctant to accede to them. They had had one experience at Blignaut's Pont, and they foresaw what would happen—the introduction of questions which had nothing to do with Swazieland, and the discussion of the internal affairs of the Transvaal with which the High Commissioner had no right to interfere. Ever since 1890, however, when Hofmeyr had given the promise which resulted in the signing of the temporary Convention, the Government of the South African Republic had been pressing for the fulfilment of that pledge, and they were unwilling to leave any stone unturned in order to bring this about. The High Commissioner, moreover, was insistent to the point of menace. On March 24, 1893, Sir Jacobus de Wet, the British Agent at Pretoria, wrote that he was instructed by the High Commissioner to say that "the responsibility will rest entirely with the South African Republic if the President does not wish now to meet him."

It was clear from the whole tone of this communication that the High Commissioner was determined to carry his point or to take advantage of the welcome opportunity to pick a quarrel. Even so, it is possible that if the President had been aware of the passage already quoted in Loch's letter to Ripon he might still have refused. This letter was not published, however, until the following November, and in the interval the conferences had taken place. Of these there were two in 1893, the first at Colesberg from April 18th to April 20th, and the second at Pretoria from June 5th to June 7th.

What the Government of the Republic had foreseen took place. The High Commissioner at once brought up matters quite outside the Swazieland question—the Customs Union, the railway extensions, the railway tariffs, and the rights and privileges of the Johannesburg Sanitary Board or Municipality—a subject about which he showed himself singularly ignorant, urging the granting of rights and privileges to the Municipality which it already possessed. Moreover, he seized the opportunity afforded by the Draft Convention he had brought with him to Colesberg, and which had to be discussed Article by Article, to criticise the internal affairs of the Republic. Thus, when it came to the Article dealing with the political rights of the white inhabitants of Swazieland in the event of the country being taken over by the Transvaal, the High Commissioner talked of the oath of allegiance in the Republic\* and of political rights in general.

Before any definite results had been obtained the High Commissioner said he was obliged to ask for fresh instructions, and the conference was therefore adjourned until June 9th.

\* It may be mentioned that the Transvaal oath of naturalisation had been copied literally from the one prescribed by the naturalisation law of the United States of North America.

## SECOND SWAZIELAND CONVENTION 329

When it was resumed at Pretoria it soon became evident with whom the High Commissioner had consulted. In addition to the topics upon which he dwelt at Colesberg, he had now discovered a number of entirely new subjects, such as religious disabilities, the dual language question, and the free importation of South African produce up to the Zambesi—all valuable subjects for political agitation, and therefore dear to the heart of Rhodes and the other gold-mine magnates. The subjects under discussion both parties wished to settle in two separate Conventions but in different ways. President Krüger was anxious, in accordance with Hofmeyr's promise of 1890, to put a definite end to the Swazieland question by taking over at once, and without the imposition of irrelevant conditions, the necessary territory—Swazieland itself and the country of Zambaan and Umbegesa. Once in possession of them he would be ready and anxious to enter into a treaty covering the questions he called collectively "the harbour," and once in possession of that he would be ready to enter the Customs Union. The High Commissioner, on the other hand, was willing to rid himself of all responsibility for Swazieland by turning it over to the Boers, but above all he wanted his "conditions" accepted. Whether they were attached to the first Convention or the second, or to both, was a matter of indifference to him, for he insisted that both Conventions should be concluded simultaneously. In case, however, that the Republic agreed to their incorporation in the Swazieland Convention, he would not insist upon a second; if it did not, he wanted them embodied in a treaty about Umbegesa, the connection with the ocean, and the harbour.

In view of Loch's insistence upon these extraneous conditions, the representatives of the Republic felt that it was impossible to proceed without consulting the Volksraad. This they did, and in a secret session the Volksraad unani-

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mously passed a resolution containing instructions for the Government. Couched in terms that afford abundant proof of the Republic's indignation and disappointment, this resolution was communicated to Sir Henry Loch, and was afterwards made public. It ran as follows :

' The First Volksraad having considered the communications made by the Government and the Executive Council with reference to the course of negotiations which took place before, and which now are taking place with his Excellency the High Commissioner, taking into consideration that those negotiations did not confine themselves to Swaziland exclusively, but that from the side of the High Commissioner other matters have been included in the Swaziland affair, which have no reference to the Swaziland question, as, for instance :

' The not claiming of certain rights on or in Zambiansland, or the acquiring thereof.

' The entering into of a railway tariff agreement.

' The extension of the Natal line of railway from Charlestown to Johannesburg and Pretoria.

' The free importation of the mutual produce of all the States and Colonies and territories of South Africa up to the Zambesi.

' Considering that his Excellency the High Commissioner is willing to agree that, with reference to Swaziland, a separate Convention be concluded, but that, on the other hand, the High Commissioner claims that in that same Convention a condition or promise be attached which has no relation to Swaziland, and, secondly, that he wishes, simultaneously with the concluding of the Convention with reference to Swaziland, a second Convention be entered into relative to the other above-mentioned subjects or, at any rate, to arrive at a certain understanding with the Government of the South African Republic with reference thereto.

' Considering that the Swaziland question is and ought to stand as a separate one.

' Considering the just right of the Republic to Swaziland.

' Considering the promise of Her Majesty's Government in regard to their endeavour to, as far as possible, meet the wishes of the South African Republic.

' Considering that on the other side repeated proofs have been given from the side of the South African Republic of its willingness to meet the wishes and interests of Her Majesty's Government, and that the Republic has more than fully performed its obligations.

' Considering the Volksraad Resolution, Article 1204, dated August 7, 1890, by which the Convention of August, 1890, was explicitly declared to be regarded as a transitory measure.



## SECOND SWAZIELAND CONVENTION 331

' Resolves :—

' 1. To express its deep disappointment and regret on account of the fact that Her Majesty's Government again attaches conditions to the settlement of the Swazieland question which have no relation to that question.

' 2. That it is impossible in any Convention intended for the settlement of the Swazieland question to treat of other subjects, or to include other conditions, or to add any promises which are outside the settlement of the Swazieland question, such as the extension of the Natal railway line or the mutual free importation of South African products.\*

' 3. That the Volksraad, as yet, wishes to confine itself to the treatment of the Swazieland question only.

' 4. That the Volksraad agrees that, in the Convention intended to settle the Swazieland questions, stipulations and conditions be inserted referring to matters touching Swazieland, such as the protection of British interests, protection of the Swazies, the right to voting, the import duties for Swazieland, and the language question there, and that the Government be empowered, as far as possible, to meet the wishes of Her Majesty's Government on these points.

' 5. That the Volksraad hopes that it will be possible for the Government, in terms of this resolution, to be able to come to an agreement.

' 6. That the Volksraad regrets that its duty to the people of the South African Republic makes it impossible for the Raad, having regard to the interests of the South African Republic and the expressed will of the people, to act otherwise than as is expressed herein.

' That the Volksraad expresses the hope, and gives the assurance from its side, that, although it may be impossible to come to a settlement at this moment, such will not interfere with the friendly relations between this Government and Her Majesty's Government, which friendly relations it will ever be the wish of the Volksraad to strengthen.

' The Volksraad further resolves, with reference to the Natal Railway Extension (having in view its instructions of 1892 respecting the survey thereof) still to deal with the subject in this Session with observance of the interests of the South African Republic and of Natal.'

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\* The Volksraad of the Orange Free State had already expressed its opinion on the policy of burdening the Swazieland question with extraneous subjects of controversy. In a resolution passed on June 23, 1892, it was declared "That the Executive be authorised when opportunity offers to acquaint the British Government, in a friendly manner, that the Volksraad is convinced of the improbability that co-operation between all the States and Colonies of South Africa, with reference to the establishment of a general South African Customs Union, and with reference to other matters of common interest, can be brought about before the question of Swazieland shall have been arranged in a manner favourable to the interests of the South African Republic" (C. 7212, p. 181).



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Together with this resolution the State Secretary, on June 8th, sent to the High Commissioner the draft of a Convention which represented the utmost that the Government of the Republic could concede.\* This embraced a clause, upon which Loch had laid great stress, providing that "no railway beyond the eastern boundary of Swazieland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government." Moreover, in order to meet Loch's demand, this draft also contained the provision, embodied in the Convention of 1890, for the withdrawal by the Transvaal "of all claim to extend the territory of the Republic, or to enter into treaties with any natives or native tribes to the north or north-west." This valuable concession, it will be remembered, had not been made in return for anything obtained in Swazieland, but as compensation for assistance to be rendered by Great Britain in connection with the seaport and similar matters. It was now repeated in the belief that, with the settlement of the Swazieland question, the price for which it had been granted would at length be paid and the road to the sea opened to the Republic.

Another article in this draft gave to Great Britain the right of "diplomatic representation" on behalf of the Swazies. The substitution of this word "representation" instead of "intervention," upon which Sir Henry Loch had at first insisted, but which the Republic flatly refused to accept, is of primary importance, not in connection with Swazieland but in the light of future assertions concerning the status of the South African Republic. It definitely admitted the Protectorate of the Republic over Swazieland, and, in so doing, was tantamount to a recognition of the position of the Republic as a sovereign state, and not, as

\* C. 7212, pp. 149-51.

## SECOND SWAZIELAND CONVENTION 333

was afterwards alleged, a state under the protection of Great Britain. For according to the recognised maxims of international law, it is not possible for a state which exercises a protectorate over another country to be itself under the protection of a third power which has recognised the first protectorate.\* This article was not altered, it should be added, in any subsequent negotiations. Nor was there any alteration made in the article granting to all white male inhabitants of Swazieland the political privileges of a full burgher of the South African Republic.

As for the other terms of the Convention, there is no need to discuss them at length, for although, after considerable delay, the treaty was duly signed and ratified,† it never

\* For a fuller discussion of this interesting point see *L'union de la République Sud-Africaine et de l'Etat Libre d'Orange*, by Prof. Frantz Despagnet. Paris, 1908, pp. 27, 28.

† C. 7212, p. 166, and C. 7611, p. 4. The ratification was conditional and was couched in the following terms:

"The first Volksraad, having taken note of the Convention agreed to on the 8th November, 1893, between the South African Republic and the United Kingdom of Great Britain and Ireland;

"Having in view Article XII of the said Convention, wherein it is provided that the ratification must take place on or before the 30th June, 1894;

"Seeing with regret that Her Majesty's Government has up to the present been unwilling to agree to conditions by which the just claims and rights of this Republic will be acknowledged;

"Considering that it is desirable once more to make public that the approval of the Convention cannot be considered as a relinquishment of the claims and rights which the Republic possess to territory situated to the east of that belonging to the Republic, and expressly reserving to itself those claims and rights as was done by the ratification of the Convention of 1890;

"Abiding by everything that was said in that ratification;

"Being convinced that no other solution of this long-delayed Swazie question can be arrived at, than the total incorporation of Swazieland into the Republic;

"Considering that the intention to arrive at this is evident from Clauses 6 and 7 of the Convention;

"Considering also that incorporation must logically follow from the granting of the franchise to certain persons in Swazieland;

"Regarding the present Convention as a further transitory measure, and still trusting in the promise of Her Majesty's Government;

"Resolves to ratify the said Convention, and to instruct the Government to negotiate further with Her Majesty's Government in the spirit of this resolution" (C. 7611, pp. 19, 20).

When the Convention of 1894—which was, as we shall see, in substance the same as that of 1893—was being formulated, the British Government objected

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came into effect. One clause in it nullified the whole negotiations, and put off the settlement of the question for still another year.

to this ratification, and Loch was instructed to inform President Krüger that it "has made an unfavourable impression on the minds of Her Majesty's Government; that it will under any circumstances be impossible for them to acquiesce in it tacitly; and that, unless those conditions are withdrawn, it will be necessary to make a formal declaration on the part of Her Majesty's Government that they in no respect accept them" (C. 7611, p. 24). Nevertheless, when the Volksraad on February 13, 1895, ratified the Convention of 1894, it expressly stated that it repeated all that had been said in the former ratification. It was, of course, open to the British Government to reject a Convention thus conditionally ratified. On the contrary, it accepted the Convention, which became the basis of the administration of Swazieland.

## CHAPTER XLIII

### THE THIRD SWAZIELAND CONVENTION (1894)

- November, 1893 Signing of the second Swazieland Convention.  
It is agreed that the Convention of 1890 shall remain in force until the end of June, 1894.
- March, 1894 The High Commissioner forwards the draft of the Organic Proclamation to England; it is approved of by the British Government.
- April-May, 1894 The Swazies obstinately refuse to sign the Organic Proclamation.
- June 23-28, 1894 Sir Henry Loch at Pretoria.  
The Convention of 1890 is being prolonged until December 31, 1894.
- August, 2, 1894 The Swazies dismiss Shepstone as their Resident Adviser.
- October, 1894 The British Government consider the signing of the Organic Proclamation by the Swazies to be no longer called for.
- November, 1894 The Swazies send a deputation to London.  
Sir Henry Loch insists on a personal interview with Krüger.
- December 6-10, 1894 Conference at Volksrust-Charlestown.  
Signing of the third Swazieland Convention.

IN order to impress the British public with the idea that the interests of the Swazies had been carefully safeguarded against the Boers, a provision was included which, be it noted, was not adhered to when the British Government had to choose between it and yearly payments for the cost of the administration, and which proved to be utterly unworkable. It stated:

'That the Government of the South African Republic may enter into negotiations with the Swazie Queen-Regent and Council, with a view to obtaining a Convention or an Organic Proclamation by which rights and

powers of jurisdiction, protection, and administration over Swaziland, without incorporation thereof into the said Republic, may be conferred upon and secured to the last-mentioned Government; but no such Convention or Organic Proclamation would be entitled to recognition from Her Majesty's Government unless the said Government were satisfied—

'(a) That the Swazie Queen-Regent and Council understood the nature, terms, articles, and conditions thereof.

'(b) That just provisions have been made for the protection of the Swazie natives with regard to the management of their own internal affairs according to their own laws and customs . . .' (C. 7611, pp. 2, 3).

The other provisions of the Convention were made conditional (Art. III) upon the issuance of this Organic Proclamation by the Swazies, and upon the approval of its terms by the British Government. For reasons now to be given, such an Organic Proclamation was never issued. But the point of greater interest is that no sooner had it been found impossible—owing to the rivalry of the Swazie Queen-Regent and the Queen Mother\*—to obtain the necessary signatures to this Organic Proclamation, than the British Government took the matter entirely out of the hands of the Swazies and proceeded to declare, on behalf of the Swazies, but without their consent, what it was that the Swazies wanted. These terms the British Government then embodied in a new Convention, binding upon the Swazies, and the Republic, in consequence of the errors already committed by the British, was compelled to accept it.

The proceeding is an illustration of the difference in the method of the two Governments. The South African Republic would have said: "We are agreed upon what the Swazies desire and what will be best for them. But by all means provide thoroughly for the protection of their interests. Our own laws do that, but it will be well to provide special safeguards in this case. We know the

\* Instead of the mother of Bunu, the young Paramount Chief, the Swazies had made Umbandine's mother Queen-Regent.

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natives; we know that they do not understand anything of administration, and that if we consult them they will merely follow the advice of any white man in whom, for the moment, they happen to have confidence. As likely as not this white man will be an irresponsible rogue. Better leave the matter, therefore, in the hands of the trusted and experienced officials of the British and Boer Governments, and let them draw up the necessary provisions."

The British Government, on the other hand, begins with a great show of consulting the natives in detail; nothing must be done without their consent, and their consent must be freely, and above all intelligently, given. All suggestions as to the impracticability of such a proceeding are treated as attacks upon native rights and liberties. The natives are consulted accordingly; are led this way and that by white advisers and by local intrigue, and finally decide to do nothing. Whereupon, after months of valuable time have been wasted, the British Government says to the Swazies: "But you must do something. And you must do as we tell you. If you won't, we will do it for you." And then the British Government, by no means disconcerted, takes the "rights and liberties" of these natives into its own hands and dictates conditions.

In the case in question, after the Convention had been signed (November, 1893), and after it had been agreed to extend the application of the Convention of 1890 until June, 1894, in order to give time for negotiations in regard to the contemplated Organic Proclamation,\* the High Commissioner and the Government of the Republic proceeded to discuss the terms of the Proclamation which the Swazies were to be asked to sign. On March 19, 1894, the High Commissioner forwarded a copy of what had been agreed upon to the Secretary of State for the

\* C. 7212, p. 166.

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Colonies,\* and the draft was duly approved by the British Government.

Then the trouble began. Swazie Indunas visited Natal to say that they would not sign any Proclamation, "fearing that the King will punish them when he comes of age three years hence." † On April 2, 1894, the High Commissioner telegraphed to Colonel Martin in Swazieland to use all his influence to induce the Swazies to sign the Proclamation. On May 3, 1894, Lord Ripon telegraphed that Mr. H. Shepstone should visit Swazieland for the same purpose. ‡

This H. Shepstone did, taking advantage of the return of a deputation of natives to accompany them to Swazieland. To this deputation Loch had entrusted a message for the Queen Regent, which was read to her in Shepstone's presence. In it the High Commissioner declared that it was "the duty" of the Queen to sign the Organic Proclamation, "which *I direct* her to do at once," he added, "or say within six weeks of the return of the deputation." § In view of the British Government's previous insistence upon the necessity of observing the wishes of the Swazies, this was singular language to use to their Queen.

But the Swazies remained obdurate. In a telegram to the Acting High Commissioner, General Cameron (Sir Henry Loch being in England on leave), Lord Ripon explained that the refusal of the Swazies to sign was due "to some counteracting influence of temporary nature," || the fact being that the Swazie Queen Regent and the Queen Mother were furiously jealous of one another and had set the whole nation by the ears. No one dared sign anything for fear that the act would be used as evidence of "treachery" to the nation. The young Queen, that is to say the Queen Mother, threatened to murder the entire

\* C. 7611, p. 5.  
§ Ibid. p. 22.

† Ibid. p. 5.  
|| Ibid. p. 8.

‡ Ibid. p. 7.



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Swazie Council. No wonder that, as T. Shepstone reported, "the people have got a sort of panic and nearly all have run away into the veldt."\*

But matters could not be left as they were. The Convention of 1890 was due to expire on July 1, 1894. Sir Henry Loch, after his return from England, visited Pretoria in June (the 23rd to the 28th).† Conferences with the President and Executive Council resulted in a decision to extend the application of the 1890 Convention for another six months—until December 31, 1894.‡ On June 28th, while the High Commissioner was in Pretoria, the Volksraad of the Orange Free State unanimously passed a resolution "sincerely sympathising with the Government of the South African Republic in its desires respecting Swazieland," and trusting:

\* That the negotiations now carried on at Pretoria with his Excellency, Her Majesty's High Commissioner, will lead to the result desired by the Government of the South African Republic, whereby a great stumbling-block against mutual co-operation between the various parts of South Africa would be removed' § (C. 7611, p. 16).

The Swazies, on August 28, 1894, dismissed Theophilus Shepstone as Resident Adviser, and appointed G. H. Hulett, a Natal lawyer, as "Chief Secretary to the Swazie Nation." They did not, however, appoint any one to

\* Letter of March 31, 1894, to Esselen. See also other despatches in the Republic's archives.

† It was in the course of this visit to Pretoria that Loch took advantage of the opportunity to conspire with the revolutionists of Johannesburg, discussing with them the armed assistance he could lend in the event of an insurrection. The High Commissioner also utilised this occasion for the discussion of the Commandeer question, which will demand our attention later on.

‡ C. 7611, p. 15.

§ This resolution was proposed by H. Klynveld and seconded by A. Fischer. The latter, in his address, said, among other things:

"We must now try to do something, be it only the giving of expression to our sympathy. This State, as a part of South Africa, is convinced that in case the promise made to the South African Republic with regard to Swazieland be not fulfilled, the co-operation of South Africa will be much impeded, and that Republic is quite right in believing it will be the victim of injustice if Swazieland be not transferred to its rule" (Minutes of the Volksraad).



succeed Shepstone as Resident Adviser and as their representative in the governing Triumvirate of the Convention of 1890. Their action, therefore, practically put an end to that body and left the country without government.

In consequence the Marquis of Ripon suddenly discovered in the following October that it was no longer so vitally necessary to consult the "understanding" of the Swazies. In a despatch to Sir Henry Loch he said that in view of the Swazies' persistent refusal to sign the proposed Organic Proclamation, and in view of the fact that they now went so far as even to repudiate the Organic Proclamation of 1890, which established the Tripartite Government and the Concessions Court, it was necessary,

'in the interests of the Swazies themselves [which was precisely what the Transvaal had been urging for years] to permit the Republic to assume the administration of the affairs of the whites in the country, under the conditions of the Convention of 1898 and the unexecuted Draft Organic Proclamation, which, as already stated, protect the interests and customs of the Swazies themselves' (C. 7611, p. 24).

In unofficial phraseology, the conditions, to which the Swazies would not agree, were to be imposed upon them to suit the convenience of the British Government. One more chance was to be granted them to give their formal consent to the proposed arrangements: a deputation of Swazie Indunas, then on their way to England, were to have their duty explained to them by the Secretary of State in person. Since they appeared to distrust Shepstone, and even the High Commissioner, they would now learn the facts at first hand, after which, on their return to Swazieland, they might perhaps "induce the Queen Regent and the Queen Mother to take a reasonable view of the situation." \*

The denial which the Swazies attempted to make of all knowledge of the Organic Proclamation of 1890, and of the work of the Concessions Court which that Proclamation

\* C. 7611, p. 23; October 19, 1894.

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established, was easily proved to be a clumsy prevarication. The two Queens, who agreed in asserting that they had "never heard of the judges" of the Concessions Court, had met them personally and officially.\* A headman, who had signed the Proclamation in question, admitted privately that "he remembered all the circumstances perfectly," but he pointed out that other headmen who had said so publicly had been "eaten up" by the Queen-Regent, and that any one could see "from the way things were going that he dare not admit it." †

In London, the Natal lawyer who accompanied the Swazie deputation drew up a petition "to the Great Queen of England," in which the Swazies described themselves as the "Queen's children," and in which the Boers were referred to as "hawks." ‡ In other circumstances—if, for instance, the British Government had desired and had seen their way to acquire possession of Swazieland—much would have been made of such a document. As it was, it passed without comment, and on November 17, 1894, the Swazie deputation left England to return to South Africa.§

The next step in the proceedings was a proposal by the High Commissioner to meet President Krüger in another conference. On the 21st of September, the State Secretary of the Republic had written to the High Commissioner reminding him that his Government was still expecting that after the settlement of the Swazieland question Her Majesty's Government would offer no further objection to the approval of the existing treaties with the Chiefs Zambaan and Umbegeza.||

In his proposal for a conference, Loch had held out the prospect of arriving at a settlement of the Swazieland question and of all other questions to the satisfaction of the

\* C. 7611, pp. 28, 32.

† Ibid. p. 29.

‡ Ibid. p. 27.

|| C. 7780, p. 32.

‡ Ibid. p. 28.

Republic. These general and vague utterances drew, on the 15th of November, from the State Secretary a request for a more explicit statement, and in his reply, dated November 19th, the High Commissioner enumerated the questions which he had instructions to discuss and which, he said, "were framed in a friendly spirit towards the President and the Government of the Republic." \* The matters to be discussed were in the first place the Swazieland question and then :

'To discuss with your Honour other questions which would arise in course of our general conversation, the satisfactory settlement of which would conduce to the establishment of the most friendly relations between Her Majesty's Government and the Government of the South African Republic: as, for example, that which has already been the subject of correspondence with respect to the action of certain burghers of the South African Republic in Zambaan's country.'

Loch, however, made it a point that the President should confer with him personally. Conducting negotiations by correspondence, he thought, would be courting delay, and appointing a Commission, as suggested by the Executive Council, would lead to no results.

'I have to acquaint your Honour,' he wrote, 'that my instructions contemplate my being in direct personal communication with your Honour, and as I have free powers to discuss and settle various questions at issue, I could not discuss these questions with any Commission that did not possess equal powers as myself.'

Even if the said Commission had unlimited powers Loch was determined to treat with no one but the President himself.

'The mutual interests of the two Governments,' he argued, 'will be better served by a personal conference between us than by the appointment of a Commission however wide their powers.'

At the same time, in case these arguments should fail to

\* This correspondence has been omitted from the Blue Books.

### THIRD SWAZIELAND CONVENTION 343

move the President, he concluded by repeating the threat he had often used before and requested an immediate telegraphic reply.

'Delay at arriving at a speedy understanding upon Swazieland and other questions is not devoid of the danger of serious complications arising, for your Honour will appreciate the fact that, unless the future of Swazieland is arranged some considerable time before the 31st December next, Her Majesty's Government may be forced into accepting responsibilities under the London Convention which they are desirous to avoid.'

The conference then took place on December 6, 1894, and the following days at Volksrust-Charlestown on the border of Natal, the result being that on December 10, 1894, after preliminary discussion, a new Swazieland Convention (the third one) was signed, subject to ratification by the Volksraad and by the British Government respectively.

When forwarding this Convention for the approval of the Secretary of State, Sir Henry Loch said (December 14, 1894), as if it were a new idea of his own :

'British protection of Swazieland is not only legally impossible, but is politically and economically undesirable, whilst an isolated, independent Swazieland under native rule could not exist for any length of time, and would, from the outset, be the prey of civil war, and an open field for filibusters and other disorderly characters' (C. 7611, p. 84).

There was no other course open, therefore, than to leave the South African Republic to shoulder the burden of administering Swazieland, although it had carefully been provided in the Convention that Swazieland should not be "incorporated" as part of the Republic.

The terms of this new Convention were practically the same as those of the abortive Convention of 1893, except that it was not made dependent upon the consent of the Swazies. If the Swazies, before the ratification of the Convention, saw fit to sign the Draft Organic Proclamation agreed to by the two Governments in connection with the Convention of

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1893, then that Convention would become operative and the new Convention (of 1894) would cease to have effect. Otherwise this new Convention would come into operation as soon as it had been ratified, and would supersede the Convention of 1890. Meanwhile, the provisions of the Convention of 1890 were to continue in full force and effect.

The new Convention,\* like the Convention of 1893, made no provision for the acquisition by the Republic of a seaport, the aim which President Krüger had had in view. Sir Henry Loch still adhered to his principle of treating the Swaziland question on the one hand and the question of Kosi Bay and of railway communication on the other as entirely separate; that is, he adhered to it one-sidedly. For he still insisted upon including in the new Convention those clauses of the 1893 Convention which had no connection with the Swaziland question, and which bound the Republic (a) to withdraw all claims to extend its territory or to enter into treaties with tribes to the north and north-west, and (b) not to build a railway beyond the eastern boundary of Swaziland "save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic." There is no possible doubt that no such further Convention was actually contemplated by the British Government, and that the re-insertion of this clause was merely a snare. But that point cannot be made clear until the conclusion of the Zambaan-Umbegesa episode is told in a subsequent chapter.

For the rest, the Convention provided that "without the incorporation of Swaziland into the South African Republic, the Government of the South African Republic shall have and be secured in all rights and powers of protection, legislation, jurisdiction, and administration over Swaziland and the inhabitants thereof," subject to certain conditions

\* C. 7611, pp. 84-87. The full text of the Convention, with the corresponding resolutions, will be found in Appendix N, p. 523.

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designed to preserve native rights. The most important of these conditions were :

a. That the young King Bunu was to be recognised as Paramount Chief on his coming of age, "with the usual powers of such Paramount Chief, in so far as the same are not inconsistent with civilised laws and customs" ;

b. That the management of the internal affairs of the natives was to be in accordance with their own laws and customs ;

c. That no hut tax was to be imposed by the Republic until after the expiration of three years from the date of the ratification of the Convention, and that then the hut tax was not to be higher than that imposed upon Swazies living within the borders of the Republic.

Article III provided that the Republic was to appoint an officer to administer Swazieland.

In Article IV the Republic agreed to maintain the existence and authority of the Chief Court.

Article V referred to the amendment of laws and ordinances.

Article VI provided for the continuance of officials in office until the ratification of the Convention.

Article VII secured concessions, etc., already granted to British subjects.

Article VIII provided for the naturalisation of white residents.

Article IX guaranteed equal rights for the Dutch and English languages in the law courts of Swazieland.

Article X referred to Customs duties.

Article XI prohibited the sale of intoxicating liquor to Swazies.

Article XII, already quoted, referred to the railway to the sea-coast.

Article XIII dealt with the withdrawal of the Republic to the north, and with the incorporation of the "Little Free State" (see *supra*, p. 309) as part of the Republic,

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In Articles XIV and XV the British Government reserved the right to appoint a British Consular officer to reside in Swazieland and to exercise diplomatic representation in favour of British subjects and Swazie natives, subject to the other terms of the Convention.

In that form the Convention was approved by the British Government in January, 1895,\* and as the Swazies failed to sign the Organic Proclamation of the 1893 Convention, the new Convention came into force after ratification by the Volksraad in the following February. It was an agreement of which it may well be said in the words of a member of the Volksraad :

' We have not been paid in the coin we have paid with.' †

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\* C. 7611, p. 41.

† Carl Jeppe. See the Minutes of the First Volksraad, February 18, 1895.



## CHAPTER XLIV

### ANNEXATION OF THE TERRITORIES OF ZAMBAAN AND UMBEGESA

December 10, 1894	Signing of the Swaziland Convention of Volksrust.
February 13, 1895	The Volksraad gives its assent to the Convention.
March 16, 1895	The British Government order the annexation of the territories of Zambaan and Umbegesa.
April 25, 1895	Proclamation of this annexation.
April 27, 1895	The Government of the Republic wire a protest against this action.
June 8, 1895	This protest is followed up by a circumstantial note.
November 21, 1895	The Government of the Republic repeat their protest.

ON December 10, 1894, the third Swaziland Convention was, as we have seen, signed at Volksrust-Charlestown. It was duly ratified on February 13, 1895, by the Volksraad of the South African Republic, especially convened for this purpose. A month later, on March 16th, an event occurred which almost defies belief. Lord Ripon cabled an order for the annexation of Zambaan and Umbegesa by Great Britain; on April 25th the Proclamation was issued whereby the territory of these Chiefs was declared to be incorporated with Zululand.

To appreciate properly the significance and the perfidy of this act, it must be kept in mind that, in the recent Convention, the Republic had consented to assume the full responsibility for Swaziland, in the expectation that by so doing it would obtain a road to the sea—a prospect Great Britain had never ceased to dangle before the eyes of the Transvaal, and had just held out once more in the promise



of a "further contemplated Convention." Moreover, in payment for its road to the sea, the Republic had already relinquished its right to expand to the north and had assisted in every way the efforts of the British to obtain exclusive possession of that vast territory. And now Great Britain suddenly raised to the east this wall which cut off Swazieland, and consequently the South African Republic, from the sea.

Lord Rosebery was Prime Minister of England, the Marquis of Ripon was Secretary of State for the Colonies. It was a Liberal Government.

"The thing itself is bad," said a Cape politician, "and the manner of doing it is worse. It is the worst thing that has been done since the annexation of 1877."\*

It was Sir Henry Loch who had conducted, on behalf of the British Government, all the negotiations in regard to Swazieland after having persuaded President Krüger to Volksrust by means of fair-seeming prospects and by menaces. It was this same High Commissioner who, at the same time, secretly planned and arranged for the annexation of Zambaan and Umbegesa. On December 10th he signed the Convention of 1894 with its provision for a "further contemplated Convention." On December 17th, when the ink was scarcely dry on the signatures to the treaty, Loch opened the campaign by advancing the old complaints of "encroachments" by Boers in the territory of Zambaan and Umbegesa; and by "reminding" the Government of the Republic "that the territories of the native Chiefs to the east of the Transvaal and south of the Portuguese possessions fall within the sphere of influence of Great Britain." †

On February 20th, when Loch was about to retire as High Commissioner, he wrote to Lord Ripon:

\* Related by F. Reginald Statham in his *South Africa as it is*, p. 290.

† C. 7780, p. 36.

'As to-day inaugurates the transfer of the hitherto joint administration of Swaziland to the sole administration of the Government of the South African Republic, I desire, before my final severance from questions connected with South Africa, to bring *once more* to your Lordship's consideration the question of the annexation of Zambaan and Umbegesa's countries.'\*

Once more! Before the Convention had even been ratified, then, Loch must have been planning and urging upon his Government the nullification of the promise it contained. This despatch was received in London on March 11th, but the Government of the Republic of course knew nothing of it until its publication in the following June. On March 16th Lord Ripon cabled his authorisation of the annexation, and on March 22nd he confirmed this in a letter which was either very cynical or very naïve. The annexation, he wrote, would "be welcomed by the Chiefs in question," but at the same time he advised that Saunders, the official who was to hoist the British flag in the territory of Zambaan and Umbegesa, should be provided "for his own protection" with a police escort.†

The police force was already on hand; it had been secretly organised in anticipation of this event. So carefully was the work done, however, that the first warning which the Government of the Republic received was contained in a newspaper despatch published in Pretoria on April 22nd. Under the heading "A Zululand Expedition," it read: "Information has been received which states that an expedition left Eshowe on the 20th inst. The object and destination of the expedition is being kept a profound secret by the British authorities."‡

Scenting danger at once, the Government of the Republic telegraphed to D. J. Esselen, the former Transvaal nominee

\* C. 7780, p. 40.

† Ibid. p. 43. The flag was raised in Zambaan's country on May 18, 1895, and in Umbegesa's on May 25th (C. 7780, pp. 50, 53).

‡ Pretoria Press, April 23, 1895.

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in the Joint Committee, who chanced to be in Cape Town at the time, to ascertain from the Imperial Secretary, Sir Graham Bower, the meaning of this mysterious undertaking. Esselen saw Bower, on the same day, April 22nd, and, to quote from his reply to the Government, was informed that

'no expedition has started. It is the fixed intention of Her Majesty's Government to let President Krüger know before taking any steps in consequence of events in Zambaan's country.'

The truth was just the reverse. It was the fixed intention of Her Majesty's Government to do nothing of the sort. Bower's statement to Esselen was made in the face of the fact that even if all of Saunders's men had not yet left Eshowe, the expedition was on the point of starting, that all the arrangements for the annexation had been completed, and that the formal Proclamation, dated only one day later, must have been already drawn up.

This Proclamation does not bear the signature of Sir Henry Loch, who had resigned, nor that of Sir Hercules Robinson, who was returning to South Africa as his successor. It was issued by the Acting High Commissioner, General Goodenough, who was on the point of transferring his temporary functions to Sir Hercules, already on his way to Cape Town. By this exchange of High Commissioners the Government of the Republic was compelled to discuss the matter with an official who, as far as was known in the Republic, had had nothing to do with the preparation or the execution of the treacherous plot.

In the meantime the Government of the Republic had received information, not from Her Majesty's Government, but from its own Consul-General in London, Montagu White, which led it to express its indignation in the following telegram to the Acting High Commissioner:

'This Government is informed by our Consul-General at London that a proclamation will appear to-day annexing Zambaan and Umbegea to

Zululand. This news is received by this Government with the greatest astonishment and the greatest regret. Taking into consideration previous negotiations and the fact that the two territories are not of the least importance to Her Majesty's Government, this annexation cannot be regarded by this Government otherwise than as directed against this Republic. They must therefore regard it as an unfriendly act against which they hereby protest' (April 27, 1895. Green Book No. 6, 1899, p. 1; C. 7780, p. 48).

This telegraphic protest was answered at length by Lord Ripon on May 11th. All that he could bring forward in explanation and defence of his secret and hurried act was a repetition both of the unfounded complaints of Boer "encroachments" upon the territory of Zambaan and Umbegesa and of the pretence that their country fell within the sphere of British influence. There was, on the other hand, absolutely no mention in the despatch of the occasions upon which the British Government had allowed it to be inferred that no objection would be raised to the Republic's annexing Umbegesa at least, if not Zambaan, and to its acquiring land at Kosi Bay.\* The whole bargain by which the Republic agreed to withdraw from the north in consideration of Great Britain's withdrawal from the east, the whole question of the Republic's legitimate desire to reach the sea—these were utterly ignored.

Possibly it was in order to remedy this omission that Lord Ripon requested the High Commissioner to assure President Krüger that "the course which has been followed was taken in no unfriendly spirit to, nor is it in any way directed against, the South African Republic." † †

The telegraphic protest of April 27th was elaborated in a long note by the State Secretary of the Republic which was forwarded to the High Commissioner on June 8th, four days before Ripon's despatch was received.‡ This protest

\* C. 7780, pp. 47-48. Green Book No. 6, 1899, p. 10.

† Green Book No. 6, 1899, pp. 10-15; C. 7780, pp. 47-50.

‡ Green Book No. 6, 1899, pp. 6, 10.

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was not published in the Blue Book of June 27th, in which Ripon's explanation appears, and the British Government did not give it publicity until August. The note began with the declaration that :

' This Government is not only surprised at the annexation itself but it is also unpleasantly affected by the circumstance that this annexation has taken place without any foreknowledge. This Government was thereby deprived of the opportunity to which it as a friendly and interested Power considers it might lay claim, to show its serious and founded objections with respect to a measure which seriously threatens the future development of the Republic.

' Now that this Government is once for all placed before the accomplished fact, nothing remains for it but to protest against it most strongly, and in bringing forward the grounds of its protest, meanwhile to express the hope that the British Government, after full consideration of those grounds, may yet rescind a step which is not only in conflict with the expectations which for years it has held in prospect to the South African Republic, but whereby also interests are hazarded in which other States and Colonies of South Africa are also involved.'

Then followed an historical retrospect of the negotiations. In the first place, in the exchange of views in 1888 the Republic had urged that its agreements with Zambaan and Umbegesa might be approved, and the British Government had replied that, while it had no feelings hostile *per se* to the Republic's acquiring communication with the sea, the Swazieland question must be settled before the Government could acquiesce in the Republic's taking over Zambaan and Umbegesa.

' The British Government,' said the note, ' acknowledged by this that the future position of Zambaan and Umbegesa had to be made dependent upon the solution of the Swazieland question which was then still pending.'

The Government then emphasised once more the fact that Zambaan and Umbegesa were not subject to Amagaland, nor to Swazieland, nor to Zululand :

'The repeated inquiries instituted by the British Government into the political status of Zambaan and Umbegesa have never brought to light anything which can be regarded as in conflict with the fact always asserted and recognised by this Government, that the said Chiefs are independent, and were therefore fully entitled to transfer the sovereignty over their territory to the South African Republic.'

In 1889 the Republic proposed "to withdraw its claims to the districts to the north and west of the Republic, on condition that Her Majesty's Government would withdraw to the east of the Republic in Swazieland, the territory of Zambaan, Umbegesa, and Amatongaland, including Kosi Bay." An answer to this was put off until Sir Francis de Winton should have reported. In his published report Sir Francis recommended that Umbegesa be taken over by the Republic and Zambaan incorporated in Zululand. In the meantime, however, the conference at Blignaut's Pont had taken place and the Convention of 1890 had been concluded. This Convention—

'gave to the South African Republic sovereign rights over a strip of land for a railway to Kosi Bay or for other purposes, either along the Swazie boundary or along the Pongola river through the territory of Zambaan, Umbegesa, and Zambili, besides a piece of land on the coast in Amatongaland for a harbour.'

The note then pointed out the provisional nature of the ratification of the Convention by the Volksraad which, on the strength of Hofmeyr's promise, had only accepted it as a transitory measure, expressly reserving all the Republic's rights to the east, and continued :

'To the stipulations of this Convention respecting the railway to Kosi Bay, effect was given by this Government in so far that it concluded agreements with Zambaan and Umbegesa respecting the strip of land required for the railway through their territory, but though that railway never came into existence, yet the stipulations relative thereto of the Convention of 1890 are of great importance in considering \* the

\* The Blue Book translates this "for the improvement of," which is absolutely wrong.

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position at that time taken up by the British Government with respect to the interests of this Republic in the districts situated to the east of its territory. Indeed it contained the recognition by the British Government, if not of all, at all events of some of the legitimate claims of the South African Republic, namely, its legitimate desire for a railway to the sea and for a harbour. But moreover, in the acknowledgment of the right to conclude treaties with Zambaan and Umbegeza for the acquisition of the strip of land for the railway to Kosi Bay, the recognition is included of the political independence of those Chiefs.'

Then came the conference at Colesberg in 1893, at which it was stated that the British Government could not give up Zambaan's country, a declaration that "is in conflict with the position formerly taken up by the British Government, that the addition of Zambaan, Umbegeza, and Mdlaweni [the Chief of a neighbouring minor tribe] to the South African Republic must be dependent upon the solution of the Swazieland question, [and] was the less explicable because it had already been accepted in principle that Swazieland should come under the protection, legislation, jurisdiction, and administration of the Government of the South African Republic."

'The negotiations, commenced at Colesberg, were continued at Pretoria on June 5, 1893. As well on this occasion as already previously at Colesberg, the representatives of this Republic brought with emphasis to remembrance that the South African Republic had made its policy subservient to the interests of England by withdrawing in the north and west of the Republic and preventing the trek to the north, in the firm trust that the British Government would fulfil its repeatedly given promises that it would leave its hands free with respect to the territory situated to the east of the Republic, so that by non-observance of that promise the Republic would have given everything without having received anything in lieu thereof. . . .

'The British representative again affirmed that he could give no hope with regard to Zambaan's country, but that, in order that the bringing about of a settlement of the Swazieland question should suffer no delay, Umbegeza and Mdlaweni should form the subject of a second convention and that a treaty could be made with them as with the Swazies.

'After the Volkraad had been heard on that point, it was resolved



that two conventions should be concluded, one in which the Swazieland question exclusively should be settled, whilst in the second the remaining points should be dealt with. . . . Thus the Convention of 1898 came into existence. It deals exclusively with Swazieland, comprises no single stipulation respecting Zambaan and Umbegesa, but Article IX contains a stipulation respecting the construction of a railway to the sea under provision of a further contemplated convention. A similar stipulation was also incorporated in the Convention of December 10, 1894, which definitely settled the Swazie question. If, therefore, the expectation of the Government of this Republic to have its claims upon Zambaan's country recognised was weakened, the recognition of those same claims with regard to Umbegesa and Mdlaweni and the acquisition of a railway to the sea remained undiminished in prospect.'

The conclusions to be drawn from these facts the State Secretary summarised as follows:

- ' 1st. That the Chiefs Zambaan and Umbegesa are independent.
- ' 2nd. That the South African Republic has never abandoned its legitimate claims with respect to the territory of Zambaan, Umbegesa, and Mdlaweni.
- ' 3rd. That the British Government, in recognising the legitimacy of the desire of this Republic to extend itself eastwards, originally only refused to give its approval to the treaties concluded by this Republic with the Chiefs Zambaan and Umbegesa on the ground that such approval must remain dependent upon the solution of the Swazieland question.
- ' 4th. That the Government of this Republic, relying upon this declaration, as being in accordance with the natural course of events, has made its policy to the north and west of the Republic subservient to the interests of Her Majesty's Government in the trust that the British Government would leave it a free hand in the districts to the east of the Republic.
- ' 5th. That the British Government, by the Convention of 1890, has agreed to the acquisition by the South African Republic of sovereign rights over a strip of land within the territory of Zambaan, Umbegesa, Mdlaweni, and Zambili, for the construction of a railway or for other purposes.
- ' 6th. That the British Government at Colesberg and Pretoria in 1893 [through Sir Henry Loch], notwithstanding its assent to the exercise by the Government of the South African Republic of protection, legislation, jurisdiction, and administration over Swazieland and its inhabitants, whereby its objections formerly offered to the approval of



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the agreements concluded with Zambaan and Umbegesa fell to the ground, without adducing well-founded reasons, has refused to recognise the claims of the Republic to Zambaan's country, but expressly continued to hold out the prospect of the addition of the territory of Umbegesa and Mdlaweni to the Republic, and the acquisition of a railway to the sea, both which latter points [*sic*] were to form the subject of a second convention as soon as the Swazieland question had been definitely settled.

