

importation of produce, which is disguised as a Government agency with a 'commission' to the agent; but it is really a monopoly and nothing else!

The Boers were not satisfied with the Convention of 1881. They desired the removal of the Suzerainty, the cancellation of the clauses referring to natives, and the restoration of the title of the South African Republic in lieu of that of the Transvaal State. They also desired (but did not expect to obtain) complete freedom in regard to their external relations, and they lost no time in trying how far they would be allowed to go in the direction of stretching the spirit of the Convention. Nothing in that ineffectual and miserable document is clearer than the definition of certain boundaries, and the provision that no extension shall be allowed. This hemming of them in—or shutting them up in a kraal, as President Kruger has expressively put it—was intensely repugnant to them. It cut into one of the most deeply-rooted habits of the Boer. His method of trek and expansion has been, to begin by making small hunting excursions into adjacent native territories, to follow up with grazing his cattle there until he created in his own mind a right by prescription, and then to establish it either by force or else by written agreement, too often imperfectly translated. This was oftentimes varied or supplemented by helping the weaker of two rival chiefs, and so demolishing the power of a tribe. The expulsion of the native followed as a natural result.

In the Transvaal itself there was, and still is, an immense quantity of unoccupied land, and the Boers were quite unable to properly control, utilize, and administer their own immense territory, but 'land hunger' is theirs as a birth curse. The individual cannot bear to see the smoke of his neighbour's chimney; he will not cultivate 50 acres, but wants 50,000; the 'nation' wants Africa—no less. They coveted Swaziland, Zululand, Bechuanaland, Matabeleland, Mashonaland, and Tongaland, and set to work by devious methods to establish claims to these countries.

In Bechuanaland they took sides; that is to say, parties of freebooters from the Transvaal took up the cause of certain native chiefs against certain others. The London Conven-

tion in 1884 disposed of this quarrel by fixing the south-western boundaries of the Republic, and placing two of the disputing chiefs under the Transvaal, and the other two under British protection. Notwithstanding this, however, the new Convention was no sooner signed than the scheming was resumed, and before a year had passed a party of Transvaal Boers, several of them now holding high official positions under the Republic, raided the territory of the chiefs in the British Protectorate, and even attacked the chief town Mafeking. This was followed by a proclamation by President Kruger placing the territory under the protection of the Republic. Mr. Rhodes, who had already made himself conspicuous by his advocacy of holding the highway to the interior open, was instrumental in inducing the Imperial Government to make a determined stand against this. An ultimatum moved the Transvaal Government to withdraw the proclamation and forced the Boers to leave the country—only, however, when and because the demand was backed by the Warren expedition at a cost of over a million and a half to the British taxpayer! This expedition was sent by Mr. Gladstone, the Boer benefactor—notwithstanding all his anxiety to prove the Transvaal settlement a good one! The action of the Transvaal, and the most brutal murder of Mr. Bethell by the individuals above referred to as holding high official positions under the Republic, gave indications of the bent of the Boer authorities which people in South Africa did not fail to take note of. Bethell had been wounded in the invasion of the territory by the Boers, and as he lay helpless the ‘prominent Transvaal official’ came up and, seeing a repeating rifle lying beside him, asked him to show them how it worked. He did so, and the ‘prominent official’ taking it up under pretext of examining it shot Bethell dead with his own weapon.

In Zululand similar tactics were resorted to by the Republic. Transvaal Boers invaded Zululand and (1884) took up the cause of Dinizulu, a son of the dead Cetewayo, and established him as king, upsetting Sir Garnet Wolseley’s settlement. They then proceeded to seize the country, but the British Government intervening at this point, rescued some two-thirds for the Zulus. A glance at the map will

show that the intention of the Boers was to get to the sea, and also that the unlucky Zulus, who had been broken by the British Government—and very rightly too—because they were a menace to the Transvaal, even more than to Natal, were now deprived of the pick of their country, plundered and harried by the very people who had been at their mercy until the Imperial Government stepped in. It is very noteworthy that, with the splendid exception of the lion-hearted Piet Uys and his sons, who fought and died (father and one son) in the Zulu war side by side with the Britishers whom he was keenly opposing on the annexation question, none of the Boers came forward to help in the Secocoeni or Zulu wars, although these wars were undertaken, the one entirely, and the other mainly, on their account. But a great many were ready to raid and annex as soon as the Zulu power was broken.

Swaziland became in turn the object of the Boer Government's attentions. First, grazing concessions were obtained; and next, other concessions for the collection of Customs and Revenue dues, for telegraphs, railways, banking, surveying, and goodness only knows what. One individual applied for and obtained a concession for the balance of ungranted concessions, and another applied for a grant of the Chief Justiceship. What chance the unfortunate native had in such a condition of things can be imagined. The Transvaal bought up all the concessions necessary to make government of the country absolutely impossible, except with their co-operation. The secret service fund of the Republic provided means for making the representatives of the Swazi nation see things in a reasonable light, so that when the time came to investigate the title to concessions and to arrange for the future administration of the country the result was a foregone conclusion. The judge appointed by the Imperial Government on the Special Joint Commission to inquire into the concessions and matters in general let some light on the manner in which these concessions were acquired and granted, by pertinent questions to the concessionaires and interpreters. He asked, for instance, 'Do you swear that you interpreted this document verbatim to the king?'—'Yes.' 'Will you kindly tell to the Court what is the

Kaffir for "ad valorem duties" and "et cetera, et cetera et cetera," or how you interpreted and explained the significance of the "survey," "mint," "revenue," and "townships" concessions ?'

The picture of the obese and drunken chief surrounded by fawning harpies was a shameful and disgusting one. One example is sufficient to show how the thing was done. A concession for gambling was applied for. The man who interpreted knew a smattering of 'kitchen' Kaffir, and his rendering of the 'monopoly for billiards, card playing, lotteries, and games of chance' was that he alone should be allowed to '*tchia ma-ball* (hit the balls), *hlala ma-paper* (play the papers), and *tata zonki mali* (and take all the money).' The poor drunken king nodded sleepily to the first two clauses, but to the bald proposition of taking all the money, which he *could* understand, he violently objected. The concession was, however, subsequently granted on the representations of a more tactful interpreter.

A very flagrant breach of the spirit of the London Convention, and a very daring attempt at land-grabbing, was the proposed last will and testament of the Swazi King Umbandine, which provided that the governing powers should be assigned to Mr. Kruger as executor of the King and trustee and administrator of the country. His project was defeated; but the aim of the Boer Government was ultimately achieved, nevertheless, and Swaziland has now been handed over to the control of the Republic in spite of the prayers and protestations of the Swazis themselves, who had proved in the past with very practical results to be useful, ready and loyal allies of the British Government.

While Swaziland was being entailed the Transvaal Government were not idle elsewhere. Matabeleland was looked upon as the heritage of the Boer, because of the 'old friendship' with the Matabele,—whom they had driven out of their country, now the Transvaal; and Mashonaland was theirs because it was their ancient hunting-ground. That the Boers did not abandon their old schemes merely because they had agreed by treaty to do so is shown by a letter which was found at Lo Bengula's kraal by Mr. F. Thompson when he went up to negotiate for Mr. Rhodes. The stealthy

grovelling of the Commandant-General before a savage native chief, the unctuous phraseology, the hypocritical assurances of an undying friendship between Boer and Matabele so long as there are living one of each race, throw a lurid light upon the conduct of Boer diplomacy with native tribes, and explain much of the ineradicable fear and distrust which are felt on the native side in all dealings with the aggressive Boer. The letter reads :

MARICO,
THE SOUTH AFRICAN REPUBLIC,
March 9, 1882.

To the great ruler the Chief Lo Bengula, the son of Umzilikatse, the great King of the Matabili nation.

GREAT RULER,

When this letter reaches you, then you will know that it comes from a man who very much desires to visit you, but who, being a man of the people, cannot get loose to make such a long journey. Therefore he must now be satisfied with writing a letter to carry his regards to the son of the late King of the Matabele, our old friend Umzilikatse. When I say that I desire to see you, it is not to ask for anything, but to talk of something, and to tell Lo Bengula of the affairs and things of the world, because I know that there are many people who talk and tell about these matters, whilst there are but few who tell the truth. Now, when a man hears a thing wrong, it is worse than if he had never heard it at all. Now, I know that Lo Bengula has heard some things wrongly, and for this reason would I tell him the real truth. Now, you must have heard that the English—or as they are better known the Englishmen—took away our country, the Transvaal, or, as they say, annexed it. We then talked nicely for four years, and begged for our country. But no ; when an Englishman once has your property in his hand, then is he like a monkey that has its hands full of pumpkin-seeds—if you don't beat him to death, he will never let go—and then all our nice talk for four years did not help us at all. Then the English commenced to arrest us because we were dissatisfied, and that caused the shooting and fighting. Then the English first found that it would be better to give us back our country. Now they are gone, and our country is free, and we will now once more live in friendship with Lo Bengula, as we lived in friendship with Umzilikatse, and such must be our friendship, that so long as there is one Boer and one Matabele living these two must remain friends. On this account do I wish to see Lo Bengula, and if I may live so long, and the country here become altogether settled, and *the stink which the English brought* is first blown away altogether, then I will still ride so far to reach Lo Bengula, and if he still has this letter then he will hear the words from the mouth of the man who now must speak with the pen upon paper, and who, therefore, cannot so easily tell him everything. The man is a brother's child of the three brothers that formerly—now thirty-two years ago—were at Umzilikatse's, and then made the peace with him which holds to this day. He still remembers well when the first Boers, Franz Joubert, Jann Joubert, and Pieter Joubert, came there, and when they made the

peace whereby Umzilikatse could live at peace and the Boers also, and the peace which is so strong that the vile evil-doers were never able to destroy it, and never shall be able to destroy it as long as there shall be one Boer that lives and Lo Bengula also lives.

Now I wish to send something to give Lo Bengula a present as a token of our friendship. I send for Lo Bengula with the gentleman who will bring him this letter a blanket and a handkerchief for his great wife, who is the mother of all the Matabele nation. I will one day come to see their friendship. The gentleman who brings the letter will tell you about all the work which I have to do here. Some bad people have incited Kolahing, and so he thought he would make fortifications and fight with us, but he got frightened, and saw that he would be killed, therefore I made him break down the fortifications and pack all the stones in one heap, and he had then to pay 5,000 cattle and 4,000 sheep and goats for his wickedness. Now there is another chief, Gatsizibe—he came upon our land and killed three people and plundered them—he must also pay a fine, or else we will punish him or shoot him, because we will have peace in our country. Now greetings, great Chief Lo Bengula, from the Commandant-General of the South African Republic for the Government and Administration.

P. J. JOUBERT.

A big trek (the Banjailand trek) was organized in 1890 and 1891 by General Joubert and his relatives and supporters to occupy a portion of the territory already proclaimed as under British protection and the administration of the Chartered Company. The trekkers were turned back at Rhodes's Drift stopped by the firmness and courage and tact of Dr. Jameson, who met them alone and unarmed; and also by the proclamation of President Kruger, to whom it had been plainly intimated that the invasion would be forcibly resisted and would inevitably provoke war. The matter had gone so far that the offices of the Republic of Banjai had already been allotted. The President's proclamation instead of being regarded as the barest fulfilment of his obligations—very grudgingly done under pressure of threats—was vaunted as an act of supreme magnanimity and generosity, and was used in the bargaining for the cession of Swaziland.

In Tongaland Boer emissaries 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. Being shut off here, the Boer Government made another bid for seaward extension, and, through their emissaries, obtained certain rights from two petty chiefs, Zambaan and Umbegeza, whom they

represented as independent kings; but Lord Rosebery annexed their territories in 1894, and so put a final stop to the Transvaal schemes to evade the Convention by intrigue with neighbouring native tribes.

Nothing can better illustrate the Boers' deliberate evasion of their treaty obligations than their conduct in these matters. The Pretoria Convention defined the Transvaal boundaries and acknowledged the independence of the Swazis, and yet the British Government's delay in consenting to the annexation of Swaziland by the Republic was regarded for years as an intolerable grievance, and was proclaimed as such so insistently that nearly all South Africa came at last to so regard it.

The Boers' consent to the Chartered Company's occupation of Mashonaland was looked upon as something calling for a *quid pro quo*, and the annexation of Zambaan's land is now regarded as an infamous act of piracy by England, and an infringement of the Republic's rights, which the Dutch papers denounce most vehemently. The Boer Government made it clear, not less in their purely internal policy than in these matters of extensions of territory, that they intended pursuing a line of their own.

In 1882, the property known as 'Moodies,' consisting of a number of farms bearing indications of gold, was thrown open to prospectors. The farms had been allotted to Mr. G. Piggott Moodie when he was Surveyor-General, in lieu of salary which the Republic was unable to pay. This was the beginning of the prospecting era which opened up De Kaap, Witwatersrand, and other fields; but it was a small beginning, and for some time nothing worth mentioning was discovered. The Republic was again in a bad way, and drifting backwards after its first spurt. The greatest uncertainty prevailed amongst prospectors as to their titles, for in Lydenburg, at Pilgrim's Rest, and on the Devil's Kantoor, concessions had been granted over the heads of the miners at work on their claims, and they had been turned off for the benefit of men who contributed in no way to the welfare and prosperity of the State. It has been stated in the Volksraad that not one of those concessionaires has even paid the dues and rents, or complied with the other conditions stipulated in the contracts.

Many of the miners left the country in disgust. The Lydenburg district was practically locked up for fourteen years owing to the concession policy, and has only lately been partly released from the bonds of monopoly.

In 1884 Messrs. Kruger and Smit proceeded to Europe to endeavour to raise funds, which were badly needed, and also to obtain some modifications of the Convention. The attempt to raise funds through the parties in Holland to whom the railway concession had just been granted failed, but the delegates were more fortunate in their other negotiations. They negotiated the London Convention which fixed certain hitherto undefined boundaries; and in that document no reference was made to the suzerainty of Great Britain. They also secured the consent of the British Government to the alteration of the title of the country. Instead of Transvaal State it became once more the 'South African Republic.'¹ During this visit there occurred an incident which provides the answer to Mr. Kruger's oft—*too* oft—repeated remark that 'the Uitlanders were never asked to settle in the Transvaal, and are not wanted there.' Messrs. Kruger and Smit were staying at the Albemarle Hotel, where they found themselves, after some weeks' delay, in the uncomfortable position of being unable to pay their hotel bill. In their extremity they applied to one Baron Grant, at that time a bright particular star in the Stock Exchange firmament. Baron Grant was largely interested in the gold concessions of Lydenburg, and he was willing to assist, but on terms. And the *quid pro quo* which he asked was some public assurance of goodwill, protection, and encouragement to British settlers in the Transvaal. Mr. Kruger re-

¹ For full text of London Convention, see Appendix B. (July, 1899). A very extensive correspondence has passed on the subject of the suzerainty. The Transvaal Government now construe the omission of the Preamble to the 1881 Convention as the result of an agreement to abolish the suzerainty. Mr. Chamberlain points out that the London Convention contains specific and not implied amendments of the Pretoria Convention; that the direct request for abolition of the suzerainty was refused by Lord Derby; that the preamble as the fundamental declaration must be deemed to be in force; and that if not, the same reason which is adduced against the continued existence of the suzerainty would hold good against the independence of the Transvaal, for in the preamble of the 1881 Convention alone is any mention made of either the grant or the reservation.

sponded on behalf of the Republic by publishing in the London press the cordial invitation and welcome and the promise of rights and protection to all who would come, so frequently quoted against him of late.

By this time Moodies had attracted a fair number of people, and the prospects of the country began, for the first time with some show of reason, to look brighter. No results were felt, however, and the condition of the Government officials was deplorable. Smuggling was carried on systematically; in many cases officials 'stood in' with smugglers. They were obliged either to do that or to enforce the laws properly and get what they could by seizing contraband goods. There were two objections to the latter course, however. One was that the country was large and detection difficult with men who were both daring and resourceful; and the other was that the officials were not sure of receiving their share of the spoil from a Government so hard pressed as this one was, and whose higher officials also had difficulties about payment of salaries. In many cases salaries were six months in arrear; and other cases could be quoted of officials whose house-rent alone amounted to more than their nominal remuneration. Yet they continued to live, and it was not difficult to surmise *how*. Another significant fact was that goods subject to heavy duties—such as spirits, hams, etc.—could be bought at any store at a price which was less than original cost plus carriage and duty. Smuggling was a very palpable fact, and—quoit the public and the officials—a very convenient and even necessary evil.