'7th. That as by the Convention of 10th December, 1894, with respect to Swazieland, a settlement has been effected, the time appeared to have arrived for entering into negotiations respecting the settlement of the other points.

'8th. That it appears as if the British Government, by the sudden annexation of Zambaan and Umbegesa, has cut off the way to a satisfactory solution of those points by which not only the interests of this Republic, but also those of the other States and Colonies in South Africa have been hazarded, in so far as these latter are affected by an eventual entrance of the South African Republic into the Customs Union, the free admission of South African produce, the extension of the Charlestown Railway [from the Natal border], all matters which were most closely connected with a solution of the question of Zambaan and Umbegesa satisfactory to this Republic, and with the acquisition of its own harbour.'

In conclusion, the Government of the Republic expressed the hope that the British Government "may yet rescind a measure [the annexation of Zambaan and Umbegesa] which is irreconcilable with the claims of this Republic which have been acknowledged as legitimate and just."\*

\* C. 7878, p. 7; Green Book No. 6, 1899, pp. 6-10.

Two days before the note was despatched, the Volksraad of the Orange Free State unanimously passed a resolution expressing the same opinion of the annexation. The resolution, No. 374, dated June 8, 1895, was moved by C. J. Villiers, and seconded by C. H. W. van der Post. It ran as follows:

"The Volksraad of the Orange Free State, having learnt that the territory known by the name of Zambaan's and Umbegesa's country, situated to the east of the South African Republic, has been annexed by the British Government;

"Considering that this annexation has taken place without the British Government having consulted the Governments of South Africa interested in this matter, and that this annexation, as an inevitable consequence, will delay and impede the much-desired co-operation and better understanding between the several States and Colonies of South Africa;

"Regrets that the British Government has taken this step, and expresses

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This note was forwarded to the British Government by Sir Hercules Robinson, who was now once more High Commissioner. In his despatch sent at the same time,\* Sir Hercules stated in so many words what the note had only intimated—that the Republic considered the action of the British Government “uncandid and unfriendly.” But naturally the High Commissioner objected to this accusation.

In undertaking to defend his Government against the charge, the High Commissioner asserted in the first place that the Convention of 1890 had stipulated that access to the sea on the part of the Republic would be permitted on certain stated conditions only, namely: “(1) the entry of the South African Republic into the South African Customs Union; (2) the free importation of South African produce into the Republic.” “They” [the South African Republic] said the High Commissioner, “did not enter into a Customs Union, and they did not grant the free importation of South African produce.”

This paragraph was so worded that the casual reader would infer that the Republic had undertaken to enter the Customs Union and to admit South African produce free of duty before it could acquire sovereign rights over Kosi Bay and a strip of land to the sea. But actually the Convention had stated the exact opposite. In Article XIX it was stipulated that: “The Government of the South African Republic consents, *in the event of acquisition* by it of Kosi Bay, as aforesaid, and of sovereign rights over the area of land referred to in Article XI and Article XII to

the wish that the said Government may see its way in the interest of the whole of South Africa to cancel the annexation of the said territory” (Green Book No. 6, 1899. The resolution is not published in any Blue Book).

\* This letter is dated June 14, 1895, and is published in C. 7878. Its substance is practically identical with the answer to the Republic's note sent on September 13th by the High Commissioner on behalf of the British Government. This latter despatch does not appear in any Blue Book, but is to be found in Green Book No. 6, 1899, pp. 19-24.

enter . . . into the then existing Customs Union Convention."

For a similar reason free trade in South African produce, provided for in Article XXII of the Convention, the meaning of which was not so clear, had not been granted. In connection with this provision Sir Henry Loch had telegraphed on August 8, 1890, to Lord Knutsford:

'The Government of the South African Republic also requests that Article XXII of the Convention should be only enforced during time when the South African Republic is a party to the Customs Union. This latter is the only condition to the ratification, and to this I have consented' (C. 6200, p. 296).

Nothing could be more explicit than this. But it is equally clear that Sir Hercules tried to draw attention from the Conventions of 1893 and 1894 by speaking exclusively of the Convention of 1890. "The whole understanding between Her Majesty's Government and that of the South African Republic in relation to the countries to the north and east of the Republic is embodied in the Swazieland Convention of 1890," he wrote,\* utterly ignoring Hofmeyr's pledge, the conditional ratification of the Convention of 1890 by the Volksraad, the Conventions of 1893 and 1894, and the prospect of a further contemplated Convention. The High Commissioner did not give any reason for treating these facts as non-existent, and even after the Government of the Republic had expressly drawn attention, in their reply of November 21st, to the Minutes of the Conferences of Colesberg and Volksrust, where those pledges were discussed further and noted down (Green Book, p. 27), no answer on the part of Great Britain was forthcoming.

\* This sentence does not appear in his letter to Lord Ripon of June 14, 1895, but in that of September 13th to the Government of the Republic. It will be looked for in vain in the Blue Books; in Green Book No. 6 it is to be found on p. 23.

There were other allegations in Sir Hercules Robinson's defence of his own Government and arraignment of the Republic which the Government of the latter felt compelled to refute. The High Commissioner again referred to the "encroachments" on the territory of Zambaan and Umbelesa, on which Lord Ripon had laid so much stress. Indeed, the High Commissioner had already made many complaints, although there never had been any encroachments. It was part of the system of the British Government to pour in a perpetual stream of complaints about one thing or another in order to harass the Republic, to interfere with the work of administration, and to have something in reserve for precisely such an occasion as the present. It made no difference if, as in the case of Zambaan and Umbelesa, the charges had been shown to be unfounded and even absurd. For instance, Saunders had once reported that "Ferreira had been for three years collecting taxes from Zambaan, representing himself to be the agent to demand tribute on behalf of the *British* Government," a thing so preposterous that Sir Charles Mitchell, at that time in charge of affairs in Natal with the title of Administrator, made haste to disclaim any belief in it.

'I attach little importance to the latter statement,' he wrote, 'as it is just what a native Chief would say, who, believing that a rivalry existed between Boer and British, wished to keep well with both parties' (C. 8200, p. 210).

But whether founded or unfounded, these complaints of encroachments had been known to the British Government long before the signing of the Convention of Volksrust. They had been before the Government when Sir Henry Loch, on behalf of Great Britain, signed the promise of "a further contemplated Convention." Lord Ripon felt the necessity of breaking the force of this reproach in advance by mentioning the possibility of fresh encroachments

'There is some reason to suppose,' he wrote on May 11th, 'that the encroachments are extending, that there is a serious danger of further concessions being obtained by force and otherwise, which would be most detrimental to the interests of the district, and of a state of things arising which would produce grave difficulties and misunderstandings between Her Majesty's Government and the Government of the South African Republic' (C. 7780, p. 49).

This letter from Ripon crossed the Republic's note of June 8th, and the Government deferred answering it point by point until the British Government should have replied to its formal protest. This was done in Sir Hercules Robinson's despatch of September 13th, and on November 21st the Government of the Republic answered both these communications. Referring to Lord Ripon's fear of new "encroachments," the Government said:

'This Government consider it their duty to declare emphatically and earnestly that those statements in the letter from the Secretary of State seem to them utterly unjust and uncalled for, not only in regard to the Republic but also in regard to some of its subjects against whom unfounded accusations are brought in this way. They most emphatically deny that burghers of this Republic have made encroachments upon the territory of Zambaan and Umbegesa. Zambaan and Umbegesa were independent and had a perfect right to grant concessions and agreements in their country; that these have been obtained by unscrupulous and oppressive proceedings is a statement contradicted by the facts. There can be no question of encroachment when the Chief grants certain rights of his own free will and in virtue of his own sovereignty. Besides, what force could Ferreira use, or threaten to use, in that country? He has paid properly for the concessions he has obtained.

'This Government desire to point out that British subjects have on numerous occasions obtained concessions from native Chiefs similar to those to which Her Majesty's Government at present object and refuse to recognise.\*'

In his despatch, Sir Hercules Robinson had touched upon another point which seemed of much more consequence to the Government of the Republic:

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\* This, of course, referred *inter alia* to Rhodes and Lo Bengula.

'The most important point of your Excellency's despatch of September 18, 1895,' the note continued, 'seems to be that Her Majesty's Government attaches much importance to the statement that this Republic never came to an understanding with the said Chiefs, although for more than three years they had the right and the opportunity to do so. This was written in the face of the communication sent by this Government stating that they had begun negotiations and had already spent considerable sums of money for that purpose, a fact which seems not to have been credited because until recently no official information of these negotiations had been sent to Her Majesty's Government.'

'In reply to this contention this Government desire to call the attention of Her Majesty's Government to the fact that from the commencement of the negotiations about Swaziland and the territories now in question His Honour the State President has continually made clear the fact that he could not treat further with these Chiefs, it being useless to do so until the Swaziland question was settled. His Honour has constantly pointed out that Swaziland was the first step, which would lead to the second, namely, to negotiations with these Chiefs, and it was for this reason that it was decided and agreed that after the settlement of the Swaziland question negotiations should be set on foot for a second Convention to regulate matters concerning the territory of Zambaan, Umbegeza, and other Chiefs.'

'Notwithstanding this explicit agreement between the contracting parties, suddenly and without warning to this Government, the said territories were annexed, almost immediately after the settlement of the Swaziland question.'

The Government concluded this statement of the Republic's case by repeating their protest against the annexation.

'The opening given in 1890 to the Republic to obtain a way of its own to the sea (and of which it was prevented from making use through no fault of its own) is now not further enlarged but closed absolutely.'

'Consequently the Government of this Republic are constrained to continue in their opinion that the action of Her Majesty's Government is unfriendly towards the Republic and contrary to the negotiations conducted between the two Governments.'

'The Government must, therefore, abide by the protest formulated in their letter of June 8, 1895' (Green Book No. 6, 1899, pp. 28-29).

The Government did not allow the matter to end with this protest; to the last they maintained their position. Proof of this may be found in the Green Book of the South

African Republic No. 6, 1899. On the other hand, the British Blue Books, after publishing the High Commissioner's defence of the annexation dated June 14th, and the approval of this defence, expressed by Joseph Chamberlain, Lord Ripon's successor, on August 23, 1895, contain no further mention of the subject. Even the Republic's reply of November 21st, cited above, does not appear in them. From the British standpoint, the question was settled by the answer of the High Commissioner, or rather it had already been settled by the Proclamation of annexation. "The further contemplated Convention" was never seriously intended. Great Britain had never "contemplated" it.

Whether a Conservative or a Liberal Ministry was in power in London, whether a Ripon or a Chamberlain presided over the Colonies, whether a Loch or a Robinson was at Cape Town—in the end it came to the same thing for the South African Republic. Even protestations of friendly feeling the Republic had learned to take at their proper valuation, no matter from which British statesman they came. Ripon had written that the annexation of Zambaan and Umbegeza had been made "in no unfriendly spirit to, nor is it in any way directed against, the South African Republic"; \* Chamberlain used the same tone in recommending the High Commissioner to "assure President Krüger that Her Majesty's present Government, like their predecessors, entertain the most friendly feelings towards the Government of the South African Republic," † and he had permitted Sir Hercules Robinson to add that "the independence of their country is secured by the non-aggressive policy of Her Majesty's Government." ‡

And this was written in the same year as the Jameson Raid and four years before the outbreak of Chamberlain's war of devastation.

\* C. 7780, p. 50. † C. 7878, p. 8; Green Book No. 6, p. 24.  
‡ Green Book No. 6; C. 7878, p. 1.



## CHAPTER XLV

### GREAT BRITAIN AND THE CONVENTION OF 1894; BUNU AND THE PROTOCOL OF 1898

- February 20, 1895 The Government of the South African Republic assumes the administration of Swazieland.
- February 28, 1895 The British representative, Colonel Martin, acts in opposition to the Convention. The Government of the Republic refuses to grant him the Exequatur of British Consular Agent. Colonel Martin is recalled.
- August, 1895 The Government of the Republic issues a Proclamation warning against the disturbance of peace and order in Swazieland.
- 1896-1897 Incessant intriguing of Englishmen in Swazieland.
- April, 1898 Murder of Mbaba. The Government of the Republic summons Bunu, the Chief of the Swazies, to appear before them on account of this murder.
- July, 1898 Bunu seeks refuge in Natal.
- July-October, 1898 The High Commissioner, Sir Alfred Milner, intervenes on his behalf.
- October 5, 1898 Signing of the Protocol added to the Swazieland Convention.
- October 6, 1898 The Volkaraad gives its approval to the Protocol.
- November, 1898 On the insistence of the High Commissioner, Bunu, who has returned to Swazieland, is only condemned to the paying of a fine.

**T**HE question now presents itself: If England acted in this way in regard to one provision of the Convention, how did she act in regard to the other? By the Convention of 1894, the South African Republic had acquired full powers of protection, legislation, jurisdiction, and administration over Swazieland. During the conferences which preceded the Convention, it had been clearly and



repeatedly declared by Sir Henry Loch that the British Government had the fullest intention of transferring Swaziland to the Republic, but that, if it were stated in plain terms that the Republic had annexed the country, so many difficulties would be encountered with Parliament that the Government, to its great regret, could not permit the word "annexation" to be used in the Convention. Other words would therefore have to be employed, which would nevertheless confer upon the Republic the same rights. Thus the four powers mentioned above were transferred to the Republic upon the assurance of the British representative that the South African Republic would be master in Swaziland. These were said to be the intentions of Her Majesty's Government.

Only a week after the Government of the South African Republic had assumed the administration of Swaziland (February 20, 1895) they had reason to complain of the interference of Colonel Martin, the British representative in the country, "which will put great difficulties in the way of the execution of the Convention" and "will have consequences which may be dangerous, but at all events will be troublesome and unpleasant, and which, though they cannot be laid to the charge of the Government, it will have to bear."\*

The fact was that on February 19th Martin had gone to Enkanini, the chief kraal of the Queen-Regent, and had there assisted in proclaiming Bunu King, by giving him, as he himself expressed it, "the law."

'He did this notwithstanding that on the 16th instant this Government had telegraphed your Excellency the information that a Commission would be sent to declare Bunu Chief Captain of the Swazies in accordance with the Convention, and notwithstanding he knew that Mr. Krogh [the Transvaal Special Commissioner], on behalf

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\* The State Secretary to the High Commissioner, February 28, 1895. This letter has not been published either in a Blue Book or a Green Book.

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of this Government, had informed Bunu and the Swazies that the Commission was on the point of starting and would, among other things, declare Bunu Chief Captain.'

The Government called this "an act in contradiction to the spirit and the explicit terms of the Convention which had been ratified by the Volksraad only six days previously." In accordance with the powers conferred upon the Republic, "the installation of Bunu was to be performed by this Government and not by a representative of your Excellency's Government."

In addition to this, Martin had assumed the title of "British Resident," although the Convention expressly stipulated the appointment of a "Consular Officer." Since Resident is the name uniformly given to British representatives in territories under the protection or the sovereignty of Great Britain, this act also possessed a significance which it was impossible to ignore. The Government of the Republic therefore refused to issue to Martin the necessary *Exequatur* as Consul, and in consequence the British Government was compelled to recall him. It would be wrong, however, to suppose that he fell into disgrace on account of his action in Swaziland; on the contrary, his official career apparently suffered nothing.

Martin, moreover, was not the only obstacle with which the Government had to contend. Having taken over the administration of the country, the Republic proceeded to send a Commission into it in order to regulate its affairs in accordance with the terms of the Convention. This was at once seized upon as evidence of an intention to raid the country and to annex it by force. To the High Commissioner this presented of course an excellent opportunity to ask for explanations. A private letter from President Krüger to Sir Henry Loch, dated March 2, 1895, throws an interesting light upon the situation.\*

\* Hitherto unpublished.

'I beg to thank you,' wrote the President, 'for your private letter of the 20th February last. Before it reached me I had already learned from the newspaper your approaching departure. I need hardly say that the news was a great surprise to me.

'While engaged in replying to your letter of the 20th, I received your private telegram of the 27th. I do not for a moment question Your Excellency's good intentions [this was of course written before any inkling of the impending annexation of Zambaan and Umbegessa, which immediately followed Loch's departure, had reached Pretoria], still, I feel justified in asking: If through the neglect of this Government in taking precautions, the lives of white people were endangered in Swaziland, on whom would the outside world lay the responsibility? Would they blame H.M.'s Government or us? If there is a continuation of the killing and eating up of the Swazie Kaffirs and women—a thing which up till now has been going on for a long time and has been hushed up—I repeat if this continue, will not the enemies of this Republic make use of this and stir up the minds of people against us, as has been done so often before?

'Sir Jacobus de Wet [the British Agent at Pretoria] has just been here to deliver verbally your private message, which was similar to that contained in your telegram referred to above. I told him that it was in no way my intention to make a raid into Swaziland, or to use any force; but as it is impossible for my Commission to undertake such a journey without an escort, I have called upon some burghers in the frontier districts to hold themselves in readiness, should their services be required by the attitude of the Kaffirs.

'Repeatedly we receive information and evidence of the anxiety felt by the whites in Swaziland (British subjects included), who themselves ask for protection. Even if the Chiefs are not so disposed, it still is possible for irresponsible individual Kaffirs to commit crimes and misdemeanours. People are not safe there from the whites: how much less so from the Kaffirs!

'Sir Jacobus de Wet told me that Your Excellency had heard rumours that this Government was intentionally trying to cause disturbances in Swaziland for the purpose of taking the country by force.

'Nothing could be more foolish or improbable, but the fact that such rumours are circulated (as it seems) is a fresh proof that the mischief-makers are continually at work and do not scruple to spread the most infamous lies. . . .

'It is a sad thing that whatever this Government may do, all its actions are interpreted for the worst; but I feel confident that you will do all you can to throw true light on the real facts.'

The Republic, however, met with no co-operation whatsoever in this matter from the British Government. While the High Commissioner wasted time by putting useless questions, demanding unnecessary explanations and forwarding unfounded complaints, which kept the officials of the Republic fully occupied (see the archives of the Republic), the whites in Swaziland did so much plotting and scheming among the natives that, despite the heavy expenses incurred by the Republic in the maintenance of a large police force, it was quite impossible to restore and preserve complete order and peace in the country. These intrigues had been discussed in the conference at Volksrust, and Sir Henry Loch had recognised the necessity of taking measures against them. This had now become the duty of the Republic—a duty the more pressing because more or less open attempts were made from England to incite the Swazies against the rule of the Republic.

In August, 1895, the Government issued a proclamation threatening punishment for "causing quarrels between the Native Chiefs of Swaziland and their followers," and "for committing any action by which the public peace and order be disturbed in that country."\* The letter in which the State Secretary informed the High Commissioner of this measure complained of the actions of certain Members of Parliament: †

"I have the honour to inform your Excellency that owing to the attitude adopted by the Swazie Kaffirs as a result of the incessant manoeuvring of persons in and out of Swaziland, this Government has been obliged to issue the Proclamation which was discussed some time ago with Sir Henry Loch and was even then considered advisable, in order, as far as possible, to restrain the instigators of the Kaffirs.

"I hereby enclose a copy of the Proclamation.

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\* Government Gazette of the South African Republic.

† Among these Ashmead Bartlett was the most prominent.

'The Government regrets to have to state that from a reliable source they have received information that even Members of Parliament in England have sent messages to the Chief advising him not to have anything to do with this Government and to persevere in his insolent behaviour.

'It would be a grievous matter if these so-called friends of the Swazie Kaffirs should push things so far as to cause conflict and bloodshed. If the Swazies were left to themselves no fear would exist about their remaining quiet, but when they are continually incited to opposition, it is impossible to foresee the consequences.

'It would therefore be most expedient if Her Majesty's Government could take measures for preventing such evil-minded persons, residing outside Swazieland and on English territory, from interfering in the affairs of a country under the administration of a friendly State.'

This appeal to the goodwill and co-operation of England was like knocking on a deaf man's door. It would indeed have been strange if all these attempts to make him lose his head had not induced a young barbarian like Bunu to relapse into the savage customs which had been the privilege of his predecessors. Sensitive to flattery, vain as all Kaffirs are, he was treated by Englishmen of all ranks in such a way that the belief was necessarily implanted in his mind that he was a ruler who need not trouble much about the Government of the South African Republic. He was very often under the influence of strong drink, and in consequence he exercised his "kingly" power in a manner utterly inconsistent with the condition of the Convention by which he had been made Paramount Chief—that he should not act contrary to civilised law and custom. Pillage, robbery, mutilation, and murder were the order of the day in all parts of the country, and were committed both by order of the King himself and in imitation of his example. There was no end to the complaints from blacks as well as whites which reached the representatives of the Republic; and the English who were living in Swazieland, basing their demands upon the recent Convention, seized the opportunity to insist that the South African Republic

should not only afford them protection, but make itself responsible for all their losses.\*

After having maintained law and order for some years under very difficult circumstances, the Kaffirs began to behave in such a manner that the Government were compelled to put their foot down. They determined to put a stop to the disorders caused in Swazieland by Bunu's misdeeds, when, in April, 1898, Mbaba, the Chief Induna or Prime Minister, was murdered—and, it was alleged, by the King's order. Thereupon the Government of the South African Republic determined to hold a judicial inquiry into Bunu's conduct and called upon the King to appear before the Court.†

Here was a splendid opportunity for the British Government to assert itself. The Republic had to be impressed with the fact that although nominally Swazieland had been ceded to it, Great Britain remained the master. At the same time the Kaffirs had to be taught that they could always rely on England's protection against the Boers, even when they were criminals.

When Bunu was called to account, therefore, Sir Alfred Milner, the new High Commissioner, immediately entered his protest, and a long correspondence followed, which revealed on Milner's part a determination to trample on the Republic, and, on the Republic's part, a desire to avoid complications at almost any cost.

Milner began by expressing the wish that the case against Bunu should not be dealt with by judicial procedure but only treated administratively, and by suggesting that in no case should the punishment to be inflicted be heavier

\* An example of this was afterwards quoted by State Secretary Reitz in his letter of July 9, 1898, in which he gives the names of A. M. Miller, J. H. Johnson, V. M. Stewart, W. M. Miles, and F. S. Berning, who acted as a deputation representing others (C. 9206, p. 55).

† Green Book No. 2, 1899, p. 1, and Blue Book C. 9206, p. 28. For the events related in this chapter we refer, for the sake of brevity, to the official records, without quoting each page.

than the imposition of a fine—the charge against him being murder!

Then the High Commissioner, encouraged by Chamberlain, went a step further and declared that the Government of the Republic possessed no jurisdiction and that there was no competent Court. The Republic, referring to Articles II and IV of the Swazieland Convention, argued that as they held administrative powers they possessed judicial as well, both being mentioned simultaneously in the Convention; and that by the Proclamation it had issued on March 15, 1895, a competent Court had been established.

The High Commissioner refused to accept this view, and the controversy became acute, when Bunu, accompanied by Rathbone, in the beginning of July, 1898, fled to Natal, well knowing that he would find shelter and protection in British territory.

By this move the Chief played entirely into the hands of Milner. It afforded the latter an opportunity to change the hints he had given the Republic, and the wishes he had expressed, into conditions upon the acceptance of which depended his co-operation in the punishment of Bunu.

The High Commissioner was not slow to make use of this opportunity.

As regards Bunu's flight to Natal, the Government of the Republic would have been only too pleased if he had remained there, but such a solution of the Swazieland difficulty did not recommend itself to the High Commissioner. When, therefore, General Joubert, who had been sent to Swazieland to maintain order, proposed "that in the absence of the Paramount Chief, it would be advisable to confer a certain authority upon some of the Indunas," so that "all manner of small matters, that belong to the competency of the Paramount Chief, might be settled," Milner objected in that spirit of antagonism by which the whole of his policy was guided.



In his correspondence with the Republic on Bunu's case, he treated the matter from the first as if the Swazie Chief could not or ought not to be found guilty. He did all he could to help Bunu. He insisted that after the preliminary inquiry at Bremersdorp, Bunu should be allowed to return to his kraal, and he persisted in this demand, notwithstanding the serious objections raised by the Republic, which feared that, if this were allowed, Bunu would intimidate or remove dangerous witnesses—not a remote contingency to those acquainted with native usages. The High Commissioner ordained that the inquiry into the murder should not last more than a couple of days, although this was a matter which could scarcely be determined beforehand. He also demanded that the British Consul should be allowed to attend the proceedings with liberty to advise Bunu in and out of Court. He further insisted that the murder of Mbaba and his servants should be the only subject of inquiry, although the Government of the South African Republic in their correspondence had constantly referred to various other crimes committed by Bunu.\* Later, during the examination, when a question was put which had no immediate reference to the death of Mbaba, the British Agent at once objected on the ground that the Government had neglected to request the inclusion of this matter in the investigation. The High Commissioner persisted in this attitude, notwithstanding the expression of regret by the Republic "that crimes of such a serious nature as those of which the Paramount Chief now stands accused should remain unpunished is contrary to all laws of civilisation." He further insisted that no

\* From reports which reached the Government of the Republic and from declarations under oath, the atrocities laid to the charge of Bunu were really horrible. If these reports were true, he caused Kaffir girls to be ravished to death by his regiments; the bodies of women with child to be cut open for him to see "how a human being was conceived and came into the world," for, he argued, a King ought to know everything.



verdict should be pronounced before all the papers had been laid before him and he had given his opinion; and that no heavier punishment should be inflicted than a fine, the amount of this fine to be fixed in agreement with him. Not satisfied with these specific instructions, he made the Government promise that before closing the inquiry they would take into consideration "any suggestion the High Commissioner might make."

The Government of the Republic gradually gave way, under protest, on all these points, warning the British Government, at the same time, that it accepted no responsibility for the inevitable consequences. The High Commissioner's interference was the more galling to the Republic owing to the way in which he treated Bunu. Instead of simply ordering the Chief to quit British territory, Milner took Bunu under his special protection and did all he could to make the Chief aware of it. He informed the Chief of the conditions he had imposed upon the Republic on his behalf, and in his message to him he found it necessary to add these assurances: "This arrangement is the best possible for your interests. . . . If you now follow the advice of the High Commissioner, he will continue to look after you. And you need have no fear of your life or person." Little wonder that, fortified by these promises, this pampered native found heart to return to Swaziland. And the inquiry into the murder of Mbaba and his servants ran its course. The conclusion arrived at by the Government of the Republic in agreement with the State Attorney, J. C. Smuts, was: "That Bunu is not only shown to be guilty of the above charge but of having as Paramount Chief of the Swazies permitted such acts without doing anything to prevent them." The High Commissioner at once expressed his disapproval and declared "that he was totally unable to agree to any course implying that Bunu is guilty of murder of Mbaba." He went so far

as to add "that he was greatly surprised" the Government of the South African Republic should have arrived at such a conclusion. At the same time Milner was fully alive to the fact that it would not do to let Bunu off entirely without punishment, and after having thus lectured the Republic, he advised that a fine should be imposed upon Bunu, "because as Paramount Chief he was to a certain extent held responsible for the barbarous practices revealed by the inquiry." Without asking the opinion of the Government, he fixed the amount at £500. Again the Government complied (November, 1898), and thus the case was settled.

Simultaneously with the proceedings between the two Governments relative to Bunu's case, a correspondence had been carried on with a view to adding a Protocol to the Swazieland Convention by which the Republic would obtain powers of jurisdiction in Swazieland which the British Government maintained were not as yet possessed. From its own point of view the Republic considered such a Protocol unnecessary, even derogatory to its authority; but the very fact of the British Government disputing these rights compelled the Republic to accept the proposal. The draft Protocol, drawn up by the State Secretary of the Republic, having been rejected by the British Government, several months elapsed before an agreement was arrived at. The spirit which animated the acting British Agent at Pretoria during the negotiations may be gathered from the report he sent to the High Commissioner on July 20, 1898, in which he significantly remarked that "the Transvaal Government asked for the signature of a Protocol without proposing any *quid pro quo* to Her Majesty's Government." It appears that the Republic was expected to offer compensation for a thing it did not desire, which it considered useless and harmful, which was forced upon it by the High Commissioner, which laid the British Government under no obligation, and for which it paid nothing. To

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the Republic the Protocol was only a confirmation of the powers of jurisdiction which it already possessed, and for which it had paid a great price. Fraser, the acting British Agent, knew, however, that such suggestions would please the High Commissioner.

Sir Alfred Milner himself lost no time in showing "the friendly spirit" which actuated him. The first note in which the subject of a Protocol was mentioned contained the galling remark: "that special safeguards should be added to ensure that the case of an accused native shall be fully presented to the Court." When at last an agreement had been arrived at, and the nature of the crimes committed by natives, which would be dealt with by the Court, had been defined, it was settled that the document should be signed by the State Secretary and the British Agent and afterwards should be submitted to the Volksraad for ratification. On October 3, 1898, Milner learnt that the Raad would adjourn from the 7th to the 24th of October and that consequently the ratification of the Protocol might be delayed for a month or six weeks. This delay greatly annoyed the High Commissioner. "It is preposterous," he wrote, "that we should bind ourselves while they remain free for an indefinite time." A few weeks' delay would have made no difference. England was bound to nothing, whilst the hands of the Republic were firmly tied. Such language, which a British Secretary for the Colonies would not have dared to use to a dependency, the High Commissioner did not scruple to use when dealing with the South African Republic, a weak Power, which he knew would submit to anything rather than provide excuse for complications.

However, the Volksraad again showed itself submissive. The Protocol was signed on October 5th and was ratified the following day.\*

\* The text of the Protocol will be found in Appendix O, p. 538.

Thus the Bunu incident was closed. Although apparently only of local interest, its consequences for the Republic were far-reaching, for the British Government obtained an opportunity to interfere in the affairs of Swazieland, a country which could in no way be called British or even considered as being in the sphere of British influence. It was under the Protection of the South African Republic; and Great Britain itself had recognised the Protectorate. This act of interference was part and parcel of the campaign which was being directed against the Republic and which, a year later, culminated in war. For the time at least the Republic had avoided a conflict by a policy of continued surrender.

## CHAPTER XLVI

### AMATONGALAND

- July, 1887 A treaty is made with Zambili's messengers. Saunders leaves for Amatongaland.
- October 13, 1887 This treaty is ratified by Zambili.
- December 8, 1887 Ratification of this treaty by the High Commissioner.
- June-July, 1888 Colonel Martin is sent to Zambili in order to induce her to accept British protection. Zambili, on the contrary, wishes the treaty to be annulled.
- May, 1889 Zambili applies to the Portuguese Government for protection.
- March, 1890 Zambili sends envoys to Lisbon with the same object.
- 1894 Death of Zambili. She is succeeded by Ngwanasi.
- November 16, 1894 Letter from this Chief to a British official in Zululand. This letter is wrongly interpreted as containing a request for protection.
- May 30, 1895 A British Protectorate proclaimed over Amatongaland.

IT has already been related that in July, 1887, a provisional agreement was entered into between the Governor of Natal and messengers from Zambili, the Tonga Queen, binding her not to make treaties with other Powers without the consent of the High Commissioner. This provisional agreement was ratified by Zambili on October 13th of the same year, and by the High Commissioner by Proclamation dated December 3, 1887. Saunders, the Natal official, had visited Zambili personally in order to obtain her ratification.\*

After this, on February 9, 1888, the Colonial Secretary, Sir Henry Holland (later Lord Knutsford), wrote to the Governor of Natal, Sir Arthur Havelock, to say that the

\* C. 6200, pp. 39, 40.

British Government had come to the conclusion "that closer relations than those created by the treaty recently ratified should now be established with Queen Zambili and the Tonga people. I desire you therefore to cause the Queen Zambili to be informed that, *if she still desires it*, a protectorate will be extended over herself and her people and country."\*

This was written in comment upon Saunders's report of his proceedings when visiting Zambili in the previous October, and Saunders had not said that Zambili expressed any desire for a protectorate. "If she still desires it," therefore, was not to be taken literally.

In accordance with the Secretary of State's instruction, Colonel Martin was sent to Zambili to arrange a protectorate in June and July of 1888. His report is not printed in any Blue Book, nor is there any other reference to his mission until April, 1889, when further proceedings disclosed the fact that the Tongas had refused absolutely to sign any supplementary treaty. These proceedings consisted of a request by the Tongas that they might be released from the original treaty of October-December, 1887.†

In May, 1889, Zambili sent messengers to the Government of Lourenço Marques asking for the protection of Portugal.‡ Treaty engagements with England made it impossible for Portugal to accept this offer, but the British Minister at Lisbon reported to his Government in June, 1889, that although "Queen Zambili's attempt to rid herself of the obligations of the Treaty [with Great Britain] has ended in failure, . . . she maintains to the Portuguese that she looks upon it as invalid."§

Nor was she easily discouraged in her attempt to secure the protection of Portugal, for on March 1, 1890, the

\* C. 6200, p. 54.

‡ Ibid. p. 168.

† Ibid. pp. 186, 167.

§ Ibid. p. 174.

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British Minister at Lisbon informed Lord Salisbury that :

' An embassy from the Queen of the Amatongas is announced as having left Loanda for Lisbon in the course of last month, with the avowed object of petitioning, as Her Majesty [*i.e.* Zambili] did two years ago at Lourenço Marques, for a Portuguese Protectorate over her territory . . . in spite of her treaty with Great Britain' (C. 6200, p. 253).

Thus matters continued until Zambili's death in 1894. It would be difficult to infer from the facts that Zambili was exactly an Anglomaniac, but here is Sir Percy Fitzpatrick's version of the facts, as given in his narrative (a libellous book which a British Cabinet Minister described as "epoch-making")—*The Transvaal from Within* (p. 55) :

' In Tongaland Boer emissaries [there were none in the country\*] were not idle ; but they failed, owing to the fact that the Tonga Queen Regent, Zambili, a "really fine specimen of the savage ruler," would have nothing to do with any Power but England, whose suzerainty she accepted in 1887.'

Zambili was succeeded by a Chief named Ngwanasi. This Chief communicated occasionally with one of the Resident Magistrates in Zululand, in regard to cattle thefts, fugitives, and similar matters. On November 16, 1894, Ngwanasi wrote the following letter to this Magistrate :

' I, speaking to you about my property which is in Zululand, as got a message from Clarke [Sir Marshall Clarke, Resident Commissioner in Zululand] which was writing good words, saing first thing I mus return every property which belonging to Zululand, so I did so before I make any trouble. First I return 20 heads cattles in obey the British law in that message which was send from Etshowe. It promes me that if I did return thous catles I shall got all my property which in Zululand. Even since that time I never get nothing from that side, but I always obey you. First I got my two wives, I never get them yet, and my two sister of mine, and also I never get them, and also the men named

\* C. 6200, p. 166.

(Nyikanyika), I never get him also, bur everything which I get here in me belonging to Zululand I always return them without no trouble, because I always obeying the British law, because myself I don't think nothing bad about English peoples, because I obey the Queen of England. I ask you to be many kind, let me have some of my of this three things. Please do not cross about this sayings, because I just ask you be kindly let me have one of this three things or two wives or two sisters or the men (Nyikanyika). I shall be glad if the good magistrat will think about my good words which I writte to you, sir, I not going send Hahe because he is rest. I will send some other.

' I remain, your truley,  
etc. \*

A sufficiently harmless letter, it would seem. But it contained more than the unfortunate Ngwanasi realised. He had said, "I obey the Queen of England." By this he had meant that he recognised the Queen of England's authority in her dominions, and her superior power in comparison with his own. That he meant no more—except that he was anxious to recover his two wives and the rest—will be evident to those who have read Osborn's explanation of a similar statement made by the Zulus: "Their assertion that they and their territory belong to the Queen amounts, according to Zulu ideas, to nothing more than an acknowledgment of the superior power of the Queen" (see *supra*, p. 65).

But in the case of Ngwanasi, the Chief of Tongaland, such an explanation would not have been acceptable. His words were taken literally—so literally, that he must have regretted his education as a "polite letter-writer." Lord Ripon, in a despatch dated March 15, 1895, to Sir Henry Loch, pointed out that Ngwanasi, in his letter of November 16, 1894, had stated "that he obeys the Queen of England." "I consider," said Lord Ripon, "that a reply should be sent to him by an officer specially despatched for the purpose, who should inform him [not that his wives

\* C. 7780, p. 87.



would be restored, but] that his people and territory are under the protection of Her Majesty." \*

Such an officer was despatched accordingly. What Ngwanasi and the Tongas said to him the Blue Books do not record; so it would be fair to infer that their surprise at the announcement exceeded their joy. As their wishes, however, were not being considered, except officially, a formal declaration was made, on May 30, 1895, of a British Protectorate over Tongaland. † On June 29th of the following year, an Order in Council was passed empowering the Special Commissioner for Tongaland to appoint subordinate Executive and Judicial officers, and to legislate by Proclamation when instructed to do so by the Imperial Government. ‡

Tongaland, in spite of the Tongas, in spite of all promises to the Republic, had been converted into a British dependency. With the exception of Portuguese Delagoa Bay, the whole coast was now definitely British.

\* C. 7780, p. 41.

† *Ibid.* p. 54.

‡ *Lucas*, vol. iv. part ii. p. 59.

**PART IV**

**MATABELELAND, MASHONALAND AND THE  
BRITISH SOUTH AFRICA COMPANY**



## CHAPTER XLVII

### OLDEST TREATIES WITH THE MATABELE—RHODES AND OTHER CONCESSION-HUNTERS—THE GROBLER TREATY

- 1836 Treaty between Sir Benjamin D'Urban and Moselekatse.  
1846 Treaty between the Boer emigrants and Moselekatse.  
1853 Further treaties between the Boer emigrants and Moselekatse.  
1868 Death of Moselekatse; he is succeeded by Lo Bengula.  
1869 The Tati gold-fields opened.  
1884 Convention of London.  
1885 Warren notifies Lo Bengula of the British Protectorate over Bechuanaland.  
1887 Instructed by Rhodes and Beit, Fry visits Matabeleland, which becomes a hunting field for would-be concessionnaires.  
Lo Bengula enters into a new treaty with the South African Republic, represented by Grobler.

HOW it came about that the early Boer emigrants saved the native tribes of the Transvaal and Orange Free State from the plundering onslaughts of the Matabele, and how the Matabele at last were driven to the north of the Limpopo river, has been told in earlier parts of this work.\* It has been mentioned also that in 1846-47 the Boer Government entered into a treaty with Moselekatse, the Matabele Chief, and that the latter bound himself not to attack any of the tribes who lived under the protection of the Republic.† In the year 1853 two other treaties with the Chief were concluded by the Boers.‡

\* See p. 81 of this volume and p. 45 of *The First Annexation*.

† C. 3841, p. 115; *Historical Sketch* by the Deputation; Colquhoun, Archibald R., *Matabeleland: the War and our Position in South Africa*, p. 19.

‡ C. 5918, p. 4. For these treaties of 1853 see Appendix P, p. 685. The four small Republics of which the Transvaal was at that time composed were not united into the South African Republic until a few years later. Moselekatse

Moselekatse died in 1868. He was succeeded by his son, Lo Bengula, who was not crowned, however, until 1870. Lo Bengula's accession made no change in the relations of the Boers with the Matabele, for the latter never forgot the way in which a few Boer horsemen had routed them, Lo Bengula being therefore as anxious as Moselekatse had been to avoid further conflict with his white neighbours. With the exception of the "disappearance" of some Englishmen who visited the Matabele on a hunting trip in 1877,\* nothing of importance happened from the time of Lo Bengula's accession until 1885. Hunters of big game and traders visited his country occasionally, and his warriors periodically attacked the tribes to the east, west, and north. But these events do not call for notice. In 1885, however, valuable discoveries of gold in the Transvaal drew the attention of the English authorities to Mashonaland, where certain tribes of the Mashona were subject to Lo Bengula. The Tati gold-fields, situated in the south-western corner of Matabeleland, had been worked since 1869. But there were practically no Matabele living in that part of the country, and except for the payment of a certain rent to Lo Bengula, the Tati enterprise did little towards bringing the tribe into contact with white men.

In 1885, after Sir Charles Warren, as the head of the Bechuanaland Expedition, had entered into a treaty with Khama at Shoshong, he sent a mission under Major Sam Edwards to visit Lo Bengula and to announce the establishment of a British Protectorate over Bechuanaland. This mission left Shoshong in May, 1885, arrived at Lo Bengula's chief kraal (now Buluwayo) in June, and reached Barkly, on its return, in August, 1885.†

entered into treaties with two of these Republics. Hence we find two treaties dated the same year.

\* Captain Norris-Newman (*Matabeleland and how we got it*, p. 170) holds Lo Bengula responsible for the fate of these explorers (or prospectors); but there is little evidence bearing on the incident.

† C. 4643, p. 95.

Lo Bengula had very little to say during his interview with Major Edwards, except to protest against the action of Khama in having defined a boundary-line between the two tribes without first consulting him.\* The purpose of the mission, however, had not been exclusively diplomatic. Major Edwards had been accompanied by an officer of Engineers, whose report—or that part of it which was published—dealt largely with the “northern gold-fields.” “Fabulous stories are told of their wealth in alluvial deposits as well as quartz,” he said. “They have never been properly explored”; and so forth.†

This visit also called attention to the fact that Sir Benjamin D'Urban had entered into a treaty with Moselekatshe in 1836. The treaty had been one of amity and friendship only, and had conferred no rights or privileges on either party.‡ But a passing reference to it—not to its terms—by Sir Hercules Robinson, in a despatch to Lord Derby,§ helped to cultivate an impression that England had special privileges in Matabeleland.

This, it will be remembered, was after the signing of the London Convention of 1884, the fourth Article of which recognised the right of the Republic to expand to the northward by leaving its Government free to enter into treaties with northern tribes. In 1884, however, the more valuable gold deposits had not been discovered in the Transvaal, and the attention of the British Government had not been called to the possibility of similar discoveries in Mashonaland and Matabeleland. Once the idea of gold had been suggested, efforts were at once made to prevent Lo Bengula from entering into closer relations with the Republic. Towards the end of 1885, a British officer of fifteen years' standing resigned his commission and left the Bechuanaland Field Force in order to take charge of an expedition on

\* C. 4648, p. 99. † Ibid. p. 127. ‡ For text, see Appendix Q, p. 588.  
- § June 3, 1885; C. 4588, p. 22.

behalf of Khama against the Matabele—the compensation promised the party being grants of land. After the “filibusters” had been arrested and bound over to keep the peace, toward the end of 1885,\* Sir Sidney Shippard, the Administrator of Bechuanaland, wrote to Lo Bengula (March, 1886) as follows :

‘The men † [British subjects, although the Administrator did not mention this] who were stopped and brought back from Sechele’s were trying to bring about a war between you and Khama in order to find a pretext for a large force of men from the Transvaal to invade your country, and, if possible, obtain possession of all your wealth and of all your best land.

‘These men, who shoot well with the rifle and ride good horses, would, if not stopped by the British Government, come in vast numbers and bring fire and sword throughout the whole country, and though you and all your people are brave, and can fight well, and are indeed men, still you would need help if those enemies came upon you suddenly’ (C. 4639, p. 78).

This outrageous letter was submitted to the High Commissioner for his approval before it was sent. † If Lo Bengula was for one moment deceived, which is doubtful, he lived to realise that it was not against the Boers that he needed help.

Of course the usual statements were made that Lo Bengula was longing for British protection ; but that these statements were not made by the Chief himself will surprise no one who has read the preceding chapters. Thus, in March, 1887, an individual named John Fry reported that he had visited Matabeleland. § “I had several conversations with the Matabele King,” he wrote, “and from all I could

\* C. 4643, pp. 199, 224.

† The names alone of the men arrested show the absurdity of the contention that they had anything to do with the Transvaal. They were John Strath Ingram, Alfred Ernest Stenson, Allan Wilson, Samuel Fox, George Cleghorn, Henry Martin, Cabel John Lawrence, Camsar Gers and Morris Hassett (C. 4643, p. 224).

‡ C. 4639, p. 72.

§ His visit was on behalf of Rhodes and Beit. See Michell, vol. I. p. 241.

gather there is an evident desire on his part, and that of his people, to come under British protection." \* In 1895, the same John Fry, in quite another connection, was declared by the Rev. W. C. Willoughby to be totally untrustworthy.†

In 1887-88 Lo Bengula was besieged by concession-hunters. Eleven different parties visited the King for this purpose.‡ The Boers, however, were not competitors. The most influential group—represented locally by Messrs. C. D. Rudd, F. R. Thompson, and Rochfort Maguire—was the Gold Fields of South Africa, Limited, with a syndicate which included C. J. Rhodes and Alfred Beit. An "Exploring Company" had also been organised by George Cawston in London, its principal asset being E. A. Maund, who "stood well" with Lo Bengula. These rival interests ultimately united.

Among the most energetic of those persons in the field was a certain F. Johnson, of "the Northern Gold Fields Exploration Syndicate." Johnson began operations with Khama. On November 5, 1887, the Rev. Mr. Moffat, who was the Assistant Commissioner for the Bechuanaland Protectorate, reported during a visit to Shoshong:

'I have had much conversation with Khama, but nothing in the way of actual business. I learn (not from him) that there is a sort of concession granted to Johnson and others. It is the old story: on one side it is stated that Johnson claims the sole right to prospect in Khama's country, on the other side it would appear that Khama is quite unaware of his having conceded such powers. . . . Khama will get the reputation of bad faith' (C. 5868, p. 89).

Moffat added that "the person who acted as Johnson's interpreter is a young man of no character." Moreover, there was reason "to suspect in some cases at least that gold-mining is a mere blind, and that the ultimate object is to get hold of the land."

\* C. 5287, p. 22.

† C. 7962, p. 10.

‡ Mathers, p. 144.



It so happened in this case, however, that Khama had not been swindled; or rather, he admitted afterwards (March 6, 1888) that he had conceded certain prospecting rights to Johnson and Heany. On the other hand, in reply to a communication from the Administrator of Bechuanaland, he said: "Nothing has so startled me in your Honour's letter as your Honour's words about the 'claims of the rival grantees.' I admit no claims of rival grantees. Especially on no account whatever will I admit or consent to hear of claims of Messrs. Wood, Chapman, and Francis." \*

After he had finished with Khama, the same Johnson proceeded to Matabeleland. From there on November 17, 1877, he wrote to Sir Sidney Shippard's secretary as follows:

'After three months' talking I succeeded, or thought I had succeeded, in making the King [Lo Bengula] see that the best way of preventing a large influx of adventurers from the Transvaal [1], of which he was in great fear [see the letter from Shippard to Lo Bengula quoted above], was to grant concessions to some ten or twelve English Companies, and at the end of July, with the reluctant consent of the Council, the King granted the Company I represent the verbal [1] concession of the ground lying between and including the Hayane and Amazoe rivers [in Mashonaland], the terms being that I should pay £100 to go in to prospect, on condition that if payable gold was found, the King should sign a legal deed of concession, and receive £200 per annum while the Company was working' (C. 5868, p. 40).

Johnson then proceeded on his way, and discovered, as he said, "rich alluvial gold" in many places. On his return to the King's kraal, however, he found the situation changed. Several other concession-hunters had arrived, clamorous for spoil. Johnson reported that "a panic seemed to have seized the King and Indunas, fearing a rush of gold-seekers into the country. I have no hesitation in saying that this state of affairs has been chiefly brought about by the action

\* C. 5524, p. 16.

of Mr. J. G. Wood and party, who searched for gold when supposed to be hunting." The upshot of it was that Johnson found it necessary to leave the country in a hurry. He reported, by the way, that from what he had been able to learn, "Lo Bengula has a decided preference for Englishmen, but is certainly far more afraid of the Boers." \* Once more: Lo Bengula had no reason to be.

As early as 1885-86 Lo Bengula had sent to Pretoria to ask the Government of the Republic to renew in an amended form the old treaties entered into between Moselekatse and the Republic in 1853. For various reasons this request had not at once been granted; but in 1887, with concession-hunters to the right and concession-hunters to the left of him—in the King's eyes all of them English—Lo Bengula seized his opportunity to enter into a treaty with P. J. Grobler, as the representative of the Republic, in the hope of counterbalancing English pressure.† The effect of this treaty, which recognised in full Lo Bengula's independence, was to secure free entry into Matabeleland for every one "provided with a pass from his Honour the State President," and to give the Consul of the Republic, thereafter to be appointed, "criminal and civil jurisdiction over all subjects of the South African Republic" residing

\* C. 5363, pp. 40-42.

† Something of the extent and nature of this pressure is revealed in the following extract from Grobler's report, dated September 13, 1887: "On the 16th of July last I arrived at the town Umkanini where I found the said Lo Bengula, who although receiving me kindly, seemed in a certain way displeased, and really was so, because, as he said, he had heard from certain Englishmen, who had come to him, that the South African Republic would soon be taken by the English Government for the gold that was found there, that the Boers would be driven out of that country, and that already a commando of Boers was lying on his border ready to invade his country, and that under these circumstances it would be the best thing for him to place his country under the protection of the English Government in order to protect it against incursions from the Boers."

After Grobler had succeeded in disabusing the Chief's mind of this idea, he "seemed much more contented" and "sent a last message to the Government to the effect that as a proof of his friendly feeling and approval of our labours he would send the Government a present of ivory [which he did later], as he considered cattle too mean a gift for that purpose."

within Lo Bengula's territory.\* The full wording of this treaty, signed on July 30, 1887, was as follows :

#### TREATY.

' His Honour Stephanus Johannes Paulus Krüger, State President of the South African Republic, represented in this by Pieter Johannes Grobler by virtue of a power furnished him under date June 6, 1887, in the name and on behalf of the people and State of the South African Republic and Lo Bengula, paramount Chief of Matabeleland, assisted by his council and captains, represented in this by Moluchelu, Nowho, Postochan, and Omownd, in name and on behalf of the people and tribe of Moselekatse, wishing to confirm, ratify, and renew the formerly concluded treaties, have hereby agreed as follows :—

' *Article I.*—There shall be between both parties a perpetual peace and friendship.

' No violation of territory on either side shall take place.

' *Article II.*—The Chief Lo Bengula is acknowledged as an independent Chief. He shall be an ally of the South African Republic.

' *Article III.*—The said Chief Lo Bengula binds himself at all times, whenever he is called upon by the Government or by an officer of the South African Republic, to grant any assistance, either with troops or otherwise, to furnish such assistance; and his people shall then have to stand under the authority and command of the commanding officer, or of a subordinate officer under him, without showing the least disobedience to him or one of them.

' *Article IV.*—The Chief Lo Bengula shall cause all offenders who fly from the South African Republic into his country to be caught and extradited if it shall be asked.

' *Article V.*—The said Chief Lo Bengula shall, without charge, allow each person who comes from this Republic, and who is provided with a pass from His Honour the State President, freely to hunt or to trade in his country, and he shall afford, or cause to be afforded, to such a hunter, traveller, or trader, all protection and assistance; such hunters or travellers shall, however, have to conduct themselves quietly and properly, use no violence, and also not remove anything arbitrarily.

' *Article VI.*—If the President shall appoint a person to live in the territory of the Chief Lo Bengula, and to have charge there as Consul of the subjects of the South African Republic, there shall be granted to such a person all necessary protection, as well for his person as for his property. He shall have criminal and civil jurisdiction over all subjects of the South African Republic. If there is a civil question between a

\* C. 5918, p. 5.

subject of the South African Republic and a subject of the said Chief Lo Bengula or another person, then this Consul may also jointly have jurisdiction.\*

'Article VII.—In proof that the State President of the South African Republic and the Chief approve this treaty, they shall respectively send each other as soon as possible the following presents, viz. :—

'The State President of the South African Republic shall send . . . . . and the Chief shall send . . . . .

'I Lo Bengula hereby acknowledge with my council to fully approve and to have signed this document.

'CHIEF LO BENGULA, × his mark.

'P. J. GROBLER.

'The undersigned Indunas—

'MOLUCHELU. ×

'NOWOHO. ×

'POSTOCHAN. ×

'OMOWND. ×

'As witness— F. A. GROBLER.

'Signed at Omchannien, Matabeleland, on this 30th July, 1887.' †

Shortly after this treaty had been signed and executed, Lo Bengula sent two of his principal Indunas and an interpreter to Pretoria, because he wished to have the meaning of the treaty confirmed by President Krüger.‡ At their interviews, which then took place on September 13 and 14, 1887, there were present, besides President Krüger, some high officials of the Republic and P. J. Grobler.§

The Indunas began by explaining that the English had tried to set the Matabele against the Dutch. Lo Bengula and his council, therefore, had resolved to send them (his Indunas) to learn the President's own words.

'The Indunas said that the King and the whole nation were glad that Mr. Grobler had been appointed Consul, particularly because the letters from the English could now be explained to the King.'

\* The reader's attention is drawn to this important Article.

† C. 5918, pp. 5, 6.

‡ Ibid. p. 4.

§ A full report of this interview is given in Appendix B, p. 540. It does not appear in any Blue Book.

Every article of the new treaty was interpreted by the President to the Indunas, who said that Mr. Grobler had expressed it in exactly the same way. Finally, when President Krüger, in accordance with the terms of the treaty and with Kaffir custom, asked the Indunas what present Lo Bengula would like to receive, and when the Indunas replied "rifles," they were told that the present would consist of two sporting rifles and a salted horse.\* On the signing of the treaty Grobler had already given the King a rifle, two hundred cartridges, and £140 in cash. With the additional present the Indunas expressed great satisfaction, for Rhodes and his associates had not yet offered to furnish the Matabele warriors with a thousand rifles and a hundred thousand rounds of ammunition—the price they paid later for the Rudd concession.†

\* In South African parlance a "salted horse" is one which has passed through the dreaded "horse-sickness" and is therefore immune to further attacks. Such a horse is considered of great value.

† See *infra*, p. 414.

## CHAPTER XLVIII

### THE MOFFAT TREATY AND THE MURDER OF GROBLER

- February 11, 1888 Lo Bengula enters into a treaty with Great Britain, represented by Moffat.  
July, 1888 Grobler killed by Khama's people.

WHEN the British Government heard of the Grobler treaty, the Rev. J. S. Moffat, Assistant Commissioner in the Bechuanaland Protectorate, was ordered to proceed at once to Matabeleland. Moffat had been appointed Assistant Commissioner in July, part of his duties being to maintain amicable relations with Lo Bengula, and "promote at the same time the extension of British influence and trade throughout Matabeleland and Mashonaland."\*

The Grobler treaty did not appear to be a step in the desired direction, and it was hoped that Moffat, who had spent some years in Matabeleland under missionary auspices, might have sufficient influence with Lo Bengula to counteract the King's reliance upon the Republic.

In these circumstances Lo Bengula adopted the usual native tactics; he said enough to enable Moffat to throw discredit upon the Grobler treaty, but, later on, to representatives of the Republic, he denied that he had ever entered into a treaty with Moffat.

These contradictory statements of Lo Bengula made it difficult for the Commissioner to send in a definite report.

\* C. 5237, p. 34.  
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At first Moffat telegraphed "that the Chief Lo Bengula denies having entered into a treaty with the South African Republic of the nature described in the private letter written by a gentleman at Pretoria" (C. 5524, p. 1).

A week later he wrote that Lo Bengula "very gravely and formally requested me to state to Your Honour from him that he has made no engagement whatsoever with the Transvaal Government" (C. 5524, p. 2). As we shall see, his declaration on the subject of the Moffat treaty was fully as explicit.

So far as his principal business was concerned—that of persuading Lo Bengula to enter into a treaty with Great Britain—Moffat was not at first very hopeful of success. In a telegram to Shippard dated January 23, 1888, he said that an annual festival was taking place, that no business could be conducted meanwhile, but that "afterwards I will try and carry out [the] wishes of the Government." On January 30, 1888, he wrote :

'I am doubtful about the expediency of pressing him [Lo Bengula] under present circumstances to enter into a formal treaty or engagement unless the way should open for it more than it does at present. He has been so worried with importunities during the last twelve months to enter into engagements, that he turns away from any approach to anything of the kind, and no wonder' (C. 5524, p. 2).

Nevertheless, on February 11, 1888—some six months after the signing of the treaty with the South African Republic—Moffat succeeded in obtaining the King's mark to a document in which it was agreed "that peace and amity shall continue for ever between Her Britannic Majesty, Her subjects, and the Amandebele [Matabele] people." Also :

'It is hereby further agreed by Lo Bengula, Chief in and over the Amandebele country with its dependencies as aforesaid, on behalf of himself and people, that he will refrain from entering into any correspondence or treaty with any Foreign State or Power to sell, alienate, or cede, or permit or countenance any sale, alienation, or cession of the



whole or any part of the said Amandebele country under his chieftainship, or upon any other subject, without the previous knowledge and sanction of Her Majesty's High Commissioner for South Africa' (C. 5524, p. 18).

It was not until May 16, 1888, that this agreement was brought officially to the notice of the Government of the South African Republic by the British Agent in Pretoria, who, in a despatch of that date to the High Commissioner, said that "the President accepted a copy of the treaty, and stated that he would reply in writing, as the treaty clashed with a treaty or treaties made between himself and Lo Bengula" \* (C. 5524, p. 29).

Such was the situation in June, 1888: Lo Bengula had

\* The following proclamation had been issued by the Government of the South African Republic in the *Staatscourant* of May 2, 1888 (thus a fortnight before the British Agent had officially handed the British treaty to the Government of the Republic):

"Be it hereby made known, that the Government of the South African Republic, with the advice and consent of the Executive Council, has resolved, according to existing treaties between this Republic and Matabeleland (concluded with the Matabele Kings Moselekatshe and Lo Bengula), and on the request of the King Lo Bengula, to appoint a representative in the above country with the title of Consul, who will have his domicile in the capital of the aforesaid King.

"Mr. Pieter Daniel Cornelis Johannes Grobler has been appointed to this post of representative of the South African Republic.

"It is in the interest of the subjects of this Republic who stay in Matabeleland, either temporarily or permanently, to give their names and addresses to the Consul aforesaid.

"Every one who wishes to go to Lo Bengula's territory, either for hunting, trading, or otherwise, may procure a permit from the Government of the South African Republic. Such a permit may, however, be refused without any reason for it being given.

"The application for such a permit must be handed in to the State Secretary, stating the object of the journey.

"It is to the interest of all persons who hold such a permit to have it endorsed by the above-mentioned Consul as soon as possible, in order that he may inform King Lo Bengula of the same.

"As this system of permits has been established at King Lo Bengula's own request, who also wishes to be protected in this manner against an influx of evildoers and the like, warning is hereby expressly given to all who venture into Matabeleland without permits, that they expose themselves to danger at their own risk. †

"If any disputes arise, either with natives, or others, or amongst one another, the subjects of the South African Republic have at once to betake themselves to their aforesaid representative" (C. 5524, p. 28).



entered into a treaty with the South African Republic and had expressed pleasure at the appointment of Grobler to reside with him as Consul; he had entered into another treaty with Great Britain which did not, however, invalidate the earlier treaty with the Republic; Rhodes and his associates were determined at all costs to exclude Republican influence from Matabeleland and to acquire for themselves the right to exploit Lo Bengula's territory; Khama's country, which bordered Lo Bengula's territory on the south-west, was under British protection, and Khama himself had been carefully educated into hostility to everything Dutch. Further, Khama's capital, Shoshong, was constantly visited by Moffat, the Assistant Commissioner in the Bechuanaland Protectorate; the Rev. Mr. Hepburn, a missionary, lived there, as well as a representative of the Bechuanaland Exploration Company, of which Rhodes was the moving spirit.

In July, 1888, P. J. Grobler, Consul of the Republic with Lo Bengula, left Matabeleland for the Transvaal in order to fetch his wife. While passing through some country which he recognised as Lo Bengula's, and which that Chief had given him as his "road," he was attacked by a body of Khama's natives under the command of Mokhuchwane, Khama's half-brother, was wounded, and died of his wounds. It was proved afterwards that Mokhuchwane had been sent "to catch Mr. Grobler, dead or alive."\*

Sir Sidney Shippard, Deputy Commissioner in the Bechuanaland Protectorate, was at once instructed by the British Government to inquire into the facts. At the same time General Joubert was sent on a similar mission by the South African Republic. Sir Sidney's report was so manifestly unfair and partisan that it was practically ignored even by the British Government. It may be summed up in his own words: "I consider that Grobler

\* C. 5918, pp. 84, 148.

and the Boers were in the wrong from first to last in everything they did. . . . Khama himself is wholly free from blame in this matter." \*

With all the evidence before him, Lord Knutsford, on January 16, 1890, in a despatch to Sir Henry Loch, giving a résumé of the negotiations in connection with the affair, told the story as follows :

'On Sunday, the 8th of July [1888], some of Mokhuchwane's men met, and attempted to stop, Mr. Grobler's waggons whilst on "Grobler's road" in the country north-east of the Macloutsi and south of the Shashi, which country, as is well known, is in dispute between Lo Bengula and Khama. Consul Grobler and his party (who rightly or wrongly recognised no territorial rights on the part of Khama in the district) adopted an attitude of resistance,† and succeeded in dispersing the natives and in possessing themselves of some of their firearms. On arriving with the main body of natives at the scene of conflict and learning these facts, Mokhuchwane was much disturbed, fearing what would be the consequences to himself when he returned to Khama. Some parleyings followed, and Mokhuchwane agreed, no doubt reluctantly, to put his mark to a paper promising to pay two hundred head of cattle as amends for the attempt to arrest, besides fifty head of cattle, compensation to one of the Boers, who was injured by falling off his horse and breaking his arm in the mêlée, Consul Grobler promising, on his side, to give back their arms to the natives. This agreement . . . was reduced to writing, and Consul Grobler proposed that it should be read and explained to the Bamangwato [Khama's men] at large. Mokhuchwane assented, and it was further agreed that the conference should be an unarmed one. Each party came to it without their guns, but two or three of the Boers carried revolvers about their persons. [There were about 160 natives present at the conference, with another 150 or more some two hundred yards behind them; and there were 5 Boers, including Mr. Grobler. Also present with the Boers was an

\* C. 5918, p. 48.

† C. 5948, pp. 84, 143. Without waiting for the official investigation into the affair, the Aborigines' Protection Society at once assumed that Khama's men had been attacked by Grobler and remonstrated with the British Colonial Office for leaving the Chief defenceless (C. 5918, p. 159).

In connection with another point raised by the Society in this controversy with the Colonial Office, Moffat reported that "it would be well for the Committee of the Aborigines' Protection Society to satisfy themselves as to facta and not to run away with mere assumptions . . ." (C. 5918, p. 200). The Society would have done well to take these words to heart.

Englishman named Cameron.]\* *Mokhuchwane admits that he had made up his mind beforehand to act treacherously at this conference,† and to renew the attempt to seize Consul Grobler.* Moreover, the facts, as found by Sir Sidney Shippard, made it clear that he had imparted his instructions to his followers, and instructed them how to act.

‘While the document was being read by the Consul a cry was uttered by one Modisa, whereupon the Bamangwato rushed towards the Boers, endeavouring to overpower them. The Boers defended themselves with fists, knives, revolvers, and one or two rifles obtained, during the mêlée, from the women in the waggons behind [one of the Boers was accompanied by his wife and two daughters]. The Bamangwato were repulsed for the second time, and fled, leaving six horses and more than thirty guns in the hands of the Boers; but Consul Grobler was found wounded on the ground, the bone of his leg being shattered above the ankle by a Snider bullet. It seems to be admitted that this bullet was discharged from a rifle belonging to one Greef, a member of his own party, but Greef does not admit that the rifle was in his hands at the time, and suggests that it was picked up and discharged by one of the Bamangwato. Sir Sidney Shippard has, indeed, found, as a fact [in spite of the clearest testimony to the contrary‡] that the rifle was discharged by Greef, but as it is admitted that Greef had no intention of wounding Mr. Grobler, and was firing, if he fired at all, in his defence, the point is immaterial. The Bamangwato, having provoked the conflict by their treachery, must be held responsible for its natural and probable consequences.

‘Besides Consul Grobler, one of the Boers, named Francis Barnardhus Lotrie, was found to have sustained a severe gun-shot wound in the knee, and an Englishman named Cameron a flesh wound.

‘The Boers shortly after the fight proceeded in their waggons towards the Macloutsi River, but were again attacked at night by the natives, without, however, any casualty on either side. In due course the party crossed the Limpopo river into the South African Republic, where, sixteen days after being wounded, Consul Grobler died’ (C. 5918, pp. 241, 242).

This murder caused a tremendous commotion in the Republic. The general conviction was that Khama had not acted on his own account, but that he had been incited

\* C. 5918, pp. 88, 77.

† Probably being very anxious to make a good impression, this native, a convert to what he called Christianity, declared with great stress and pride that on that Sunday morning he had many times said his prayers (C. 5918, p. 58).

‡ C. 5918, p. 138.

to the deed by certain persons whose names were openly mentioned. Officially, however, the matter was reduced to a question of indemnification. As stated above, the British Government did not fall in with the suggestion or recommendation contained in Shippard's report. "They were inclined to the opinion," Lord Knutsford wrote, "that the justice of the case required something more to be done" (C. 5918, p. 242); and when the Government of the South African Republic demanded compensation directly from Khama,\* Sir Hercules Robinson was instructed to inform President Krüger "that Her Majesty's Government [were] not indisposed to consider favourably a claim for compensation." †

Then followed a correspondence about arbitration, to which an end was made by the offer of Great Britain, "on behalf of the Chief Khama," to grant a pension of £200 a year to the widow of Consul Grobler and an indemnity of £250 to the Boer who had been severely wounded. This offer was accepted by the South African Republic on the condition that the payment should be made by Khama and at Pretoria.‡

\* C. 5918, p. 242. It is worthy of mention that Sir (now Lord) Henry de Villiers, the Chief Justice at the Cape, had been consulted in this matter by the British Government.

† Ibid. p. 115. The letter of the Government of the South African Republic to Khama, containing the claim for compensation and the letter to the High Commissioner, informing him of this, both dated November 28, 1888, are added as Appendix S, p. 544.

‡ See Lord Knutsford's despatch of January 16, 1890, to Sir Henry Loch, which gives an account of the negotiations (C. 5918, pp. 241-243).

## CHAPTER XLIX

### THE SPHERE OF BRITISH INFLUENCE

- 1885 A British Protectorate proclaimed over Bechuanaland and the Kalahari. The Government of the South African Republic request to be informed of the boundaries of this Protectorate.
- 1886 The Government of the Republic repeat this request.
- 1887 Correspondence on this subject.
- 1888 The Moffat treaty with Lo Bengula.  
The territory north of the South African Republic placed within the sphere of British influence.

**T**HE death of Grobler did not materially affect the process by which the South African Republic was being hemmed in on the north.

Before following, however, step by step the way in which this was achieved, we must briefly refer to matters which had already taken place.

On March 23, 1885, the High Commissioner had informed President Krüger of the establishment of the British Protectorate over Bechuanaland in the following telegram :

'I beg to inform your Honour that Her Majesty's Government have established a British Protectorate over Bechuanaland and the Kalahari. The Protectorate extends over the parts of South Africa situate west of the boundary of the South African Republic, as defined by the Convention made at London on the 27th day of February, 1884, between Her Majesty and the said Republic; north of the Colony of the Cape of Good Hope; east of the 20th meridian of east longitude and south of 22nd parallel of south latitude and not within the jurisdiction of any civilised power' (C. 4432, p. 101).

By following the position and the boundary-lines of this territory on the map, it will at once be seen that the north-eastern boundary of this New Protectorate had not been defined. The 22nd parallel south latitude does not touch the Transvaal, and if the limits of the Protectorate eastward extended as far as the territory of a civilised State, the South African Republic would be cut off from the interior, along the whole of its northern boundary as far as the Portuguese possessions, by a small strip of British territory comprised between the Limpopo and the 22nd parallel south latitude.

President Krüger therefore at once telegraphed (March 24, 1885): "I request your Excellency to give me more precise information about eastern boundary of the new British Protectorate, especially with regard to the northern portion of that boundary."

To this Sir Hercules Robinson replied that he was sending copies of the Order in Council of January 27, 1885, establishing the Protectorate, and of his *Gazette* notice of March 23rd dealing with the matter. He added: "With these papers your Honour will have all the information I myself possess." \* These papers, however, defined the boundary in exactly the same words as the Order in Council, so on April 24th the Republic's request was repeated, and the practical importance of the question emphasised. The Republic argued:

'It might be that in some minds the idea was formed that the new British territory also extended along the north of this Republic, and consequently this Republic was cut off from the way to the north. In conclusion, I take the liberty to bring to your Excellency's notice that the interests of the Republic extend beyond its northern boundary, owing to treaties made with certain native tribes living in the said territories.'

Again no answer was vouchsafed.

\* C. 4432, p. 104.

The question was of importance, however, not only in view of future possibilities, but also in connection with the extradition treaty which it was desirable to conclude between Bechuanaland and the South African Republic. A year later, therefore, in March, 1886, the Government of the Republic called the attention of the High Commissioner to the fact that the north-eastern boundary of the Protectorate was still undefined, or at best only vaguely laid down. Seven months later the matter was still in doubt. Writing to the President on October 14, 1886, the High Commissioner said: \*

'The limits of the British Protectorate in Bechuanaland are open to some doubt, the definition of the boundaries contained in the High Commissioner's notice of the 23rd March, 1885, not being perhaps sufficiently explicit. And the point is still under the consideration of Her Majesty's Government.'

It remained under the consideration of Her Majesty's Government until the Grobler treaty with Lo Bengula had been signed. Then, on September 3, 1887, Sir Hercules wrote to the Government of the Republic:

'Having submitted to Her Majesty's Government your Honour's despatches of April 25, 1885, and March 26, 1886, relating to the north-eastern boundary of the British Protectorate in Bechuanaland, I am directed to inform you that Her Majesty's Government has not lost sight of the desirability of a more precise definition of the eastern boundary of the Protectorate, but that the uncertainty of the exact geographical position of the natural features of the country has hitherto prevented the attainment of this object. . . . Although they [the British Government] are not in the absence of a detailed survey yet in a position to define the exact geographical boundary, they are of opinion that it should start from the most northern point to which the territory of the Republic extends and be continued to the 22° of South latitude, which would place it about 29 degrees 20 minutes east longitude from Greenwich.'

\* This letter, like practically all of the early correspondence on the subject of the boundary of the Protectorate, is not to be found in any Blue Book. The documents, however, have been preserved in the archives at Pretoria, and it is from them that the extracts quoted in the text have been taken.



A glance at the map will show that the boundary thus defined two years and a half after the proclamation of the Protectorate, but only two months after the Grobler treaty, brought within Khama's borders (and so under British protection) a large slice of territory claimed by Lo Bengula, and that it deprived the Republic of free access to the north except within very narrow limits.

The Government of the Republic called attention at once (September 28, 1887) "to the fact that this definition of boundary encroached upon the territory of a Chief with whom the Republic was united in bonds of friendship, namely, Lo Bengula, the King of the Matabele," and stated that it intended to refer further to the matter. Sir Hercules merely replied (October 21st) that "in the absence of a survey" he did not consider Lo Bengula's territory encroached upon, and that in any case it was the Chief who should protest.

This extension of the Bechuanaland Protectorate proved to be only a preliminary step to what followed. In 1888, as we have seen, Moffat negotiated a treaty with Lo Bengula. Shortly after the contents of this treaty had been communicated to President Krüger a telegram from the High Commissioner, dated July 25, 1888, informed the Government of the Republic that:

'Her Majesty's Government regard the territory north of the South African Republic and the Bechuanaland Protectorate, south of the Zambezi, east of the twentieth degree of east longitude, and west of the Portuguese province of Sofala [Matabeleland and Mashonaland, in short] as exclusively within the sphere of British influence' (C. 5918, p. 146).

This cut off the Republic absolutely from all access to the north.

In view of such provocation the reply of the Government to these communications was extraordinarily moderate. In



the first place the protest which had already been lodged against the definition of the limits of the Protectorate was now formally repeated in a despatch dated November 29, 1888, and on the following day in another exposition of facts relating to Matabeleland.\*

After referring to the correspondence dating from March, 1885, to September, 1887, between the Republic and the High Commissioner relating to the boundaries of the New Protectorate, the State Secretary continued :

'This Government is obliged to declare that it has objection to a British Protectorate up to the last given boundaries, because the Republic would thereby be enclosed on a large portion of its northern boundary by the Protectorate. It was expressly understood at the negotiations which led in February, 1884, to the conclusion of the Convention in London, that the territory to the north of the Republic, and through it the road to the north, should remain for it [open to the Republic]. This Government cannot admit that the northern boundary of this Republic in the north-west should first commence at 29 degrees 20 minutes east longitude. The map of the Republic indicates that geographically the northern boundary of the Republic must be considered already to begin at the 27th degree of east longitude at the point where the Crocodile River—after having flowed for a time in a northern direction—bends itself eastwards, not far from the place where the River Serorunne flows out into the Crocodile river and flows further in a somewhat east north-easterly direction.

'Whilst now this Government, as regards the Republic, will make no objection to the British Protectorate to the west of the 27th degree of east longitude, and whilst it is also prepared to use its influence with Lo Bengula, the King of Matabeleland, for the preservation of peace, also to accept the same line as far as he is concerned, this Republic is obliged to declare that it yet has objection, for the above-named reasons, to the acknowledgment of a British Protectorate to the east of the 27th degree of east longitude' (C. 5918, p. 145).

More strongly expressed even was the objection of the Government of the South African Republic to recognise the fact that the whole of the territory extending to the

\* C. 5918, pp. 145-149.

Zambesi and the Portuguese possessions was within the sphere of British influence.

'I am instructed,' wrote the State Secretary to the High Commissioner, according to the translation published in the Blue Book, 'to request your Excellency to inform Her Majesty's Government that this Government has objection to acknowledge that all the territory to the north of this Republic indicated in your telegram of 25th July last should be exclusively under British influence. It is not clear to this Government what position according to the law of nations would be occupied by such a territory. It would seem to it that with respect to such a territory Her Majesty's Government would call into existence an entirely new legal position. It appears, however, to this Government that the question whether within the said territory exclusive British influence dominates is a question of fact; and it is a question which this Government must answer negatively.\* Against the declaration of Her Majesty's Government this Government can therefore not do otherwise than place the declaration that it cannot regard the said territory as lying within the exclusive sphere of British influence.

'This Government is forced to this declaration by the sacred duties which the interest and the righteous cause of this Republic impose upon it. It can, to its deep regret, come to no other conclusion than this, that the said declaration of Her Majesty's Government, in conjunction with other similar actions of Her Majesty's Government to the east and west of this Republic, would have no other result than that this State would be enclosed, and its growth, its extension and development would be kept back and made impossible.

'It is with no less regret that this Government must remark that this above-mentioned shutting off of this State on her northern boundaries is in conflict with the spirit of the negotiations which led to the conclusion of the Convention of London of 1884. It was certainly then expressly understood that the extension and development to the north would

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\* The Government might have added that British influence counted for so little in the country that Moffat himself had been obliged to leave and was waiting at Shoshong to return to Matabeleland when he could "prudently do so." Moreover, Sir Sidney Shippard's report of his journey into Matabeleland revealed such an alarming state of affairs that the Imperial Government authorised an increase of two hundred men in the Bechuanaland Mounted Police, and Lord Knutsford suggested that it might be "expedient to publish warning against Europeans visiting Matabeleland" (C. 5918, pp. 116-119, 140).

The new expression of "sphere of exclusive influence," at that time invented by Great Britain, did not exactly mean that Great Britain possessed any influence in the said territories, but was intended as a warning against any one else obtaining influence there.

remain free to the Republic. In view of that understanding the Kaffir races to the north of the Republic were expressly excluded from the stipulation of Article IV of the Convention, that treaties with native Chiefs should be subject to the approval of Her Majesty's Government' (C. 5918, p. 147).

Dealing with the Moffat treaty, the Government of the Republic, in its communication of November 30, 1888, expressed its objection to acknowledging the validity of the treaty in the first place because Lo Bengula denied absolutely having signed any such document. He had denied it in a conversation with the late Consul, P. J. Grobler, as the Government of the Republic had notified the High Commissioner in a telegram dated July 23, 1888. He had again denied it during an interview with F. A. Grobler, H. de Jager, and several others, a sworn report of which was enclosed with the Government's despatch. This report showed that Lo Bengula

'denied most strongly that he ever entered into a treaty or any engagement whatever with Moffat or with any other person sent by the English, which he would continue to affirm from time to time with his great council jointly and separately, and that what was said and proclaimed by Moffat is lies. He and the council also told me several times that he (the King) cannot alone make a treaty without concurrence of his council.

'I asked him if he had also signed a document with Moffat. To which he replied: "As Moffat asked me to enter into a treaty, which I refused, Moffat thereupon said that I must at all events answer that I refused it. He then read a letter to me, in which I acquainted the High Commissioner that I did not wish to enter into any treaty." These were Lo Bengula's words.'

At the same time Lo Bengula said "that he, assisted and supported by his council, still strictly adhered to the treaty concluded by him with the Consul-General [Grobler]." \*

As a second reason for its objection to acknowledging the validity of the Moffat treaty, the Government of the Republic pointed out that:

\* C. 5918, p. 148.

'Even if the Chief Lo Bengula should have signed the said treaty, then it would not be of force, because this Chief has not the right and the power to enter into an engagement such as indicated on behalf of his people without [the] support and concurrence of his great council of Chiefs. This support and concurrence were not given, as appears from the declarations of Grobler and de Jager already mentioned . . . and as the printed copy sent to this Government with the signature of Lo Bengula only, without one of his Chiefs, also goes to show' (C. 5918, p. 147).

The answer of the British Government was in the usual strain. In his despatch of March 22 and 23, 1889, the High Commissioner ignored the protests of the Republic on all points.

Speaking of the boundaries of the Bechuanaland Protectorate, he wrote :

'Looking, therefore, to the interval that has elapsed, as well as to the fact that the Protectorate has been explained to the Chiefs, Her Majesty's Government consider that the present request of the Government of the South African Republic that the Bechuanaland Protectorate should be bounded to the eastward by the 27th meridian of east longitude cannot be entertained' (C. 5918, p. 178).

The same answer had been given and the same arguments advanced in the case of the annexation of Zululand, in contravention of the agreement with the New Republic, and in the case of Zambaan and Umbegeza. The annexation having been proclaimed, it was impossible to discuss it. The finality of the deed was, in the eyes of Great Britain, sufficient to justify it.

Sir Hercules Robinson also ignored the fact that the greater part of "the interval that had elapsed" was the time between the proclamation of the Protectorate in March, 1885, and the definition of its boundaries by himself in September, 1887. In these years the Republic had repeatedly pressed for information and had been told by Sir Hercules that he himself did not know what the boundaries were. For the ignorance of the High Com-

missioner the Government of the South African Republic was not responsible, but it was made none the less to suffer for it.

In his reply of March 23, 1889, to the objections raised by the Government of the Republic against the Moffat treaty, the High Commissioner was even more peremptory.

'Her Majesty's Government, while accepting the bona fides of the Government of the South African Republic, are satisfied of the validity of Mr. Moffat's agreement of the 11th February, 1888, and do not consider it open to discussion' (C. 5918, p. 178).

Although the High Commissioner considered it unnecessary to explain the nature of "the sphere of exclusive influence" in Matabeleland and Mashonaland, he stated further:

'That Her Majesty's Government would not preclude the citizens of the South African Republic . . . from receiving mining concessions or grazing rights, or grants of land not being detrimental to British interests in Matabeleland or Mashonaland, on a similar footing to that on which British subjects might be placed in such territory.'

This declaration sounded very plausible, but Sir Hercules did not explain how "mining concessions" could be obtained by Boers, in view of the fact that Rhodes and his confederates had already secured a monopoly of mining and were supported in this by the British Government.

Even to Englishmen, unless they belonged to the monopolist ring or would submit to Rhodes's terms, access to the country was barred.

Only a few days after the arrival of the South African Republic's protest the High Commissioner had received a telegram from a Mr. A. W. Haggard, who was accompanied by the Hon. John Wallop, dated at Satib, Macloutsi river (via Mafeking), saying that:

'Maguire, Mr. Rhodes's agent, advancing with force to stop us before application to enter Matabeleland can have reached King. . . . English

enterprise thus at mercy of influential opponents. I also venture to point out that Mr. Cecil Rhodes's partner was associated in the outrage. This is the way in which we are treated by . . . the partner of a leading Cape politician' (C. 5918, pp. 141, 156; December, 1898).

The open door of which Sir Hercules had spoken was closed and locked. We shall see later on how the Boers were kept outside.

The Government of the Republic at last realised that it had been driven back both from the west and the north. It could do no more, however, than protest and declare "that sooner than let it come to a rupture, the Government will rather suffer under it." Such anxiety to avoid a conflict might, but for the sincerity of the Republic's aim, be thought too humble, perhaps even humiliating. Viewed in the light of subsequent events its language certainly was rather uncalled for and unwise. If President Krüger had hoped by his conciliating tone to bring the British Government to accede to his wishes about Swazieland and a way to the sea, he soon found out his mistake. His answer, however, greatly pleased the British Government.

'I think,' wrote Sir Hercules Robinson to Lord Knutsford, 'the conciliatory tone assumed by the Government of the South African Republic in this matter is very satisfactory, and that it would be desirable that their friendly acquiescence in the views of Her Majesty's Government should be met by an appreciative response' (C. 5918, p. 190).

We have seen already how this was acted upon, and that the Swazieland question was settled, not to the satisfaction of the Republic, but to its utter discomfiture.

## CHAPTER I

### SHIPPARD AND LO BENGULA—THE RUDD-RHODES CONCESSION

1888 Rhodes's agents at Buluwayo.  
Moffat at Buluwayo, followed up by Sir Sidney Shippard.  
Lo Bengula grants (October 30th) the Rudd-Rhodes Concession.

October 29, 1889 The Charter signed by the Queen.

IT was not long after Grobler's influence had been disposed of, and while the claims of the Republic to the north were still unsettled, that the Rhodes group succeeded in getting the thin end of the wedge into Lo Bengula's territory.

Some time before this, as we already know, Rhodes had called the Imperial factor a danger to South Africa. He had posed then as a true friend of the Afrikanders, as a "Home Ruler" who believed in and strove for a government of South Africa by the people of South Africa. Rhodes's policy did not stop here, however; his aims and desires went further.

The following is a quotation from *Cecil Rhodes: His Political Life and Speeches*, 1881-1900, written by "Vindex" and published during Rhodes's lifetime:

'Mr. Rhodes describes his aim in his own plain way: "Having read the histories of other countries, I saw that expansion was everything, and that the world's surface being limited, the great object of present humanity should be to take as much of the world as it possibly could."



'Considering [continues "Vindex"] the British Empire the vanguard of human progress, Mr. Rhodes had no difficulty in deciding that the best thing that could befall a territory, in the interests of humanity as well as of the English race, was that it should come under the British flag. . . .' (p. 7).

This principle Rhodes applied not only to unoccupied territory, or to territory sparsely inhabited by savages, but to the whole of the South African continent, including the Republics. For the moment, however, we need consider him simply as intent upon acquiring Lo Bengula's territory, as part of his general plan of taking "as much of the world" as he possibly could.

Unfortunately, when Rhodes had once convinced himself that his aim was justifiable, any means to attain it fell, in his consciousness, automatically within the same category. Consideration of prior rights or the better qualifications of other people to govern a country he coveted—in this case those of the South African Republic\*—the idea never even occurred to him. What he thought of was, first, how to keep the South African Republic from increasing its influence with Lo Bengula and from acquiring rights in his territory; and secondly, how he and his associates could get possession of that territory without too seriously offending what he described as the "extreme philanthropic sympathy" of a certain section of the English people.

At first he worked entirely through others. Almost immediately after Grobler's death, Moffat, the Assistant Commissioner in the Bechuanaland Protectorate, had proceeded to Baluwayo, Lo Bengula's chief kraal. He arrived there on August 22, 1888.†

\* Rhodes did not deny that the Republic had the first rights. Sir Thomas Fuller, in his *Cecil John Rhodes, a Monograph and a Reminiscence* (p. 80), reporting a conversation Rhodes had with him, mentions that he remarked that the Transvaal from its geographical position might well claim unoccupied northern territory as its own. "Yes," Rhodes had replied, "that is true; but the Transvaal would mean Krüger." What he meant to say was, that in that case there would be no chance for himself.

† C. 5918, p. 22.



Following him, just as soon as the inquiry into the circumstances of Grobler's death had been completed, Sir Sidney Shippard, accompanied by Major Goold-Adams, also visited Buluwayo. Rhodes's personal agents had been there for some time already.

Sir Sidney Shippard went to Lo Bengula as the Queen's representative. This was two months after the British Government had declared that Matabeleland and Mashonaland were "exclusively within the sphere of British influence." Yet the Matabele King did everything in his power, short of actual violence, to prevent the arrival of his guests. Regiments met them on their way, and threatened them with death, in the hope of frightening them into retreat. Sir Sidney complained that:

'I was very much surprised at so inhospitable a reception in Matabeleland, seeing that I had come a very long way to visit Lo Bengula as a friend at his own invitation, conveyed to me by Mr. Moffat' (C. 5918, p. 117).

Protests, however, were quite ineffective. Other regiments arrived.

'The new-comers went a good deal further. In passing our encampment they jeered at us, taunting and insulting us, and in their war dances some of them ran out stabbing at us and poisoning assegais, shouting out that they would soon make an end of us when they came into our camp. . . . They had evidently received orders not to attack us, though, if they could have succeeded in provoking any of our men to commence a fight, they would have considered themselves justified in disobeying orders' (C. 5918, pp. 118, 119. Sir Sidney Shippard's Report).\*

\* The following extract from a private letter addressed to Sir Sidney Shippard by Moffat, dated January 16, 1889, shows further how absurd was England's claim to "exclusive influence" in Matabeleland. "A far more important subject is that of a permanent Resident at Lo Bengula's. No man who knows anything about it could look forward to occupying such a post with feelings of satisfaction. It means a ghastly exile amongst unruly savages, from whom one has to tolerate daily rudeness and indignity, if not from the Chief and his Indunas, yet from any chartered libertine of a Metjaha [soldier]" (C. 5918, p. 161).