The principle on which the Customs officials conducted the business of their office was observed by other officials of the Republic, and in one department, at least, the abuses have had a very far-reaching and serious effect. The Field-cornets—district officials who act as petty justices, registering, and pass officers, collectors of personal taxes, captains of the burgher forces, etc., etc.—are the officers with whom each newcomer has to register. This is an important matter, because the period of residence for the purpose of naturalization and enfranchisement is reckoned from the date of registration in the Field-cornet's books. As these officials were practically

turned loose on the public to make a living the best way they could, many of them, notwithstanding that they collected the taxes imposed by law, omitted to enter the names of new arrivals in their books, thus securing themselves against having to make good these amounts in event of an inspection of the books. Many of the Field-cornets were barely able to write; they had no 'offices,' and would accept taxes and registrations at any time and in any place. The chances of correct entry were therefore remote. The result of this is very serious. The records are either 'lost' when they might prove embarrassing, or so incorrectly or imperfectly kept as to be of no use whatever; and settlers in the Transvaal from 1882 to 1890 are in most cases unable to prove their registration as the law requires, and this through no fault of their own.

In the country districts justice was not a commodity intended for the Britisher. Many cases of gross abuse, and several of actual murder occurred; and in 1885 the case of Mr. Jas. Donaldson, then residing on a farm in Lydenburg—lately one of the Reform prisoners—was mentioned in the House of Commons, and became the subject of a demand by the Imperial Government for reparation and punishment. He had been ordered by two Boers (one of whom was in the habit of boasting that he had shot an unarmed Englishman in Lydenburg since the war, and would shoot others) to abstain from collecting hut taxes on his own farm; and on refusing had been attacked by them. After beating them off single-handed, he was later on again attacked by his former assailants, reinforced by three others. They bound him with reims (thongs), kicked and beat him with sjamboks (raw-hide whips) and clubs, stoned him, and left him unconscious and so disfigured that he was thought to be dead when found some hours later. On receipt of the Imperial Government's representations, the men were arrested, tried and fined. The fines were stated to have been remitted at once by Government, but in the civil action which followed Mr. Donaldson obtained £500 damages. The incident had a distinctly beneficial effect, and nothing more was heard of the maltreatment of defenceless men simply because they were Britishers. Moreover, with the improvement in trade which

followed the gold discoveries of 1885 and 1886 at Moodies and Barberton, the relations between the two races also improved. Frequent intercourse and commercial relations begot a better knowledge of each other, and the fierce hatred of the Britisher began to disappear in the neighbourhood of the towns and the goldfields.

In 1886 the wonderful richness of the Sheba Mine in Barberton attracted a good deal of attention, and drew a large number of persons—prospectors, speculators, traders, etc.—to the Transvaal. Before the end of 1887 ten or twelve thousand must have poured into the country. The effect was magical. The revenue which had already increased by 50 per cent. in 1886, doubled itself in 1887, and then there came unto the Boer Government that which they had least expected—ample means to pursue their greater ambitions. But unmixed good comes to few, and with the blessings of plenty came the cares of Government, the problem of dealing with people whose habits, thoughts, ambitions, methods, language, and logic differed utterly from their own. Father Abraham on the London Stock Exchange would not be much more 'at sea' than the peasant farmers of the Volksraad were in dealing with the requirements of the new settlers.

Agitations for reforms commenced early in Barberton. At first it was only roads and bridges that were wanted, or the remission of certain taxes, or security of title for stands and claims. Later on a political association named the Transvaal Republican Union was formed in Barberton, having a constitution and programme much the same as those of the Transvaal National Union, formed some five years later in Johannesburg. The work of this body was looked on with much disfavour by the Government, and it was intimated to some of the prominent members that if they did not cease to concern themselves with politics they would suffer in their business relations, and might even be called upon to leave the country. Many reforms were specified as desirable, and the franchise question was raised, with the object of getting the Government to make some reasonable provision in lieu of the registration clause, which was found in most cases to be an absolute bar.

The discovery of the Witwatersrand conglomerate forma-

tion soon helped to swell the flowing tide of prosperity. In the middle of 1887 the regular output of gold commenced, and the fields have never 'looked back' since. Johannesburg—named after Mr. Johannes Rissik, the Surveyor-General of the Transvaal—was soon a far greater problem than Barberton had been. The shareholders in the mines soon found it necessary to have some organization to protect their interests and give unison to their policy, and to preserve the records and collect information for the industry. The Witwatersrand Chamber of Mines was then formed, a voluntary business association of unique interest and efficiency. The organization includes all the representative and influential men, and every company of any consequence connected with the mining industry; and it has, through its committee and officials, for eight years represented to the Volksraad the existence of abuses and grievances, the remedies that are required, and the measures which are felt to be necessary or conducive to the progress of the industry in particular, or the welfare of the State in general. The President, Executive and Volksraad, by neglect of their obvious duties, by their ignorance of ordinary public affairs, by their wilful disregard of the requirements of the Uitlanders, have given cohesion to a people about as heterogeneous as any community under the sun, and have trained them to act and to care for themselves. The refusal year after year to give a charter of incorporation to the Chamber, on the grounds that it would be creating an *imperium in imperio*, and the comments of Volksraad members on the petition, have made it clear that the Government view the Chamber with no friendly eye. The facts that in order to get a workable pass law at all the Chamber had to prepare it in every detail, together with plans for the creation and working of a Government department; and that in order to diminish the litigation under the gold law, and to make that fearful and wonderful agglomeration of erratic, experimental, crude, involved, contradictory and truly incomprehensible enactments at all understandable, the Chamber had to codify it at its own expense and on its own initiative, illustrate both the indispensable character of the organization, and the ignorance and ineptitude of the Government.

The records of the Volksraad for the last ten years may be searched in vain for any measure calculated constructively to advance the country, or to better the conditions of the workers in it, with the few—very few—exceptions of those proposed by the Chamber of Mines. The country has, in fact, run the Government, and the Government has been unable to ruin it.

Shortly after the discovery of the Rand conglomerates, it became clear that a railway would have to be built between the coalfields and the mines—some forty miles. But it was a fixed principle of the Boers that no railways (with the exception of the Delagoa Bay line, which, as the means of diverting trade from British channels, was regarded as a necessary evil) should be built, since they could compete successfully with the ox-waggon, and thus deprive the 'poor burgher' of his legitimate trade spoil; and great difficulty was experienced in getting the consent of the Raad. As a matter of fact, the permission to build it was only obtained by subterfuge; for it was explained to the worthy law-makers that it was not a railway at all—only a *steam tram*. And the Rand Steam Tram it is called to this day.

The Delagoa Railway—the darling scheme of Presidents Burgers and Kruger in turn—was taken seriously in hand as soon as it was possible to raise money on almost any terms. The concession for all railways in the State was granted on April 16, 1884, to a group of Hollander and German capitalists, and confirmed by the Volksraad on August 23 following. The President's excuse for granting and preserving this iniquitous bond on the prosperity of the State is, that when the country was poor and its credit bad, friends in Holland came forward and generously helped it, and this must not be forgotten to them. As a matter of fact, friends accepted the concession when the State was poor and its credit bad, but did nothing until the State's credit improved to such an extent as to be mortgageable. *Then* the friends granted certain favourable terms under their concession to other friends, who built the first section of the line at preposterous rates, and repaid themselves out of moneys raised on the State's credit.

A well-known South African politician, distinguished alike for his ability and integrity, who visited the Transvaal during the progress of the reformers' trial, and was anxious in the interests of all South Africa to find a solution of the differences, put the position thus to some of the leading men of the Rand: 'You can see for yourselves that this is no time to ask for the franchise; for the time being, Jameson's invasion has made such a suggestion impossible. Now, tell me in a word, Is there any one thing that you require more than anything else, which we can help you to get?' The answer was: 'The one thing which we must have—not for its own sake, but for the security it offers for obtaining and retaining other reforms—is the franchise. No promise of reform, no reform itself, will be worth an hour's purchase unless we have the status of voters to make our influence felt. But, if you want the chief economic grievances, they are: the Netherlands Railway Concession, the dynamite monopoly, the liquor traffic, and native labour, which, together, constitute an unwarrantable burden of indirect taxation on the industry of *over two and a half millions sterling annually*. We petitioned until we were jeered at; we agitated until we—well—came here [Pretoria Gaol]; and we know that we shall get no remedy until we have the vote to enforce it. We are not a political but a working community, and if we were honestly and capably governed the majority of us would be content to wait for the franchise for a considerable time yet in recognition of the peculiar circumstances, and of the feelings of the older inhabitants. That is the position in a nutshell.'