Sir Sidney and his escort of some twenty men swallowed these insults and arrived at last at Buluwayo on October 15, 1888. Once there, they were received by Lo Bengula with every show of friendliness. On the 18th the King received his visitors, and with them the English Bishop of Bloemfontein, Knight Bruce, the Assistant Commissioner, Moffat, and two missionaries.

In his published report, Sir Sidney does not speak of what took place at this and at subsequent interviews. He says that their conversations "will form the subject of a separate and confidential despatch." "I need only say here that I left more than satisfied with the results of my interviews."\* Sir Sidney, when taking leave of the Matabele King, had referred "very briefly to the business which Moffat still has to complete with him," while Lo Bengula "promised . . . especially to let me know at once about any attempt by filibusters from the Transvaal to invade his territory."† Then Shippard went off and Moffat remained at Buluwayo to complete "the business." Within a week Lo Bengula signed the famous concession to Rudd, Thompson, and Maguire upon which the Chartered Company was founded. Had he been able to forecast the future, a "massacre and not a treaty would have received his sanction," says Sir Lewis Michell in his *Life of Cecil Rhodes*.‡

\* C. 5918, pp. 124-5.

† Ibid. p. 127.

‡ Later, when the terms of the concession became the subject of criticism, Sir Sidney Shippard took pains to assert that "no Government officer or representative had anything to do with the concession in question," and that he "had carefully impressed upon Lo Bengula's mind that Her Majesty's Government was not in any way concerned with either mining schemes or trading ventures" (C. 5918, p. 153). The fact remains, however, that the concession was signed immediately after his departure.

In his account of the signing of the document, Michell says that Lo Bengula "was visibly resolute not to part with one jot or tittle of his sovereign rights. . . . But the recent visit of Sir Sidney Shippard, who was accompanied by Colonel Goold-Adams and the Bishop of Bloemfontein, had apparently convinced him that his true interest lay in conciliating the English rather than the Boer element in his territory (!). Sir Sidney Shippard had only left him a week before he made up his mind."

Moffat, moreover, who had remained behind to complete the "business,"

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The terms of the concession thus obtained on October 30, 1888, from Lo Bengula by Messrs. Rudd, Thompson, and Maguire, on behalf of Messrs. Rhodes and Beit and the Gold Fields of South Africa, Ltd., were as follows: \*

' Know all men by these presents that whereas Charles Dunell Rudd, of Kimberley, Rochfort Maguire, of London, and Francis Robert Thompson, of Kimberley, hereinafter called the grantees, have covenanted and agreed, and do hereby covenant and agree to pay to me my heirs and successors the sum of one hundred pounds sterling British currency on the first day of every lunar month, and further to deliver at my Royal Kraal one thousand Martini-Henry breech-loading rifles, together with one hundred thousand rounds of suitable ball cartridge, five hundred of the said rifles and fifty thousand of the said cartridges to be ordered from England forthwith and delivered with reasonable despatch, and the remainder of the said rifles and cartridges to be delivered so soon as the said grantees shall have commenced to work mining machinery within my territory, and further to deliver on the Zambesi river a steamboat with guns suitable for defensive purposes upon the said river, or in lieu of the said steamboat, should I so elect, to pay to me the sum of five hundred pounds sterling British currency on the execution of the presents, I, Lo Bengula, King of Matabeleland, Mashonaland, and other adjoining territories, in the exercise of my sovereign powers, and in the presence and with the consent of my Council of Indunas, do hereby grant and assign unto the said grantees, their heirs, representatives, and assigns, jointly and severally, the complete and exclusive charge over all metals and minerals situated and contained in my kingdoms, principalities, and dominions, together with full power to do all things that they may deem necessary to win and procure the same, and to hold, collect, and enjoy the profits and revenues, if any, derivable from the said metals and minerals subject to the aforesaid payment, and whereas I have been much molested of late by divers persons seeking and desiring to obtain grants and concessions of land and mining rights in my territories, I do hereby authorise the said grantees, their heirs, representatives, and assigns, to take all necessary and lawful steps to exclude from my kingdoms, principalities, and dominions all persons seeking land, metals, minerals, or mining rights therein, and I do hereby undertake to render them such needful assistance as they may from time to time require for the exclusion of such persons and to grant no conces-

openly and strenuously defended the Rhodes Company in a controversy with the Rev. Mr. Mackenzie in July, 1889 (C. 5918, p. 218).

\* C. 5918, p. 189.

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sions of land or mining rights from and after this date without their consent and concurrence, provided that if at any time the said monthly payment of one hundred pounds shall be in arrear for a period of three months then this grant shall cease and determine from the date of the last made payment, and further provided that nothing contained in these presents shall extend to or effect a grant made by me of certain mining rights in a portion of my territory south of the Ramakoban river, which grant is commonly known as the Tati Concession.

'This given under my hand this thirtieth day of October in the year of our Lord eighteen hundred and eighty-eight at my Royal Kraal.

His

'Lo BENGULA X  
mark

'C. D. RUDD,  
'ROCHFORD MAGUIRE,  
'F. R. THOMPSON.

'Witnesses—CHAS. D. HELM,  
'J. G. DREYER.'

### COPY OF ENDORSEMENT ON THE ORIGINAL AGREEMENT.

'I hereby certify that the accompanying document has been fully interpreted and explained by me to the Chief Lo Bengula and his full Council of Indunas, and that all the constitutional usages of the Matabele nation had been complied with prior to his executing the same.

'Dated at Ungusa river this thirtieth day of October, 1888.

'CHAS. D. HELM' (C. 5918, p. 189).

Now how was it that the Rhodes representatives had succeeded in obtaining such a sweeping monopoly from Lo Bengula, when other concession-hunters had failed to obtain anything? \* The secret of Rhodes's success, apart from the official support which he received, was his willingness to pay Lo Bengula with guns and ammunition—with

\* E. A. Maund, the representative of the Cawston's Exploring Company (see *supra*), arrived in Matabeleland early in October, 1888, in order to secure finally certain mining concessions promised him by Lo Bengula. He found, of course, that he was too late. But Lo Bengula, who was unusually honest (for a native Chief) in his dealings with white men, did not repudiate the promises he had made to Cawston's agent. So a compromise was effected, and the Cawston interests were united, for a consideration, with those of the Rhodes group (Keltie, pp. 415-418). Cawston became later a director in the British South Africa Chartered Company.

"one thousand Martini-Henry breech-loading rifles, together with one hundred thousand rounds of suitable ball cartridge." Even if these rifles were intended primarily for use against the Boers, they were actually used against Rhodes's own people during the Matabele wars of 1893 and 1896; and the "Great Imperialist" must have foreseen that possibility. Still, he got what he wanted.

Naturally, however, a payment so astonishing became the subject of criticism, which Lord Knutsford, on December 17, 1888, mildly suggested in a cable to the High Commissioner inquiring "if rifles [are] part of [the] consideration, as reported, do you think is there danger of complications arising from this?"\* Fortunately for Rhodes he had official defenders. The High Commissioner answered that "Shippard will be here to-morrow, and I will reply to inquiry *re* possible complications after conferring with him."† After this conference with Shippard, the High Commissioner informed Lord Knutsford that:

'Sir Sidney Shippard considers that the actual loss of life and bloodshed in native wars is diminished by the substitution of the rifle for the stabbing assegai. . . . But whatever opinion may be formed on this point . . . I do not think that anything would be gained by vetoing the passage of arms for Lo Bengula through the [British] Protectorate, which is all that we could do. If Mr. Rudd desired he could in such case send the arms through the Transvaal, whilst if he abstained from fulfilling that part of his agreement *Lo Bengula would assuredly take offence and turn to the Transvaal Government*, who would in all probability be glad to supply him with an equal or larger number of arms if he desired it' (December 26, 1888; C. 5918, p. 158).‡

\* C. 5918, p. 129.

† *Ibid.*

‡ Sir Sidney Shippard had also said, in his Memorandum to the High Commissioner: "In [*sic*] a political point of view it would in my opinion be inexpedient to place any restriction on the supply of fire-arms and ammunition to Lo Bengula while, as he is quite aware, we allow an unlimited supply to be furnished to the Bechuana and other Chiefs in and beyond our Protectorate" (C. 5918, p. 154).

Evidence of the extent to which the Chiefs availed themselves of their opportunities is afforded in another report of Sir Sidney's, dated August 27, 1888. "The Chief Khama," he says, "accompanied by the Rev. J. D. Hepburn and a large number of followers rode out about six miles to meet me, and was most

But that is just what the Transvaal Government would never have done, as the High Commissioner was in a position to know. The Transvaal Government had had innumerable opportunities to supply Lo Bengula's army with guns, and had never done so or considered the possibility of doing so.

Three months after Lord Knutsford had been informed that breech-loading rifles were less harmful than assegais, Mr. Joseph Chamberlain, at that time a Radical, asked the following question in the House of Commons :

' Whether, in view of the character of the concession said to have been recently granted by the Chief Lo Bengula to Messrs. Rudd and Rhodes, by which, in consideration for a sum of £1,200 a year, together with 1,000 rifles and 100,000 rounds of ammunition, these gentlemen were reported to have obtained sole rights of prospecting and working for minerals in a territory the size of Italy, Her Majesty's Government would take any steps to call the attention of the Chief to the disadvantages and dangers to the peace of the country incident to such a monopoly; and whether, in the event of Her Majesty's Government extending at any future time a protectorate over the colony now under the sphere of British influence, they would refuse to recognise the concession in question, or any similar concession that might be contrary to the interests of the Chief and people of Matabeleland, and likely to lead to complications and to a breach of the peace.' \*

To this question, the Under-Secretary of State for the Colonies, Baron Henry de Worms, replied :

' Her Majesty's Government have hitherto abstained from interfering with any concession granted by Lo Bengula, as that Chief is not under their protection, is independent, and has not till lately asked for advice.

cordial in his greeting. He appears to have a very large force here, nearly all provided with firearms and abundance of ammunition, and a very large proportion of them with excellent rifles, chiefly of the Snider, Westley Richards and Martini-Henry patterns" (C. 5918, p. 9).

\* In the early part of 1889, Mr. Chamberlain, as a member of the "South African Committee," signed a circular in which it was declared: "That it is not desirable to recognise or sanction any wholesale concessions to individuals or companies of land or mineral rights in the Crown Colony of Bechuanaland, in the Protectorate, or in the district within the sphere of British influence" (C. 5918, p. 180).

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He has now by his messengers asked for advice, and that some one may be sent to him by the Queen. It is not clear whether he desires to have some officer permanently resident with him, or only temporarily for the special purpose of advising him upon the present state of affairs. But Her Majesty's Government are prepared to send some officer to Lo Bengula should he desire it and should he agree to any arrangement proposed by Her Majesty's Government in respect of such a mission. *In the meantime I may state that Her Majesty's Government do not approve that term in the concession referred to which provides for the supply of arms and ammunition and they would advise Lo Bengula to have this altered.* If at any time a protectorate were declared at Lo Bengula's request over his territory, Her Majesty's Government would discountenance any concession containing such terms, or any concession of the kind referred to in the concluding words of the question' (London Times, March 18, 1889).

Two months after the Under-Secretary of State for the Colonies had made this public statement, the Colonial Office was informed by Rhodes that the rifles promised Lo Bengula, in accordance with the terms of the concession, had been delivered at his royal kraal.\*

Five months later, October 29, 1889, the application by Rhodes and others for a Royal Charter in support of the concession was granted by the Crown!

\* May, 1889; C. 5918, pp. 207, 208.



## CHAPTER LI

### CONCESSION OF THE ROYAL CHARTER

- October 30, 1888 The Rudd-Rhodes concession granted.  
February, 1889 Matabele Indunas brought to London by Maund.  
April 30, 1889 Lord Gifford, acting for Rhodes, Rudd, Beit, and others,  
applies for a Charter.  
May 16, 1889 The Colonial Office asks for a draft of the proposed Charter.  
June, 1889 Lo Bengula denies having granted the Rudd-Rhodes Con-  
cession.  
Rhodes and Maguire affirm the validity of the concession ;  
this satisfies the British Government.  
October 29, 1889 The Queen signs the Charter.  
November, 1889 Letter from the Queen to Lo Bengula approving of the  
Chartered Company.  
Jan.-Feb., 1890 This letter is delivered to Lo Bengula by specially selected  
British officers.

**T**HE Royal Charter was not obtained, however, without some difficulty. It rested, as we have seen, upon the Rudd-Thompson-Maguire Concession, which was first called the Rudd and later the Rhodes Concession, and which had been signed by Lo Bengula on October 30, 1888.

When forwarding a copy of this document to the High Commissioner's Secretary on November 23, 1888, Mr. Rudd said :

' Besides what appears on the face of the agreement certain verbal undertakings were given to the King by me, as for instance that any white miners engaged in the country by me should be bound to fight *in defence of the country if called upon* ' (C. 5918, p. 188).

Nevertheless, despite the liberal promises and gifts of arms by the Rhodes emissaries, there were vigorous competitors



in the field. Mention has already been made (p. 387) of the "Exploring Company," organised by George Cawston and represented by E. A. Maund.

Towards the end of February, 1889, two of Lo Bengula's Indunas arrived in London under the escort of Maund "to see the Queen" and to verify generally the existence of England and the English nation.\* The visit was really one move in the game of concession-hunting, which was now being played on a great scale.†

The Indunas were made much of in London, were presented to the Queen by Lord Knutsford, and before their departure received a letter by the Secretary of State which they were to hand to Lo Bengula. In this letter Lo Bengula was asked whether he would like to have an Imperial officer to reside with him permanently, and, if so, "what provision Lo Bengula would be prepared to make for the expenses and maintenance of such an officer."‡

Shortly before the arrival of the Indunas, Lord Gifford, on behalf of the Bechuanaland Exploration Company, had written to the Colonial Office to ask if the Government would consider a request for "a charter for settling, developing and trading over British Bechuanaland." The Colonial Office replied that the question would be referred to the High Commissioner for his observations.§

On April 30, 1889, this application, in terms which now included Mashonaland and Matabeleland, was renewed by Lord Gifford on behalf of the same company, but this time in conjunction with Rhodes, Beit, and Rudd on behalf of the Gold Fields of South Africa, Limited, and other interests, for the chief rivals had now abandoned their competition and amalgamated their claims.||

\* C. 5918, p. 161.

† Michell, vol. i. p. 262. The real object of the visit was "to inform the British public that Mr. Maund and not Mr. Rudd was the holder of a genuine concession from the Chief."

‡ March 26, 1889; C. 5918, p. 164.

§ January 8rd and 10th; Ibid. pp. 140, 150.

|| Ibid. p. 189.

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Before the receipt of this second application, Sir Hercules Robinson had expressed some views which must have been of inestimable value in furthering the cause of Rhodes and his allies. The High Commissioner spoke of the wretched condition to which a multiplicity of concessions had reduced Swaziland, and declared that "at this moment Her Majesty's Government have before them the choice of annexing the country or allowing the South African Republic to do so." If competition in concessions was allowed in Matabeleland there would be the same "choice of letting the country fall into the hands of the South African Republic or of annexing it to the Empire."

'Hitherto,' concluded the High Commissioner, 'annexations and Protectorates seem to have been decided on only to be followed later on by a perpetual wrangle with the Treasury for the means of maintaining a decent administration.

'I think the position of British Bechuanaland at this moment, after nearly four years of Imperial rule, as regards its prisons, hospitals, schools, public buildings, roads, and the civil servants generally, is a forcible illustration of the effect of attempting to administer a Crown Colony—if I may be permitted to use the expression—on the cheap.'\*

Thus enlightened, the Colonial Office asked, on May 16, 1889, to see a draft of the proposed Charter in order that the matter might be considered by the Cabinet. It was added: "Nor can the question whether such a scheme would be acceptable or otherwise to Lo Bengula be left out of consideration." †

As the next step Rhodes, on behalf of his associates, "pending the decision of Her Majesty's Government as to the granting of a charter," offered, on June 1, 1889, to pay £30,000 for the construction of a telegraph from Mafeking to Tati and £4,000 a year for the salary and expenses

\* C. 5918, pp. 171, 172. This is the communication referred to by Michell (vol. i. p. 265) as "the High Commissioner's masterly despatch of the 18th March . . . which proved conclusively that the only politic course was to confirm the Rudd Concession."

† Ibid. p. 192.

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of an Imperial official to reside in Matabeleland "to advise Lo Bengula, and give to the company moral support so far as this can be done without entailing on Her Majesty's Government any responsibility or expense."\*

Two weeks later, "pending the decision of Her Majesty's Government as to the granting of a Charter," the Colonial Office informed Rhodes that the Government "are disposed to give favourable consideration to the proposals made in your letter of the 1st instant" †—a reply which Rhodes very reasonably interpreted as an acceptance of his offer and a favourable omen for the granting of the Charter.

But the troubles of the applicants were not over. On June 18, 1889, the Colonial Office received a letter from James Fairbairn, a trader residing at Buluwayo, forwarding a communication addressed by Lo Bengula to the Queen, to which was affixed the well-known "Elephant Seal" of the King, and the signatures, as witnesses, of Phillips, Cohen, and Fairbairn, and of W. F. Usher as interpreter. In this communication Lo Bengula denied that he had signed any such document as the Rhodes-Rudd concession :

'I have since had a meeting of my Indunas, and they will not recognise the paper as it contains neither my words nor the words of those who got it' (C. 5918, p. 201).

This communication was submitted to Rhodes, who, in reply, enclosed a letter from Maguire, in which that gentleman repudiated the repudiation and reaffirmed the validity and genuineness of the original concession. This appears fully to have satisfied the British Government, for without waiting to communicate further with Lo Bengula, the Colonial Office, on July 10, 1889, informed Lord Gifford—who had submitted meanwhile the draft of a Charter—that "Her Majesty's Government will be pre-

\* C. 5918, p. 195.

† Ibid. p. 200.

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pared to advise Her Majesty to grant a Charter" to the persons named, subject to certain conditions.\*

The Colonial Office had said: "Nor can the question whether such a scheme would be acceptable or otherwise to Lo Bengula be left out of consideration"; and yet no steps had been taken to decide this question. The Matabele Indunas who had visited England in February and March, 1889, had returned to South Africa with their report, and with the Queen's offer to send an Imperial officer to reside permanently with Lo Bengula.† In his reply, dated August 10, 1889, and dictated to Moffat, Lo Bengula had said:

'With regard to Her Majesty's offer to send me an envoy or resident, I thank Her Majesty, but I do not need an officer to be sent. I will ask for one when I am pressed for want of one.'

He had added:

'I thank the Queen for the word which my messengers give me by mouth, that the Queen says I am not to let any one dig for gold in my country, except to dig for me *as my servants*' (C. 5918, p. 235).

Which was not exactly the status on which the Chartered Company wished to be placed.‡

It was believed, moreover, that the Indunas had not made a satisfactory report in regard to the Rhodes syndicate, and that Lo Bengula had been unfavourably impressed in this respect.§ Something had to be done, therefore, to improve Lo Bengula's mind, and to induce him to take a more sympathetic view of England and the Chartered Company.

\* C. 5918, pp. 211, 226. The Queen signed the Charter on October 29, and it was published in the *London Gazette* December 19, 1889. Its full text is given in Appendix T, p. 549.

† Ibid. p. 164.

‡ It would have been difficult for the messengers to interpret in any other way the message received from the Secretary of State (Ibid. p. 164).

§ Captain Norris-Newman, pp. 22-24.

In the first place, on November 15, 1889, Lord Knutsford sent him a letter "from the Queen," in which it was stated that the Queen:

'Approves of the concession made by Lo Bengula to some white men, who were represented in his country by Messrs. Budd, Maguire, and Thompson. The Queen has caused inquiry to be made respecting these persons, and is satisfied that they are men who will fulfil their undertakings, and who may be trusted to carry out the working for gold in the Chief's country without molesting his people, or in any way interfering with their kraals, gardens, or cattle . . . [The Queen] hopes that he will allow them to conduct their mining operations without interference or molestation from his subjects' (C. 5918, p. 238).

It was realised, however, that this letter would not be sufficient, and all the more clearly when, on November 18, 1889, a despatch was received at the Colonial Office from Mr. Moffat, in which that official, instead of discrediting Lo Bengula's repudiation of the Rhodes concession as stated by James Fairbairn and others, reported that Lo Bengula confirmed what he had then caused to be written. Moffat, writing from Matabeleland on August 28, 1889, could only suggest that "this repudiation of it [the concession] is an afterthought." He had advised Messrs. Fairbairn and Usher, he said, "in future to abstain from any controversy which might hereafter cause a stumbling-block in the way of a fair and peaceful adjustment of relations between the Matabele and the powerful interests desirous of working minerals in this country. . . . I recommended them to let bygones be bygones and take a new departure."\* Most remarkable advice, which amounted to saying that if Lo Bengula repudiated any alleged concession to the Chartered Company, his repudiation was on no account to be reported.

In any case, something really striking had to be done to produce the desired effect on Lo Bengula—and some one

\* C. 5918, p. 238.

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had the needed inspiration: let the Queen's letter, approving and supporting the Chartered Company, be delivered to Lo Bengula by officers and men in the full uniform of the Royal Horse Guards, shining breast-plates, helmets, and all.\* A trading company with sufficient influence to procure a favour such as that, was powerful indeed. The directors of the Chartered Company applied to the Colonial Office, the Colonial Office applied to the War Office, and the War Office consented, it being left to the Duke of Abercorn, as the Chairman of the Chartered Company, to communicate personally with the military authorities as to the officers to be selected for the purpose.†

Two officers and a non-commissioned officer journeyed accordingly to South Africa. From Kimberley to Buluwayo they proceeded in "a four-wheeled coach, specially set apart for the mission, and drawn by eight mules . . . gorgeously painted in red and yellow, and honoured by the Royal 'V.R.' and Crown in gold." † They remained in the Matabele capital for three weeks, admired by the King's wives, and duly photographed in their splendour for the benefit of the English illustrated papers.§

\* Norris-Newman, p. 28.

‡ Mathers, p. 163.

† C. 5918, p. 237.

‡ Ibid. pp. 170-178.

## CHAPTER LII

### THE BOWLER TREK (1890)—MASHONALAND OCCUPIED BY THE BRITISH SOUTH AFRICA COMPANY—THE ADENDORFF TREK (1891).

- January 15, 1890 Bowler notifies the British Government and the Government of the South African Republic of his intended trek to Mashonaland.
- January 20, 1890 The Government of the Republic inform the High Commissioner that they disapprove of this scheme. Loch writes the same day to the Republican Government, speaking of "violation of territory."
- February 12, 1890 The Government of the Republic remain opposed to the intended trek, but state in their letter to the High Commissioner that the proposed agreement of May, 1890, is still considered by them as a pending question. The High Commissioner speaks again of "violation of territory."
- February 15, 1890 The Republican Government issue a Proclamation against the trek.
- February 16, 1890 The High Commissioner asks for an assurance that the Government of the South African Republic will hold themselves responsible for the prevention of any violation of the territory within the sphere of British influence.
- June, 1890 An expedition of the British South Africa Company leaves Macloutsi river for Mashonaland. Selous, the hunter, guides the expedition.
- September, 1890 Salisbury built.
- 1891 The Adendorff trek.  
Rhodes refuses his consent to this trek entering the territory occupied by the Chartered Company.

IT cannot be too strongly emphasised, at this point, that the concession obtained from Lo Bengula by the Rhodes group conferred the right "to win and procure" minerals only. Not a yard of territory nor the shadow of governmental control had been secured. Although the



Colonial Office admitted this fully in theory,\* nevertheless the Royal Charter, based on Lo Bengula's concessions "and such other concessions, agreements, grants, and treaties as the Petitioners may *hereafter* obtain," had authorised the Duke of Abercorn, the Duke of Fife, Lord Gifford, Messrs. Alfred Beit, Albert Grey, George Cawston, and C. J. Rhodes "under the corporate name of the British South Africa Company" to collect revenue; to maintain order and for that purpose to establish and "maintain a force of police"; "to make and maintain roads, railways, telegraphs, harbours, and any other works which may tend to the development or improvement of the territories [what territories?] of the Company"; "to settle any such territories and lands as aforesaid, and to aid and promote immigration" and so forth,† quite as if the Company were predestined to dispossess Lo Bengula and to acquire the exclusive ownership of both Matabeleland and Mashonaland. Action was taken accordingly.

Dr. Jameson, a well-known physician of Kimberley and an intimate friend of Rhodes, had visited Lo Bengula and had cured him of some ailment. Partly as a return for the service thus rendered, and partly on account of the visit of the Royal Horse Guardsmen with the Queen's letter, Lo Bengula, while stipulating that Matabeleland was to be avoided, now gave his consent to the entrance of an exploring party into Mashonaland, the inhabitants of which he considered merely as his "dogs." On the strength of this dispensation, in the early part of 1890, an armed force was organised at Kimberley and left the Macloutsi river for Mashonaland in June of that year. F. C. Selous, the celebrated hunter, guided the expedition, which consisted of a special police force of five hundred men and of some two hundred "pioneers." *British officers were in command.*

Both Lo Bengula and his warriors appear to have been

\* C. 5918, p. 224; C. 7171, p. 7.

† C. 7888, pp. 8-10.



decidedly startled at the dimensions which the undertaking assumed, and when the invading column was half-way to its destination Lo Bengula sent a message ordering the force "to go back." To this the British officer in command (Pennefather) replied "that he was a soldier, and *sent by the Queen*, and with all respect to the King's words, he must go where he was sent, and should do so."\* The column did go on, reaching its destination without a conflict. That this was possible is said to be entirely due to Selous's intimate acquaintance with the country, which enabled him to select a road which passed around instead of through the region occupied in force by the Matabele "impis." The Imperial Government also rendered valuable service. "To 'contain' the Matabele impis," says Michell, "the Bechuanaland Border Police were moved forward by the High Commissioner to Elebi, a strategic position on the south-western border of Matabeleland, thus effectually diverting the King's attention."†

From the very beginning a good deal was done on the strength of a concession "to win and procure" minerals. In the words of a sympathetic historian :

'A road, necessarily rough, was made *pari passu* with the march northwards; forts were built at certain intervals, small garrisons placed in them, and every precaution taken to *render the occupation effective*. The headquarters were formed close to Mount Hampden, where Fort Salisbury was built [the column arrived there on September 12, 1890].

\* Norris-Newman, p. 65.

† The enterprise was a perilous one, according to Michell. Danger was threatened from the side of the Boers, he says (vol. i. p. 300). "On one flank it was exposed to attack by Boer filibusters, who were known to be on the alert." But there were no "Boer filibusters," and not a single Boer could have thought of opposing or harassing the expedition. To what end? It is curious to notice in this respect, however, that the expression "filibusters" was used by one of the Chartered Company's officers himself when speaking of his own troop. This is what Major Leonard wrote in his diary: "This . . . is the Casual Corps, but after several months' experience of it, I have made up my mind that it is curiously and peculiarly casual, and more like a commercial and filibustering body of volunteers than a regiment of mounted infantry or police" (*How we made Rhodesia*, p. 176)

and there in a remarkably short time a town grew up, with its public buildings, its lawyers and land-agents' (Kaltie, p. 426).

In this occupation of Mashonaland the High Commissioner had not only assisted the Chartered Company by using his police to draw off Lo Bengula's attention, but he had also exerted himself to forestall any possible competition from the Transvaal. It will be recalled that in the correspondence between the High Commissioner and the Government of the South African Republic about the boundaries of the Protectorate over Bechuanaland, and the British claim to a "sphere of exclusive influence" in the north, Sir Hercules Robinson had written :

'On the other hand, Her Majesty's Government would not preclude the citizens of the South African Republic or the subjects of foreign Powers from receiving mining concessions or grazing rights, or grants of land, not being detrimental to British interests in Matabeleland or Mashonaland, on a similar footing to that on which British subjects might be placed in such territory' (March 23, 1889 ; C. 5913, p. 178).

This declaration of the "open door" was soon to be put to the test. On January 15, 1890, a certain Bowler, who seems to have been an Englishman, wrote in English to the Government of the Republic enclosing a copy of the "Mashonaland Colonisation Scheme" based on a concession in North-east Mashonaland, which he asserted that he had obtained. At the same time copies of the circular were sent to the British and Portuguese Governments. In reply, Bowler was informed by the Republic that the Government formally disapproved of such schemes, which would be likely to have disastrous consequences unless the questions then under discussion with the British Government were first settled. On January 20th this reply was also communicated by telegraph to Sir Henry Loch, who in December had become High Commissioner. On the same day, although before the receipt of this despatch, Loch sent the following remarkable letter :

'I have the honour to acquaint your Honour that I have received reliable information that a number of Boers—hunters and diggers living in the Zoutpansberg district . . . intend to trek into Mashonaland about the middle of May next.

'The intention of the promoters of the enterprise appears to have been to anticipate the action of the Chartered Company within the districts comprised within the British sphere of influence.

'I need hardly point out to your Honour that such a violation of territory would be an infringement of the rights of Her Majesty's Government, and I rely on the loyalty and friendly feeling hitherto displayed by your Honour's Government to prevent the further agitation of an enterprise so dangerous to the peace of the country.' \*

Loch spoke of a violation of territory; but the territory in question was certainly not British. The Charter itself was based upon the fact that the country belonged to Lo Bengula, from whom the Chartered Company was required to obtain the necessary concessions for carrying out its colonisation schemes. With the exception of the original Rudd Concession, it had as yet obtained nothing of the sort; Bowler at least asserted that he had, and if his assertions were correct he had a better right in Mashonaland than the Company itself. There was nothing to show that the enterprise was not legitimate, that the movement was anything else but peaceful, or that the consent of the Chief had not been given.† Under the circumstances, however, the Government of the Republic was strongly opposed to his project. They had, as we have seen in connection with Swaziland, offered to withdraw from the north if Great Britain would withdraw from the east, and they were still hoping that in this way a satisfactory agreement could be reached. These facts were stated by the State Secretary in a letter to the High Commissioner dated February 12th. The claims put

\* None of the correspondence connected with the so-called Bowler trek is published in the Blue Books.

† Bowler's "Mashonaland Colonisation Scheme" stated distinctly that "only the law-abiding, respectable farmer will be admitted," and that "no flibustering acts of any kind will be tolerated."

Government, from the promises made verbally as well as in writing, was absolutely entitled to expect that Swazieland would come under the Republic, and after the matter had been kept pending for an interminable time, in spite of the concession claims having long been settled, I was nevertheless informed (in May, '90) by Sir Henry Loch that "although Her Majesty's Government is anxious to entertain and strengthen the friendly relations with the South African Republic, it is unable to consider and discuss the Swazie question as long as a party of marauders openly organise and promote a hostile trek from the South African Republic into a country situated in the sphere of British influence." (Your Excellency will find the particulars of this matter stated from our side in a letter dated December, '91.) Probably the future will reveal the object of this continual delay in the settling of the Swazieland question. And what in the end has been the solution of this question? I need not furnish the answer. Your Excellency is acquainted with the march of events, as well as with the present position of affairs in regard to Umbegesa and Zambaan.\*

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\* This letter, the rest of which is concerned with matters outside of the scope of the present volume, concludes with an earnest and straightforward plea for peace and mutual confidence.

In 1891 a similar movement was organised under the leadership of one Adendorff, but this too was suppressed. It is interesting to note that while Loch objected to the Bowler trek because it was intended to anticipate the action of the Chartered Company, Rhodes, on the other hand, objected to the Adendorff trek because the Company had anticipated it. Speaking of the trek and its leaders, Rhodes said in a speech on April 23, 1891 :

'But I ask you what sympathy you can have with people who, when pioneers have made an effort to lift a country from barbarism, and when it is proved that the Matabele need not be feared, rush in and commit an action of this sort! It is not fair or right.'\*

Later, when Zambaan and Umbegesa had been annexed by Great Britain, when all access to the sea had been cut off, when the north had been definitely closed to it, the Government of the Republic saw that in suppressing these treks it had only assisted in the work of hemming the Transvaal in. In a private letter to Sir Hercules Robinson, dated January 25, 1896, almost immediately after the Jameson raid, President Krüger said :

'In the light thrown on these matters by recent events, I now remember with sorrow how I lent my co-operation at the time of the proposed trek from the South African Republic into Mashonaland. My prohibition, issued by proclamation (April, '91), had the desired effect. In this I acted with my whole heart and from a sense of duty. It was the act of a friendly State towards a friendly country. But—I say it again—I now am grieved to think of it. For did this action not benefit the company which at this moment still holds a Charter granted by England; or to speak more plainly, did not my action effectually favour the personal interests of Mr. C. Rhodes? And what has been our reward? The troops of this very Chartered Company have tried, of this I am certain, to destroy the Republic, and who knows how many more acts of complicity will be revealed in the course of these abominable events? The history of this very trek, because of an incident which is closely connected with it, reminds me of the Swaziland question. When this

\* Michell, vol. ii. pp. 26, 27, 28.

Government, from the promises made verbally as well as in writing, was absolutely entitled to expect that Swaziland would come under the Republic, and after the matter had been kept pending for an interminable time, in spite of the concession claims having long been settled, I was nevertheless informed (in May, '90) by Sir Henry Loch that "although Her Majesty's Government is anxious to entertain and strengthen the friendly relations with the South African Republic, it is unable to consider and discuss the Swazie question as long as a party of marauders openly organise and promote a hostile trek from the South African Republic into a country situated in the sphere of British influence." (Your Excellency will find the particulars of this matter stated from our side in a letter dated December, '91.) Probably the future will reveal the object of this continual delay in the settling of the Swaziland question. And what in the end has been the solution of this question? I need not furnish the answer. Your Excellency is acquainted with the march of events, as well as with the present position of affairs in regard to Umbegeza and Zambaan.\*

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\* This letter, the rest of which is concerned with matters outside of the scope of the present volume, concludes with an earnest and straightforward plea for peace and mutual confidence.

## CHAPTER LIII

### THE LIPPERT CONCESSION (1891)

- 1891 Benny-Tailyour obtains from Lo Bengula a concession to grant land titles.  
November, 1891 Moffat, Lippert and Benny-Tailyour visit Lo Bengula to obtain a confirmation of this concession.  
November 17, 1891 Lo Bengula signs a new concession to Lippert.  
May, 1892 Lo Bengula learns that Lippert has acted for Rhodes.

THE Chartered Company had now established itself in Mashonaland—parts of which, as we have said, stood to Lo Bengula in somewhat the relation of a slave to his master. The Company's footing there was, however, distinctly illegal—a fact which was recognised, directly or indirectly, by all concerned.\* The next step, therefore, was to legitimise, at least in appearance, the possession of what had already been seized; then to enter Matabeleland; and finally to acquire exclusive possession of the whole of Lo Bengula's territory.† To do this without offending "the extreme philanthropic sympathies" of a section of the English people was not an easy task. Even the first step, that of legalising the position already obtained, was difficult; for by this time Lo Bengula was in no humour

\* As late as December 16, 1891, Sir Henry Loch wrote: "It is important that the land question should be placed on a legal basis" (C. 7171, p. 3).

† Rhodes, it seems, was impatient to do this in the first place. "Half measures were never palatable to him," says Michell (vol. i. p. 293), "and his desire was to march direct on Bulwayo and occupy Matabeleland itself—peaceably, if not interfered with, but in any case to occupy it. . . . But more cautious counsels ultimately prevailed."

to make further concessions. He was, indeed, thoroughly alarmed.

The King's alarm only contributed to his undoing. In accordance with the usual Kaffir tactics, he decided to play off one white man against another, and, since he had given a mineral concession to Rhodes, to give a land concession to some one else so as to prevent Rhodes acquiring any surface rights. This idea, whether original or not with Lo Bengula, was ultimately furthered by Moffat,\* whom the King had been instructed always to trust. On November 15, 1889, Lord Knutsford had written to him :

' Mr. Moffat is, as Lo Bengula knows, a true friend to himself and the Matabele tribe, while he is also in the confidence of the Queen and will from time to time convey the Queen's words to the Chief, and the Chief should always listen to and believe Mr. Moffat's words ' (C. 5918, p. 234).

When he went to Buluwayo to urge Lo Bengula to confirm this land concession, Moffat, the " true friend," omitted to inform the King that the concession had already been acquired by the Rhodes syndicate and that in granting it he was merely tightening the hold of the Chartered Company upon his country. This is what happened :

In the early part of 1891 Renny-Tailyour, an Englishman acting for Edward Lippert of Johannesburg, obtained from Lo Bengula " what purported to be [and undoubtedly was] a concession to grant land titles in the Company's field of operations " and to levy rents and taxes upon the land thus assigned.† When Rhodes heard of this he took the law into his own hands and caused Renny-Tailyour to be arrested by the Bechuanaland Border Police (an Imperial force) and detained as a prisoner. Renny-Tailyour, however, seems to have had influential friends, who protested, and the High Commissioner ordered his release.‡ Then

\* C. 7171, p. 7.

† Ibid. pp. 7, 9.

‡ H. A. Bryden, *A History of South Africa*, p. 245.



followed a period of armed neutrality, while the High Commissioner and the Company were "disposed to oppose this concession on various grounds; amongst others that its validity or authenticity was doubtful."\* Lippert of course insisted that the concession was genuine and that he would soon make it effective. The Lippert Concession, or its equivalent, was, however, necessary to the Chartered Company. The Company, in the words of a communication from the Colonial to the Foreign Office, had

'found itself hitherto somewhat embarrassed by the fact . . . that the "Rudd Concession" obtained from Lo Bengula in 1888 did not in terms purport to grant more than mining rights in his territories, and that therefore it had but an imperfect right, if any right at all, to grant such titles to immovable property as were necessary for the development of a civilised community and of operations other than mining in its field of operations south of the Zambesi' (C. 7171, p. 7).

The right that the Company lacked, Lippert perhaps had acquired. It was therefore decided that instead of fighting him on the ground that his concession was invalid, it would be better to consider it genuine and to buy it. This was accordingly done. The validity of the original concession had, however, already been so bitterly attacked by the Rhodes faction that it was thought advisable to secure the Company from similar attacks in its turn by obtaining some confirmation of the concession from Lo Bengula. "With this object Mr. Renny-Tailyour, who was well known to Lo Bengula and possessed his confidence, was sent back to his kraal Buluwayo, the British Resident Commissioner, Mr. J. S. Moffat, C.M.G., being instructed to co-operate suitably with him."†

Renny-Tailyour and Lippert, who accompanied him, were now of course the secret agents of the Chartered Company, but in Lo Bengula's eyes they were still the enemies of

\*C. 7171, p. 7.

† Ibid.

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Rhodes. Moffat, who played an important part in the negotiations, took care not to enlighten Lo Bengula, so that the King remained under the impression that, by introducing an antagonistic white element, he might yet save his country from the Rhodes octopus. Under these circumstances the Chief was induced to sign a new concession now to Lippert himself, "his heirs, executors, assigns, and substitutes." \* This document, dated November 17, 1891, reads as follows:

'To all to whom these Presents shall come, I, Lo Bengula, King of the Amandabele nation, and of the Makalaka, Mashona, and surrounding territories send greeting:—

'Whereas I have granted a concession in respect of mineral rights, and the rights incidental to mining only, and whereas my absolute power as paramount King to allow persons to occupy land in my kingdom, and to levy and collect taxes thereon, has been successfully established, and whereas, seeing that large numbers of white people are coming into my territories, and it is desirable I should assign land to them, and whereas it is desirable that I should once and for all appoint some person to act for me in these respects:

'Now, therefore, and in consideration of the payment of one thousand pounds (£1,000) having been made to me to-day, I do hereby grant to Edward Amandus Lippert, and to his heirs, executors, assigns, and substitutes, absolutely, subject only to the annual sum of £500 being paid to me or to my successors in office, in quarterly instalments, in lieu of rates, rents, and taxes, the following rights and privileges, namely:

'The sole and exclusive right, power, and privilege for the full term of one hundred (100) years to lay out, grant, or lease, for such period or periods as he may think fit, farms, townships, building plots, and grazing areas, to impose and levy rents, licences, and taxes thereon, and to get in, collect, and receive the same for his own benefit, to give and grant certificates in my name for the occupation of any farms, townships, building plots, and grazing areas; to commence and prosecute, and also to defend in any competent court, in Africa or elsewhere, either in my name or in his own name, all such actions, suits, and other proceedings, as he may deem necessary for establishing, maintaining, or defending the said rights, powers, and privileges hereby conferred; provided always that the said rights and privileges, shall only extend

\* C. 7171, pp. 8, 9.

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and apply to all such territories\* as now are, or may hereafter be, occupied by, or be under the sphere of operations of, the British South Africa Company, their successors, or any person or persons holding from or under them, and provided that from the rights granted by these presents are excluded only the grazing of such cattle, the enclosing of such land, and the erection of such buildings and machinery as are strictly required for the exercise of the mineral rights now held by the British South Africa Company, under the said concession.

'The powers granted to E. Ramsay Renny-Tailyour, under date of 22nd April, 1891, are hereby withdrawn and cancelled in so far as they are in conflict with these Presents.

' Given under my seal at Umvutcha, this 17th day of November, 1891.

' (*Elephant seal.*)

' LO BENGULA.

' Witnesses:—

' E. R. RENNY-TALYOUR.

' JAMES RILEY.

' JAMES FAIRBAIRN.†

' X (James Umkisa's Cross.)

' ED. A. LIPPERT.

' I hereby certify that the above document has been fully interpreted and explained to the King Lo Bengula and to his Indunas, according to the established usages of the nation.

' W. J. TANTON,  
' Interpreter.

C. M. ACUTT,  
Interpreter.

\* It is necessary to bear in mind, that the rights granted to Lippert were limited to "such territories as now are, or may hereafter be, occupied by or be under the sphere of operations of the British South Africa Company." The *London Truth* of May 7, 1913, commenting on this, says: "In construing this important limitation it must be remembered that at that time the said company had no other rights in Matabeleland than mining rights. It follows that Lippert's powers and privileges, such as they were, extended only to territory in which the British South Africa Company, or its assignees, might then or thereafter carry on mining operations." *Truth* adds: "To suggest that the grant of these limited powers to act on behalf of the King in a narrowly defined area conveyed to Lippert or his assignees a freehold title to the whole of the land in Lo Bengula's dominions is absolutely preposterous."

† This witness was the same James Fairbairn who, it will be recalled, had witnessed Lo Bengula's alleged repudiation of the original Rudd Concession, and whom Moffat had recommended to abstain from interfering with "the powerful interests desirous of working minerals in this country" and "to take a new departure." (See *supra*.) He appears to have taken this advice to heart.

'There were present at the discussion of the above grant besides the King Lo Bengula Umhlaba (the regent), Umlagela, Gambo, Umjana, Lutuli, all Indunas; and of Europeans, Mr. Moffat, Tainton (interpreter), Ed. Lippert, E. R. Renny-Tailyour, James Reilly, C. M. Acutt (interpreter), and James Umkisa (servant).