**Netherlands
Railway
Company.** The Netherlands Railway Company is then a very important factor. It is unnecessary to go very fully into its history and the details of its administration. As the holder of an absolute monopoly, as the enterprise which has involved the State in its National Debt, and as the sole channel through which such money has been expended, the Company has gradually worked itself into the position of being the financial department of the State; and the functions which are elsewhere exercised by the heads of the Government belong here, in practice, entirely to this foreign corporation. Petitions

for the cancellation of this concession were presented in 1888, when the progressive element in the first Volksraad consisted of one man—Mr. Loveday, one of the loyalists in the war. The agitation begun and carried on by him was taken up by others, but without further result than that of compelling the President to show his hand and step forward as the champion of the monopoly on every occasion on which it was assailed. During the years 1893–96 the President stoutly defended the Company in the Volksraad, and by his influence and the solid vote of his ignorant Dopper Party completely blocked all legislation tending to control the Company. Indeed at the end of the Session of 1895, on receiving representations from the business communities of the Republic as to the desirability of removing this incubus from the overtaxed people, the President stated plainly that the Netherlands Railway Concession was a matter of high politics and did not concern any but the burghers of the State, and that he would receive no representations from the Uitlanders on the subject nor would he permit them to discuss it.

Very shortly after the granting of this railway concession came the appointment of Dr. Leyds as State Attorney for the Republic, he having been recommended and pushed forward by the gentlemen in Holland to whom the concession had been granted. It is stated that he was sent out as the agent of the concessionaires in order to protect and advance their interests, although at the same time in the service of the Republic. It is only necessary to add that Mr. Beelaerts van Blokland, the Consul-General for the Republic in Holland, is the agent of the concessionaires in that country, and the accord with which these two gentlemen, as railway commissioners at their respective ends, have always acted becomes intelligible. Several of the vital conditions of the concession have been freely violated, the first being that a certain section of the line (Nelspruit) should be completed within four years. It was not completed for eight. The concession really became void several times during the years prior to 1890, but always found a stalwart champion in the President, who continued to defend the concessionaires for some two years after they had failed

to get their capital subscribed. The Company was floated on June 21 1887 on the most peculiar terms, the capital of £166,666 being in 2,000 shares of 1,000 guilders, or £83 6s. 8d. each. The shares were subscribed for by the following groups :

German	...	...	819 shares, carrying 30 votes.
Hollander	...	...	581 " " 76 "
The Republic	...	...	600 " " 6 "

The trust-deed, which limited the Republic to 6 out of 112 votes, although it subscribed about one-third of the capital, and gave to the smallest holders, the Hollanders, twice as many votes as all the others put together, was passed by Dr. Leyds, in his capacity of legal adviser of the Government, having previously been prepared by him in his other capacity. The sum of £124,000 appears to have been expended on construction ten months before any contract was given out for the same or any work begun, and fifteen months before any material was shipped.

The contract for the construction of the first sixty miles compels admiration, if only for its impudence. In the first place the contractors, Van Hattum and Co., were to build the line at a cost to be mutually agreed upon by them and the railway company, and they were to receive as remuneration 11 per cent. upon the amount of the specification. But should they exceed the contract price then the 11 per cent. was to be proportionately decreased by an arranged sliding scale, provided, however, that Van Hattum and Co. did not *exceed the specification by more than 100 per cent.*, in which latter case the Company would have the right to cancel the contract. By this provision Messrs. Van Hattum and Co. could increase the cost by 100 per cent., provided they were willing to lose the 11 per cent. profit, leaving them a net gain of 89 per cent. They did not neglect the opportunity. Whole sections of earthworks cost £23,500 per mile, which should not have cost £8,000. Close upon a thousand Hollanders were brought out from Holland to work for a few months in each year on the line and then be sent back to Holland again at the expense of the Republic. In a country which abounded in stone the Komati Bridge was

built of dressed stone which had been quarried and worked in Holland and exported some 7,000 miles by ship and rail.

These are a few instances out of many. The loss to the country through the financing was of course far greater than any manipulation of the construction could bring about. In the creating of overdrafts and the raising of loans very large sums indeed were handled. Three-quarters of a million in one case and a million in another offered opportunities which the Hollander-German gentlemen who were doing business for the country out of love for it (as was frequently urged on their behalf in the Volksraad) were quick to perceive. The 5 per cent. debentures issued to raise the latter sum were sold at £95 15s. ; but the financiers deducted £5 commission from even this, so that the State has only benefited to the extent of £90 15s. This transaction was effected at a time when the State loan known as the Transvaal Fives—raised on exactly the same interest and precisely the same guarantee—was quoted at over par. What, however, was felt to be worse than any detail of finance was that this corporation of foreigners had gradually obtained complete control of the finances of the State, and through the railway system it practically dictated the relations with the other Governments in South Africa, by such measures for instance as the imposition of a charge of 8½d. per ton per mile on goods travelling over their lines coming from the Cape Colony, whilst the other lines are favoured by a charge of less than half that. The burdens placed upon the mining industry by the excessive charges imposed for political purposes were, in the case of the poorer mines, ruinous. The right which the Company had to collect the Customs dues for account of the State, to retain them as security for the payment of interest on their shares and debentures, and to impose a charge for collection quite disproportionate to the cost, was another serious grievance. It was hopeless, however, to deal with the whole question. The Government had set its face against any reform in this quarter. It was not possible to obtain even ordinary working facilities such as any business corporation unprotected by an absolute monopoly would be bound to concede of its own accord, in order to catch a measure of trade.

The Government have the right, under the agreement with

the Company, to take over the railway on certain conditions, of which the following are the most important :

- (a) The Company shall receive one year's notice of the intention to take over.
- (b) The Company shall receive twenty times the amount of the average of the last three years' dividends.
- (c) The Company shall receive as a solatium for the unexpired period of the concession an amount equal to one per cent. of its nominal capital for each year up to the year of expiring (1915).

The Government can take over the Krugersdorp-Johannesburg-Boksburg Tramway against payment of the cost of construction.

If the Volksraad should not during this Session [†] decide to nationalize the railway no change can take place before 1898, so that the three years 1895 to 1897 would have to be taken as a basis and therefore the 6 per cent. for 1894, the only low dividend, would not come into the calculation. This would of course considerably increase the purchase price—*e.g.*,

1895	...	...	9	per cent.	
1896	...	...	14	„	(estimate),
1897	...	...	14	„	„
			37	„	
Total	...				

That is to say an average distribution of 12'33 per cent. for the three years. The purchase price would thus be :

		$12'33 \times 20 = 246'66$	per cent.
17 years' premium		17	„
Total	...	263'66	„

This has been clearly explained to the Volksraad but without avail, the President's influence on the other side being too strong. During the Session of 1895 it was made clear that agitation against the Company was as futile as beating the air. When the Hollander clique found that they could no longer convince the Boers as a whole of the soundness of their business and the genuineness of their aims, and when they

[†] Written August, 1896.

failed to combat the arguments and exposures of their critics, they resorted to other tactics, and promulgated voluminous reports and statements of explanations which left the unfortunate Volksraad members absolutely stupefied where they had formerly only been confused.¹

The following is taken from an article in the Johannesburg *Mining Journal*, dealing with the burdens imposed by the railway company upon the industry :

RAILWAY MONOPOLY.