' Ed. LIPPERT.

'I certify that this document is a full and exact expression of the wishes of the Chief Lo Bengula and his principal Indunas, and that I sign this in accordance with the wish of the Chief.\*

' J. S. MOFFAT,

' Assistant Commissioner.'

"A full and exact expression" of the Chief's wishes! This was written on November 17th. On December 2nd Sir Henry Loch telegraphed the good news to Lord Knutsford "with much satisfaction," and on December 4th the Colonial Office explained that Lippert and Moffat had really been acting for Rhodes.† Lo Bengula, however, was not informed of this until six months had passed, and it was only in May, 1892, that he learned how "full and exact" an expression had been given to his wishes by his friend Moffat. On May 27th Moffat, the Assistant Commissioner, wrote :

'I have the honour to report that I have informed the Chief Lo Bengula that an arrangement has been arrived at [several months previously] by Messrs. Rhodes and Lippert, so that their respective interests are merged.

'The Chief was a good while before he took in the idea, as *his impression was that there was a radical antagonism between the two parties, and he is not very cheerful about it*, but has so far expressed no very decided objection' (C. 7171, p. 81).

What would have been the use of objecting? The Chief had been tricked and he knew it. †

\* C. 7171, p. 9.

† Ibid. p. 7.

‡ At the same time Moffat told the King that in future he would visit him only occasionally. The Assistant Commissioner reports quite gravely: "This proposal was quite acceptable to him. It relieves him of the fear he has had for a long time, that I was to be forced upon him as a permanent

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In this way the British South Africa Company succeeded at length in giving some legal colour to their practical ownership of Mashonaland ; \* but although their occupation of that territory to a certain extent was complete, no effective footing had as yet been obtained in Matabeleland. It remains to be seen how Rhodes and his associates accomplished this ; " their record in Rhodesia has been written in blood." †

resident and that I should gradually engross his power. This is how the matter was represented to him a couple of years ago, and he has never got rid of the idea."

\* The Chartered Company has acted as if it absolutely owned the whole of the land in Rhodesia. This view of the matter has not generally been adopted. See the important articles on the subject—already referred to—in *Truth* of May and July, 1913. In July, 1914, the matter was referred to the Judicial Committee of the Privy Council in order to obtain a final decision before the expiration of the Charter in the course of the year

† H. C. Thomson, *Rhodesia*, p. 10.

## CHAPTER LIV

### PORTUGAL AND MASHONALAND

1885	General Act of the Berlin Congo Conference.
1888-1889	Great Britain disputes Portugal's claims to Mashonaland.
January, 1890	Salisbury sends an Ultimatum to Portugal.
August 7, 1890	The Volksraad of the South African Republic declare in their ratification of the Swaziland Convention that they do not make themselves a party in the controversy between Great Britain and Portugal.
	Portugal proposes arbitration; Salisbury refuses.
August, 1890	Agreement between Great Britain and Portugal with reference to the boundary in Mashonaland.
November, 1890	Colonel d'Andrade arrested by Major Forbes.
May 11, 1891	The Portuguese attack a post of the Chartered Company's troops at Umtali in Manicaland.
June 11, 1891	New agreement between Great Britain and Portugal by which the eastern border of Mashonaland is defined.

**F**IRST, however, it is necessary to review briefly the events which occurred between the years 1888 and 1891 in connection with the Portuguese on the eastern borders of Mashonaland. In the dispute between Great Britain and Portugal over the limits of the Portuguese possessions north of the Transvaal, the South African Republic was merely a spectator, but an interested one. It was by no means a matter of indifference to the Republic whether Portugal or Great Britain confronted it on its northern frontier, and a glance at the map will show to what extent the ultimate settlement of the controversy affected the main question, as we are now considering it.

The Republic had already offered, as we have seen, to withdraw from the north on condition that Great Britain

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should withdraw from the east; and although the condition had not yet been, and was destined never to be, fulfilled, Article X of the Convention of 1890 stated that:

'The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into any treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company' (C. 6217, p. 8).

When the Convention came before the Volksraad for ratification, however, it was clear that the danger in this Article would not pass unnoticed. In its provisional ratification, therefore, the Volksraad was careful to insert the clause:

'... further considering that it is necessary for the Republic not to make itself a party in questions which may exist or may arise between Her Majesty's Government and other Governments, with respect to territory situate to the north and north-west of the Republic, and expressly declaring that ratification of the said Convention is not making itself a party in any sense whatsoever' (C. 6217, p. 17).

The controversy, into which the South African Republic thus took care not to be drawn, followed the general scramble for African territory in which the European Powers had already been engaged for some years. At that time Portuguese East Africa was a large and not very clearly defined territory which, in some cases, Portugal laid claim to chiefly on the grounds of discovery and past occupation. In Article XXXV of the General Act of the Berlin Conference, 1885, it had been agreed that:

'The signatory Powers of the present Act recognise the obligation of assuring, in territories occupied by them, on the coasts of the African continent, the existence of an authority sufficient to cause whatever

rights have been acquired to be respected, and, should such be the case, liberty of commerce and of transit in circumstances where that may be stipulated.'

The meaning of this Article was unfortunately vague. By English authorities it was taken to mean that "occupation on the coast of Africa in order to be valid must be effective." \* Granting this, it was still left to the stronger of any two Powers to decide whether the occupation was effective or not. In the case of England and Portugal the weaker country was unwilling at once to accept the decision of the stronger.

Lord Salisbury, moreover, chose to put his own interpretation upon the Article.

'Great Britain,' he said, 'considers that it has now been admitted in principle by all the parties to the Act of Berlin that a claim of sovereignty in Africa can only be maintained by real occupation of the territory claimed' (August 2, 1887; C. 5904, p. 7).

This was manifestly incorrect, as the British Prime Minister knew. To quote Keltie, whose sympathies are far from Portuguese :

'The Portuguese Government maintained (*it must be admitted with justice*) that this applied only to the coast, but Lord Salisbury stood firmly to his position' (*The Partition of Africa*, p. 409).

No one could dispute on any reasonable grounds the right of Portugal to Delagoa Bay and to a large strip of the coast northwards, with a considerable width of territory extending inland. But Portugal claimed Nyasaland and Mashonaland also, and it is with the latter claim that the South African Republic was concerned. Portugal's possession of Mashonaland was peremptorily denied by Great Britain, but the subsequent discussion of the claim brought out the fact that only a section of Mashonaland was

\* Keltie, p. 210.



subject to Lo Bengula, and that his concession to the British South Africa Company gave that Company no rights whatsoever over the eastern tribes of Mashonaland. In a despatch from the Portuguese Minister for Foreign Affairs to the Portuguese Minister in London, dated November 29, 1889, it was said:

‘It is also necessary never to lose sight of the fact, which is of capital importance in this question, that all the tribes of Mashonaland are not even tributaries of Lo Bengula’s. Mr. F. C. Selous, an authority certainly beyond suspicion from the English point of view, thus writes in confirmation of these assertions put forward on the part of Portugal:— “On my return to England I found” (says this well-known traveller, in the *Fortnightly Review* for May last) “that most of the few people who have any knowledge of the subject believe that the Mashonas are a people who have been conquered by the Matabeles, and now live peacefully under their protection, paying tribute to their King, Lo Bengula. This is entirely incorrect. Various communities of Mashonas are subject to Lo Bengula, pay him tribute, and keep the great herds of cattle owned by the Matabeles. They are well treated, and have little to complain of in so far as they are looked up to. But alongside of them live numerous tribes of Mashonas, who are in no wise subject to Lo Bengula. They pay him no tribute, and when they are attacked by his Nobles, they take refuge in the caves and on the summits of their mountains, and defend themselves and their property as well as they can against the invaders.”’ \*

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\* C. 5904, pp. 180, 181. The quotation from the *Fortnightly Review* is given as it appears in the Blue Book. It is, however, incorrect, the errors arising presumably from the fact that it was first translated into French or Portuguese when the despatch was sent to the Portuguese Minister in London, and then put back into English for publication in the Blue Book. The author has endeavoured to obtain a copy of the original despatch, but without success. As published in the *Fortnightly Review* the extract reads:—

“Since my return to England, I have gathered that it is believed by the majority of the few men who have any ideas on the subject that the Mashunas are a people conquered by the Matabele, and now living peaceably under their protection, and paying tribute to their king, Lo Bengula. This is altogether a mistake. There are several communities of Mashunas who are subject to Lo Bengula, who pay him tribute, and have large herds of Matabele cattle in their keeping. They are fairly well treated, and have but little to complain of as long as they remain in favour. But, besides these, there are numerous tribes of Mashunas who are in no wise subject to Lo Bengula. They pay him no tribute, and when attacked by his impis they take refuge in their rocky hills, and defend themselves and their property as best they can against the invaders.”

Colonel Paiva d’Andrade, in a Report to the Portuguese Consul at Cape Town

Over these tribes and some others to the north and east, Portugal claimed sovereignty. But as "effectual occupation" was made the test of possession, a most ludicrous competition took place between English and Portuguese Agents, who rushed around, in the neighbourhood of the Zambesi and Shiré rivers, distributing respectively English and Portuguese flags to amazed natives, and at once claiming them as subjects either of Her Most Gracious or of His Most Faithful Majesty.\* For instance, Acting-Consul Buchanan, writing on September 25, 1889, from Makololo Country, Chilomo, to the Marquis of Salisbury, explained that a certain native Chief, Mlauli, had refused to accept a flag :

'I regret to say,' wrote the Consul, 'that Mlauli himself has a superstitious fear of the British flag, and does not, in the meantime, wish to accept it. . . . Some evil influence has been at work with Mlauli, and, playing upon his superstitious belief, represented to him that his acceptance of the British flag necessarily means [as it certainly did] his giving up his country and all sovereign rights to the British. I hope to be able soon to dispel this superstitious belief.'

The Consul then added :

'Should they [the Portuguese] advance on the right bank of the Shiré, I may be compelled to ignore Mlauli's fears, and myself plant the flag opposite Mpassa's [in Mlauli's territory]' (C. 5904, p. 178).

Not long afterwards, the Consul succeeded in foisting a British flag upon the reluctant Mlauli, and, in view of his previous letter, just quoted, felt called upon to explain the Chief's original "superstition" in this way :

'I have discovered that Mlauli's objection to receiving the British flag was largely owing to the erroneous idea that the English and Portuguese had compacted together to divide his country, and that while he might be

(December, 1890), declared that "in a great part of the territories of so-called Mashonaland a Matabele was never seen" (*Report and Protest of the Affairs occurred at Manica*, p. 6).

\* C. 5904, *passim*.

receiving a flag at the hands of the British Consul, it might afterwards turn out to be the Portuguese flag he had received.

'I remarked to Mlauli,' said the Consul further, 'that I should be pleased to be able to write to Her Majesty's Government, and inform my Queen that the Makololo Chiefs *are responding to the kindly interest excited on their behalf in England.*'\*

Finally—whether at Mlauli's instigation or not remains unknown—the flag he had received was stolen. But Consul Buchanan was equal to the occasion :

'I am getting another flag for you,' he wrote, '*a large flag, which you must hoist at Mbewe, so that it be known all over the country that Mlauli is a great Chief*' (C. 5904, p. 220).

To protest, as the unfortunate Mlauli did, that he did not want another was quite useless : Imperialism had to be vindicated.

In the early days of this struggle, before the arrival of the British South Africa Company in the neighbouring interior, Portugal had one advantage over England : the possession of the sea-coast. This made it difficult to convey ammunition and guns to those enterprising English missionaries who had established themselves in Nyasaland as the pioneers of civilisation and British government. More than once the Marquis of Salisbury had occasion to complain to the Portuguese Government that its officials had detained ammunition intended for these missionaries. Thus, writing to the British Minister at Lisbon on June 16, 1888, Lord Salisbury said :

'I have received a letter from the Church of Scotland Foreign Missions respecting the detention by the Portuguese authorities at Quilimans of certain ammunition intended for their agency at Blantyre' (C. 5904, p. 41).

The Secretary of this Missionary Society, writing to the Foreign Office shortly afterwards, said :

\* October 7, 1889 ; C. 5904, p. 177.

'I beg to state that the ammunition sent out to our Mission at Blantyre in April last consisted of the following : 900 carbine cartridges, 500 Winchester cartridges, 500 revolver cartridges, 500 C.F. cartridges' (C. 5904, p. 47).

But in spite of missionaries and in spite of Acting-Consul Buchanan's flags, the Portuguese made such headway in the interior that in January, 1890, Lord Salisbury considered the situation sufficiently serious to call for an ultimatum.

In reply to a peremptory note of the 5th, the Portuguese Government had declared their willingness to abstain from all further efforts to alter the situation in Africa, trusting that Great Britain would do the same, until the two countries should reach an agreement in regard to the pending questions. Furthermore the Government had declared that they would gladly submit all matters in dispute to "the examination and decision of a Conference of the Signatory Powers of the General Act of Berlin." And finally the Government had called Great Britain's attention to the provisions of Article XII of the Berlin Act "in virtue of which mediation is obligatory and arbitration is optional." \*

Arbitration, however, had already compelled Great Britain to relinquish its claim on Delagoa Bay, and Salisbury would have no more to do with it. On January 28th he instructed the British Minister at Lisbon to deny that Article XII was applicable to the questions in dispute,† but before doing this he answered the Portuguese offer by a direct ultimatum, directing his Minister to require the Portuguese Government to issue :

'An order to the Governor-General of Mozambique, instructing him to withdraw all Portuguese troops that are on the Shiré or in the Makololo country, or in Maashonaland. You will urge on his Excellency [the Portuguese Minister for Foreign Affairs] the immediate despatch of a telegraphic order to this effect, and you will request that a copy be shown

\* C. 5904, p. 209.

† Ibid. p. 280.

to you. . . . If you should not have received a satisfactory reply by ten o'clock on the evening of the 11th, you will send a telegram to the Captain of Her Majesty's ship *Enchantress*, now at Vigo, requesting him to proceed to Lisbon at once. If, on her arrival, you should still be without a satisfactory answer, you will withdraw Her Majesty's Legation, and leave the archives in charge of the Acting-Consul' (C. 5904, p. 211).

"In the presence of an imminent rupture of relations with Great Britain," the Portuguese Government "decided to yield to the demands" of Great Britain and to send the required orders to Mozambique. They did so under protest, however, maintaining in the same despatch "the full right to which they are entitled . . . to place themselves under the shelter of the provision laid down in Article XII of the General Act of the Conference of Berlin, a recent and solemn engagement, by which Great Britain, as well as the other Signatory Powers, took the engagement of accepting mediation and of an optional appeal to arbitration as the means of settling any disputes of the nature of that which has unexpectedly arisen with Portugal."\*

In August of the same year an agreement was entered into by England and Portugal defining the boundary between the British South Africa Company (Mashonaland) on the east, and Portuguese and East Africa.

Although this agreement was not ratified by the Cortes, it was accepted in November as the basis of a *modus vivendi*. Meanwhile, on September 14, 1890, A. R. Colquhoun, the Administrator of Mashonaland, representing the British South Africa Company, had entered into a treaty with Umtasa, a Manica Chief, who had always been considered as under Portuguese authority. About the middle of the following November, Colonel d'Andrade and some other Portuguese officers arrived at Umtasa's kraal, where they were arrested by Major Forbes at the head of the Company's

\* C. 5904, p. 215.

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police.\* This led to great excitement in Portugal. Bands of student volunteers hastened to Africa, and on May 11, 1891, an attack was made on a post of the Company's troops at Umtali in Manica. The attack was repulsed, but it led indirectly to the signing of a new agreement on June 11, 1891, by which the eastern border of Mashonaland was defined to the Company's satisfaction.

\* A. B. Colquhoun's *Matabeleland*, pp. 51, 56; and Col. d'Andrade's *Report and Protest*.

## CHAPTER LV

### THE SO-CALLED NGOMO INSURRECTION

- 1890-1891 Dissatisfaction in Mashonaland.  
January, 1892 Newspaper comments on the hoisting of the Union Jack in the place of the Chartered Company's flag and on the reported provocation of Lo Bengula by the pioneers.  
March, 1892 The so-called Ngomo Insurrection. Brutal behaviour of Captain Lendy.

**D**URING the first eighteen months of the occupation of Mashonaland by its forces it was as much as the officers of the Company could do to keep the pioneers in the country. The situation has been described by a sympathiser as follows:

'Many things . . . occurred to delay the introduction of payable mining upon any considerable scale. The country was far removed from civilisation, and communications were difficult. The early settlers suffered many hardships, and were not so successful as they had hoped to be. Fever and dysentery were somewhat prevalent during the unhealthy season' (Bryden, p. 249).

Another writer, though equally sympathetic, is more explicit. He says:

'When the goal was reached, the pioneer force was disbanded, as had previously been arranged. To each man were allotted a considerable area of ground and rights over a certain portion of the gold reefs which he might be so fortunate as to discover. These disbanded pioneers immediately began prospecting in all directions in search of gold, and taking stock of the capacity of the country for settlement and agricultural development. But there was not much time before the rainy season

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came upon them. . . . At any time this season is trying enough, and demands on the part of the white man rational precautions to preserve his health and avoid disaster; but this was an exceptional year, and, alas! as usual, "some one had blundered." . . . The pioneer force had been wretchedly provided both with food and with medicines, the supplies which were to have followed the force were, through some misunderstanding, stopped. The result was widespread suffering and many deaths. Still, with indomitable pluck the majority of the men made the best of their situation. But the news of their sufferings, combined with the damaging reports sent home by Lord Randolph Churchill, who made an expedition to the country after the rainy season; the conduct of the Portuguese; and other circumstances [among them, the absence of gold], all tended to give the new territory a bad name which it did not deserve' (Keltie, pp. 427, 428).

It will readily be understood, therefore, that at first the officials of the Company were occupied entirely with the problem of self-preservation, and had no time to spare for the "civilising" of Lo Bengula and the Matabele. But, as time passed, events occurred which indicated that the Company was turning its attention to Matabeleland, where their followers might be better satisfied. A letter from South Africa, published in the *London Financial News* of January 9, 1892, commenting upon the dismissal of five hundred out of a total of six hundred of the Chartered Company's police said:

'It is a significant fact that at all the forts from Tuli to Salisbury the Chartered Company's flag has been taken down and the Union Jack hoisted in its place. Adding this to the fact that *the pioneers have done all in their power to provoke Lo Bengula* . . . there is no doubt that a fight must ultimately and very shortly ensue; in which case the Chartered Company, which cannot fail to obtain the assistance of the Imperial Government, will be placed in an infinitely better position than it is at present, by having its hands strengthened without the necessity of maintaining a powerful and costly force to defend its territory' (C. 7171, p. 10).

Oddly enough, Lord Knutsford, the Colonial Secretary, when forwarding this newspaper extract to Sir Henry Loch, instructed him "to remind Rhodes that the Company must



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not look to the Imperial Government for the protection of its territories [?] against aggression," but did not utter a word of protest against the reported provocation of Lo Bengula by the pioneers.\*

Some two months later an incident happened in Mashonaland, which was styled by the British South Africa Company "The Ngomo Insurrection." † As a matter of fact it was not an insurrection, because, as Sir Henry Loch afterwards admitted—although he at first adopted the term—"the natives of Mashonaland are not British subjects or subjects of the British South Africa Company, and consequently there can have been no insurrection." ‡

The facts were summarised by Fairfield, on behalf of the Colonial Office, as follows :

' It appears from the reports . . . that certain [Mashona] natives belonging to Ngomo's kraal were accused of stealing from the farm of a Mr. Bennett, and of assaulting him and his [native] boy ; that, after an unsuccessful attempt to induce Manguendi, to whom Ngomo is tributary, to send the latter into Salisbury for trial as responsible for these offences, Captain Lendy [on behalf of the British South Africa Company] sent two messengers to Ngomo, directing him to surrender himself to be taken to Salisbury ; that the messengers returned, reporting that Ngomo was away in the fields, and that Captain Lendy left word that the Chief was to come to Bennett's farm by sundown, and that if he did not do so, he, Captain Lendy, would look upon it as a direct defiance of the white man, and that Ngomo might draw his own conclusion from that. Ngomo not appearing to surrender himself, it is reported [by Captain Lendy himself] that a force of police and volunteers was organised, and proceeded with a seven-pounder and a Maxim gun to surprise Ngomo's kraal. That after disposing his party for attack, Captain Lendy opened fire upon Ngomo's kraal *without further summons or warning*, and that after a short bombardment with shell and general firing, the kraal was cleared, the Chief, his son, and twenty-one natives being killed' (C. 7171, p. 28).

" I captured," Captain Lendy had added in his report, ' forty-seven head of cattle and several goats. Deeming the punishment sufficient [twenty-three lives] I did not burn

\* C. 7171, p. 10.

† Ibid. p. 32.

‡ Ibid. p. 40.

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the huts, and left what little grain there was." \* Despite this forbearance on Lendy's part, his action elicited a mild reproof from the High Commissioner.

'His Excellency desires me,' the Imperial Secretary wrote to the British South Africa Company, 'to invite your attention to the importance of keeping within the law in all dealings with the natives.

'I am to add also, that the punishment inflicted in this case, involving the loss of some 28 lives, appears utterly disproportionate to the original offence, which was the theft of some goods from a Mr. Bennett' (C. 7171, p. 28).

Subsequently the Company was informed by the Colonial Office that :

'The full report by Captain Lendy . . . would, in Lord Knutsford's opinion, have justified much stronger terms of remonstrance than were used by the High Commissioner. There is nothing in the information now before his Lordship which affords any justification of Captain Lendy's proceedings, and . . . Lord Knutsford cannot avoid the conclusion that Captain Lendy acted in this matter with recklessness and undue harshness' (C. 7171, p. 26).

If twenty-three natives, in retaliation for a few blows, had been killed without trial by Boers, somewhat different expressions would have been used.

Captain Lendy was not even dismissed. That, however, is a detail. The point of interest is that both Knutsford and Loch entirely ignored the fact that neither under the Rhodes nor the Lippert Concession did the Chartered Company have any right to bring Mashonas to trial. This so-called "Ngomo Insurrection" took place in March, 1892. On November 6, 1889, the Colonial Office, writing to the Secretary of the British South Africa Company, had said :

'The Company no doubt understands that the Concession . . . [to the Rhodes group] does not confer such powers of government or ad-

\* C. 7171, p. 25.

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ministration as are mentioned in clauses 3 and 4 of the Charter. Those powers will have to be obtained whenever a proper and favourable time for approaching Lo Bengula on the subject arrives' (C. 5918, p. 224).

Those powers had not been obtained—a fact of which both Knutsford and Sir Henry Loch must have been well aware—and yet, from the first arrival of the pioneers in Mashonaland, the Colonial Office countenanced action which violated absolutely its own definition of what was legal.

## CHAPTER LVI

### THE ORIGIN OF THE MATABELE WAR

- 1893 Matabele impi at Victoria, instructed by Lo Bengula not to molest any white man.
- July 17, 1893 Arrival of Dr. Jameson at Victoria.
- July 18, 1893 Captain Lendy fires on the Matabele, who at once retreat without offering opposition.
- July, 1893 Friendly message of Lo Bengula.  
Lo Bengula complains that the Company not only comes to dig for gold, but to rob him of his people and country as well.  
Warlike spirit amongst the British in Mashonaland, even amongst the clergy.  
Jameson talks about invading Matabeleland.
- August 4, 1893 Jameson claims an indefinite compensation from Lo Bengula.
- September, 1893 Lo Bengula shows his ardent desire for peace.  
The Chartered Company prepares military operations.  
High Commissioner, whilst sending friendly messages to Lo Bengula, takes an active part in the preparations for war.

THE Ngomo affair, although indicative of the attitude of the Company to the natives and of the Imperial Government to the Company, was merely an isolated episode without immediate consequences. The task of ruining Lo Bengula by provoking him to the point of war had still to be accomplished. In July, 1893, an event occurred which cleared the way to that end.

Lo Bengula sent a Matabele impi into Mashonaland for the purpose of punishing some Mashonas "for cattle thefts and for damaging the telegraph wires."\* A number of these Mashonas took refuge in Victoria, where the Char-

\* C. 7171, p. 55.

tered Company had built a fort. The Matabele followed them into the town and killed some of them in the presence of the white inhabitants. Not one of the whites was injured, although a few cattle belonging to white people were stolen. On July 17th, after the Matabele had left the town, Dr. Jameson arrived there, and immediately sent word to the Induna in command of the impi that he was to come on the following day to speak with him (Jameson) personally. The Induna came, and Jameson told him that he "must go across the border. I give you an hour to go." The Chief then left, but sent a message back to ask where the border was; to which Jameson replied, "Tell him he knows."

Nearly two hours after the close of this interview an armed patrol of about forty men left the fort under the command of the same Captain Lendy whose conduct in the Ngomo affair had been censured by Lord Knutsford. This patrol came across scattered groups of Matabele apparently on their way to join the main body. Captain Lendy gave the order to fire on these men, who at once retreated without offering opposition. Nine of them were killed before the order to cease firing was given. The patrol then returned to Victoria.

The foregoing statement is a summary of the narrative given by F. J. Newton, C.M.G., in his official "Report upon the Circumstances connected with the Collision between the Matabele and the Forces of the British South Africa Company at Fort Victoria." \* Dr. Jameson, in a telegram to the High Commissioner immediately after the occurrence, had said that the Matabele had fired first, and that Captain Lendy's party had merely returned the fire (C. 7171, p. 53; C. 7555, p. 7). This statement was contradicted in the newspapers, and Newton was then sent to inquire into that and other matters connected with the incident. He found,

\* C. 7555.

after an exhaustive investigation, "that Dr. Jameson was misinformed when he reported officially that the Matabele fired first on the whites" (C. 7555, p. 12).

Legally speaking, the Matabele impi had acted within their rights in thus punishing the Mashonas; for Lo Bengula had not parted with any of his administrative powers over Mashonaland, and these Mashonas were his subjects. Further, although Jameson had complained that the Matabele had overstepped "the border," and although he had ordered them to recross it, declaring that they knew where it was, as a matter of fact a border had never been heard of before.\*

It was impossible, however, to consider the question from the legal point of view only. In spite of the fact that no white man had been injured, the impi had undoubtedly committed an outrage; and the British South Africa Company, if only as Lo Bengula's "guests," had every right, morally speaking, to expect him to punish the offenders. Nevertheless, there was no reason whatever why the incident should have led to war if the Company had not been waiting for a pretext to provoke one. Lo Bengula himself was anxious to preserve peace, and showed it in everything he did, from first to last. Before the departure of the impi for Mashonaland, he had twice sent word, once to Captain Lendy and once, through Colenbrander, to Dr. Jameson, to say that some of his cattle had been stolen by Mashonas living near Victoria, and that he was sending to punish these Mashonas, as also some natives who had cut the telegraph wires; but

\* Lo Bengula pointed this out at once (C. 7171, p. 67); and John Colenbrander—who had previously been of some service to Usebebu in Zululand, and was now acting as the official agent and interpreter of the Chartered Company with Lo Bengula—indirectly revealed the general ignorance on the subject by writing J. B. Moffat: "Can you enlighten me as to this border question the King says he is not aware of, and is continually bothering me about as existing [according to Jameson] between here and Victoria?" (C. 7196, p. 10). The High Commissioner was equally puzzled, telegraphing to Jameson on September 28, 1893, "You refer to a border; to what line of country does this apply?" (C. 7196, p. 78).

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he assured them that the white people were not to be alarmed, because he was friendly to them, and had told his warriors "not to molest any white men they might meet."\* Sir Henry Loch not only admitted that these messages from the King showed a "friendly spirit," but pointed out also how unlikely it was that Lo Bengula "had any hostile intention against the white men when he sent his impi into Mashonaland," seeing that when he did so "6,000 of his best men were absent on the war-path in the Barotse country." †

After the incident Lo Bengula showed the same conciliatory spirit in the answer he sent through Colenbrander to an angry message of Jameson about the Victoria affair :

'You are quite right; your people would probably get exasperated at the behaviour of some of my young men, and trouble would come of it, although I gave strict orders to Umgandane and Maneapi (the two Indunas in charge of the impi) to punish Bere and Simundi only, and then to return here at once; also, that if any of the natives [Mashonas] sought refuge amongst the white men to go to the white Chief in charge, and ask the refugees to be delivered, and to be very careful not to cause or get into trouble with the white men. I hope, however, that my Indunas will have restored you the captured cattle ere this. I am also very glad indeed that you asked Captain Lendy to order my people back. I acknowledge that I was wrong in sending my impi so close to the white people, but it was nevertheless necessary that I should punish these Maholies for cattle stealing and other offences' (C. 7171, p. 65; received on July 29th).

In transmitting this message Colenbrander added: "I hope nothing serious has taken place; the King's real object was to punish the recent wire-cutters," an act therefore which he thought would please the Company.

At the time Lo Bengula sent his conciliatory message to Dr. Jameson he had not yet heard from his impi. A few days later when they made their appearance, and his

\* C. 7171, p. 50.

† Ibid. pp. 55, 56.

Indunas had given their own version of the incident, the King began to see matters in a new light, and sent the following message to Moffat, the Assistant Commissioner :

'I am not aware that a boundary exists between Dr. Jameson and myself; who gave him the boundary lines? Let him come forward and show me the man that pointed out to him these boundaries; I know nothing whatever about them, and you, Mr. Moffat, you know very well that the white people have done this thing on purpose. This is not right, my people only came to punish the Amahole for stealing my cattle and cutting your wires; do you think I would deliberately go and seize cattle from you? No, that would not be right' (C. 7171, p. 67).

He began to understand what the Company was aiming at, and he gave vent to his indignation in a telegram to Dr. Harris, the Company's Secretary :

'I thought you came to dig gold, but it seems that you have come not only to dig the gold, but to rob me of my people and country as well '\* (C. 7171, p. 67.)

That this was also the general impression may be gathered from a private letter which one of Dr. Jameson's pioneers sent to his brother, and which was published in the *London Times* of October 16, 1893. In it we read that a border police had been formed, which the writer of the letter had joined, and that "all the people are called out to man the fort." Then :

'The general opinion is that the Company want to fight, as Matabeleland is a magnificent country, healthy, and also very rich in minerals. A free farm will be given those who go into fight.' †

\* The angry Chief added his opinion of Captain Lendy, who had now twice figured as the Company's instrument of vengeance. "He [Lendy] has no holes in his ears, and cannot or will not hear; he is young, and all he thinks about is a row."

† C. 7555, p. 51. In the same letter the writer describes his experience on his farm, about three miles from Victoria, during the visit of the Matabele impi on July 9th, and said that about 150 of them had come round his house; "they were very civil, and said they had strict orders from Lo Bengula not to touch the white man's cattle or to interfere at all." This order was so strict that when these really valiant Matabele were attacked by the patrol they ran away without raising a finger to defend themselves. And when Lo Bengula reproached



The clergy were particularly warlike. In a special issue of the *Mashonaland Times*, "containing full particulars of the latest Matabele Raid," it was reported with evident satisfaction that on Sunday, July 16th, before the arrival of Dr. Jameson and before the Matabele had been fired on by Captain Lendy's troop—

'Rev. Sylvester, as military chaplain, holds service after parade for inspection of arms. The rev. gentleman stood on ammunition cases, and said that the sons of Ham would all be cleared out . . .' (C. 7555, p. 41).

Dr. Jameson, in a telegram to the Secretary of the Company at Cape Town, dated July 22, 1893, said :

'I feel sure work will not be recommenced, or even transport carried along the roads till some definite action on our part is taken of going into Matabeleland to settle the question finally, which can easily be done by [sic] in Mashonaland alone. The clergy, whom I have talked to freely, agree with me on every point,' (C. 7171, p. 60).

Dr. Jameson informed a committee at Victoria, at about the same time, that "everything was ready to push affairs to an issue" \*; and followed this up, on August 4, 1893, with a message to Lo Bengula claiming indefinite compensation for damage done. He spoke of the stealing of cattle belonging to "the Government" as if the Chartered Company were already master of Lobengula's territory,† and declared that :

'This is not the only loss to the white men which must be compensated, for their farmhouses have been burned down [which was not the case],

them with their cowardice they answered : "We had your orders, King, not to touch the white people, or otherwise we would have had a different tale to tell." And we may fully believe what Lo Bengula himself added : "If they had been sent to fight they would have fought" (C. 7196, pp. 12, 37).

\* C. 7171, p. 48.

† The Colonial Secretary had already spoken on February 8, 1892, of the "Company's territories" (C. 7171, p. 10).

‡ From Jameson's demand it might be inferred that not a house had remained standing. Newton, in his Report, does not speak of a single dwelling as having been destroyed by fire or other means, and the High Commissioner in his message to Lo Bengula of August 16th mentions one house only (C. 7196, p. 13).

## ORIGIN OF THE MATABELE WAR 461

their work stopped, which means money to them, and my officials at Victoria are now calculating out what the total losses are, so that I can tell the King how many cattle will be required in compensation' (C. 7171, p. 88).

But if, in Dr. Jameson's opinion, everything was sufficiently ready to warrant alarming demands for compensation, the High Commissioner thought otherwise. He did not object to war—the Colonial Secretary's one anxiety being to impress upon the Chartered Company that they "must not look to the Imperial Government" for assistance,\* but he realised that everything was not quite as ready as Dr. Jameson thought. Telegraphing to Lord Ripon on July 26, 1893, he had already said :

' War with the Matabele was a step of such paramount importance that it could not be commenced without . . . due preparation.' †

A few months later (October, 3, 1893) he was even more explicit :

' When the incident occurred at Victoria the British South Africa Company were quite unprepared for any forward movement, not having 100 horses in the country, and any premature action would have been alike dangerous to Imperial and British South Africa Company's interests. I therefore prohibited any move without my sanction. Horses have been purchased since in the Transvaal and driven 500 to 600 miles, only now arriving at destination ; consequently some days' rest imperative ' (C. 7196, p. 89).

This clearly meant that after the horses had had a few days' rest, a "forward movement" into Matabeleland could take place. But what had Lo Bengula done meanwhile to justify extreme measures against him? Nothing, except to show his ardent desire for peace. Telegraphing to the Marquis of Ripon on September 21st (Lord Rosebery was Prime Minister), the High Commissioner said :

' Lo Bengula is reported to be personally anxious for peace. . . . White men in Buluwayo say Lo Bengula fears invasion, and movements of Matabele for defence, not aggression ' (C. 7196, p. 82).

\* C. 7171, pp. 10, 48.

† Ibid. p. 49.

On September 25th, Moffat telegraphed from Palapye to the High Commissioner that "Khama [no friend of Lo Bengula's] hears through Makalaka that *general feeling* in Matabele[land] is not to fight unless attacked"\*; and at about the same time the Englishman, Dawson, who lived at Buluwayo, wrote to Moffat as follows:

'In spite of his [Lo Bengula's] rough way of sending messages [messages interpreted and forwarded by Colenbrander, the agent of the British South Africa Company†], I am firmly of opinion that Lo Ben does not want to fight and that he will not do so unless actually forced to it in self-defence. He has already had a report that a large body of men had crossed the Limpopo northward and is anxious to know what it means; he also complains of his people being put in jail for no offence but merely because they are his. The High Commissioner has certainly sent some very conciliatory messages [this was before the necessary horses had reached their destination], and holding the opinion which I do of Lo Ben's intentions I cannot see where the probability of hostilities occurring becomes apparent, unless, of course, the third factor, i.e., the Company, is so powerful as to have its own way in case they wish to see the thing out' (C. 7196, p. 70).

Still further light was thrown on the situation by the local manager of the Tati Concession Mining Company, the only company in these northern territories which was not at that time under the control of Rhodes.‡ The manager asked that troops might be sent to Tati to protect the mines and the workmen. "If war is declared," he wrote in a letter to Moffat, "*on the pretext* which is the present subject of negotiation with Lo Bengula, I presume that the object and aim of it all is British aggrandisement; why then allow British property [his Company's] to be destroyed," when a few troops would be sufficient to protect it?§ In a subsequent letter (August 9th) the manager said that

\* C. 7196, p. 69.

† C. 7171, pp. 68, 70; C. 7196, pp. 51, 52.

‡ The letters of the Tati manager were sent to the High Commissioner by the Company as "conveying the impressions of men resident on the spot who are not concerned in the present fracas and whose accounts are not garbled" (C. 7196, p. 26).

§ August 8, 1893; C. 7171, p. 70.

Colonel Goold-Adams had sent up two good horses to be forwarded to Colenbrander at Buluwayo. A letter from Goold-Adams in regard to the matter, the manager added, "particularly impressed upon me that the message to the King was only a blind, that the main object was to get the horses delivered to Mr. Colenbrander in good condition. It is evident, therefore, that the Government [the Chartered Company was included in this term] mean forcing Loben's hand and probably fighting, and wish to get their agent away in safety first." On 18th he wrote again, "From all I hear our Government intend to force Lo Ben to fight."\*

When these letters were written, however, the Company's preparations for "forcing Lo Ben's hand" were not complete. As we have seen, it was not until October 2nd that the horses which had been lacking arrived at Victoria and still needed some days' rest. Meanwhile the High Commissioner, while continuing to send conciliatory messages to the King, took an active part in the preparations for war. Nominally the Company was responsible for what was going to happen †; in reality the High Commissioner was commander-in-chief of the forces.‡

\* C. 7196, pp. 25, 26. The Tati manager's frankness was naturally most unwelcome to the Imperial authorities to whom these and other letters were communicated, especially as they were accompanied by notification that the Tati Company would hold the British Government responsible for any loss that might arise from inadequate protection. On behalf of the High Commissioner Captain Bower replied that it was the Chartered Company's affair and that "the Imperial Government are not responsible for any loss or damage caused by acts of the British South Africa Company." Bower also said that the High Commissioner was not in a position to guarantee protection in the "event of a sudden outbreak of war" (C. 7171, p. 65). When the Company carried the matter directly to the Colonial Office, Lord Ripon denied that the High Commissioner wished to declare war. He added, however, that the Government refused to admit any liability in the matter (C. 7196, p. 24). Having thus washed its hands of all responsibility, the British Government continued to co-operate with the Chartered Company in its preparations.

† C. 7196, p. 32.

‡ Ibid. p. 68.

## CHAPTER LVII

### THE DOWNFALL OF LO BENGULA

- October 2, 1893 Required supply of horses arrives at Victoria.  
October 5, 1893 Alleged attack by Matabele on British patrol.  
Immediate and general advance of the Chartered Company's troops into Matabeleland.  
October, 1893 Lo Bengula continues to send friendly messages.  
The Matabele are disposed of by machine guns of the Company.  
October 18, 1893 Two messengers sent by Lo Bengula to the High Commissioner shot dead at Tati by the Bechuanaland Border Police.  
October 23, 1893 Lo Bengula withdraws from Buluwayo.  
November, 1893 The troops of the Chartered Company occupy Buluwayo.  
Lo Bengula sends £1,000 in gold as a peace offering; this gold is stolen by two men of the Border Police.  
1894 Death of Lo Bengula.

AT last everything was ready for action. Then, and then only, it was reported by Colonel Goold-Adams, on October 5th, that a patrol, "consisting of a non-commissioned officer and two men," had been fired upon by a party of about thirty Matabele.\* There was no inquiry, no demand for explanations, but an immediate and general advance into Matabeleland.

Captain Norris-Newman, Reuter's Special Commissioner, in the work from which we have already quoted and which he wrote some time afterwards (apparently in 1895) made the following ingenuous admission in regard to this alleged attack on the British patrol:

\* C. 7186, p. 91. There were no casualties in this engagement, be it noted.

'Had it not been for the fact (?)\* that a small body of Imperial Police were unexpectedly fired upon near Macloutsi, while out scouting, permission to enter for the column might have been so long delayed [by the Home Government presumably] as to render the preparations for the campaign futile until next dry season. As it was, the non-commissioned officer who says he was fired at (although Lo Bengula's Indunas assured me that there were no armed natives down there, as they did not expect war) was promoted to a lieutenancy, and deserves well of the Company at any rate' (*Matabeleland*, pp. 215, 216).

Until the very last, Lo Bengula showed a spirit which would have made a peaceful settlement easy, if a peaceful settlement had been desired. Thus, on October 20, 1893, Sir Henry Loch telegraphed to the Marquis of Ripon that "Lo Bengula sends message denying he has any impis on borders; offers to send any one I may appoint to see; says he hears of the advance on part of whites, and that he sees they want to fight, and asks why they do not say so." But, added the High Commissioner:

'I do not think it is now of any use to send messages in reply; the columns are out of reach of telegraph, and until events have taken more definite shape further negotiations would be useless, and even prejudicial' (C. 7196, p. 78).

So the columns advanced, the machine guns disposing of the Matabele without difficulty. But even though the war had now been actually begun, Lo Bengula made still another effort to obtain peace. Three Indunas, one of them a half-brother of the Chief's, were sent by the King with a message to the High Commissioner. They were accompanied by Dawson, who has already been referred to as an Englishman living at Buluwayo. Dawson and the three natives arrived together at Tati, then occupied by Colonel Goold-Adams and the Bechuanaland Border Police—an Imperial force which was preparing to advance farther into Matabeleland in order "to create [a] diversion in favour of the advance of the Company's forces from

\* The interrogation is Captain Newman's.

the east."\* This force was also to be accompanied by three thousand of Khama's Bamangwato.

Upon their arrival at Tati, Dawson appears to have gone off on his own affairs. The Indunas, left to their own devices, were arrested by Colonel Goold-Adams, who had not understood that they were messengers from the King, and were placed under guard in the British camp. There they appear to have been roughly used and two of them tried to escape. These were shot dead. The survivor, according to his own statement, could make no attempt to run away because he had already been bound, after having been threatened and struck.†

This happened on October 18, 1893. Probably the Police were in a state of "scare"—for they had shot three native postboys, in somewhat similar circumstances, a few days previously.‡

There would have been a considerable outcry if the Indunas and the postboys had met their death in the same way at the hands of a Boer commando. As it was, the incident was described officially merely as "the result of a series of deplorable misunderstandings."§

The message from Lo Bengula to the High Commissioner, of which these Indunas were the bearers, was as follows:

'You are complaining that our people have killed your people; send me two white men from you with an interpreter, and *I will help them to look for those of my people whom you accuse of these things, and to show where the impi was encamped that fired upon the white men*' (C. 7284, p. 7).

This was not the last message from Lo Bengula. He withdrew from Buluwayo on October 23, 1893,|| and moved north with his personal retainers. After the oc-

\* Loch to Ripon; C. 7196, p. 84.

† For the evidence regarding the death of these Indunas see C. 7284, *passim*.

‡ C. 7284, p. 7.

§ *Ibid.* pp. 10, 18.

|| C. 7290, p. 35.



cupation of his former capital by the forces of the British South Africa Company on November 4th, an effort was made to capture him. As the pursuing column drew near his encampment, "it happened, unfortunately, that a very shameful thing" occurred.