This is another carefully designed burden upon the mines and country. The issued capital and loans of the Netherlands Company now total about £7,000,000, upon which an average interest of about 5½ per cent.—guaranteed by the State—is paid, equal to £370,000 per annum. Naturally the bonds are at a high premium. The Company and its liabilities can be taken over by the State at a year's notice, and the necessary funds for this purpose can be raised at 3 per cent. An offer was recently made to the Government to consolidate this and other liabilities, but the National Bank, which is another concession, has the monopoly of all State loan business, and this circumstance effectually disposed of the proposal. At 3 per cent. a saving of £160,000 per annum would be made in this monopoly in interest alone. The value represented by the Custom dues on the Portuguese border we are not in a position to estimate, but roughly these collections and the 15 per cent. of the profits paid to the management and shareholders must, with other leakages, represent at least another £100,000 per annum, which should be saved the country. As the revenue of the corporation now exceeds £2,000,000 a year, of which only half is expended in working costs, the estimate we have taken does not err upon the side of extravagance. By its neglect of its duties towards the commercial and mining community enormous losses are involved. Thus, in the coal traffic, the rate—which is now to be somewhat reduced—has been 3d. per ton per mile. According to the returns of the Chamber of Mines, the coal production of the Transvaal for 1895 was 1,045,121 tons. This is carried an average distance of nearly thirty miles, but taking the distance at twenty-four miles the charges are 6s. per ton. At 1½d. per ton per mile—three times as much as the Cape railways charge—a saving upon the coal rates of 3s. per ton would follow, equal to £150,000 per annum. Again, by the 'bagging' system, an additional cost of 2s. 3d. per ton is incurred—details of this item have been recently published in this paper—and if this monopoly were run upon ordinary business lines, a further saving of £110,000 would be made by carrying coal in bulk. The interest upon the amount required to construct the necessary sidings for handling the coal, and the tram-lines required to trans-

¹ To those who are not familiar with the conditions of the country, it will seem incredible that the legislative body could be 'fooled' on such a subject. The extracts from the newspaper reports of the Raad's proceedings, printed in Appendix D of this volume, will help them to understand and believe.

port it to the mines, would be a mere fraction upon this amount; and as the coal trade in the course of a short time is likely to see a 50 per cent. increase, the estimate may be allowed to stand at this figure without deduction. No data are available to fix the amount of the tax laid upon the people generally by the vexatious delays and losses following upon inefficient railway administration, but the monthly meetings of the local Chamber of Commerce throw some light upon these phases of a monopolistic management. The savings to be made in dealing with the coal traffic must not be taken as exhausting all possible reforms; the particulars given as to this traffic only indicate and suggest the wide area covered by this monopoly, which hitherto has made but halting and feeble efforts to keep pace with the requirements of the public. Dealing as it does with the imports of the whole country, which now amount in value to £10,000,000, the figures we have given must serve merely to illustrate its invertebrate methods of handling traffic, as well as its grasping greed in enforcing the rates fixed by the terms of its concession. Its forty miles of Rand steam tram-line and thirty-five miles of railway from the Vaal River, with some little assistance from the Delagoa line and Customs, brought in a revenue of about £1,250,000 in 1895. Now that the Natal line is opened the receipts will probably amount to nearly £3,000,000 per annum, all of which should swell the ordinary revenue of the country, instead of remaining in the hands of foreigners as a reservoir of wealth for indigent Hollanders to exploit. The total railway earnings of the Cape and Natal together over all their lines amounted to £3,916,566 in 1895, and the capital expenditure on railways by these colonies amounts to £26,000,000. The greater portion of these receipts come from the Rand trade, which is compelled to pay an additional £2,500,000, carrying charges to the Netherlands Company, which has £7,000,000 of capital. Thus, railway receipts in South Africa amount now to £7,000,000 per annum, of which the Rand contributes at least £5,000,000.

The revenue of the company is now considerably over £3,000,000 per annum. The management claim that their expenses amount to but 40 per cent. of revenue, and this is regarded by them as a matter for general congratulation. The Uitlanders contend that the concern is grossly *mismanaged*, and that the low cost of working is a fiction. It only appears low by contrast with a revenue swollen by preposterously heavy rates and protected by a monopoly. The tariff could be reduced by one-half; that is to say, a remission of taxation to the tune of one and a half million annually could be effected without depriving the Company of a legitimate and indeed very handsome profit.

The Selati Railway Scheme! 'Conceived in
Selati
Railway. iniquity, delivered in shame, died in disgrace!' might be its history, but for the fact that it is not quite dead yet. But very nearly! The concession was obtained during the Session of 1890 by a member of the First Volksraad, Mr. Barend J. Vorster, jun., who himself took part in and guided the tone of the debate which decided the granting of the concession. The Raad resolved to endeavour to obtain the favourable opinions of their constituents, but

before doing so the generous Mr. Vorster made what he was pleased to call 'presents' to the members—American spiders, Cape carts, gold watches, shares in the Company to be floated, and sums in cash—were the trifles by which Mr. Vorster won his way to favour. He placated the President by presenting to the Volksraad a portrait of his Honour, executed by the late Mr. Schroeder, South Africa's one artist. The picture cost £600. The affair was a notorious and shameless matter of bribery and the only profit which the country gained from it was a candid confession of personal principles on the part of Mr. Kruger himself, who when the exposure took place stated that he saw no harm in members receiving presents. Debentures to the amount of £500,000 were issued, bearing Government guarantee of 4 per cent. The Company received £70 for each £100 debenture. Comment is superfluous. A second issue of a million was made, nominally at £93 10s., but the Company only received £86—a commission to the brokers or agents of 8½ per cent., at a time when the Company's previous issue of 4 per cents. were standing at £97 in the market. The costs of flotation were charged at upwards of £32,000; the expenses of one gentleman's travelling, etc., £6,000.

But these are 'trifles light as air.' This Selati Railway Company, which being guaranteed by Government is really a Government liability, arranged with a contractor to build the line at the maximum cost allowed in the concession, £9,600 per mile. Two days later this contractor sub-let the contract for £7,002 per mile. As the distance is 200 miles, the Republic was robbed by a stroke of the pen of £519,600—one of the biggest 'steals' even in the Transvaal. During the two years for which Dr. Leyds was responsible as the representative of the Republic for the management of this affair, none of these peculiar transactions were detected—at any rate none were reported or exposed; but on the accession to office of an ignorant old Boer the nest of swindles appears to have been discovered without any difficulty. And it is generally admitted that Dr. Leyds is not a fool. This exposure took place at the end of the Session of 1894, and, inured as the Uitlanders had become to jobs, this was an eyeopener even for them, and the startled community

began wondering what more might be in store for them—the unfortunate tax-payers—who had to bear the brunt of it all.

Turning to the finances of the country, the following tables are as instructive as anything can be:

REVENUE AND EXPENDITURE OF THE SOUTH AFRICAN REPUBLIC.*

	Fiscal period.	Revenue.	Expenditure.	Remarks.
		£	£	
Aug. 1, 1871	to July 31, 1872 ...	40,988 ...	35,714	
" 1, 1872	" Jan. 31, 1873 ...	43,239 ...	41,813	
Feb. 1, 1873	" " 31, 1874 ...	49,318 ...	45,482	Gold discovered in Lydenburg.
" 1, 1874	" " 31, 1875 ...	58,553 ...	61,785	
" 1, 1875	" " 31, 1876 ...	64,582 ...	69,394	
" 1, 1876	" " 31, 1877 ...	62,762 ...	64,505	
" 1, 1877	" April 12, 1877 ...	25,752 ...	17,235	
April 12, 1877	" Dec. 31, 1877 ...	54,127 ...	70,003	
Jan. 1, 1878	" " 31, 1878 ...	76,774 ...	89,063	
" 1, 1879	" " 31, 1879 ...	93,409 ...	177,596	
" 1, 1880	" " 31, 1880 ...	174,069 ...	144,943	
" 1, 1881	" Oct. 14, 1881 ...	25,326 ...	186,707	British Govt.
Aug. 8, 1881	" Dec. 31, 1881 ...	37,908 ...	33,442	Boer Govt.
Jan. 1, 1882	" " 31, 1882 ...	177,407 ...	114,476	
" 1, 1883	" " 31, 1883 ...	143,324 ...	184,344	
" 1, 1884	" Mar. 31, 1884 ...	44,557 ...	18,922	
April 1, 1884	" " 31, 1885 ...	161,596 ...	184,820	
" 1, 1885	" " 31, 1886 ...	177,877 ...	162,709	Sheba floated.
" 1, 1886	" Dec. 31, 1886 ...	196,236 ...	154,636	Rand proclaimed Sept. 8, 1886.
Jan. 1, 1887	" " 31, 1887 ...	637,749 ...	594,834	Shares quoted Johannesburg Stock Exchange. Telegraph opened Johannesburg April 26, 1887.
" 1, 1888	" " 31, 1888 ...	884,440 ...	720,492	Boom, Nov. 1888 to Jan. 1889.
" 1, 1889	" " 31, 1889 ...	1,577,445 ...	1,201,135	Slump, Mar. 1889.
" 1, 1890	" " 31, 1890 ...	1,229,061 ...	1,386,461	
" 1, 1891	" " 31, 1891 ...	967,192 ...	1,350,074	Baring Crisis.
" 1, 1892	" " 31, 1892 ...	1,255,830 ...	1,187,766	Railway reached Johannesburg Sept. 15.
" 1, 1893	" " 31, 1893 ...	1,702,685 ...	1,302,054	
" 1, 1894	" " 31, 1894 ...	2,247,728 ...	1,734,728	
" 1, 1895	" " 31, 1895 ...	2,923,648 ...	1,948,249	
" 1, 1896	" " 31, 1896 ...	3,912,095 ...	3,732,492	
" 1, 1897	" " 31, 1897 ...	3,956,402 ...	3,898,816	
" 1, 1898	" " 31, 1898 ...	3,329,958 ...	3,476,844	
" 1, 1899	" " 31, 1899 ...	4,087,852 ...	3,951,234	(Budget).

The figures for the period from 1871 to the end of 1887 are taken from

* The above has been brought up to date for publication, July, 1899.

Jeppé's Transvaal Almanac for 1889. They represent the ordinary Revenue and Expenditure arrived at after the deduction of the items 'Special Receipts,' 'Special Deposits,' 'Deposits Withdrawn,' 'Advances Refunded,' 'Advances made' and 'Fixed Deposits' from the totals given in the Official Government Returns.

The figures for the years 1888 to 1899 are those of the published Government Returns after the deduction of—

Fixed deposits from 1888 to 1893 inclusive.

The sale and purchase of explosives from 1895 to 1898 inclusive.

The owner's share of claim licenses from 1895 to 1899 inclusive.

Delagoa Bay Customs Dues paid to the Netherlands Railway for 1898 and 1899.

The dynamite monopoly has always been a very burning question with the Uitlanders. This concession was granted shortly after the Barberton Fields were discovered, when the prospects of an industry in the manufacture of explosives were not really very great. The concessionaire himself has admitted that had he foreseen to what proportions this monopoly would eventually grow he would not have had the audacity to apply for it. This, of course, is merely a personal question. The fact which concerned the industry was that the right was granted to one man to manufacture explosives and to sell them at a price nearly 200 per cent. over that at which they could be imported. It was found upon investigation after some years of agitation that the factory at which this 'manufacture' took place was in reality merely a depôt in which the already manufactured article was manipulated to a moderate extent so as to lend colour to the President's statement that a local industry was being fostered. An investigation held by order of the Volksraad exposed the imposition. The President himself stated that he found he had been deceived and that the terms of the concession had been broken, and he urged the Raad to cancel it—which the Raad did. The triumph was considerable for the mining industry and it was the more appreciated in that it was the solitary success to which the Uitlanders could point in their long series of agitations for reform. But the triumph was not destined to be a lasting one. Within a few months the monopoly was revived in an infinitely more obnoxious form. It was now called a Government monopoly, but 'the agency' was bestowed upon a partner of the gentleman who had formerly owned the concession, the President himself vigorously defending this course and

ignoring his own judgment on the case uttered a few months previously. *Land en Volk*, the Pretoria Dutch newspaper, exposed the whole of this transaction, including the system of bribery by which the concessionaries secured their renewal, and among other things made the charge which it has continued to repeat ever since that Mr. J. M. A. Wolmarans, member of the Executive, received a commission of one shilling per case on every case sold during the continuance of the agency as a consideration for his support in the Executive Council, and that he continues to enjoy this remuneration, which is estimated now to be not far short of £10,000 a year. Mr. Wolmarans, for reasons of pride or discretion, has declined to take any notice of the charge, although frequently pressed to take action in the matter. It is calculated that the burden imposed upon the Witwatersrand Mines alone amounts to £600,000 per annum, and is, of course, daily increasing.

The question of the franchise, which has achieved the greatest prominence in the Uitlander agitation, is one with which few people even in the Transvaal are familiar, so many and peculiar have been the changes effected in the law. Lawyers differ as to whether certain laws revoke or merely supplement previous ones, and the President himself—to the grim amusement of the Uitlanders—frequently goes astray when he speaks on franchise. The first law on burgher and electoral rights is No. 1 of 1876, which remained in force until 1882. By it the possession of landed property or else residence for one year qualified the settler for full burgher privileges. Law No. 7 of 1882 was the first attempt of the restored Republic to deal with the question. It was then enacted that an alien could be naturalized and enfranchised after five years' residence, such residence to be proved by the Field-cornet's books of registration. It has already been explained that these records in nine cases out of ten were either improperly kept or non-existent.

In 1890 Law No. 4 was passed, creating the Second Volksraad and altering the Grondwet (or constitution) accordingly. By this law the franchise was indirectly altered without repealing those portions which may be at variance

with or repugnant to the implied alterations, and this was done by simply defining what class of electors should vote for members of the First Raad, and what class for members of the Second. Thus, 'the members of the First Volksraad shall be elected by those enfranchised burghers who have obtained the right of voting before this law comes in force, or thereafter by birth in the State, and on having attained the age of sixteen years.' Secondly, all those who became naturalized and enfranchised after this law was passed could not vote for members of the First Volksraad, but a subsequent article in the law provides that the higher rights can be obtained by those who shall have been eligible for ten years for election to the Second Volksraad; and it is then explained that, in order to be eligible for the Second Volksraad, it is necessary to be thirty years of age, to be a member of the Protestant Church, to live and have landed property in the Republic, and to have been a naturalized subject for two years. Thus the full electoral privileges were only obtainable after fourteen years' residence in the State, and the possession of the other qualifications of religion, property, etc.

Next came Law No. 13 of 1891, which was rather a codification than an alteration of previous laws. In 1892 another law was passed again explaining, but not materially altering the franchise. In 1893 Law No. 14 was passed as an amendment of previous laws: further juggling the position—further hedging in the sacred preserve. As the law was superseded in the following year it is unnecessary to go into details; but note how the measure became law! It was not published in the *Staats Courant* for three months as required by law; it was not published at all; nor was any special resolution taken affirming that it was a matter of extreme urgency and therefore to be held exempt from that rule of procedure; so that the High Court ought to be able to declare it null and void. The circumstances of its introduction could not be considered to warrant the plea of urgency. On the 29th and 30th June, 1893, memorials upon the franchise question were laid before the Raad. From Johannesburg came one memorial bearing 4,507 signatures out of the grand total of 6,665 memorialists. It was in favour of *extension* of the franchise. Another memorial from 103 Free State burghers was in

favour of *extension*, another from Barberton from 40 burghers also for *extension*. Seven memorials, bearing 444 signatures, were *against* extension. All the others concerned minor alterations in Law 13 of 1891, and did not affect the franchise. The Raad appointed a commission and on the 8th of September received its report, together with a draft law which had not before seen the light of day. After a discussion lasting part of one morning the law was passed provisionally; and to be of full force and effect until confirmed by the Raad in the following year. Thus again were the fundamental political conditions entirely altered by the passing of a law which *two hours before* had not been heard of.

Law No. 3 of 1894 purports to supersede all other laws. Therein it is laid down that all persons born in the State, or who may have established their domicile therein before May 29, 1876, are entitled to full political privileges. Those who have settled in the country since then can become naturalized after two years' residence dating from the time at which their names were registered in the Field-cornet's books. This naturalization confers the privilege of voting for local officials, Field-cornets, landdrosts,[†] and for members of the Second Raad. It is however stipulated that children born in the country shall take the status of their fathers. The naturalized subject after having been qualified to vote in this manner for two years becomes eligible for a seat in the Second Volksraad—*i.e.*, four years after the registration of his name in the Field-cornet's books. After he shall have been qualified to sit in the Second Volksraad for ten years (one of the conditions for which is that he must be thirty years of age) he may obtain the full burgher rights or political privileges, provided the majority of burghers in his Ward will signify *in writing their desire that he should obtain them* and provided the President and Executive shall see no objection to granting the same. It is thus clear that, assuming the Field-cornet's records to be honestly and properly compiled and to be available for reference (which they are not), the immigrant, after fourteen years' probation during which he shall have given up his own country and have been politically emascu-

[†] Except on the goldfields, where the appointments are made by Government.

lated, and having attained the age of at least forty years, would have the privilege of obtaining burgher rights should he be willing and able to induce the majority of a hostile clique to petition in writing on his behalf and should he then escape the veto of the President and Executive.