'Lo Bengula, despairing of holding out longer, and very sick with fever and gout, had sent in to beg for peace, offering to deliver himself up. He sent, also, a parcel of money, amounting to something like £1,000, as a proof of his sincerity and a peace offering. The message and the money were delivered into the hands of two men of the Bechuanaland Border Police, who, to their everlasting disgrace, suppressed the former and stole the latter. The unfortunate King heard nothing in reply to his appeal.\*

Lo Bengula was not captured, however. His pursuers were obliged to retire—a party of them, under Major Wilson, being exterminated by the Matabele. The King then fled still farther north, and died shortly afterwards, "a sick and worn-out fugitive" (Bryden, p. 251). So his reign ended and his nation fell—not as the result of Boer aggression, against which he had so frequently been warned, but because of the benevolent attention of the British Empire. Much had been said in condemnation of his barbarity, but this at least must be said in his favour: that when the Company's forces arrived at Buluwayo (which the King had left some time before, after ordering the destruction of the royal kraals) they found the two resident Englishmen, Messrs. Fairbairn and Usher, alive, and their property untouched. These men had relied upon the King's promise of protection, and he had faithfully kept his word.† The barbarous King, in any case, had some idea of honour.

\* Bryden, pp. 250, 251. These men were afterwards convicted of "the crime and sentenced to a long term of imprisonment" (Michell, vol. ii. p. 88).

† C. 7290, p. 35.



## CHAPTER LVIII

### REBELLION AND FINAL SUBMISSION OF THE MATABELE

May 23, 1894. Agreement between the British Government and the British South Africa Company with regard to the administration of Matabeleland and Mashonaland.

1896 Matabele rebellion.  
They are subdued by the Chartered Company, assisted by the British Government.

IT had been stated by the British Government that the settlement after the war would be arranged by the High Commissioner, and that the negotiations would be "under his complete control," although he would give full weight to the views and wishes of the Company.\* Nevertheless, almost immediately after his occupation of Matabeleland, and some time before the death of Lo Bengula, Dr. Jameson proceeded to mark out townships—at Buluwayo among other places—as if the Company by defeating the Matabele in battle had acquired exclusive ownership of their land, and as if the British Government did not exist. News of this significant proceeding appeared in the English press, and evoked a protest from Lord Ripon.† Thereupon Jameson replied that no towns had been marked out, "merely position of future townships discussed,"‡ and townships grew up accordingly.

On May 23, 1894, however, "An agreement between Her Majesty's Government and the British South Africa Company" was signed. This agreement formally turned

\* C. 7290, pp. 2, 3.

† Ibid. p. 24.

‡ Ibid. p. 36.

over the administration of Matabeleland and Mashonaland to the British South Africa Company, gave to it the right to appoint an Administrator and Council, and to these officials, legislative as well as administrative power. The High Commissioner, however, had to approve of their regulations before they acquired the force of law, and the Secretary of State reserved the right to veto both the regulations and the appointments of the Company.\*

'The new scheme of administration,' wrote Lord Ripon, 'does not purport to supersede Her Majesty's Order in Council of May 9, 1891, nor the British South Africa Company's Charter of October 29, 1889, but should be read in connexion with those Instruments, as containing a development and reform of the existing scheme of administration.' †

Some "development and reform" was indeed necessary. The original Charter had empowered the Company merely to acquire concessions for the exercise of such powers as it needed. Instead of doing this the Company had destroyed Lo Bengula, and, if its position were ever to be legalised some other basis for it than concessions had to be found. Therefore the rights of government which the Company had formerly usurped, were now officially handed over to it.

But although the Chartered Company absorbed Matabeleland, the Matabele themselves declined to be assimilated. In a speech in the House of Commons on November 9, 1893, Sydney Buxton, acting as the spokesman of the Government, had declared that :

'... the war was not to become a war of extermination or expulsion, the military system that existed must be broken down, but there was no intention or desire to expel the natives from the country, or to treat them except with humanity, mercy and justice, and that what-

\* For the full text of this agreement see C. 7888, pp. 11-15,

† C. 7383, pp. 16, 17.

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ever settlement might be arrived at would include, as an essential feature, due safeguards for their protection and for their rights' (C. 7888, p. 16).

The actual result was quite different. The natives were not well governed. Bryden, a strong Imperialist, admits that :

'Among the minor officials, appointments were carelessly and injudiciously made; cases of tyranny and injustice occurred; many of the natives had good reason to be dissatisfied with their treatment' (*A History of South Africa*, p. 252).

The consequence was that as soon as the Matabele saw their opportunity they rebelled. Their opportunity came with Dr. Jameson's withdrawal of the armed Police from Matabeleland for the purposes of the raid into the Transvaal.

Sir Richard E. R. Martin, who had had a long and varied experience of the government of native races in South Africa, was directed by the British Government to inquire into the cause of the rebellion. He reported (January 16, 1897):

'1. That compulsory labour did undoubtedly exist in Matabeleland if not in Mashonaland.

'2. That labour was procured by the various Native Commissioners for the various requirements of the Government, mining companies, and private persons.

'3. That the Native Commissioners, in the first instance, endeavoured to obtain labour through the Indunas, but failing in this, they procured it by force' (C. 8547, p. 6).

Sir Richard Martin also reported that after the war of 1893 the Chartered Company had "claimed all the cattle in the country by right of conquest, as having been the property of the King"—an error, he said, which the natives "would never forgive nor forget."\*

Captain Younghusband, special correspondent of the

\* C. 8547, p. 9.

London *Times*, in his book *South Africa of To-day*, says that :

'All signs of an authority which had never been thoroughly established was withdrawn [for the Raid]; and the people [the natives], not having been tactfully and sympathetically, but, on the contrary, harshly and roughly treated, rose in revolt. They saw their would-be rulers with their means of authority thrown away; and they saw many of those who had treated them more as brute beasts than human beings lying defenceless in their power. . . . The whites were engaged in a life-and-death struggle with a savage foe utterly reckless of human life. The fiercest feelings on either side were aroused, and deeds of vengeance were committed which few would feel inclined to dwell upon now in the after-calm' (pp. 186-9).

The struggle, which began in March, 1896, lasted until the following August. It was a war of extermination, and the Chartered Company, actively supported by the British Government, of course conquered. The Matabele were thoroughly subdued, and from that time to the present the Company has had a free hand in the exploitation of Lo Bengula's territories. As a business venture, the enterprise may or may not prove profitable. But as a Chartered Company it served its purpose. It cloaked the encroachments of Great Britain and frustrated the development of the South African Republic.

At last, then, the Republics of South Africa were penned in. They had been deprived of a harbour; deprived of territory which belonged to them by right; kept out of territory by repeated breaches of faith. Nothing but Portuguese East Africa, on the eastern border of the Transvaal, gave them neutral contact with the outer world—and Portugal as much at the mercy of Great Britain as any nation could be. It now only remains to be seen, in Vol. III, how, by pursuing, in internal matters, tactics similar to those employed when crippling the Republics externally, the British Government again succeeded in depriving the Boers of their hard-won and well-earned independence.



## APPENDIXES



## APPENDIX A

(See p. 6)

### PRESIDENT PRETORIUS' BOUNDARY PROCLAMATION OF 1868.\*

I, MARTINUS WESSEL PRETORIUS, President of the South African Republic, acting with the advice and consent of the most noble and honourable Council of the said Republic, according to article 552 of their Resolutions of April 6th, 1868,

Proclaim by these presents, that the boundary of the Republic shall be as follows:

On the East, in one part, as per treaties between the Republic and the Kafir Chief Umzwaas, dated July 25, 1846, and July 21, 1855, from the lowest Poort of Comatie northward, along the mountains, to the lower side of the Olifants River Poort.

North of the Olifants River on Pioenskoppie; from there in a straight line north-eastward to the Limpopo or Crocodile River, where the Pafories River joins it, and northwards along that river to where the Spelonken mountains stretch towards the Limpopo or Crocodile River, along these mountains to where they run northwards towards the Zougá River. From this western extremity or bend of the mountains in a straight line to the River Kuway, where the River Slangalie flows into it; then along the River Kuway to where this river flows into the Zougá River, along the Zougá to the Lake Ngami; west of said lake in a straight line to the northern end of the Langeberg; and along these mountains to the border between the Republic and the ground belonging to Mahura, Gazibone, and Jantje, including the territory proclaimed by the Republic by Proclamation of 1858.

Furthermore it is proclaimed, from the lowest Kloof of Comatie with the old boundary of Umzwaas up to the River Umzutu, including the Pongola River and the Umzutu River, to where it flows into the

\* In the translation given here, the mistakes made in the one which was published in Blue Book C. 1361, pp. 33, 34, have been corrected.



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sea\* on the east coast of Africa and including one mile of ground on each side of the river.

M. W. PRETORIUS,  
State President.

J. W. SPULST,  
Government Secretary.

Government Office,  
Pretoria, April 29, 1868.

This Proclamation was preceded by the following Resolution of the Executive Council :

*Resolution of the Executive Council of the 23rd of January, 1868,  
Article 28.*

His Honour informs the Executive Council that he commissioned Mr. David Forbes in 1866 to make researches for a harbour obtainable on the east side of the Republic and lays before them a report forwarded by that gentleman, with a map showing that there exists a suitable harbour, which is not in possession of any European Power. The Executive Council approve of the way in which His Honour has acted in this matter and wish to recommend the Honorable Volksraad to proclaim territory of the Republic without delay the River Umzutu, as that river has its origin in the Republic, and as the mouth of this river in Delagoa Bay is declared to be free by the English Government according to the *Natal Government Gazette* of October, 1867.

On April 6, 1868, the Volksraad sanctioned this Resolution of the Executive. (See Article 553 of the Volksraad Resolutions.)

\* It will be observed that President Pretorius was speaking of the sea instead of the Bay. It must be borne in mind that the Delagoa Bay is 70 miles long and from 15 to 24 miles wide.

## APPENDIX B

(See pp. 80, 75)

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

*Blue Book C. 5892, 1890; pp. 72, 73, 74*

WHEREAS, on or about the 14th day of September, 1887, a certain Treaty of Union was signed and executed by His Honour Stephanus Johannes Paulus Krüger, State President of the South African Republic, and the Honourable Willem Eduard Bok, State Secretary of the said Republic, as representatives of the Volksraad and Government of the said Republic of the one part, and Mr. Lucas Johannes Meyer, and Mr. Philippus Rudolph Spies, as representatives of the Volksraad and Government of a certain community therein styled the New Republic, of the other part, which Treaty of Union has not hitherto been completed and ratified by the Volksraads of the South African Republic and of the said community; and whereas by the fourth article of a Convention duly made and entered into on the 27th day of February, 1884, by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, commonly called the Convention of London, the South African Republic did covenant and agree not to conclude any treaty or engagement with any State or Nation other than the Orange Free State, until the same has been approved of by Her Majesty the Queen; and whereas Her Majesty the Queen has been pleased to accord her approval to the said Treaty of Union, when completed and ratified by the aforesaid Volksraads in manner hereinafter set forth, provided this present Convention shall be duly executed, completed and ratified by and between Her Majesty the Queen and the Government and Volksraad of the South African Republic; and whereas it is expedient and necessary in and by this Convention to add certain clauses to the definition of

the boundaries of the South African Republic, as set forth in the first article of the Convention of London, and to provide for a renunciation by the Government of the South African Republic on behalf of the said Republic; and of the said community, the territory whereof will, by the said Treaty of Union be incorporated with and into the said Republic of all claims which heretofore the Government of the said community may have advanced to exercise a Protectorate over the whole or any portion of the territory known as Zululand, and now annexed to and forming portion of Her Majesty's dominions; and whereas it is also expedient and necessary to make suitable provision for the proper care and preservation of the graves of certain Zulu Chiefs, which graves are situated within the boundaries hereinafter defined as including portion of the territory of the South African Republic,

Now, therefore, Her Majesty the Queen 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 South African Republic by his Honour Stephanus Johannes Paulus Krüger, State President of the said Republic, shall, as and from the date of the taking effect thereof, be deemed and taken to constitute a binding Treaty and engagement between Her Majesty the Queen and the South African Republic, and shall be read and construed in supplement of and together with the Convention of London aforesaid.

## ARTICLES

### *Article I*

This Convention shall not take effect or come into force unless and until—

(a) It shall have been duly completed and ratified by the Volksraad of the South African Republic; and

(b) The Treaty of Union signed and executed as aforesaid on the 14th day of September, 1887, shall have been completed and ratified by the Volksraad of the South African Republic, and by the Volksraad of the community, styled in the said Treaty of Union "the New Republic," unless such completion and ratification of this Convention and of the said Treaty of Union shall have taken place within six months from the date of execution hereof, this Convention shall become null and void to all intents and purposes.

*Article II*

The territory of the South African Republic shall, in addition to the territory defined in the first article of the Convention of London, embrace and include all land lying between the following boundaries, to wit,—

Beginning from the point where the Pongola River passes through the Libombo range below Beacon XXXI, hereinafter described;

Thence up the Pongola River to its junction with the Bivana River;

Thence up the Bivana River to its junction with the Penwana River;

Thence up the course of the Penwana River to its source, where the road from Kambula Camp to Burgers Lager crosses;

Thence to a beacon on Kambula Hill;

Thence 800 yards to a white rock where the White Umfolosi rises;

Thence down the White Umfolosi to its junction with the N'Sonto River;

Thence up the N'Sonto River and 80 yards from the river to a beacon situated on a spur of the N'Qaba Kashwana Mountains;

Thence 80 yards to the source of the Dudusi River or Lynspruit;

Thence down the Dudusi to its junction with the Blood River;

Thence down the Blood River to its junction with Umdhlenefu Stream;

Thence up the Umdhlenefu Stream to a beacon (Itiyendhlovu Rock);

Thence down the Umvunyana River to its junction with the Nondweni River;

Thence up the Nondweni River to a beacon on the Igogo Hill;

Thence to a beacon and the source of the Umhlatuzi River in the Ibabanango Hill;

Thence down the Umhlatuzi River to a drift where the wagon-road leading from Nkandhla Mountain crosses (Beacon I);

Thence along the wagon-road to Beacon II, on Ugaga or Ityelenimbi Hill;

Thence about 2,000 yards to Beacon III;

Thence to Beacon IV, on Amazizi Range;

Thence to Beacon V, near the source of the Indhlovane stream;

Thence by Beacons VI, VII, VIII, IX, X, XI, XII, XIII, to Beacon XIV, situated at Ulundi Drift of the White Umfolosi;

Thence along the White Umfolosi to Beacon XV, being the same as Beacon No. 1 of the line of "Second Inspection";

Thence to Beacon XVI, on the eastern spur of Capela Hill;

Thence to Beacon XVII, on a stony hill above Umhlablanc Neck;

Thence to Beacon XVIII, on the Umancanca Range;

Thence to Beacon XIX, on the south-east ridge of the Idhlebe Hill;

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- Thence to Beacon XX, being the same as Beacon No. 2 of the line of "Second Inspection" on Idhlebe Hill;
- Thence to Beacon XXI, on Ugedhla or Umdaja Hill;
- Thence to Beacon XXII, being the same as Beacon No. 8 of the "Second Inspection" on Ceza Hill;
- Thence to Beacon XXIII, near northern extremity of the Ungalondi Spur;
- Thence to Beacon XXIV, on Undindindi Range;
- Thence to Beacon XXV, on the Umjabase Hill;
- Thence to Beacon XXVI, being the same as Beacon No. 4 of the "Second Inspection" on the Isibuja Hill;
- Thence to the source of the Impalaza Spruit, called Magodogodo or Gotogoto;
- Thence down the Impalaza Spruit to the junction with the Umkusana River;
- Thence down the Umkusana River to its junction with the Umkusi River;
- Thence down the Umkusi River to Beacon XXVII, at the Umkusi Poort, near the southern extremity of the Udonzagolo Ridge;
- Thence along the watershed of the Libobo to Beacon XXVIII, on Umangwazana Hill;
- Thence to Beacon XXIX, on Emadubeni Ridge;
- Thence to Beacon XXX, on Uzibobalane Hill, on the edge of the kranz overlooking the western side of the mountain;
- Thence to Beacon XXXI, on the top of Ngabeni Hill;
- Thence along the watershed of the Libombo Range to the starting-point where the Pongolo River passes through the Libombo Range.

### *Article III*

The Government of the South African Republic, on its own behalf and also on behalf of the community styled in the Treaty of Union aforesaid "the New Republic," hereby for ever renounces all claim heretofore advanced by the Government of the said community to exercise a Protectorate over the whole or any portion of territory known as Zululand, and now annexed to and forming portion of Her Majesty's Dominions.

### *Article IV*

The Government of the South African Republic hereby agrees and engages to use every endeavour, and afford every assistance to the British officer appointed to reside in the South African Republic, with a view to making due provision for the proper care and preservation of the graves of certain Zulu Chiefs, which are situated in the territory

hereinbefore defined, as hereinafter more specifically described and set forth, and to that end the said Government agrees and engages to endeavour to procure the consent of the several proprietors of the land whereon the said graves are situated to the expropriation of land and to the enclosure with stone walls of any or all of the said graves with suitable margin of adjacent ground, and further, to endeavour to procure the consent of such proprietors to the granting of free rights of way to any or all of the said graves at all reasonable times to such person or persons as may be approved of and appointed by Her Majesty's Commissioner for Zululand, to attend to and secure the proper care and preservation of any or all of the said graves, provided that the cost of such expropriation or enclosure of land and of caring for and preserving such graves shall not devolve upon or be borne by the Government of the South African Republic.

The following are the names of the Zulu Chieftains or Kings whose graves are situated in the Makosini district:—

- |                |                  |
|----------------|------------------|
| 1. Umtombela.  | 5. Umageba.      |
| 2. Uzulu.      | 6. Undaba.       |
| 3. Nkosinkulu. | 7. Mjama.        |
| 4. Mpungu.     | 8. Senzangokona. |

#### *Article V*

This Convention, together with the Convention of London aforesaid, shall have full force and effect in respect of the entire territory of the South African Republic, as defined by this Convention and by the Convention of London.

#### *Article VI*

The obligations which the South African Republic takes over from the New Republic with regard to Her Majesty's Government are limited to the territory of the New Republic, and are subject to the same conditions upon which the engagements rest upon the New Republic.

Signed at Government House, Cape Town, this Twentieth day of June, 1888.

HERCULES ROBINSON,  
High Commissioner.  
GRAHAM BOWER,  
Imperial Secretary.

Geteekend ten Gouvernements Kantoor te Pretoria, dezen Elften dag van Juni, 1888.

S. J. P. KRÜGER,  
Staats President.  
W. EDUARD BOK,  
Staats Secretaris.

## APPENDIX C

(See p. 86)

### NATIVE TRIBES IN BECHUANALAND

Chief.	Capital.	Tribe.
Gatsisibi	Kanyie	Bawangketai
Gazibone	Pokwane	Batlapin
Gopani, paramount Chief		Baroetsi
Ikalafyn, chief		Baroetsi
Khama	Shoshong and Palapye	Bamangwato
Kwarthle		Bamawana
Lintsiue		Bakhatla
Machabi	Pollfontein	Barolong
Makhosi		Bamalite
Mankoroane	Taungs	Batlapin
Massouw	Mamoesa	Koranna
Montsioa	Mafeking	Barolong
Moshette	Kunana	Barolong
Pelan		Bakhatla
Sechela	Molopolole	Bakweni

## APPENDIX D

(See p. 107)

[TRANSLATION]

GOVERNMENT OFFICE, PRETORIA,  
December 6, 1882.

HIS HONOUR THE BRITISH RESIDENT, PRETORIA.

SIR,—The Government of the South African Republic have with deep concern considered your communication dated 30th November, in which you take exception on three important points to the action of the Government with regard to the Native Chiefs Massouw and Mankoroane.

The Government plainly see by your letter the deep interest you take in this case and your own conviction that highly important reasons have induced the Government to adopt a line of action which you call, on three points, a violation of the Convention and illegal.

It is really so; highly important reasons have induced the Government to send a message to the Kaffir Chiefs, but the Government are under the impression that by this step it has deserved the thanks of the British Government rather than the blame expressed in your letter. What you call a violation of the Convention—the objection that the action of the Government was *illegal* we shall not touch upon—is at the worst a certain defect in the form of the negotiations, more than an immediate contravention of the Convention.

All that has been done by us contrary to the Convention is simply this, that a message has been sent by the Government to a couple of Native Chiefs, in reply to a message from them, without a mediation of the British Resident, but it is really not the fault of this Government that certain Native Chiefs prefer to deal with the Government of the Republic direct rather than with the British Government. The question is whether a transgression of a more serious kind has been committed by the Government. What are the facts? What has happened? What has the Government done?

Natives on the south-western border come to the Government and demand to be annexed to the State, and the Government replies, Yes, we accept your offer, and to carry out the measure a Commission shall



be sent in order that everything may be done according to the Convention.

The Government have done nothing more but to make known its willingness to accept the offer; no Commission has been sent; the Government wish to effect the annexation through your mediation, according to the Convention. Must the British Government really be enlightened on this point? Is it conceivable that the British Government should not, even without a single letter in writing, plainly and clearly see the reasons which guided the Government in taking a step that appears, on the face of it, to be a transgression of a treaty?

Does the British Resident, does the Government of Her Majesty, the Queen of England, know of another remedy to make an end of the terrible bloodshed, murder, and pillage, the mean robbery of land and land jobbery, the terrible game of strife between the tribes? We do not; and we declare most seriously and without hesitation that we sent word to the Kaffir Chiefs Massouw and Mankoroane that this country is willing to take them over under the protection of its laws; that we did not want an inch of their ground; and that, with regard to landed property, we desired distinctly and absolutely to respect the line defined by the Convention; that we granted them a free disposal, but that they would have to acknowledge the Government, its officials, and law courts. And what has this assurance on our part done, which is strictly speaking nothing more than a promise, the fulfilment of which principally rests with Her Majesty the Queen of England? Immediate peace.

By this our line of action, against which you consider it your duty to take exception as contrary to the Convention, the Government have gained what could not be obtained by all the correspondence, despatches, and orders from abroad.

We knew this. The Government trust you will give us credit that we have never left off, from the days of the Convention, and even earlier, to warn the English Government against the most impracticable boundary division, which, in placing old friends and burghers of the State beyond the limits of the Republic, and leaving them without protection, thus exposed them to death and destruction.

What we predicted in vain at the Royal Commission has taken place for fourteen months; our borders are the scene of murder and bloodshed. With patience we have looked upon these scenes, although the Natives repeatedly transgressed our line and the line of the Convention, apparently with the intention of involving us in their quarrels; repeatedly have we advised that we may be allowed to step in between the two. Now, gually, the Chiefs come and offer us their land and people.

When they were informed that the Government felt inclined, under the further approval of the English Government, to accept their offer,

peace was concluded between the tribes. As soon as it appears that the British Government prohibits the Republic from granting protection to Kaffir tribes who pray for it, we have done with peace, and murder and pillage will commence again.

The Government is perfectly convinced that the Government of Her Majesty the Queen of England will not hesitate to thank us for the work of peace that we have managed to perform.

The Commission, of which we spoke, has not yet been sent. As long as the matter of the Natal Native deputation has not been solved, the Government cannot proceed further, as we had the honour to inform you.

In conclusion, the Government wishes most heartily that these explanations have convinced you that serious and unavoidable reasons only have guided the Government in what they have done, and that nothing else can be thought of and is possible; that is, if one really desires peace among the tribes.

I have, etc.

W. EDUARD BOK,  
State Secretary.

## APPENDIX E

(See p. 114)

[TRANSLATION]

### REPORT OF THE VOLKSRAAD COMMISSION

DATED *June 8, 1882*

As regards the first point, the question of the south-western borders is, at least for the moment, the most important.

Your Commission is obliged to speak without reserve—the blame of all the atrocities perpetrated in the Western borders lies with those English Officials who, from 1870 up to 1880, have guided the policy of the English Government in the wrong track and led it to injustice and the violation of secured rights.

It is a matter of satisfaction to us, that from our side warnings have not been wanting. During the negotiations over the Convention, the Commission made the following declaration: that we would generally submit to the cutting off of territory, after it has become clear to us that it is useless for us to speak about our rights.

To this general declaration, which affected the Eastern as well as the Western portions of the country, the Government added a special one in regard to the south-western borders.

They spoke literally as follows:

That the line proposed by Colonel Moysey infringed upon the rights of the country; that dwellers within our land were cut off against their wish; that these tribes had lived for many years in friendship with the Republic and that the Republic had accorded them her protection by solemn treaty; that the change of boundary, which casts them out of the State, gives them over helpless to their enemies; that, if they should look to us in vain for protection, they would accuse us of breach of faith; "that we shall be compelled to remain restrained beholders of the endless bloody disputes of those Kaffir tribes among themselves, and that therefore, we, as distinctly as possible, disavow all responsibilities

for eventual troubles and leave those to the account of that Power which compels us passively and silently to look on at the injustice."

This earnest declaration should have prevented the Secretary of State for the Colonies from, in any way, holding the Republic responsible for the troubles beyond our borders.

These troubles had been foreseen by us; the representatives of the people had warned against them and predicted them.

The causes of these troubles were briefly these :

1. The ground, now cut off from our country, belongs lawfully to the Republic.
2. These lands have been cut off without the slightest care, with the result that now not one of the Kaffir tribes knows what line it must adhere to. The Royal Commission has deprived the Kaffir tribes of the protection they had from the Republic, and has settled nothing as among the tribes themselves. Thus, without leaving this country the right of intervention, the Royal Commission has burdened it with all the difficulties of barbarous strife on its borders, which it is powerless to restrain, and besides has exposed it to being blamed in Europe, as oppressing the Kaffirs.
3. The tactics employed during late years have been these: The violation of the old rights of the lawful Chiefs and the setting in their place of new persons or candidates, who have no direct claims. Thus, Montsioa has been put above his lawful superior, Chief Moshette, and Mankoroane above Gazibone. All the arguments employed since 1872 have availed nothing. In May, 1881, Montsioa made an attack upon Moshette. On the first report thereof, serious discussions took place between the members of the Royal Commission and the members of the Transvaal Commission. The inroad made by Montsioa excited great disquiet among our people, and the Commandants Cronjé and Greeff had felt themselves obliged to call up a burgher guard for the protection of the borders.

At first, the Royal Commission seemed inclined to accuse and blame these Commandants; but on becoming better informed as to the position of affairs, it was agreed by the members of the Royal Commission and the members of the Triumvirate to send Colonel Buller and General P. J. Joubert to the disturbed region to make an investigation.

This investigation took place. As to the nature of Colonel Buller's report, your Commission is ignorant of; but the report of the Commandant-General was sent to the Royal Commission with a host of proofs of Montsioa's guilt, and insisting on his being duly punished for his many murders.

This the Commission again urged by another letter dated June 24th, but all in vain. The Royal Commission has taken no further steps in this case and everything is left in the same unsettled condition.

It must be presumed that they were of opinion that by following the report of Colonel Moysey as to a new boundary line, all difficulties and troubles would disappear of themselves. The new line was fixed by the Convention and forced upon us, and was to act as a magical charm in putting an end to all difficulties.

But it is easier to trace a boundary line on paper than to put an end to disturbances and dissatisfaction.

The English officials have experienced this. Colonel Moysey in his report states in the clearest manner that he was unable to set up beacons for whole lengths of country, because the Kaffirs would not allow him to do it.

Thereupon he went quietly to Europe, made his written report, and left behind him an open source of atrocities.

There was not long to wait. Moschette, fruitlessly relying upon the decision of the Royal Commission, promised him by Colonel Buller and General Joubert, and not obtaining justice, resolved to be his own judge and to avenge himself.

That is the attack in October last, which the evil-minded press of the peace-disturbers in Kimberley and Natal put to the account of the "Boers" they so hate! Since that time heaven and earth have been moved to bring about a new intervention by the British Government. This of course means for the hungry adventurers the gold which the troops bring with them. They know how to set as many wires as possible in motion, to excite the self-love of the English nation. To this end serve the lying statements that great commandoes of Boers have trespassed beyond the borders. The accounts fabricated by them of murders and homicides, cannot fail to rouse the Christian people of England. Whenever official sensitiveness about violation of boundaries fixed by the Convention unites with the sincere but blind missionary zeal of the so-called "Exeter Hall" party, then it becomes almost mathematically certain [*sic* "*wiskundig zeker*"] that new expeditions will be sent out from England.

In this way the Kaffir wars are made. And almost always England has fallen into the trap. What do they care about Isandhlwana or Majuba? A thousand killed means to them a thousand men short who must be sent out from England at heavy expense, which chiefly comes into their pockets.

Your Commission is becoming severe in its judgment, it will be said perhaps, but how can it be otherwise, when the official documents of the English officials themselves contain the proofs of the untruths of the reports which have been spread?

In one of his telegrams Lord Kimberley, with incomprehensible ingenuousness, speaks of a great Kaffir Chief, namely Montsioa, as a loyal British subject. Were it not for the serious consequences involved in such simplicity, it would be a cause of laughter. But it is too fruitful of evil! Because in Downing Street there is truly and in good faith a belief in loyal Kaffirs, *i.e.*, that there are Kaffirs who are in favour of the British. Every dissension between Kaffirs and the Republic has for years past been judged from this point of loyalty. But look at the Kaffirs as they really are. When the war between the Republic and England was at the hottest, the two Kaffir Chiefs, Montsioa and Moshette, came together in a friendly manner and took earnest counsel together whether they should also take part and, if so, on which side? Their sound understanding determined they would wait for the result and then ally themselves with the strongest. This judicious resolve is to be read in Captain Nourse's report. If Montsioa had abided by this determination, then he would not have attacked Moshette in May, 1881. But who can say under what influence he did this?

At his Court lives an Englishman, Bethell, and the Government of the Republic at one time, during the war, intercepted a letter written to this Englishman and properly published it. The writer of the letter, Colonel Moysey, tells Bethell that he must play off one Kaffir tribe against another!

Your Commission thinks that the origin of the troubles is to be found herein, just as the renewed outbreak thereof in last October, and the continuance thereof is the consequence of the passive attitude of the Royal Commission.

In Captain Nourse's report it is roundly stated that Moshette declared to him, that he had waited months for the decision of the Royal Commission, which Colonel Buller and Commandant-General Joubert had assured him would come to him. But when it came to appear that the murderous attack made by Montsioa on Moshette, which extended into the Republic, was not followed by punishment, that the bloodshed still remained unavenged, then he tried to help himself. Quite naturally so. Just as natural was it that the other Kaffir tribes should see their chance clear to play the same game of murder and homicide.

It may not be believed in England, but the "loyal" Kaffir is just as cruel as the disloyal. He burns his foe and outrages the women, dashes out the suckling's brain upon the ground. Sometimes he goes so far as to place his foe between two planks and saw him through the middle.

So long as the people in England will only believe in such atrocities being committed by those Kaffirs who live in peace with the burghers of the S. A. Republic and desire to live within its borders, no quiet is to be thought of.

It would be very easy for your Commission to speak of several similar disputes, beside those between Montsioa and Moshette. They abstain therefrom, with one exception, namely that which concerns Mankoroane. This chief, wrongfully set above Gazibone, has since last November been at war with Massouw. He fell upon him twice. Assisted by English volunteers, he did not hesitate to come within our borders with his armed Kaffirs and volunteers, and in this way assail Massouw in the rear. Massouw had not given the slightest provocation to this attack, and this attack was the more inexcusable because Massouw, on Mankoroane's own showing, is the territorial superior Chief and had done nothing to offend him.

In a truly reckless manner these atrocities are encouraged. And the chief cause is that the titles of "Regent" or "Captain" are given to persons not entitled to them, as was clearly shown in 1872 and following years at the time and after the Keate Award, by the meeting at Bloemhof and in the correspondence between President Burgers and Sir Henry Barkly.

Now comes the question, What shall we do? What can we do? What must we do?

Something must be done. These wars on our borders have already twice threatened to break loose.

Ikalafyn fought with Montsioa against Moshette, Gataibibi assailed the country, probably not so much to make war on us as to rob from the Kaffirs residing in our land. If quick and effective measures had not been taken we should have had an internal war. But we cannot always keep a guard on the borders. That exhausts the Republic's powers.

It is impossible, and no civilised State can allow that robbery and murder should be perpetrated on its immediate borders. The frontier residents naturally take part therein. They cannot help it. They have wives and children, crops and property to protect. Our frontier residents happily have manly courage and will not cowardly allow themselves to be murdered.

Your Commission would like to see some of these Exeter Hall people come and live on the borders, and for once, see what they would do.

The Government does what it can to prevent the burghers taking part in the strife, but it can prevent them no more than the Government of H.M. the Queen of England can prevent it.

The lately mentioned Bethell not long ago was in Kimberley to enlist volunteers. Although he was officially forbidden to do it by the High Commissioner, this command had just as much and just as little effect as the command of our Government.

Powder and ammunition are regularly supplied from Kimberley and English volunteers take part in the wars without being interfered with.



But just for this reason must a decisive step be taken. A condition of robbery, freebooting, murder, and homicide must cease. The influence of the Republic is great enough to enforce peace, if only the Chiefs come to know that the old farce of "loyal" and "Boer-affected" Kaffirs is no longer countenanced by the English Government. In other words, when they see that they can no longer take advantage of the disunion between England and the Republic, because such disunion no longer exists, there is peace.

Let the old border lines established by solemn cession be restored. Between the Kaffir races, Batlapin and Koranna, let internal arrangements be made and let the British Resident and the President of the Republic be appointed as witnesses and perpetual arbitrators in regard to all border matters.

Your Commission has just recorded, in general terms, the impression which a cursory perusal of the documents has produced.

The proof of all they have stated is at hand, although they have not in each instance made a specific reference.

There is too much danger and neglect. They cannot any longer witness the progress of robbery and murder and therefore suggest to the Volksraad to give the Government the following instructions:

Considering that the existing border line, as established by the Convention on the south-western boundary of the country, is the inducing cause of the incessant disturbances and atrocities of our borders,

Considering that the absence of beacon lines between the various Kaffir tribes beyond our borders is the occasion of continual wars,

Considering that it is impossible for our Republic to tolerate any longer the present condition of things, the Volksraad resolves:

That the Government immediately propose to the British Resident that they should send a Commission to put an end to the aforesaid troubles; that the Commission should regulate the boundary in accordance with the still existing treaties between the Republic, Moshette, Massouw, Gazibone, etc., namely between the Republic and the natives and between the native tribes among themselves.



## APPENDIX F

(See p. 121)

A LETTER sent by the Transvaal deputation of 1883 to the English press is instructive, not only on account of the light it throws on the treatment of the natives by the Boers, but as calling attention to the prejudice which the delegates had to try to overcome during their brief visit to London. The Lord Mayor (Fowler) had refused to invite them to dinner at the Mansion House, his reason being the alleged ill-treatment of the natives in the Transvaal. And his attitude was not exceptional. The prejudice was wide-spread and deep-seated. Years of unanswered and most hostile criticism had poisoned the minds of most Englishmen. The result was that the delegates found themselves thoroughly distrusted. The terms of the Convention which they succeeded, finally, in obtaining from the British Government (that of 1884) shows humiliating evidence of the suspicions entertained against them.

The letter in question, as printed in the *London Times* of November 13, 1883, reads as follows:—

TO THE MEMBERS OF THE ANTI-SLAVERY SOCIETY AND THE ABORIGINES' PROTECTION SOCIETY.

GENTLEMEN,—The members of the deputation, sent to this country by the South African Republic for political purposes, find themselves compelled, much to their regret, to crave for a moment your attention and that of the Christian public of Great Britain in general. The deputation take the liberty of doing so by addressing your societies only, because

the unfortunate matter which urges them to come forward is most intimately connected with their more special objects.

We cannot ignore the fact that, representing actually not only the Transvaal Government at Downing Street, but also in some way the Transvaal people in this country, we feel ourselves most deeply hurt by the discovery that in a certain circle in Great Britain, whose regard and sympathy are fully appreciated by the Christians in the Transvaal, there still prevails the opinion that the Transvaal Christians understand less thoroughly than Christians in this country the duty which they owe towards Indians, Negroes, Kaffirs, or any other coloured race or nations, as imposed by the Lord Himself upon them, in common with every one who makes profession of his faith in our Saviour or waves the glorious banner of humanity.

They have been painfully made aware of this prejudice by the peculiar welcome of the Lord Mayor elect. But if such prejudices are still entertained by some in this country, the deputation prefer to see them brought forward publicly, so that they may be contradicted, rather than that they should act in secret where they cannot be combated with any prospect of success.

It must, on the outset of our address, be clearly understood that the deputation, far from regarding the principles of your societies with any distrust, heartily approve of them. We also have learned the sad lessons of history, and also before our eyes lie open the shameful pages which, to the indelible disgrace of the Christian name, testify to the inhuman barbarities and incredible atrocities, which all Europeans, without distinction of nationality, who came in contact with coloured races in other parts of the world, committed in former centuries, either on account of fear, or avarice, or by the devilish inspiration of cruelty and sinful lust.

The horrible misdeeds committed by Spain in America, the Dutch in the Indian Archipelago, England in India, and even in the present century by the southern planters in the United States, constitute a humiliating portion of the history of mankind, over which we as Christians may well blush—confessing with a contrite heart our common guiltiness. The labours of those societies, which have been here, as in other countries, the means of rousing the public conscience to the high importance of this touching matter, cannot be, according to our opinions, sufficiently lauded and encouraged.

It is not for us to judge whether such societies have, here and abroad, always followed the right course in order to attain their most desirable objects. The field of their labours is too extensive to allow us to enter into that question now. But as far as we have been able to partly ascertain in South Africa, the beneficial and widespread influence of

your societies has not always succeeded in preventing the colonial officials from causing by their interference new loss of native lives, and bringing about frequent bloody intertribal conflicts, which all Christians, may they be Englishmen or Transvaalers, deeply deplore. We do not say this for the purpose of answering the accusations by counter-accusations; nothing can be further from our intentions. We are fully aware that such sad things happened contrary to your wishes, and thankfully acknowledge the steps your societies took, in order to diminish the danger; but having once addressed ourselves to you, we consider it our duty to direct the attention of your societies more specially to the undeniable fact that there are different methods of educating the native races.

Allow us, by way of example, to point to one fact which enters very deeply into the moral aspect of the question. We Transvaalers have enacted by law that a native can legally marry one wife only, so that children born from other women cannot share in the inheritance. The consequence of this is that women, for the sake of their children, are gradually refusing to enter into a state of polygamy, and thus, by means of this simple measure, considerable advance has been made towards morality and civilisation. But while in our country this measure works most admirably, Natal, for example, still refuses to follow us in this attempt to elevate the standard of morality, and, consequently, our endeavours are hindered by the marriage laws of a colony bordering on our country.

But to come to the point. The very painful accusation is brought against us that we not only keep the natives in a degrading position, but also encroach upon their personal liberty and oppose their conversion to Christianity, yea, even that we have made ourselves guilty of the most horrible atrocities against their women and children.

Can you wonder, gentlemen, that we burn and thrill with indignation at such a shameful charge being associated with the name of our country? As Englishmen, you yourselves could not possibly remain calm in the face of such accusations charged against your nation. Nor can we, as Transvaalers. And hearing what slanders are brought against us, we cannot refrain from demanding of you, on behalf of the Transvaal, for a share of that same humane compassion which you devote so largely to our aboriginal neighbours in Africa. We, too, are men with human hearts. Have we not an equal claim with the natives to your sympathy? And, therefore, may we not candidly ask you, now that we are thus undeservedly calumniated and accused, to enter the lists for us and speak a word also in our favour?

For this purpose we propose to supply you with the following series of facts:—

First, when we entered the Transvaal, we found the country almost depopulated by intertribal war, and inhabited by less than 20,000 natives. At present there are over 700,000. This is clearly a proof—is it not?—that the natives who were in the country rapidly increased in numbers, and that others entered the country from the neighbouring territories because they appreciated the benefits to be derived from our administration.

Secondly, the comparatively few natives we found in the Transvaal were steeped in poverty, hiding in holes and caves, and living in constant dread of the inroad of neighbouring tribes, who robbed them of their cattle and murdered their women and children. At present they live in peace and quiet; they possess homes, furniture, wagons, some even possessing what is to them a considerable portion of wealth—a proof that their social condition has wonderfully improved.

Thirdly, during the three years your Government had the administration of our country, your colonial officials could find not one single slave to set free, as there were none in the country.

Fourthly, notwithstanding the fact that Europeans and natives have been living together in the Transvaal for more than a generation, no mixed race is to be found there—a proof that the native women have not been debased by being made the victims of lust and passion, as has too often been the case under similar conditions in other colonies.

Fifthly, by a law of the Transvaal, every encroachment upon the rights of natives becomes a criminal offence. Our law affords the natives even a more ample protection than a similar law in Natal. And this our law is still exactly the same as it was during the time in which your own Government held the country.

Sixthly, although your Resident at Pretoria has, for two years, watched over the interests of natives, prosecutions under this law have been exceedingly rare, and the few cases which have occurred very seldom concerned Transvaalers, but were principally brought against strangers.

And, Seventhly, with regard to the shameful accusations of cruelty in war, and the shockingly horrible atrocity that a number of native children were thrown together in a heap and burned alive, though almost ashamed even to notice it, yet will we reply to it out of respect to the English public, for the sake of justice, and out of consideration for others.

Therefore we wish to state in reply to this point:—

First, if any burgher of the Transvaal commandos shall dare to fire upon a native woman or child he is disgraced at once as a soldier, and is treated in public opinion with scorn and contempt. This fact is of the greatest importance, seeing that the natives are in the habit of dressing

men as women during war, in consequence of which it is sometimes excessively difficult to prevent women being shot, especially in rapid firing at long distances.

Secondly, the natives, when their kraals are attacked, very often send out large numbers of women and children to fetch water and provisions, or for the purpose of decreasing the numbers of the besieged in order to prolong the war. And though even the Prussians, during the siege of Metz and of Paris, drove back large crowds of such refugees, our commandos are accustomed to take up these women and children and to return them to their tribes after the conclusion of peace—a fact which shows that the natives know that we are not in the habit of shooting women and children, else they would not expose them, and also that we are not given to treat with cruelty those who cannot defend themselves and have fallen into our hands.

Thirdly, having had the sad experience that auxiliary tribes could not be prevented after victory from killing children and women, the Transvaal Government, merely for that reason, refused henceforth to accept their assistance, except under the severely enforced condition that their soldiers should be placed under the special command of our own officers, and obey the civilised rules of war.

Fourthly, as far as we are aware, such a case as that mentioned by the Lord Mayor—of course in good faith, but without proper inquiry—never came to the knowledge of the Transvaal Government. When we investigated a report that such an atrocity had taken place, it was discovered that the person who was cited as the chief authority for this story had been previously convicted of intentional forgery in a most important transaction, and the death of that individual prevented our law-courts from punishing the author of this infamous slander.

And, fifthly, should anything of this kind have happened in some far-distant part of the country—although we firmly deny that it did happen—we leave it to your own decision, gentlemen, whether such a heinous atrocity, which loudly calls for exemplary punishment, is more likely to have been committed by Boers, who abhor such infernal misdeeds, or by uncontrolled auxiliary Kaffirs, among whom such cruelties, as Uaibepu's recent bloodshed in Zululand has once more proved, are customary as a rule of war.

Permit us to add three remarks to this explanation.