This was the coping-stone to Mr. Kruger's Chinese wall. The Uitlanders and their children were disfranchised for ever, and as far as legislation could make it sure the country was preserved by entail to the families of the Voortrekkers. The measure was only carried because of the strenuous support given by the President both within the Raad and at those private meetings which practically decide the important business of the country. The President threw off all disguise when it came to proposing this measure of protection. For many years he had been posing as the one progressive factor in the State and had induced the great majority of people to believe that while he personally was willing and even anxious to accede to the reasonable requests of the new population his burghers were restraining him. He had for a time succeeded in quelling all agitation by representing that demonstrations made by the tax-bearing section only embarrassed him in his endeavour to relieve them and aggravated the position by raising the suspicions and opposition of his Conservative faction.

In 1893 a petition signed by upwards of 13,000 aliens in favour of granting the extension of the franchise was received by the Raad with great laughter. But notwithstanding this discouragement, during the following year a monster petition was got up by the National Union. It was signed by 35,483 Uitlanders—men of an age and of sufficient education to qualify them for a vote in any country. The discussion which took place on this petition was so important, and the decision so pregnant with results, that copious notes of the Volksraad debate are published in this volume (Appendix). The only response made to this appeal was a firmer riveting of the bonds. It is but just to say that the President encountered determined opposition in his attempt to force his measure through the Raad. The progressive section (progressive being a purely relative term which the peculiar circumstances of the country alone can justify) made a stand,

but the law was carried nevertheless. Eye-witnesses of the scene state that two or three of the intelligent and liberal-minded farmers belonging to this progressive party, men who were earnestly desirous of doing justice to all and furthering the interests of the State, declared at the close of the debate that this meant the loss of independence. 'Now,' said one old Boer, 'our country is gone. Nothing can settle this but fighting, and there is only one end to the fight. Kruger and his Hollanders have taken our independence more surely than ever Shepstone did.' The passing of this measure was a revelation not only to the Uitlanders, who still believed that reasonable representations would prevail, but to a section of the voters of the country who had failed to realize Mr. Kruger's policy, and who honestly believed that he would carry some conciliatory measures tending to relieve the strain, and satisfy the large and ever-increasing industrial population of aliens. The measure was accepted on all hands as an ultimatum—a declaration of war to the knife. There was only one redeeming feature about it: from that time forward there could be no possibility of misunderstanding the position, and no reason to place any credence in the assurances of the President. When remonstrated with on this subject of the refusal of the franchise, and when urged by a prominent man whose sympathies are wholly with the Boer to consider the advisability of 'opening the door a little,' the President, who was in his own house, stood up, and leading his adviser by the arm, walked into the middle of the street, and pointed to the Transvaal flag flying over the Government buildings, saying, 'You see that flag. If I grant the franchise I may as well pull it down.'

It is seldom possible to indicate the precise period at which a permanent change in the feeling of a people may be considered to have been effected, but the case of the Uitlanders undoubtedly presents one instance in which this is possible. Up to the passing of this law quite a considerable section of the people believed that the President and the Volksraad would listen to reason, and would even in the near future make considerable concessions. A larger section, it is true, believed nothing of the sort, but at the same time were so far from thinking that it would be necessary to resort to

extreme measures that they were content to remain passive, and allow their more sanguine comrades to put their convictions to the test. It is not too much to say that not one person in a hundred seriously contemplated that an appeal to force would be necessary to obtain the concessions which were being asked. It might be said that within an hour the scales dropped from the eyes of the too credulous community, and the gravity of the position was instantly realized. The passage of the Bill and the birth of the revolutionary idea were synchronous.

In a brief sketch of events, such as this is, it is not possible with due regard to simplicity to deal with matters in chronological order, and for this reason such questions as the franchise, the railway, dynamite, and others have been explained separately, regardless of the fact that it has thereby become necessary to allude to incidents in the general history for which no explanation or context is supplied at the moment. This is particularly the case in the matter of the franchise, and for the purpose of throwing light on the policy of which the franchise enactments and the Netherland Railway affairs and other matters formed a portion, some explanation should be given of President Kruger's own part and history in the period under review.

Mr. Kruger was elected President in 1882, and re-elected in 1888 without serious opposition, his one rival, General Joubert, receiving an insignificant number of votes. The period for which he was now elected proved to be one of unexpected, unexampled prosperity, furnishing him with the means of completing plans which must have seemed more or less visionary at their inception ; but it was also a period of considerable trial. The development of the Barberton Goldfields was a revelation to the peasant mind of what the power of gold is. The influx of prospectors was very considerable, the increase of the revenue of the State appeared simply colossal ; and no sooner did the Boer rulers begin to realize the significance of the Barberton boom than they were confronted with the incomparably greater discoveries of the Witwatersrand. The President did not like the Uitlanders. He made no concealment of the fact. He could never be induced to listen to the petitions of that com-

munity, nor to do anything in the way of roads and bridges in return for the very heavy contributions which the little community sent to the Republic's treasury. In those days he used to plead that the distance was great, and the time required for coach-travelling was too considerable; but the development of the Witwatersrand and the growth of Johannesburg within thirty-two miles of the capital, while disposing of the pretexts which held good in the case of Barberton, found Mr. Kruger no more inclined to make the acquaintance of the newcomers than he had been before. Notwithstanding that the law prescribes that the President shall visit all the districts and towns of the State at least once during the year, notwithstanding, also, the proximity of Johannesburg, the President has only visited the industrial capital of the Republic three times in nine years. The first occasion was in the early days—a visit now remembered only as the occasion of the banquet at which Mr. Cecil Rhodes, then one of the pioneers of the Rand, in proposing the President's health, appealed to him to make friends with the newcomers, and to extend the privileges of the older residents to 'his young burghers—like myself.' That was before Mr. Rhodes had secured his concession, and long before the Charter was thought of.

There is an unreported incident which occurred a year or two later, concerning the two strong men of Africa—it was a 'meeting' which didn't take place, and only Mr. Rhodes can say how it might have affected the future of South Africa had it come off. The latter arrived by coach in Pretoria one Saturday morning, and, desiring to see the President, asked Mr. Ewald Esselen to accompany him and interpret for him. Mr. Rhodes, knowing the peculiar ways of Mr. Kruger, waited at the gate a few yards from the house while Mr. Esselen went in to inquire if the President would see him. Mr. Kruger's reply was that he would see Mr. Rhodes on Monday. Mr. Esselen urged that as Mr. Rhodes was obliged to leave on Sunday night the reply was tantamount to a refusal. The President answered that this was 'Nachtmaal' time and the town was full of his burghers, and that he made it a rule, which he would violate for no one, to reserve the Saturdays of the Nachtmaal week for his

burghers so as to hear what they had to say if any wished to speak to him, as his burghers were more to him than anyone else in the world. 'I do no business on Sunday,' he concluded, 'so Rhodes can wait or go!' Mr. Rhodes did not wait. When he heard the answer he remarked to Mr. Esselen, 'The old devil! I meant to work with him, but I'm not going on my knees to him. I've got my concession however and he can do nothing.'

The second visit of Mr. Kruger to Johannesburg was the famous one of 1890, when the collapse of the share market and the apparent failure of many of the mines left a thriftless and gambling community wholly ruined and half starving, unable to bear the burden which the State imposed, almost wholly unappreciative of the possibilities of the Main Reef, and ignorant of what to do to create an industry and restore prosperity. This, at least, the community did understand, that they were horribly overtaxed; that those things which might be their salvation, and are necessary conditions for industrial prosperity—railways, cheap living, consistent and fair government—were not theirs. The President visited Johannesburg with the object of giving the assurance that railways would be built. He addressed a crowd of many thousands of people from a platform at the Wanderers' Club pavilion. He did not conceal his suspicions of the people, and his attempts to conceal his dislike were transparent and instantly detected, the result being that there was no harmony between his Honour and the people of Johannesburg. Later in the evening the crowd, which had hourly become larger and more and more excited and dissatisfied, surrounded the house which the President was occupying, and, without desire to effect any violence, but by simple pressure of numbers, swept in the railings and pillars which enclosed the house. Most fortunately the Chief of Police had withdrawn all the Boer members of the force, and the crowd, to their surprise, were held back by Colonial, English, and Irish 'bobbies.' This was probably the only thing that prevented a very serious culmination. As it was, some excited individuals pulled down the Transvaal flag from the Government buildings, tore it in shreds and trampled it under foot. The incident should have been ignored under the exceptionally

trying conditions of the time, but the Government determined to make much of it. Some arrests were effected, and men thrown into prison. Bail was refused; in fact, 'martyrs' were made, and the incident became indelibly stamped on the memory of both Boer and Uitlander. The President vowed that he would never visit the place again, and without doubt made use of his experience to consolidate the feeling of his burghers against the Uitlanders.