1. In every country, in yours too, even in the very centre of London, shameful crimes are committed every week and almost every day. Witness the sad facts brought to light in the recently published criminal statistics for this metropolis, showing sadly how many individuals there are who offer themselves as the tools of Satan. But who would, on this account, think of accusing your country and your city? Why then

should our Government and our country be persecuted with such bitter accusations because of the probable existence of a few ruffians and scoundrels? Such an accusation would, then, only be just if it could be proved that our Government took no steps to bring to trial such miscreants after having duly been made aware of their misdeeds.

Our second (2) observation is this: During the last war (against Secocoeni) atrocities were committed by your own native allies under the very eyes of your general, which that officer opposed most strongly, but which he was unable to prevent at the time. If, then, the sad experience of your own general incontestably proves the impossibility of always immediately restraining the natives in their cruelties during battle, why should we be so bitterly reproached because we too experienced this impossibility?

Our last (8) observation is that, taught by our Lord and Saviour not to lift up our heads in arrogance, and acknowledging the fearful power of wickedness which finds its instruments in the Transvaal as well as in London, we do not wish for a moment to deny that in the earlier years of our "trek," when there was not even a shade of regular government, and when the struggle for existence often called forth the worst passions, deeds were done which cannot be justified before God. But while on that account we humbly pray to the Lord our God to forgive us the sins that may have been committed in hidden corners, we cannot see that for this reason we should be excommunicated by Christian and civilised Europe. Has it already been forgotten that during almost all the terrible wars which Europe witnessed in this century, as late as up to 1870, even among those nations who stand at the head of civilisation, the belligerents charged each other reciprocally with unheard-of atrocities, which were said to have been committed under the eyes of regular soldiers? And yet, will any one ever think of considering citizens of those nations therefore unworthy of a seat at a Lord Mayor's banquet?

But while we make no pretence to have been faultless in the past, we venture to doubt whether better provision is made in any country for the protection of the interests of the natives than in ours. Slavery was declared illegal by our laws in 1837, and a fine of £500 is imposed upon every one convicted of selling or buying a native. No such thing as slavery exists in the Transvaal. And with regard to the apprenticing of native children, we wish to inform you that no native child is thus disposed of before his parents or friends, guardians or relatives, have been called upon to come forward and claim him or her; that as soon as any relative appears the child is delivered over to him; and that only if the child remains unclaimed is it placed by Government under the care of one of the burghers who is willing to accept the responsibility.

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Such burgher is then obliged to clothe and support the child, and is responsible to the Government for its proper treatment; and as soon as the child reaches his or her majority, he or she is given over to the Government, and after receiving a certain sum of money, is perfectly free.

Almost pertinaciously we cling to this method, based on human love and righteousness, though we may not conceal from you that it is sometimes a very great effort to carry it out to its fullest extent.

Let a single fact, experienced by the President in his former capacity as General, illustrate this :—

A body of natives once crossed the border, bringing a number of stolen native children, whom they wished to exchange for pieces of tobacco. But this exchange was firmly refused, because the sale and purchase of native children were forbidden by law. And what was the consequence? The natives drove the children back across the border; and ere we could go to their rescue were heard at some distance the heartrending shrieks and screams of the poor wretches, who were being murdered in the most cold-blooded manner by their fierce and savage captors.

This single fact is sufficient to show the difference between judging here in London about the intricate relations in distant countries, and deciding how to act under such peculiar circumstances. But if you, gentlemen, if your societies wish to be of service to the Transvaalers, we pray you to cause official notice to be given to our Government of every misdeed which may be brought to your knowledge, and to suggest to us any measure in your opinion calculated to secure the more effectual protection of the natives, and we pledge our word, as honourable men, that every convicted burgher will be punished, and every measure which it is possible to introduce will be thankfully received by us.

In this way you can assist us, and we will endeavour to assist you, in accordance with the grave responsibility under which we all stand before the tribunal of the world, and before the Judgment Seat of our God.

Believe us, therefore, gentlemen, when we say that the opposition prevailing in some circles to our Government is caused by prejudice, and this prejudice is fed by misunderstanding. If you leave us untrammelled, we dare hope to God that ere a new generation has passed by a considerable portion of our natives in Transvaal will be converted to Christianity; at least, our Government is preparing arrangements for a more thorough Christian mission among them. And while the deputation herewith thank you for the attention shown them, and tender their acknowledgments to the Press for publishing this statement, we do not intend to make any further appeal to your patience, and conclude with



the sincere hope that a share, at all events, of that warm sympathy which is so deeply felt here for everything that is human, may not be withheld from the Christians in the far south.

We remain, gentlemen, yours, etc.,

S. J. P. KRÜGER, State President.

S. J. DU TOIT, Superint. of Education.

N. J. SMIT, General.

LONDON, Nov. 12<sup>th</sup>, 1888.



## APPENDIX G

(See p. 188)

THAT the attitude of the South African Republic was purely pacific can best be proved by citing some letters written at the time by the author, then State Attorney (Attorney-General), without the remotest idea of publication.

The first was addressed from Pretoria to the Hon. Hercules du Preez, a member of the Cape Parliament, in the beginning of November, 1884. It was written in Dutch, and said in part:

One serious word in the interest of all South Africa. With regret I have heard of the decision of H.M.'s Government to expel the "freebooters" from Rooigrond, if necessary by force of arms. This may set the whole of South Africa in a blaze. Our Government is most anxious to avoid that. What we want absolutely in this country is not Land Goshen, but peace on the S.W. border. It is our Republic that suffers most by the continual quarrels there. The Proclamation annexing Goshen provisionally was issued in perfectly good faith, and its sole aim was, as has been repeatedly said, to bring about a state of peace. By its means this Government hoped to be able to bring the matter more satisfactorily and more quickly to a solution, having in view also the placing of the beacons on the border-line. This, however, has been wrongly interpreted by the outer world. The Proclamation had the unexpected effect of seeming to stand in the way of a peaceful settlement. Therefore it was withdrawn.

Once more: it is not our object to possess Land Goshen. We would be perfectly satisfied if it were annexed to the Cape Colony with Stellaland and on the same conditions. Then at least we would be rid of the continual disorders on our borders; and we shall not get rid of them if Gey's men come under the Imperial Government. The

Government of this Republic will be willing to co-operate in bringing about annexation to the Cape Colony.

The next letter was addressed to the Jonkheer Beelaerts van Blokland, at that time the representative of the Republic in Europe. It was in the form of a rough diary, and was written during December, 1884.

*1st December.*—As Special Commissioner on our Western border and in that capacity the successor of General Joubert—he [the Rev. S. J. du Toit] has done us a bad service by hoisting our flag there with much ostentation, without having received instructions to do so. A few days ago we received a telegram from England remarking that the flag was still being displayed there. Fortunately for us, we can prove that we ordered the contrary. Du Toit, in fact, wrote to us that he intended to hoist the flag. The Government immediately answered (October 6th)—seven days, therefore, before the withdrawal of the Proclamation [and two days before the receipt of the British Government's protest]—ordering him not to do so, and in case it had been done already, to pull the flag down.

For the rest, things in Rooigrond go as well as we could wish. A day or two ago we received an account from Commissioner Schoeman—Du Toit's successor—of the negotiations between the volunteers and the Cape Ministers. Ministers' attitude, especially that of Upington, the Premier, deserves our thanks. He had a hard struggle with the English Government before being allowed to make an effort for an amicable settlement. When Upington asked us for our co-operation—by confidential telegrams, without the knowledge of the Imperial Government—with the object of annexing Stellaland and Goshen to the Cape Colony, we did not hesitate a moment to promise our cordial support. It really was not the wish of our Government to get possession of those countries—notwithstanding our right to them—but only to get peace. Our Government acted in entire good faith. The history of the first Annexation Proclamation is briefly as follows.

Rhodes on behalf of England, and P. J. Joubert on our behalf, had gone to Goshen as Commissioners. Fighting was going on there, caused by Montsioa, who, violating the treaty of peace so solemnly entered upon, had begun the attack last May. Rhodes commenced by demanding that Joubert should disperse the volunteers—of Moshette—and complained of being received with rifle shots when he had come to make peace. Dispersing them—supposing Joubert had had the power to do it, which was not the case—would have been the most impolitic

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thing that could have been done, and more likely than anything to add fuel to the fire of discord. Rhodes, however, would not propose any fairly acceptable conditions to the volunteers, and rode off in anger. Montsioa came immediately to Joubert to ask his intervention, as his position was exceedingly critical. Joubert appealed to the generosity of the volunteers and succeeded in bringing about peace on August 30th. One of the conditions was that Montsioa had to destroy his entrenchments within a certain number of days. If he did not do so, he would be attacked. That same day Montsioa made the well-known request to Joubert to be taken under the protection of the S.A.R. Joubert, who considered his task in Goshen as provisionally finished, sent us a report of what had happened, and then proceeded to Stellaland to arrange with Rhodes about the cattle-thefts.

Joubert's report, in which the actual peace with Montsioa was announced, was received by the Government in Pretoria with delight; for no one is more troubled by the disturbances in Bechuanaland than this country. But anxiety was felt, too, lest the war should break out again on account of the non-fulfilment by Montsioa of one of the conditions. For this reason, and in order to lose no time, the President sent a telegram, which you will find in the Blue Book, not to the High Commissioner in Cape Town, but direct to Lord Derby. This was on the 6th of September, not on the 16th, as I have often seen it stated—which makes a great difference in connection with the date of the Proclamation.

An answer to this urgent telegram was waited for in vain during ten days. And in the meantime news came that Montsioa was *not* destroying his entrenchments. Then a new telegram was sent, and the well-known provisional Proclamation issued, by which Montsioa was placed under the protection of the S.A.R.

And the end of all this? News may arrive at any moment whether the people of Goshen have consented to be annexed to the Cape Colony or not. The Government of Goshen has already signed an agreement with the Cape Ministers. This, however, will have to be approved by the meeting of the people [of Goshen] on the 21st of November. I hope heartily that the likelihood of this being done—which, according to the latest news, appeared to exist—has not diminished.

*Later.*—It was after all, as you know, a vain hope. The people of Goshen were willing enough: England not. . . .

*28th December.*—The fact that the English did not answer our first telegram has become known through the last Blue Book, and consequently public opinion in regard to the Proclamation is already beginning to change in our favour. . . .

Our Commissioner Schoeman has again been to Rooigrond to

persuade them to make peace. The volunteers promised him not to oppose Warren by force of arms, but, under protest, to leave the country if Warren required it. Now I sincerely hope that no one will be bribed by some speculating contractor to fire a first shot; for in that case I do not know what would happen. One gets wild with rage hearing all the shameful lies that are wired to Europe for the sole purpose of starting a blaze; for a blaze means that the contractors will make money!\* A few days ago word was sent from Pretoria to Cape Town that 800 armed Boers had left this district for Rooigrond. That news goes the round, of course, of all the European newspapers. And not a syllable of it is true. The telegrams from Durban to England are particularly marvellous. I read these lies in the European papers a month, of course, after they have been published and by then the harm has already been done. It is a pity that cabling is much too expensive. We might derive so much advantage from it.

Another letter to Beelaerts van Blokland, dated January 8, 1885, contains the following:

The annexation, or rather the protectorate over Goshen, had been entered upon before my arrival, as you know.† But I am convinced of the good faith of the Government in this affair. . . . Last Monday a public meeting was held here of the Commandants. All except a few were present. The affair of the S.W. border was explained, our correspondence with England was communicated to them, and the matter was discussed, especially with a view to the absolute necessity of preventing persons from approaching or crossing the border with intentions which might endanger this Republic. All of them promised to do all they can to co-operate in the desired direction.

In Goshen the general spirit is peaceful. They will retire, if Warren really wishes it. Needless to say that this does not suit those who want to make money out of the matter. They are again busy. Gey, the Administrator of Goshen, has written privately to the President that some twenty "Loyalists" are beginning to do some thieving on their own account; that they menace his office, and try to cause all kinds of disorder, simply to get English troops into the country. The President left for there this morning with T. de Villiers, the member of the Volksraad. He will remain within our borders, however. From there he goes to Christiansa or Bloemhof to meet Warren.

\* See *supra*, pp. 120, 488.

† The writer arrived in Pretoria on October 2nd and entered into office as State Attorney on October 6, 1884.

In a letter dated March 2, 1885, and also addressed to Jonkheer Beelaerts van Blokland, the author said:

With this letter I continue my correspondence, interrupted by my journey to the Western border. An account has been sent to you of our interview with General Warren, as drawn up by his private secretary and published in a supplement to the *Volkstem*. It was received by Bok while we were still travelling and was sent immediately by him—with the approval of the Vice-President, Bodenstern—to the *Volkstem* for publication. On our return we found it published in that form—against our wish. For we knew from the copy which Warren had sent after us, and which we received on our way, that it was not exact. For instance, the President did not say that he recognised the new border-line as *correct*, but only as *definite*. A kind of interpellation is left out which I made when General Warren said that he could not recognise the claim of a white man to land. I drew his attention to the second condition, subject to which the Deputation agreed to the new border-line, and pointed out to him page 60 of the Green Book, par. 7, No. 2, and par. 9. The General's answer was that this only referred to natives—which I strongly denied. I told him that it was agreed formally by the Deputation and by Lord Derby at their interview, that it should also apply to white men.

Still, leaving the inaccuracies alone, the account gives you an idea of the spirit which animated the President, viz., the wish on our part to avoid difficulties, and to have a clear case if it should come to a clash. Whether the President has not carried this attitude too far had better be left alone.

We do not entirely trust the expedition of Sir Charles Warren. But they trust us a little. One of the reasons is all the wild talk that is spread about the country in order to make mischief. . . .

The Administrator of Stellaland, Niekerk, has been taken prisoner by Warren on a charge of complicity in the murder of a certain Honey, an English horse-thief. I do not believe Niekerk guilty, on good grounds. But besides, it is very questionable whether Warren has jurisdiction in the case. Even hostile papers in the Colony disapprove Warren's behaviour in this. . . . The affair does not tend to promote friendly feelings towards England and English rule.

The following extract is from a letter dated March 4, 1885, and written to the Hon. H. du Preez of the Cape Parliament:

I come to you with a question of the same tendency as my last.

From the interview which our President had with Warren—of which the published account, though incomplete and not right here and there, gives you an idea—you will perceive the spirit which animated our President: he wanted to avoid difficulties, and to prevent difficulties arising from our side.

This Government remains of the same opinion, not only for the present, but for the future also. If Stellaland and Goshen are made a Crown Colony, we are not sure that later, every now and then, a new difficulty will not be raised. That is one of the reasons why this Government wishes the above-mentioned tract of country to be annexed to the Cape Colony. We invite you most earnestly to use all your influence in that direction during the next session of Parliament.

I am making this request again in consequence of a conversation which I had a short time ago with Mr. Cecil Rhodes, who is well known to you. He told me confidentially that he also preferred the annexation of Stellaland and Goshen to the Colony, to making a Crown Colony of those countries; that he would support that annexation in the Cape Parliament; and that he asked the President of this Republic to use his influence with his friends in the Cape Parliament to secure that end.

That is why, also in the name of the President, I make this request to you.

Perhaps you and yours fear that it will be a burden to the Colony to annex Stellaland and (still more so) Goshen; and that those then who think they have rights and do not get them, will rise after the departure of the troops, and in that case, of course, against the Colony, if it comes to annexation. This, however, you need not fear. The President has explained it to the people, and they all promised explicitly to submit to the Cape Government and to adhere to it no matter what the Colony might decide about them.

Finally, in a letter to T. N. de Villiers, the representative of the Republic on the Commission for the demarcation of the south-western boundary, the author wrote on March 14, 1885, as follows:

I am thinking of the imprisonment of van Niekerk. Strange things are going on in Stellaland. It is fortunate for us that Warren, through his actions, is not so much liked as was at first expected. Many papers, though hostile to us, disapprove, for instance, of his behaviour to Niekerk: and particularly of his intention to fine the town of Vryburg because De la Rey had been warned [that it was Warren's purpose to

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arrest him at the same time as Niekerk]. It is really ridiculous. One good thing is the disposition of Rhodes, as it appears from your report. But what is the meaning of Rhodes' recall? One of the two, Warren or Rhodes, will break his neck in this affair. I should like it to be Warren, whose reputation will certainly be damaged as a result of his splendid military expedition against nobody. But I fear that Rhodes is not going to win easily, and that the British Government will not soon decide to recall Warren.

The last telegram announced that he had arrived in Goshen; had found two huts on the Molopo, and near Rooigrond eight little houses inhabited, the inhabitants of which had declared themselves disposed to obey his orders. So that is going all right.

The tracing of the boundary-line proceeds badly. I can imagine what your feelings are at this delay. In my opinion you were quite right in what you did, and replied. It is possible that the way in which Conder hides behind Warren and Warren behind the High Commissioner, and perhaps the High Commissioner behind Lord Derby, is done simply to irritate us. But what can we do? They have the right to do it, as we have; but they abuse their opportunity.



## APPENDIX H

(See p. 238)

[TRANSLATION]

### AGREEMENT

ON more definite settlement arrived at between Gerhardus Marthinus Rudolph and Christiaan Jacobus Joubert, Delegates and Representatives of the South African Republic on the one part, and

Umbandine, the chosen, accepted and on the Authority of the Government by the said Delegates appointed Chief of the Amaswazie tribe, and the other Regents of the Amaswazie tribe whose signatures are attached (to this document) on the other part, in virtue of their respective qualifications stated above, have this day agreed as follows:

*Article I.*—The afore-said Delegates Gerhardus Marthinus Rudolph and Christiaan Jacobus Joubert in their official capacity as stated above, guarantee and assure to the Amaswazies, their Chief and Regents, the free and unrestricted right of possession and ownership of the lands occupied by them, to wit, between the lines and beacons hereafter described, which are or will be marked out on a map and situated within the boundaries of this Republic, without any interference from the Government of the said Republic.

*Article II.*—The afore-said Delegates further guarantee to the Amaswazies the free and untrammelled direction of their affairs and the government of their subjects or their subordinates in accordance and consistent with the laws and customs, in so far as they are humanely just and defensible.

*Article III.*—The afore-said Delegates further guarantee to lend the Amaswazies protection, help and assistance in case they are attacked or subject to any unlawful violence from whomsoever it may be, on the understanding however that they shall not have the right to enter into war without the consent of the Government of the South African Republic, or to commit murder.



*Article IV.*—The above mentioned Chief and Regents, on the other side hereby recognise and confirm anew all concessions of territory or territorial rights to their full extent previously accorded by the late Chief Umswazie and his predecessors, and of which rights and territory the ground reserved to them forms a part.

*Article V.*—The said Chief and Regents agree and bind themselves to be and to remain subjects and obedient followers of the Government of the South African Republic, at the same time preserving the right of free and unfettered sway over their subjects or inhabitants, as long as they comport themselves in accordance with the present conditions.

*Article VI.*—The said Chief and Regents and the Amaswazies bind themselves and agree as faithful subjects to lend their assistance for the protection and defence of this territory within the South African Republic, where and whenever called upon by the said Government, to join the burghers in fighting the enemies of the State.

*Article VII.*—The said Chief and Regents undertake and promise to do all they can in the territory guaranteed to them for the promotion and improvement of commerce and industry, and with this object in view to render protection to all merchants, who, provided with a licence from this Government, come to trade in the country. The said Chief and Regents also bind themselves, on demand of the Government, to apprehend and deliver up to justice all criminals who may have sought refuge in their country.

*Article VIII.*—The said Chief and Regents consent and agree in the same way as is done over the whole of the Republic and in all other countries, to keep the trade routes and other roads safe and in good condition and open for public use, and to permit the building of railways.

*Article IX.*—The said Chief and Regents in the event of the Government of the South African Republic deeming it necessary to appoint in their midst a supervising official engage themselves to abide by this decision.

Given and signed at Ludidi, chief town of the Amaswazies, this day the 1st of July, 1875.

G. M. RUDOLPH,  
C. J. JOUBERT.

UMBANDINE his × mark, Chief,  
ZANDELANE his × mark, Regent,  
and 16 other Regents.

## APPENDIX I

(See p. 250)

### MONOPOLIES GRANTED BY UMBANDINE

OFFICE OF THE SWAZIELAND GOVERNMENT COMMITTEE,  
EMBEKELWENI, October 21, 1889.

SIR,—In compliance with your request and in accordance with a resolution passed at a Meeting of the Committee held the 8rd inst. I have the honour to enclose Copy Lists of Mineral Concessions and Monopolies granted by the late Swazie King Umbandine.\*

I have the honour to be, Sir,

Your obedient Servant,

H. E. GILBERT,

Secretary.

The Honourable the State Attorney, Pretoria.

#### LIST OF MONOPOLIES.

Name.		Nature of Concession.
1. Amoretti, A.	... ..	Iron Foundries.
2. Baily, W. H.	... ..	Trading Station.
3. Bennett, J. J.	... ..	Distilleries.
4. Bremer, A.	... ..	Merchandise, Importation of.
5. Colenbrander, J.	... ..	Trading Station.
6. Cohen, N. H.	... ..	Customs.
7. Cohen, N. H.	... ..	Mint.
8. Cohen, N. H.	... ..	Tobacco, Importation of.
9. Cohen, N. H.	... ..	Cement, Importation of.
10. Cohen, N. H.	... ..	Machinery and Tools.
11. Campbell, R. M.	... ..	Steam Power.
12. Carter	... ..	Liquor, Sale of Ruby Creek.
13. Dacomb	... ..	Canals and Inland Navigation.
14. Ewing, A.	... ..	Grinding and Milling.

\* The List of Mineral Concessions has been omitted.

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Name.	Nature of Concession.
15. Eokeraley, F. ... ..	Mineral Springs.
16. Ferreira, G. T. ... ..	Butcheries and Bakeries.
17. Forbes, F. W. ... ..	Electrical.
18. Forbes Reef, G. M. ... ..	Trading over Concession.
19. Frazer, J. ... ..	Trading Station.
20. Gordon and Prosser ... ..	Gold and Silver, Treatment of Chlor. proc.
21. Gordon, C. ... ..	Silver Ores, Treatment of Chlor. proc.
22. Gordon, C. ... ..	Oils, Extraction of.
23. Gama, J. ... ..	Ports and Bridges.
24. Harrington and Cohen ... ..	Central Mills. Establishment of.
25. Harrington, J. R. ... ..	Postal.
26. Harrington, J. R. ... ..	Licences, to issue.
27. Harrington, J. R. ... ..	Towns and Villages.
28. Harrington, J. R. ... ..	Diamond Drills and Rock Drilling Machinery, Importation and Manu- facturing of.
29. Cancelled.	
30. Henwood, J. O. ... ..	Trading Station.
31. Johnstone, J. ... ..	Cultivation of [?].
32. King ... ..	Attorney.
33. Lissack, E. ... ..	Auctioneering and Market Master.
34. Lissack, E. ... ..	Photography.
35. Lissack, E. ... ..	Agent re Concession Swazie King.
36. Major [?] ... ..	Trading Station.
37. Maber and Freeman ... ..	Trading Station.
38. Maber, G. ... ..	Printing.
39. McNab, R. ... ..	Tanneries.
40. McNab, R. ... ..	Patent Medicines.
41. McNab, R. ... ..	Woodcutting on Pongola.
42. Middleton and Stuart ... ..	Race Courses.
43. Prosser, W. ... ..	Jullien Process, Ores, Treatment of.
44. Parr, Mrs. ... ..	Refreshment Bars on Railways.
45. Parkinson, G. E. ... ..	Trading Station.
46. Rathbone and Shepatone	Dynamite and Explosives.
47. Rathbone and Adamson	Trading Station.
48. Rathbone, T. B. ... ..	Trading Station.
49. Renny-Tailyour ... ..	Cement, Manufacture of.
50. Simpkins, S. H. ... ..	Liquor, Sale of, on Horo Concession.
51. Steyn, J. and others ... ..	Railways.
52. Stone and Ewing ... ..	Townships and Trading Station.
53. Thorburn, M. F. ... ..	Gas.
54. Thorburn, M. F. ... ..	Swazieland Gov. Gazette, Printing and Publishing of.

Name		Nature of Concession.
55.	Thorburn, J. ... ..	Surveying.
56.	Thorburn, J. ... ..	Trading Station.
57.	Thorburn, J. ... ..	Banking.
58.	Thorburn and Town ... ..	Tailings and Concentrates, Treatment of.
59.	Tod Player ... ..	Pounds, Establishment of.
60.	Thorburn, J. ... ..	Liquor, Importation of.
61.	Verall, C. H. ... ..	Pawnbroking.
62.	Wyld & Co. ... ..	Glassware, and Cotton, Growth of.
63.	Wyld, J. H. ... ..	Firearms, Soap, Candles, Manufacture and Importation of.
64.	Wilson, G. D. W. ... ..	Lotteries and Sweepstakes.
65.	Wells, M. ... ..	Wood and farming.
66.	Wells, M. ... ..	Quicksilver.
67.	Wells, M. ... ..	Insurance and Assurance.

## APPENDIX J

(See p. 268)

### [TRANSLATION]

#### CONTRACT BETWEEN UMBEGESA, PARAMOUNT CHIEF OF THE UMGOMOZULU TRIBE AT LEBOMBO AND MESSRS. JOACHIM JOHANNES FERREIRA AND FERDINAND AUGUST LAMMERDING OF PIET RETIEF, SOUTH AFRICAN REPUBLIC

##### I

I, UMBEGESA, with the advice and consent of my Councillors, hereby declare, in the presence of many witnesses, that I voluntarily and legally do hereby give, grant, cede and assign to the said J. J. Ferreira and F. A. Lammerding and to their heirs, successors and assigns my territory situated on and to the East of Lebombo to such effect that henceforth they shall have in my territory the sole, free and exclusive rights: viz.

The right to carry on business, the right of establishing farms, the water rights, grazing rights, timber rights, game rights, the rights of making roads in the country, the right of erecting shops and factories and the right to all metals, minerals and precious stones.

##### II

That the said J. J. Ferreira and F. A. Lammerding, their heirs, successors and assigns bind themselves to assist the chief Umbegesa and his followers with their advice and services against their neighbouring tribes [nations].

##### III

That the Chief Umbegesa with the consent of his Councillors further grants to the said J. J. Ferreira and F. A. Lammerding, their successors, heirs and assigns the right to transfer the government of his country to a civilised Power.

## IV

The territory of the Chief Umbegeza is situated and bounded as follows:

Beginning in the South at the source of the Wantantisa river in the Umklahaneke, and running along the Wantantisa river as far as the Umpongolo river (this being the boundary line between Umbegeza's territory and that of the chief Zambaan or Nyana at Lebombo), then along the Usutu river to the watershed of Lebombo, then along the watershed of Lebombo towards the South to the Wantantisa river (being the boundary between Umbegeza's territory and Amaswazieland) or to the boundary of the South African Republic.

Thus agreed, contracted and executed at Kwakwenie in the district Piet Retief South African Republic this twenty-second day of August 1887 in the presence of the undersigned witnesses:

Chief UMBEGESA	×	his mark.
Headman (Induna) UMSIKISIKI	×	his mark.
do. UMSELO	×	do.
do. MAKONJELA	×	do.
do. MAKATJANA	×	do.

J. J. FERREIRA,  
F. A. LAMMERDING.

Witnesses:—

SETAMEI	×	his mark.
UMHLAHO	×	do.
SLUMELA	×	do.

J. C. v. ROOYEN.

We the undersigned hereby declare that the foregoing contract has been duly translated in our presence, by Messrs. J. J. Ferreira and F. A. Lammerding, to the Chief Umbegeza and his Councillors in the Kaffir language.

BOKLOZA	×	his mark.
(called "Windvogel")		
UMTJILO	×	do.
(called "Stuurman")		

J. C. VAN ROOYEN.

Contract of same tenor concluded between J. J. Ferreira and F. A. Lammerding and Zambaan (Nyana), paramount Chief of the Nyanehenie tribe, at Lebombo September 16, 1887.

## APPENDIX K

(See p. 271)

[TRANSLATION]

### TELEGRAM FROM STATE PRESIDENT, PRETORIA, TO HIGH COMMISSIONER

BLUE BOOK C. 7780, p. 13

8-5-'89. WITH reference to the territories to the North and to the East of this Republic, I have the honour to acquaint your Excellency with the following: That I request you will be pleased to convey to H.M.'s Government this Government's wish to propose to H.M.'s Government the following friendly settlement regarding the said territories.

This Government is disposed to withdraw the claims of the Republic to the lands [?] to the North of this Republic, and its protest respecting those territories, on condition that H.M.'s Government withdraws itself to the East of this Republic in Swazieland, the territory of the Zambaan and Umbegesa and Amatongaland, including the Kosi Bay. This Government will in that case use its influence to support the plans of H.M.'s Government for expansion in Bechuanaland and Matabeleland, whilst this Government would then expect the same from H.M.'s Government to the East of this Republic. This Government has not the intention thereby to take away the self-government of the Swazie King. The Government has come to this proposal, through its endeavour for a friendly settlement, at the same time having in view the impossible position [lit. impossibility] in which this Government is placed by the geographical position of Swazieland, ever to agree that in the future, whenever necessary, Swazieland should, with or without the consent of the Swazie King, come under any other Government but that of this Republic. If this proposal should find a favourable consideration by H.M.'s Government, then this Government proposes for the greater contentedness of the Natives now on our North and North-West borders, to make further proposals respecting small alterations in those boundary-lines.

## APPENDIX L

(See p. 809)

[TRANSLATION]

ROOIFOORT, KLEIN-VRIJSTAAT (LITTLE FREE STATE),  
November 1, 1888.

*To His Honour the State President and the Honourable Members  
of the Executive Council at Pretoria.*

CHAIRMAN and members of the administration of a part of Amaswazieland, known under the name of "Little Free State," as well as its inhabitants, respectfully beg to bring the following under your notice;

that the above mentioned part of Amaswazieland was sold in the year 1875 by the Paramount Chief of the Amaswazies to Messrs. J. J. Ferreira and F. Jan Maritz and that since several burghers of the South African Republic have settled here;

that during the War for Independence they have been commandeered and voluntarily have rendered the same services as the burghers of the South African Republic;

that they have been deprived of the political privileges of the burghers of the South African Republic; to wit, (a) they cannot bring their affairs and differences before Landdrost or Fieldcornet, (b) they have no civil state for the conclusion of marriages;

that they have been obliged to elect a board from among themselves, in order to settle the affairs of their little territory;

that they like to remind the Honourable Members of the Executive Council, that they were burghers of the South African Republic, who, although without their interfering, being cut off from their mother-country, are, nevertheless, very anxious to remain loyal burghers of the South African Republic;

that Umbandine, the Paramount Chief of the Amaswazies, always refused to have anything to do with them, showing his unwillingness to



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rule over white people. That the king would not even allow his subjects to visit or dwell within their territory;

that Umbandine has given a written cession of above mentioned territory dated October 27th of this year.

For which reasons they most respectfully and urgently beg to request, that it may please the Honourable Members of the Executive Council to take the necessary measures to annex their territory; the more so, because Umbandine has ceded this territory and even requested in his written cessions that this course now proposed by them should be taken (*vide* written cession hereby);

and that if it might please the Honourable Members of the Executive Council to comply with their request, they, the inhabitants of the said territory, may retain their legal properties, bought or received by them, and may receive conveyance for same free of costs;

that they, the inhabitants of Klein-Vrijstaat (Little Free State), will be exempt from taxes, until the date of annexation and further may enjoy the same privileges as the burghers of the South African Republic.

J. J. BEZUIDENHOUT, Chairman,  
W. A. DU PLESSIS, Member,  
and 85 others.

### TRANSLATION

EMBEKLEWENI,

October 27, 1898.

Herewith I, King Umbandine, declare in presence and with consent of my Council, that we do cede a certain part of Amaswazieland, South and East as described in the contract of sale of June 10, 1875, concluded with J. J. Ferreira and F. J. Maritz, and North, bordering with the line, described in that contract to the point where the wagon-road crosses the Inhlosana, near the house of J. Steenkamp, from there, with the Inhlosana-spruit up to the nek near Makwazie, the boundary beacon of the South African Republic.

Further, we declare in our capacity above mentioned, that J. J. Ferreira has been instructed to request the Government of the South African Republic to annex the aforesaid territory as part of the South African Republic for the following reasons:

- A. Because not a single Swazie native dwells there;
- B. So many white subjects of the South African Republic are already living there, and I and my Council have resolved not to rule any longer over them.

Thus done and signed at the place above mentioned in presence of the undersigned witnesses :

Witnesses :	UMBANDINE	×	his mark.
P. R. HEBEST	SIEKOLA	×	do.
E. B. DE VILLIERS	UMJIEBKA	×	do.
F. P. FOURIE	LANSTANA	×	do.

Herewith we declare that the document has been properly translated in our presence.

P. G. VERWY.

## APPENDIX M

(See p. 810)

### A LEADING ARTICLE FROM THE "ZUID - AFRIKAAN AND VOLKSVRIEND," TUESDAY, DECEMBER 30, 1890

IN November last the Convention about Swazieland was laid before the British Parliament, together with two letters from Sir Henry Loch to Lord Knutsford, one of which was joined to the resolutions of the Volksraad regarding this question, and an answer from Lord Knutsford to his Excellency. The contents of the Convention and the resolutions of the Volksraad are matters of common knowledge. Following the example of our contemporary the *Cape Argus*, we will extract a few items from this correspondence. One of these letters from Sir H. Loch to Lord Knutsford is dated August 13, 1890, and begins by pointing out that in May, 1889, President Krüger himself had made the proposal that the South African Republic should withdraw all claims to territory on her northern frontier, on condition that the English Government should refrain from opposing the expansion of the Republic towards the East. No answer was sent, but as a result came the mission of Sir Francis de Winton. When in 1890 Sir H. Loch had been apprised of the intended trek of the Boers from the Republic into Mashonaland, he informed President Krüger of these rumours, requesting him to take the necessary measures to prevent this irruption into territory comprised within the British sphere of influence. In reply to this communication the President sent on the 18th of February a telegram in which he stated that there appeared, as had been the case on many previous occasions, an endeavour to sow dissension between Her Majesty's Government and that of the Republic and that, on this account, it seemed to him advisable, and in the interest of the whole of South Africa, that they should become personally acquainted and confer together on all the pending questions. As a result, the meeting at Blignaut's Pont took place on the 12th of March, in which various questions about Swazieland,

etc., were discussed. After these, according to Sir H. Loch, other negotiations followed between himself and the President, of which negotiations, however, nothing is found in the previous Blue Book dealing with this matter about which we commented at the time we have had our say.

On the other hand, it is a well-known fact, that as soon as President Krüger set foot on his own ground again he told the burghers, who met him, that they had separated as good friends, *but that no satisfactory arrangements had been arrived at.*

And no one who remembers the arrival of the draft of the Convention, which was sent to Pretoria on the 29th of May by Sir Henry Loch, can deny, that whatever matters may have been discussed at Blignaut's Pont, the draft equally surprised and displeased the President and his Council. However, the draft was sent, with the additional intimation, that, if on the 18th of August no settled government should have been established in Swazieland, the British Government would avail itself of an article in the London Convention of 1884 and appoint a British Commissioner in Swazieland, supported by a military force necessary for the maintenance of law and order in the country. We know that the President at first sent no reply, but after the receipt of a later telegram, answered that the Executive had objections to the Convention and was doubtful as to the expediency of submitting it to the Volksraad. In reply his Excellency wrote that, "with a view to the seriousness of the situation, in case the Convention should be rejected," he had thought it necessary to appoint a person who could personally confer with the President and the Executive in order to find means "of avoiding an act which finally would almost inevitably lead to military operations." Sir Jacobus de Wet, the Agent for Her Majesty's Government at Pretoria, was ill. For this reason his Excellency had approached Mr. Hofmeyr, the leader of the Afrikaner Party in Parliament, who, after having duly studied the question, had in a spirit of true patriotism taken upon himself the task of explaining to the Government of the South African Republic the seriousness of the situation. Acting upon the suggestions of Mr. Hofmeyr, his Excellency had been able to advise the Home Government to give in on many points which the Government of the Republic considered important, and on which it was possible to be accommodating without sacrificing a principle. Meanwhile the period for which a temporary administration of Swazieland had been established was approaching its termination, and in the event of the Convention not being ratified, it would be necessary to complete the regulations for the police which his Excellency was collecting in Natal to serve in Swazieland. In that case it would also be his duty

“to inform Her Majesty’s Government of the probable results of the introduction of the police force, which would strengthen the position of Her Majesty’s Commissioner in Swazieland, and of the urgency of *increasing the military force in South Africa, in order to support and defend the political views of Her Majesty’s Government.*” This was the reason why his Excellency had insisted on the Convention being ratified on or before the 8th of August, as otherwise it would become void. In order to be justified in taking action in accordance with the article of the London Convention, he sent Major Sapte on the 29th of July to Pretoria, with instructions, should negotiations fail, to deliver to President Krüger a letter, informing him that for this reason Her Majesty’s Government would act in pursuance of the article in question, with the request that the Government of the Republic would also fulfil its obligations under the London Convention. Afterwards Major Sapte was to go to Swazieland with instructions to Colonel Martin how to act in the matter. Fortunately, the latter mission became needless, for the President signed the Convention. “It is impossible,” so writes Sir Henry Loch, “to give too much praise to the tact and judgment displayed throughout by Mr. Hofmeyr in the execution of a task which he had solely undertaken *for the preservation of the peace* and in the best interests of the Transvaal and the whole of South Africa.” Lord Knutsford, in his reply, also tenders his thanks to Mr. Hofmeyr for all he had done to surmount the difficulties which stood in the way of a peaceful settlement, and of the maintenance of the friendly relations which fortunately existed between Her Majesty’s Government and that of the South African Republic. But far more than Sir Henry Loch, far more than Lord Knutsford, the S. A. Republic and all the European States in South Africa owe a debt of gratitude to Mr. Hofmeyr for the manner in which he has accomplished the task imposed upon him. The *Cape Argus* recognises this fact as well as we. It may be that in the South African Republic—not by the Government, for its members were acquainted with all the facts—but by the public at large and by the press, Mr. Hofmeyr’s conduct has been misjudged and condemned; but if one reads what Sir Henry Loch wrote, which has been translated and reported by us, it becomes evident that the Republic is under greater obligations to Mr. Hofmeyr than to anyone else, although there are among its burghers men who in the field and in the Council Chamber have given proofs of the highest merit. ˘

We now come to a point the *Argus* does not mention. If, like itself and Sir Henry Loch, we commend Mr. Hofmeyr as the man who saved the peace of South Africa, what can we say of the man who was ready to imperil that peace without the slightest cause? Mr. Krüger’s proposal

of May, 1839, was a very fair one. The Republic had always looked towards the north for expansion, but the President was willing to meet the wishes of England, and only asked for a free hand towards the east. Although no one in the Colony knew of this proposal, Sir Gordon Sprigg, as well as Mr. Rhodes, at that time our Prime Minister, and the man who was to take his place, both English-born, had advocated the plan Mr. Krüger proposed. Sir Hercules Robinson spoke in the same terms, and advanced the clearest reasons to show that by such a Convention England's position in South Africa would in no wise be weakened. It is scarcely right to blame the Home Government, who, nevertheless, took a different course. Gold speculators, traders, Jingoës, and the people of Exeter Hall raised their voices loud in protest against a Convention which would have been an act of justice towards the South African Republic and would have given satisfaction to the colonists in South Africa, but which would have made an end to the independence of the noble Swazie nation, which would have obliterated the remembrance of Majuba and put in its place a feeling of true friendship between the English and the inhabitants of the Transvaal, and which would perhaps have deprived some questionable Englishmen, or so-called Englishmen, of the chance of filling their pockets by roguery. To these voices the British Government is obliged to listen, as we here, alas! know by experience. And it was therefore no more than natural that they accepted the fish offered by the President, but for the bread which he asked gave him, if not a stone, at least nothing but crumbs. A High Commissioner, who had the good of South Africa at all at heart, would have been loath to lend himself to such practices, notwithstanding it being his duty, would have employed the most delicate means, and certainly would have avoided anything which might have been construed into menaces. What does Sir Henry Loch do, however? The details discussed at a friendly meeting, to which he had been invited by President Krüger and at which no definite decisions had been arrived at, are used by him for the framing of a Convention which he knows must grieve the Republic, and in the event of his peremptory commands not being obeyed, he threatens to send for a force of redcoats, even at the danger of thus disturbing the peace in South Africa! We are put in mind of the saying of Sir Bartle Frere concerning the soldier helping the policeman in the Transvaal. We are glad to remember that when a year later the Transvaal revolted, the Imperial Government realised the inexpediency of fostering in this manner a healthy condition in South Africa. But when Sir Bartle Frere arrived here the annexation of the Transvaal to the British Empire was an accomplished fact, and if he thought it his duty to maintain the British flag in the country, it was worth while with this

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object in view to employ the military in conjunction with the police. In Swaziland, however, no British interests of any importance were at stake, and if it had been proved that it was impossible to come to an understanding a temporary arrangement might have been made. Instead of this, not only does Sir Henry Loch threaten the Republic under the London Convention, but declares openly that unless his new Convention be accepted, he will advise the Imperial Government strongly to increase the military forces in South Africa, and in this manner he would cause the disturbance of the peace, the conservation of which South Africa owes to Mr. Hofmeyr. Sir Henry Loch has been sent us from England as High Commissioner. And it is our duty to treat Her Majesty's representative with respect. But we have here to do with a self-governing Colony, two Republics, and a Chartered Company, which are supposed to act in concert with the High Commissioner, but which to do their work properly must be left a free hand. While, before this, President Krüger has had an opportunity of testing the friendliness of the High Commissioner, the public at large is now also aware of his sentiments towards South Africa, and we feel sure that the representatives of the Governments, who in this part of the world are chosen from the public at large, will not lose sight of these sentiments.

## APPENDIX N

(See p. 844)

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

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the affairs of Swaziland in substitution of the Conventions of 1890 and 1893,

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Honour the State President of the South African Republic, as representing the Government of the said Republic, hereby consent and agree that the following articles, accepted finally by and between Her Majesty and His Honour, shall when duly signed, sealed and executed by Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and by His Honour the State President of the South African Republic, on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, constitute and be a Convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

*Article I.*—The provisions of the Convention of 1890 shall be continued in full force and effect from and after the date of the signing of the Convention by His Excellency Sir HENRY BROUGHAM LOCH, Her Majesty's High Commissioner, on behalf of Her Majesty, and His Honour STEPHANUS JOHANNES PAULUS KRÜGER, State President of the South African Republic, on behalf of the Government of the South African Republic, until the date of ratification of this Convention by the Volksraad of the South African Republic, provided that should this Convention not be ratified before or during the next ordinary



session of the said Volksraad, the provisions of the Convention of 1890 saving the provisions of articles 10 and 24 thereof, which shall remain in full force and effect, may at any time thereafter be terminated by one month's notice given either by Her Majesty's Government or the Government of the South African Republic, and thereupon at the expiration of the said month in accordance with the Convention of 1884, all the provisions relative thereto in the said Convention shall be of full force and effect and provided further that if at any time before the ratification in manner aforesaid the assent of the Swazie Queen Regent and Council to the draft Organic Proclamation already agreed to by Her Majesty's Government and the Government of the South African Republic be duly signified, the Convention of November 1893 shall upon the signification of such assent be and remain of full force and effect subject to the terms of the said Organic Proclamation and this Convention shall not thereafter be ratified but shall be of no force and effect and the provisions of the Convention of 1890 shall no longer be of any force or effect, saving the provisions of articles 10 and 24 thereof, which shall remain of full force and effect.

*Article II.*—Without the incorporation of Swazieland into the South African Republic, the Government of the South African Republic shall have and be secured in all rights and powers and protection, legislation, jurisdiction and administration over Swazieland and the inhabitants thereof, subject to the following conditions and provisions, namely:

1. That the young King Ungwane, alias Uhili, alias Ubonu, after he has become of age according to native law shall be and remain the Paramount Chief of the Swazies in Swazieland, with the usual powers of such Paramount Chief in so far as the same are not inconsistent with civilised laws and customs.
2. That the payments by the Government of the South African Republic of moneys, derived from the collection of the private revenue of the King, shall be regularly made in terms of concession or power of attorney, granted in that behalf by Umbandine and confirmed by the judgment of the Chief Court.
3. That the management of the internal affairs of the natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession and that the native laws and customs shall be administered by the native chiefs entitled to administer the same in such manner as they are in accordance with native laws and customs at present administering, in so far as the said laws and customs are not inconsistent with civilised laws and customs or with any law in force in Swazieland made pursuant to this Convention, and the natives are guaranteed in their continued use and occupation of land

now in their possession and of all grazing or agricultural rights to which they are at present entitled: provided that no law made hereafter in Swaziland shall be in conflict with the guarantees given to the Swazies in this Convention.

4. That in the administration and government of the country by the Government of the South African Republic no hut-tax or other tax shall be imposed upon the natives higher than the corresponding tax to which such of the Swazie people as are living within the borders of the Republic may be subject. In no case, however, shall such taxes be able to be imposed until after the expiration of three years from the date of the ratification of this Convention.

*Article III.*—The Government of the South African Republic agrees to appoint an officer who shall administer Swaziland in terms of this Convention.

*Article IV.*—The Government of the South African Republic agrees that the Chief Court heretofore established shall continue to exercise and possess all the powers and jurisdiction hitherto exercised or possessed by it; the said Court shall also have such powers and jurisdiction as may be conferred upon it in accordance with Article II of this Convention, subject to the conditions of the said article, with full power to decree against all persons, execution of every order, judgment, decree or sentence made by it in the exercise of its jurisdiction.

*Article V.*—The laws, ordinances, proclamations and regulations at present in force in Swaziland shall continue to be of full force and effect therein, until altered, amended or repealed in accordance with the terms of this Convention; and the power and jurisdiction heretofore exercised or possessed by Landdrost Courts and Justices of the Peace shall continue to be exercised and possessed by such Courts and such Justices of the Peace, respectively, unless and until other provision be made in accordance with the terms of this Convention.

*Article VI.*—All Government officers appointed under and by virtue of the Convention of 1890 shall continue to hold and administer the offices to which they have been appointed, and shall be secured in the emoluments and fees of office at present enjoyed by them until the date of the ratification of this Convention, or until other provision be made in that behalf by Her Majesty's Government or the Government of the South African Republic, and thereupon all such appointments shall cease and determine; provided that on or after the date of ratification aforesaid the said officials or any of them may be reappointed to the said offices, or any of them in accordance with the terms of this Convention.

*Article VII.*—All British subjects residing in Swaziland, or having in Swaziland any property, grant, privilege or concession or any right,

title to, or interest in any property, grant, privilege or concession, shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind, in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swazieland.

*Article VIII.*—Every white male who shall have been a *bona fide* resident in Swazieland (even if temporarily absent from Swazieland) on the 20th April 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic, provided however :

- a. That every white male shall make application in writing to an officer to be appointed at Bremerdorp in Swazieland by the Government of the said Republic, to have his name enrolled upon the list of persons so entitled, and upon satisfactory proof by a true and solemn declaration of his *bona fide* residence in Swazieland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.
- b. That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within twelve months from his attaining his majority.
- c. That every person admitted as a burgher shall, while resident in Swazieland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swazieland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic, such person shall there be entitled to register his vote.

*Article IX.*—The equal rights of the Dutch and English languages in all Courts of Swazieland shall be maintained. This provision shall be in force so long as the administration of Swazieland by the Government of the South African Republic continues under the provisions of this Convention.

*Article X.*—The customs duties shall not be higher in respect of any article imported into Swaziland than the duty thereon according to the tariff at present in force in the South African Republic or the tariff at present in force in the South African Customs Union, whichever is now the higher. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provision of this Convention. Every exclusive right or privilege of or belonging to any individual or individuals, corporation or company with regard to imposition of or exemption from customs duties on goods shall be liable to expropriation by the administering authority; provided that no such individual or individuals, corporation or company shall be deprived of or interfered with in the enjoyment of any such exclusive rights or privileges as have been confirmed by the Chief Court prior to the 8th November 1898, without due compensation being awarded. The amount of such compensation shall be assessed by means of arbitration in case of difference. Each party interested shall appoint an arbitrator and the said arbitrators shall before proceeding with the arbitration appoint an umpire: should the said arbitrators be unable to agree upon an umpire, such umpire shall, on application of either party after notice to the other, be appointed by the Chief Court: the decision of the majority of the persons so appointed shall in case of difference be final.

*Article XI.*—The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swaziland.

*Article XII.*—No railway beyond the Eastern boundary of Swaziland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

*Article XIII.*—Articles 10 and 24 of the Convention of 1890 are here again set forth for convenience of reference:

*Article 10.*—The Government of the South African Republic withdraws all claim to extend the territory of the Republic or to enter into treaties with any natives or native tribes to the North or North-West of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South African Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

*Article 24.*—Her Majesty's Government consent to an alteration of the boundary of the South African Republic in the East, so as to

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include the territory known as the Little Free State within the territory of the South African Republic.

*Article XIV.*—Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects, in case any provision of this Convention shall not be fairly and faithfully observed.

*Article XV.*—Her Majesty's Government reserves the right to appoint a British Consular Officer to reside in Swazieland.

Signed and sealed on the border of Natal and the South African Republic, near Charlestown and Volksrust, this 10th day of December 1894.

HENRY B. LOCH,  
High Commissioner.

Signed and sealed on the border of Natal and the South African Republic, near Charlestown and Volksrust, this 10th day of December 1894.

S. J. P. KRÜGER,  
State President of the South African Republic.

DR. W. J. LEYDS,  
State Secretary S.A.R.

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### TRANSLATION

#### RESOLUTION OF RATIFICATION

*(Resolution of the First Volksraad, February 18, 1895. Article 24)*

The Raad taking notice of the Convention, now to the order; taking notice of the informations already furnished, abiding by the considerations which led to the approval of the Swazieland Convention of November 8, 1893;

*resolves:* to ratify the Convention now to the order, provided that the Convention of 1893 will remain in force, if the Organic Proclamation\* mentioned therein will be signed on or before the 20th of this month.

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### TRANSLATION

#### RESOLUTION OF AUTHORISATION

*(Resolution of the First Volksraad, February 18, 1895. Article 25)*

The Raad resolves: to authorise the Government to take all measures and steps which, according to its opinion, may be desirable and

\* This Proclamation was not signed.

necessary, for the exercise of the protection, legislation, jurisdiction and administration of Swaziland and its inhabitants; that all rules and conditions, in order to be valid, shall be published in the Government Gazette; that the Government shall report in the next ordinary session of the First Volksraad.

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TRANSLATION

PROCLAMATION

*Staatscourant, February 20, 1895*

Whereas a condition has for a long time prevailed in Swaziland which was not satisfactory either to the Whites or to the Natives and did not afford satisfactory security for life and property as well within Swaziland as on the border and beyond;

And whereas a change in the government and administration of Swaziland is highly necessary in the interest of peace and for the sake of humanity and civilisation;

And whereas the Government of the South African Republic has come to an agreement with the Government of Her Majesty the Queen of Great Britain and Ireland regarding the government and administration of Swaziland;

And whereas the First Volksraad by its resolution, Article 25, taken in its extraordinary session of the 18th of February 1895 has empowered the Government to take all measures and steps as in its judgment are desirable and necessary for the exercise of protection, legislation, jurisdiction, and administration over Swaziland and her inhabitants—

Now therefore, I, Stephanus Johannes Paulus Krüger, State President of the South African Republic, with the advice and consent of the Executive Council, by virtue of its Resolution of the 19th February 1895, Article 184, do hereby proclaim and make known as follows:—

(1) On and after the 21st day of the month of February 1895 the Government of the South African Republic shall take, have, and exercise all rights and powers of protection, legislation, jurisdiction, and administration, over Swaziland and its inhabitants.

(2) There shall be an official appointed by the Government of the South African Republic, who shall administer Swaziland. The title of this official shall be "Special Commissioner for Swaziland." He shall *mutatis mutandis* have the same power, qualification, and authority as hitherto possessed by the Government Committee; unless and until other provision is made. He shall be assisted by an official who shall bear the title of "Secretary for Swaziland" and shall have the same

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duties and powers as hitherto the Government Secretary ; until and unless other provisions are made.

(8) The High Court in Swaziland shall continue in the exercise and possession of all powers and jurisdiction hitherto exercised or possessed by the same, and of such other or further powers and jurisdiction as may be granted to the same, with full authority to order against all persons execution of any order, judgment, decision or sentence given by the same in the exercise of its jurisdiction.

The power and jurisdiction hitherto exercised or possessed by the Landdrost Courts and Justices of the Peace shall continue to be exercised and possessed by such Courts and such Justices of the Peace respectively unless and until other provision can be made.

(4) The laws, ordinances, proclamations, and regulations now in force in Swaziland shall *mutatis mutandis* remain in full force and effect there until they are altered amended or repealed.

(5) All officials lawfully appointed by the Government Committee under and by virtue of the Convention of 1890 shall, in so far as not herein otherwise provided, remain in the occupation of and exercise of their offices to which they have been appointed. They will continue to enjoy all the emoluments and fees of office, now enjoyed by them until further provision shall have been made. The said officials shall have to take the official oath to the Government of the South African Republic at the hands of the Special Commissioner of Swaziland or another official in Swaziland appointed by him.

(6) Every White male person who shall have been a bona fide inhabitant of Swaziland on the 20th of April, 1893, even though temporarily absent from Swaziland, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as if he were born in the Republic, regard being had and subject to provisions and conditions to be hereafter made known.

(7) The appointment or licences in virtue whereof attorneys, land surveyors and others are entitled to practise their professions shall be respected in accordance with the provisions and conditions connected with such appointments or licences.

(8) The Young King Ungwane, alias Uhili, alias Ubuntu, shall, after attaining the age of majority according to native law, be and remain the Paramount Chief of the Swazies in Swaziland with the usual powers of such a Paramount Chief, in so far as they are not inconsistent with civilised laws and customs.

(9) The management of the internal affairs of the Natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession, and the native laws and customs shall be administered by the native Chiefs entitled to administer the



same in accordance with the native laws and customs, in so far as the said laws and customs are not inconsistent with civilised law and customs or with any law put in force in Swazieland, and the continued use and occupation of land now in possession of the Swazie natives and all their rights of grazing and agriculture to which they are now entitled shall be recognised.

(10) The equal rights of the Dutch and English languages in all courts of law of Swazieland shall be maintained.

(11) The sale or supply of intoxicating liquors to Swazie natives in Swazieland is prohibited. Contravention hereof is punishable by fine or imprisonment, with or without hard labour, according to the nature of the case to be determined by the judge (or judicial officer).

(12) All such persons shall be held responsible who may venture [to?] offer armed or other opposition to the authority of the Government of the South African Republic in Swazieland hereby proclaimed or who shall by seditious or inciting words or instigations or otherwise incite or encourage others to offer such opposition or who injure, impede, hinder or annoy others because they do not agree with them in political matters, and all such are cautioned that upon conviction of any of the above offences they shall be liable to the stringent punishments provided by law in such cases.

GOD SAVE LAND AND PEOPLE

Given under my hand and seal at Pretoria, South African Republic, on the 19th day of February 1895.

S. J. P. KRUGER,  
State President.

DR. W. J. LEYDS,  
State Secretary.

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TRANSLATION  
PROCLAMATION

*Staatscourant, March 27, 1895*

Whereas the First Volkraad by resolution, Article 25, taken at its extraordinary session of the 18th February, 1895, empowered the Government to take all such measures and steps as may in their judgment be desirable and necessary for the exercise of protection, legislation, jurisdiction and administration of Swazieland and its inhabitants;

And whereas the Government of the South African Republic by Proclamation of the 19th February 1895 has proclaimed and made



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known an order respecting the exercise of protection, legislation, jurisdiction, and administration over Swazieland and its inhabitants ;

And whereas the laws now in force in Swazieland are not sufficient to secure a desirable improvement in the condition of Swazieland, wherefore an addition is necessary as well with regard to the lawful regulations at present in force in Swazieland as with reference to the persons to whom these lawful regulations will apply—

Now therefore, I, Stephanus Johannes Paulus Krüger, State President of the South African Republic, with the advice and consent of the Executive Council, by virtue of its resolution of the 15th March, 1895, Article 177, do hereby proclaim and make known as follows :

1. The laws of the South African Republic are hereby *mutatis mutandis* declared to apply to Swazieland and all its inhabitants as supplementing the provisions of the laws now of force in Swazieland and with observance of Article 9 of the Proclamation of the Government of the South African Republic of the 19th February, 1895.

### GOD SAVE LAND AND PEOPLE

Given under my hand and seal at Pretoria, South African Republic, on this the 15th day of March 1895.

S. J. P. KRÜGER,  
State President.

C. VAN BOESCHOTEN,  
Acting State Secretary.

## APPENDIX O

(See p. 374)

### PROTOCOL

WHEREAS difficulties have arisen in carrying out Article 2 of the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the South African Republic, dealing with the affairs of Swaziland, signed on the 10th day of December, 1894, and particularly with regard to the extent of the Jurisdiction of the Courts established in Swaziland under that Convention, in the case of crimes committed by Natives against Natives, in view of the provisions of the said Article as to the powers of the Paramount Chief, the maintenance of native laws and customs, and the administration of such laws and customs by native chiefs;

And whereas it is desirable to make further provision for the Jurisdiction of the said Courts, more especially with a view to preventing practices inconsistent with civilised laws and customs—

Now therefore it is agreed between Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and His Honour the State President of the South African Republic, on behalf of the Government of that Republic, as follows :

1. Notwithstanding anything contained in the Second Article of the said Convention, the Courts mentioned in the second clause of the present Protocol shall alone be competent to deal with crimes, committed by Natives, falling under any of the categories specified in the Schedule appended hereto, and such Jurisdiction shall extend to all Natives, including the Paramount Chief and the other Chiefs. And neither the Paramount Chief, nor any other Native Chief shall be competent to exercise Jurisdiction in regard to any such crime.

2. The courts by which alone the Jurisdiction described in the foregoing Clause shall be exercised are the Landdrost's Court of Swaziland, as at present established, and the High Court of Swaziland.

3. The Landdrost's Court shall only have power to impose such sentences upon Natives, in cases where Natives only are concerned, as the said Court is empowered to impose in its Jurisdiction over Europeans.

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4. Any Native accused before the Landdrost's Court shall be entitled to be defended either by a Law-Agent, by an Attorney, or by Counsel; and, before the High Court by Counsel.

In case of the accused being an indigent native, and unable to provide such professional assistance, the Court shall appoint such Law-Agent, Attorney or Counsel for his defence.

5. Subject to the foregoing provisions, the Paramount Chief and other Native Chiefs shall continue to exercise jurisdiction in all native cases, including both civil disputes between Native and Native, and all crimes committed by Natives against Natives which do not fall within any of the categories specified in the said Schedule. But no native Chief shall be competent to inflict the punishment of death or any barbarous punishment inconsistent with civilised usage.

6. The provisions of the Protocol shall not apply to any crime committed previous to its signature.

7. The Protocol will be ratified by the Volksraad of the South African Republic within one month of its signature, and in default of such ratification, will be null and void.

### SCHEDULE

(a) Murder; Manslaughter; Culpable Homicide.

(b) Conspiracy against the Paramount Chief, or resistance to his authority as recognised in the Convention of December 10, 1894, or in the present Protocol.

(c) Assault with intent to do grievous bodily harm.

(d) Rape, or attempted Rape.

(e) Kidnapping or Abduction of children.

(f) Forgery.

(g) Perjury.

(h) Arson, and Malicious Destruction of Property of a grave nature, such as Cattle-raiding, the wholesale destruction of cattle, or the destruction of a dwelling-place.

(i) Robbery.

(j) Witchcraft.

In witness whereof, Alexander Edmund Fraser, acting as Her Majesty's Agent in the South African Republic, duly authorised thereto on behalf of Her Majesty's High Commissioner for South Africa, and Francis William Reitz, State Secretary of the South African Republic, duly authorised thereto on behalf of the State President of the said Republic, have signed this Protocol, at Pretoria, on the fifth day of October in the year 1898, and have hereunto set their seals.

EDMUND FRASER.

F. W. REITZ.

## APPENDIX P

(See p. 888)

[TRANSLATION]

### THE MOSELEKATSE-POTGIETER TREATY (1858)

TREATY of peace, entered into by Mr. Pieter Johannes Potgieter, provisional Commandant-General of Zoutpansberg, on the one part, and the Kaffir King Moselekatse by his duly authorised representative the Kaffir Captain Marati, of the King's tribe, on the other part.

1. That from this date there shall be peace between the King Moselekatse and his tribe, and the inhabitants of the South African Republic living north of the Vaal River, provided that the said Moselekatse shall observe the terms agreed upon in the following articles :

2. That the said Moselekatse engages never to tolerate traffic in fire-arms and ammunition within his territory ; neither himself to deal nor to allow his people to participate in the same directly or indirectly, either within or without the boundaries of his territory ; but on the contrary engages whenever traders in firearms and ammunition or even hunters or other travellers dealing in the same, may enter his territory, to cause such people to be apprehended with all their goods and belongings and to be brought before the Landdrost of the nearest village to be punished according to law ; and in case he should be powerless to apprehend such traders, hunters or travellers, he shall inform the nearest Field Cornet with the utmost possible despatch.

3. That the said Moselekatse, at any time that he may be required by any Commandant-General or subaltern officer in charge of any commando or expedition to levy warriors or to render any other assistance, shall be bound to comply with such request ; and that in such cases his people shall be under the orders of the commanding officer, or subaltern officer under him, sent out for any special service, and shall implicitly obey them.

4. That the said Moselekatse shall give or cause to be given protection and aid to every hunter or traveller coming from the Republic into his territory.

5. That in case any difference should arise between the people or

any one of them belonging to the tribe of the said Moselekatse, and some emigrant, such difference shall be settled by any Commandant-General, or any Board of Landdrost and Heemraden or of Landdrost and Heemraden and Jury, according to the nature of the case, with the right of appeal in case of dissatisfaction with the said decision to the Honourable the Volksraad.

6. That commerce in all products and wares shall be free between both parties hereto, with the sole exception of what is declared contraband in Article II. of this agreement or of what may hereafter be excepted by law.

Made at Zoutpansberg this 8th day of January, 1858.

P. J. POTGIETER,  
Prov. Commandant-General.  
KAFFIR CAPTAIN MARATI X his mark.

Witnesses: Chr. J. RABÉ,  
D. G. GROBLER;

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#### THE MOSELEKATSE-PRETORIUS TREATY (1858)

MAGALIESBERGEN, *May 16, 1858.*

Know all men by these presents that I, the undersigned Andreas Wilhelm Jacobus Pretorius, Commandant-General of the Transvaal Republic, do hereby instruct Mr. Francis Gerhardus Joubert to enter into the following agreement with Moselekatse, the Paramount Chief of the Matabele.

1. That the Paramount Chief of the Matabele binds himself to perpetual peace and friendship with the Transvaal Republic and that there shall be no violation of territory by either of the contracting parties, and in case a dispute should arise, the same shall be settled, not by force of arms, but by an arbitrativ inquiry to be conducted by certain officers to be appointed by both sides and that the guilty party, who may have been the cause of the said dispute, shall be punished according to the merits of the case.

2. That the Paramount Chief of the Matabele shall remain without disturbances within the grounds and the territory which he now occupies, and shall duly maintain his laws.

3. That the Paramount Chief of the Matabele shall be bound to apprehend all parties, who having here offended against our laws and incurred punishment, have fled into his country and to deliver all such persons to the authorities of this Republic when demanded; this system of extradition affecting both sides reciprocally with the same force.

4. That the Paramount Chief of the Matabele shall apprehend and deliver to the nearest Field Cornet all persons, whomsoever they may be or to whatsoever class they may belong, who may deal in firearms and ammunition within his territory without the permission of the authorities of this Community.

5. That the Paramount Chief of the Matabele shall freely admit hunters from this Community who may enter his territory to hunt; provided they behave themselves properly he shall render them any assistance of which they may stand in need. No person, however, being within the boundaries of the Paramount Chief of the Matabele shall have the right to alienate anything on his own authority. They shall ask in the proper way for anything of which they stand in need; no one shall be allowed to use force or violence against any person.

Witnesses :

ONNOEMBATA his × mark

MATEKEUNIE do.

Me present :

F. G. JOUBERT.

Mark of the Paramount Chief of  
the Matabele, MOSELEKATSE ×

## APPENDIX Q

(See p. 385)

### THE UMSILIGAS-BENJAMIN D'URBAN TREATY (1836)

ARTICLES of Agreement between the Governor of the Colony of the Cape of Good Hope on the one part, and Umsiligas (by his representative and chief councillor Um'Nombate, specially appointed for the purpose of treating), on the other part.

1. The King of the Abaqua Zooloo or Qua Machoban, Umsiligas, engages to be a faithful friend and ally of the Colony.
2. He engages to preserve order in his territory and to abstain from war unless forced thereto in self-defence.
3. He engages to protect all white men who may visit his country, and to defend and treat in a friendly manner all missionaries or other persons who may, with his consent, settle and reside in his territory, so long as they act in accordance with justice.
4. He engages to defend and assist all travellers or traders who may reach his country either with the object of extending knowledge or otherwise benefiting mankind.
5. He engages not to interfere with the remnants of tribes resident in the vicinity of his country, unless in self-defence, and promises to permit them to enjoy, undisturbed, the advantages of religious instructors, should any such be disposed to settle amongst them.
6. And, generally, he engages to cultivate and encourage peace, and apprise the Colonial Government of any intended or actual hostile movements in the interior, and to act in concert with the said Government in subduing whatever may be calculated to disturb the general peace, or retard the civilization and prosperity of the native tribes of South Africa.

In consequence of the above engagement, the Governor, upon his part, engages :—

1. That he will regard Umsiligas and his subjects as friends, and will receive any of them as such when they visit the Colony.
2. That he will grant, in the first instance, as presents for Umsiligas, a variety of articles suitable to his present condition, and will continue supplies of the kind from time to time, so long as the terms agreed upon shall be strictly observed.

And in order to facilitate intercourse hereafter, between Umsiligas and the Colony, the Governor will duly consider the request made for an individual of the Colony to be resident with the Abaqua Zooloo or Qua Machoban, and endeavour to obtain a missionary for that purpose, who will be most calculated, under circumstances, to forward the views of the contracting parties. This done at the Government House in Cape Town, this third day of March, in the year of Our Lord one thousand eight hundred and thirty-six.

B. D'URBAN, Governor.  
UM'NOMBATE, his X mark.

(House of Lords Sessional Papers, February, 1884, vol xi. p. 811.)



## APPENDIX R

(See p. 891)

REPORT OF A CONVERSATION IN THE EXECUTIVE COUNCIL AT PRETORIA ON SEPTEMBER 18, 1887, WITH MAHOENDE AND MESHOUW, DELEGATES FROM LO BENGULA, KING OF THE MATABELE. PRESENT: HIS HONOUR, S. J. P. KRÜGER, STATE PRESIDENT; W. EDUARD BOK, STATE SECRETARY; DR. W. J. LEYDS, STATE ATTORNEY; J. M. A. WOLMARANS, MEMBER OF THE EXECUTIVE COUNCIL; P. J. GROBLER; INTERPRETER MARABA.

*His Honour, the President.* Where do you come from?

*The Indunas, Mahoende and Meshouw.* We were sent by Lo Bengula.

*His Honour.* For what purpose?

*The Indunas.* We were sent about the matter for which Mr. Grobler was sent, to know if it is true that Mr. Grobler really was sent by this Government. The English are white men, as well as the Boers. The King is very pleased with the message brought by Mr. Grobler from the Government. The King says he has faith in the old treaty because he has seen that it has lasted. He is very glad that the Government has sent Mr. Grobler to him. He only knows old Mr. Potgieter. The King says that he—like Moselekatse, who is now dead—has always kept to the former treaty.

We have only been sent to know if what Mr. Grobler has said, which has pleased the King very much, is really true.

*His Honour.* I have sent for another interpreter, that you may hear from me, and so from another mouth than that of Mr. Grobler, the direct confirmation of everything which Mr. Grobler has said to the King.

*The Indunas.* The King has not doubted for a single moment the words brought to him in the name of this Government, but because the English are also white men, and because of his Council, he has sent

the Indunas to get direct confirmation of these words from the Government.

The English are stirring too much [are brewing so much mischief].

*His Honour.* The Transvaal Government has no other desire than to act fairly towards everybody.

*The Indunas.* Thus has Potgieter also spoken to Moselekatse. First they fought and then they made peace and nothing has ever been altered in that peace.

*His Honour.* Yes, that is true. It is now fifty years ago. We bartered for land from Moselekatse; we did not take it from him. But Moselekatse afterwards came and took our goods and committed murder.

*The Indunas.* These are the same words that Mr. Grobler has spoken.

*His Honour.* I do not speak from hearsay, for I myself was present, and, although then very young, I could handle a gun and shoot. Potgieter was my chief. We then came for the second time and drove away the people of Moselekatse. Whenever Cetewayo wanted to send a commando, he was kept back by the Government, who said: "Why should you children kill each other?" Potgieter said so; and to-day I say the same. Our frontier lines join and that must remain so.

*The Indunas.* Lo Bengula says that he will never at any time violate the Treaty as it now stands. Even if the Transvaal were to do so, the King will never do it.

*His Honour.* If I should wish for more land, I would never take it, but would ask for it. Otherwise there can never be any feeling of brotherhood. I will not even take land from the Vaalpensers, whom I could easily destroy with a kick of my foot: and why should I do so in the case of a great chief? Whatever the English may say, the King must never believe such a thing.

*The Indunas.* As for the Consul, the King is very glad, and so is the whole nation, that such a person will be appointed; for now the letters sent by the English can be explained to the King.

*His Honour.* There is nothing which can cause war between me and the King. There are some bad people here, and there are some bad people about the King. When some of our people do wrong, they must be punished, and so in the other case too. There must not be a thought of war.

*The Indunas.* When Mr. Grobler brought that letter he said the same thing.

*His Honour.* Has Lo Bengula not said where his frontier line runs?

*The Indunas.* The King keeps to the old frontier line, namely the line of the Republic all along the Crocodile River where the river

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Godwan called by us . . . runs into it, and the Crocodile River, and from there below Sietele [?] where is a pass Klakeni in the desert-land; and from there to Lake Ngami.

*His Honour.* In every difficult matter there must be witnesses from both nations. Our time is now up; but to-morrow the Treaty will be translated to you by Maraba.

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REPORT OF A CONVERSATION WEDNESDAY, SEPTEMBER 14, 1887,  
WITH THE DELEGATES FROM KING LO BENGULA, CONTINUED IN THE  
PRESENCE OF THE SAME PERSONS AS THE DAY BEFORE. THE RENEWED  
TREATY, WHICH HAD BEEN CONCLUDED, WAS TRANSLATED TO THEM,  
EXPLAINED AND ELUCIDATED ARTICLE BY ARTICLE.

*His Honour.* I will give the Indunas my portrait to hand to the King.

There now remains to be fulfilled the provisions of the last article, namely the exchange of presents by both parties.—And now tell me if Mr. Grobler explained the Treaty in the same way to the King as I have done to the delegate Indunas.

*The Indunas.* Yes. But the King did not send us because he doubted Mr. Grobler's words. It was because he was so pleased and wanted to hear the words also from the mouth of his Honour.

*His Honour.* What present do the delegates think the King would like best?

*The Indunas.* We think that a saddle-horse and a rifle and ammunition would please him.

*His Honour.* I will send the King, as a token of my sincerity [literally, "as my heart'"] and as a present, two rifles with ammunition, and a salted horse with saddle and bridle, which Mr. Grobler, who goes as Consul, will take with him. The delegates will also receive a present.

*His Honour.* Now introduce those present to the delegates.

*His Honour.* Are you yourselves also satisfied now with what you have seen and heard?

*The Indunas.* Yes, we were pleased already with what we had heard from Mr. Grobler, but now much more so, as we have heard the words from the mouth of the Government.

*His Honour.* I now have still to send a message to the King, and you must carefully remember these words, namely: When a person has once deceived me, I can never trust such a person, but when such a thing has never happened then there is confidence. And so it is

here. Moselekatse and old Potgieter, as well as Lo Bengula and this Government, have never deceived each other. The King must hold fast to this Government, but not talk, at the same time, with others. A person can only give his heart to one. This Government does not know exactly the frontier lines of the King's territory on the other side, but he must not give away parts of his land to others. He must keep it for his children.

W. EDUARD BOK,  
State Secretary.

## APPENDIX S

(See p. 899)

[TRANSLATION]

STATE SECRETARY PRETORIA TO CHIEF KHAMA  
O. 5918, pp. 142-144.

GOVERNMENT OFFICE, PRETORIA,  
SOUTH AFRICAN REPUBLIC,  
November 28, 1888.

CHIEF KHAMA,—

I am instructed by this Government to write you this letter about a matter which has caused it very much sorrow, viz., the treacherous attack and murder committed by your people upon the Consul-General of this Republic in Matabeleland, Mr. P. J. Grobler, burgher of this Republic, and his company, to which several other burghers of this Republic belonged.

That attack took place between the rivers Shasha and Macloutsi, and not, as at first was reported in your name to his Excellency the High Commissioner, to the south of the Macloutsi; and indeed along the public road in a land which you appropriate to yourself, but to which the King of Matabeleland, [with] just as much, and perhaps with more right, makes claim.

Although this is a matter principally between you and King Lo Bengula, it is a fact that the road along which Mr. P. J. Grobler was attacked was given him by Lo Bengula. This your men knew well before they murdered Mr. Grobler, for he himself had told them so appears from the declarations made. But to leave that point, it is certain that an officer and subject of this State were attacked on a road which has been a road for many years past and freely used as such.

To leave the question whether the said road runs through your district, and similarly to leave the question whether you would in that

case have the right to entirely stop the quiet, peaceable passage through that district, it is still certain that you never gave warning beforehand.

Notice has never been given by you to this Government, so that also this Government has never been placed by you in the opportunity, in case they acknowledged your rights to that territory, and your right to close it for peaceable intercourse, to acquaint its subjects with your resolve. A notice to that effect was neglected by you, and yet you have caused to be treated like a common criminal an officer, a burgher of this State, who was passing through the said territory peaceably and quietly along a road which has already been in existence for a considerable time. This Government denies your right to treat a subject of this State as a criminal without an offence being committed by him. You declared at the time of the inquiry that you stopped Mr. Grobler to prevent him making new roads at the pont, and placing a pont on the river, and that you wished to make him come to you to speak to him about other things at Mangwato. But for that purpose one does not take a person prisoner with a large armed force, and one does not stop a peaceful traveller when, as was shown in this case, the draught animals had not had water for 24 hours. According to the declaration of Mr. P. J. Ludicke, he knew from one of your spies that a commando of your people was looking for Mr. Grobler to catch him alive or dead. The occurrences to which Mr. Grobler fell the victim are in accordance with that report. The attitude of your people who stopped the wagons was such that it gave Mr. Grobler cause to make known as his conviction that your Kaffirs wanted to kill him. Moloj, one of your own people, has declared this. From your side it is declared that the order was given not to fight. What took place is not in accordance with this. From the side of your people the attack took place with great force, and was carried on in a very treacherous way, after Mr. Grobler, in good faith and believing in the word of your headman, Makoutshani (Mokhuchwani), had returned to your people all their guns, and after, at the request of Makoutshani, he, with his company, entirely deprived of guns, had betaken himself to the midst of your people, without any harm (according to the declaration of your own people) being done by him or one of his company.

The inquiry held leaves not a doubt remaining with respect to the treacherous intentions of Makoutshani. That he intended to fight is clear, as also his intention to make by base treachery and deceit the battle as little dangerous as possible for himself. That also appears plainly from the fact (acknowledged by Makoutshani himself) that he afterwards without any provocation fired ten further shots on the wagons in which were women, children, and wounded. This proves that it was not Makosini's intention to avoid bloodshed. It is possible

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that Makoutshani acted contrary to your orders. You yourself have declared that you did not approve what Makoutshani did. It appears, however, for itself that this does not remove the responsibility of yourself and your people for what took place.

This Government asks satisfaction for it. In the first place, Makoutshani must be punished by a punishment in keeping with the treacherous death committed by him. Further, the engagement must be satisfactorily entered into in writing by Makoutshani in your name, for the payment of 250 cattle or the value of them. In the third place, a compensation of 1,000 cattle or the value thereof must be given by you intended for the widow of Mr. Grobler, who was treacherously treated by Makoutshani, and whose death was caused by your people; and finally, 100 cattle or the value of them for Mr. Lotterie, senior, a burgher of this State, as compensation for the wounds inflicted upon him by your people. This request is made by this Government without any prejudice—in case it may not be fulfilled by you—to the right of this Government to ask compensation on behalf of this State, as well for the case in question as for other cases in which encroachment has been made by your people upon the territory of this Republic.

In conclusion I must point out to you the fact that even if the district through which the road runs on which Mr. Grobler was attacked was under your authority, the Government could even then regard your conduct in closing the most direct road from this Republic to Matabeleland, and entirely stopping that passage for peaceable, quiet travellers and compelling them to make a detour through Shoshong of about ten days, along a road where they are, moreover, also exposed to bad treatment, as experience has taught in different cases, as nothing else than purposely directed against this Republic and calculated to do it injury and loss.

I am, etc.,

TO CHIEF KHAMA  
AT MANGWATO.

W. EDUARD BOK,  
State Secretary.

N.B.—A copy of the original document by which Makoutshani bound himself to the payment of cattle to Grobler goes herewith.

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*(This document was in English.)*

AT THE MOUNTAINS BETWEEN THE RIVERS SHASHI AND MACLOUTSI

I, Makoutshani, son of Khama, do hereby bind myself, in the name of my Chief of Mangwato, to pay to Mr. P. J. Grobler, Consul-General of

the South African Republic, or his order, the number of two hundred and fifty head of good slaughter cattle, to be delivered at the Ellen Pont, on the Crocodile River, within one calendar month after date, for depre-  
dations committed by me under instructions to me of my Chief, Khama, of Mangwato. The fine of the above number of cattle is for the illegal acts as follows: For obstructing Mr. P. J. Grobler and his people on their way to the Crocodile River, and for bodily injury sustained by one of Mr. Grobler's people, viz., Mr. W. Lotterie, who had his arm broken. As representative of my Chief, Khama, of Mangwato, I sign this as though signed by my Chief Khama himself.

(Signed) MAKOUTSHANI × his mark.

Witnesses to signature:

(Signed) GEBT × his mark.

RATOUTLU × his mark.

GEORGE C. LUYT.

A. W. GREEFF.

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#### TRANSLATION

STATE SECRETARY, PRETORIA, TO HIGH COMMISSIONER  
C. 5918, p. 142

GOVERNMENT OFFICE, PRETORIA,  
SOUTH AFRICAN REPUBLIC,  
November 28, 1888.

YOUR EXCELLENCY,

I have the honour to forward to you, enclosed herein, duplicate of a letter sent by me to the Chief Khama, about the treacherous attack of the people of that Chief upon the Consul-General of the Republic in Matabeleland, Mr. P. J. Grobler, and his company.

As has already appeared to your Excellency from the inquiry which has been held, the reports which Khama caused to be sent to your Excellency were incorrect as well with regard to the place of the occurrence as with regard to the circumstances.

The attack took place, not to the south of the Macloutsis, but to the north of it, and indeed upon the common wagon-road between the Macloutsis and the Shashi.

As the said place of attack thus lies to the north of the 22nd degree of south latitude (according to the large map of South Africa of Merensky of the year 1887), it already on that account falls without the British Protectorate indicated in your notice of the 23rd March, 1885.



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It, therefore, appears unnecessary to this Government further to quote the fact that the place also lies to the east of the 27th degree east longitude, and therefore in a region over which this Government has an objection to acknowledge a British Protectorate.

The territory which Khama now appropriates to himself has repeatedly been declared by Lo Bengula to belong to his territory, whilst also from the commencement of the existence of this Republic the territory of Lo Bengula has always been generally regarded as bordering immediately on that of the Republic. It is not possible for this Government with the information now at its disposal to acknowledge Khama's right to the said piece of ground.

By reason of the claims of the King of Matabeleland this Government has regarded the district through which the road followed by Mr. Grobler runs as territory of the Matabele, just as also Mr. Grobler followed the wish of the said King Lo Bengula by going the way upon which he was attacked by Khama's people.

But indeed if the said district was under Khama, even then this Government could not regard the conduct of Khama, in closing the most direct road from this Republic to Matabeleland and entirely stopping that thoroughfare for peaceable, quiet travellers, and compelling them to make a detour of about 10 days through Shoshong along a road where they are, moreover, also exposed to bad usage, as experience has taught on different cases, otherwise than purposely directed against this Republic, and calculated to cause her injury and loss.

I have, etc.,

W. EDUARD BOE,

State Secretary.

TO HIS EXCELLENCY THE  
HIGH COMMISSIONER, CAPE TOWN.

## APPENDIX T

(See p. 423)

### THE BRITISH SOUTH AFRICA COMPANY

#### CHARTER OF INCORPORATION

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 objects 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 Frederic 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

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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, so far as practicable, to prevent the sale 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 interest 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

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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 others 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 authorize 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 licence duties on the killing or taking of elephants or other game as they may think fit: Provided that nothing in such regulations shall tend 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 authorized and empowered for 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 irrigate and cultivate any lands included within the territories of the Company.
- (vii) To settle any such territories and lands as aforesaid, and 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.



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- (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, provided 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,

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notwithstanding that there may appear to be in this Our Charter any non-recital, mis-recital uncertainty or imperfection.

82. And We do further will, ordain and declare that this Our Charter shall subsist and continue 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.

83. 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 25 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. Provided 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 falling agreement 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.

84. 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.

85. 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 the 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.

By Warrant under the Queen's Sign Manual.



MUIR MACKENZIE.

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SUPPLEMENTAL CHARTER

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 by Our Charter or Letters Patent, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 29th day of October, 1889, We did grant, ordain, and declare that THE MOST NOBLE JAMES, DUKE OF ABERCORN, now Knight of the Most Noble Order of the Garter, 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, ESQUIRE, Member of the Executive Council and of the House of Assembly of the Colony of the Cape of Good Hope, now THE RIGHT HONOURABLE CECIL JOHN RHODES; ALFRED BEIT, ESQUIRE, Merchant; ALBERT HENRY GEORGE GREY, ESQUIRE, now THE RIGHT HONOURABLE EARL GREY; and GEORGE CAWSTON, ESQUIRE, Barrister-at-Law, and such other persons and such bodies as from time to time should become and be members of the body politic and

corporate thereby constituted, erected, and incorporated should be constituted, erected, and incorporated into one body politic and corporate by the name of the British South Africa Company, by which name they should have perpetual succession and a common seal with such powers as in the same Charter mentioned :

AND WHEREAS it is expedient that Our said Charter should be amended as hereinafter provided :

AND WHEREAS the said British South Africa Company has agreed to accept the said amendments :

NOW know ye that We of Our especial grace and mere motion have willed, ordained, constituted, and declared, and by these presents for Us, Our heirs and successors, do will, ordain, constitute, and declare, and unto the said British South Africa Company do grant in manner following :—

1. This Charter shall be read and construed as one with the Charter granted by Us on the 29th October, 1889; to the British South Africa Company, which said Charter is herein referred to as the Principal Charter.

2. So much of Article 10 of the Principal Charter, as provides that the Company may make Ordinances to be approved by Our Secretary of State is hereby repealed, but without prejudice to anything lawfully done thereunder. Provided that the Company may continue to make Ordinances to be approved as aforesaid until the date on which a Legislative Council to be established for Southern Rhodesia shall assemble, and thereupon such powers shall altogether cease and determine.

3. Article 29 of the Principal Charter is hereby repealed, but without prejudice to anything lawfully done thereunder.

4. Nothing in the Principal Charter shall authorize the Company to establish or maintain any force of military police.

5. Any person or persons duly authorized in that behalf in writing by Our Secretary of State shall at all convenient times have access to all documents of the Company, and shall be furnished by the Company, or its officers and servants, with true copies of any such documents as aforesaid, as and when he may require.

6. The Directors of the Company shall, within eight days from the passing or recording thereof, cause to be transmitted to Our Secretary of State true copies of all resolutions, minutes, orders, or other proceedings of the Board of Directors or of any Committee thereof which relate to the administration by the Company of the territories within its field of operations, and Our Secretary of State may intimate to the Directors at any time his dissent from any such resolution, minute, order, or other proceeding, or may require the same to be cancelled or amended, or the operation thereof to be suspended for such

time or in such manner as he shall direct, and thereupon the operation of any such resolution, order, minute, or proceeding shall, as and from a date named by Our Secretary of State, or, if no date is named, as and from the date of such direction, be cancelled, amended, or the operation thereof suspended accordingly, but without prejudice to anything lawfully done thereunder.

7. Any Director, Officer, or Servant of the Company who in the opinion of Our Secretary of State shall refuse or neglect

(1) To comply with any of the requirements of Our Secretary of State made under the provisions of the Principal Charter or of any Supplemental Charter, or

(2) To comply with the provisions of the last preceding Article of this Our Supplemental Charter,

shall, if Our Secretary of State shall so direct, cease to be a Director, Officer, or Servant of the Company, and the Company shall not employ in any capacity whatsoever any such Director, Officer, or servant without the permission in writing of Our Secretary of State first had and obtained.

8. Nothing herein or in the Principal Charter contained shall be deemed to impose upon Our Secretary of State or upon the Lords Commissioners of Our Treasury any liability with respect to any matter relating to the financial concerns or commercial undertakings of the Company.

9. In this Charter and in the Principal Charter, unless the contrary intention appears, "document" shall include "minute," "resolution," "order," "book," "telegram," "letter," "map," "code," "cypher," or any other printed, typed, or written matter of any nature whatsoever, or any copy thereof.

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

Witness Ourselves at Westminster the eighth day of June, in the sixty-third year of Our reign.

By Warrant under the Queen's Sign Manual.



MUIR MACKENZIE.









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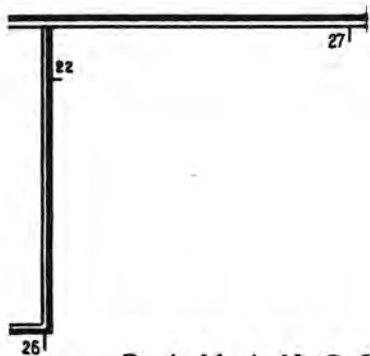
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