At a meeting of burghers several months after this incident, he referred to the agitation and constant complaining of the Uitlanders, and stated that they had only themselves to thank for all their troubles, and yet they would blame the Government. He then proceeded to entertain his hearers with one of the inevitable illustrations from life in the lower animal kingdom. 'They remind me,' said his Honour, 'of the old baboon that is chained up in my yard. When he burnt his tail in the Kaffir's fire the other day, he jumped round and bit me, and that just after I had been feeding him.' For five years Mr. Kruger was as good as his word. He would not even pass through Johannesburg when convenience suggested his doing so, but made circuits by road to avoid the place of detestation. It was on one of these visits to Krugersdorp, a township within the Witwatersrand Fields, twenty miles from Johannesburg, that the President, appreciating the fact that besides his beloved burghers there might, owing to the proximity of the fields, be some unregenerate aliens present, commenced his address as follows: 'Burghers, friends, thieves, murderers, newcomers, and others.' This was not ill-judged and laborious humour; it was said in absolute earnest. The references were repeated at various intervals in the address and here explained by allusions to the Scriptures and to the all-merciful God through Whom even the worst might hope to be redeemed, the inference clearly being that even the Uitlander, by the grace of God (and, no doubt, Mr. Kruger), might hope in time to approach the fitness of the burgher.

In the meantime another affair occurred, which revived much of the old feeling expressed at the time of the flag affair. War was declared against Malaboch, a native chief with a following of a few hundreds, who had, it was alleged, refused

to pay his taxes. Such wars are of frequent occurrence in the Transvaal, the reasons assigned being usually some failure to pay taxes or to submit to the discipline of the native Commissioners. In this case British subjects were commandeered—that is, requisitioned to fight or to find in money or in kind some contribution to the carrying on of the war. It was felt that the position of the Republic did not warrant at that time a resort to commandeering, a measure which no doubt was necessary in the early days when the Republic had no cash; but with a declared surplus of about £1,000,000 in the Treasury, it was deemed to be an uncivilized and wholly unnecessary measure, and one capable of the grossest abuse, to permit men of inferior intelligence and training, and of no education, such as the Field-cornets are, to use their discretion in levying contributions upon individuals. The Uitlanders were especially sensible of the injustice done to them. They had been definitely refused all voice in the affairs of the State, and they already contributed nine-tenths of the revenue. They received in return an infinitesimal portion in the shape of civil administration and public works, and they were distinctly not in the humour to be placed at the mercy of Boer officials. Protests were made; and five of the men commandeered in Pretoria, having point-blank refused to comply with the orders, were placed under arrest. The High Commissioner Sir Henry (now Lord) Loch, was appealed to, and, acting on instructions from the Imperial Government, immediately proceeded to Pretoria. The excitement was intense. In Johannesburg a number of men were prepared to make a dash on Pretoria to effect the forcible release of the prisoners and had any steps been taken to enforce the commandeering law within the Witwatersrand district, without doubt a collision would have taken place. The supply of arms in the town was, it is true, wholly inadequate for any resistance to the Boers, but in the excitement of the time this was not considered.

Sir Henry Loch's visit had the effect of suspending all action; but the opinion in Pretoria was that should the High Commissioner proceed to Johannesburg there would be such an outburst of feeling that no one could foresee the results

Every effort was made to prevent him from going. Among other steps taken by the President was that of sending over for the President of the Chamber of Mines, Mr. Lionel Phillips, and requesting him, if he had the interests of the State and the welfare of the community at heart, to use his influence to dissuade the High Commissioner from visiting the town in its then excited state. Sir Henry Loch, in deference to the opinion expressed on all sides, agreed not to visit Johannesburg, but to receive deputations from Johannesburg people at his hotel in Pretoria. The High Commissioner's visit was successful. The Government agreed to absolve British subjects from the operation of the Commando Law; but the men who had been arrested and already sent under guard to the front were allowed to proceed and receive their discharge at the scene of war, and were compelled to find their own way back, receiving no consideration or compensation for the treatment to which they had been subjected. In this respect it is difficult to say that Sir Henry Loch achieved all that might have been expected from him. Possibly, to insist on more than he did would have left President Kruger no alternative but to refuse at all risks. The Volksraad being then in session, there may have been some diplomatic reasons for not pressing matters too hard.

A trivial incident occurred which once more excited bad party feeling. The High Commissioner was met at the railway-station by the President in his carriage. The enthusiastic crowd of British subjects shouldered aside the escorts provided by the Government, took the horses from the carriage, and drew it down to the hotel. In the course of the journey an individual mounted the box-seat of the carriage with the Union Jack fastened on a bamboo, and in the excitement of the moment allowed the folds of England's flag to gather round the President. His Honour rose very excitedly and struck at the flag with his walking-stick; but in blissful ignorance of what was going on behind him the standard-bearer continued to flip his Honour with the flag until the hotel was reached. There it was understood that the President would leave the carriage with the High Commissioner, and under this misapprehension those who had drawn the carriage down left their posts and joined the cheering crowd

thronging round the hotel. The President was unfortunately left in the carriage with neither horses nor men to move him, and there he was obliged to wait until a number of burghers were called up, who drew his Honour off to his own house. The affair was wholly unpremeditated and almost unobserved at the time, but it was unfortunately construed by the President as a deliberate insult, and it increased, if possible, his dislike for the Uitlander.

The difficulty of dealing with a man of Mr. Kruger's nature and training was further illustrated by another occurrence in these negotiations. During a meeting between the President and the High Commissioner in the presence of their respective staffs the former became very excited and proceeded to speak his mind very openly to his friends, referring freely to certain matters which it was undesirable to mention in the presence of the British party. Mr. Ewald Esselen, the late State Attorney, wrote in Dutch in a very large round schoolboy hand, 'Be careful! There is an interpreter present,' and handed the slip of paper to the President. The latter stopped abruptly, looked at the slip of paper, first one way and then another, and after a long pause threw it on the table saying, 'Ewald, what does this mean? What do you *write* things to me for? Why don't you *speak* so that one can understand?'

Early in 1895 efforts were made by the Dutch officials in Johannesburg and a number of private individuals to induce the President to visit the place again, when it was thought that a better reception would be accorded him than that which he had experienced on his visit in 1890. Mr. Kruger steadily refused for some time, but was eventually persuaded to open in person the first agricultural show held on the Witwatersrand. Every precaution was taken to insure him a good welcome, or, at least, to avoid any of those signs which would indicate that Johannesburg likes President Kruger no more than he likes Johannesburg; and even those who were most conscious of the President's malign influence did all in their power to make the visit a success, believing themselves to be in duty bound to make any effort, even at the sacrifice of personal sympathies and opinions, to turn the current of feeling and to work for a peaceful settlement of the difficulties

which unfortunately seemed to be thickening all round. The event passed off without a hitch. It would be too much to say that great enthusiasm prevailed ; but, at least, a respectful, and at times even cordial, greeting was accorded to the President, and his address in the agricultural show grounds was particularly well received. The President returned to Pretoria that night and was asked what he thought of the affair : 'Did he not consider it an *amende* for what had happened five years before? And was he not convinced from personal observation that the people of Johannesburg were loyal, law-abiding, and respectful to the head of the Government under which they lived?' Mr. Kruger's reply in the vernacular is unprintable ; but the polite equivalent is, 'Ugh! A pack of lick-spittles.' In spite of a subsequent promulgation it seems clear that there is no 'forget and forgive' in his Honour's attitude towards Johannesburg. The result of this interview became known and naturally created a very bad impression.

During his second term of office Mr. Kruger lost much of his personal popularity and influence with the Boers, and incurred bitter opposition on account of his policy of favouring members of his own clique, of granting concessions, and of cultivating the Hollander faction and allowing it to dominate the State.

Outside the Transvaal Mr. Kruger has the reputation of being free from the taint of corruption from which so many of his colleagues suffer. Yet within the Republic and among his own people one of the gravest of the charges levelled against him is that by his example and connivance he has made himself responsible for much of the plundering that goes on. There are numbers of cases in which the President's nearest relatives have been proved to be concerned in the most flagrant jobs, only to be screened by his influence ; such cases, for instance, as that of the Vaal River Water Supply Concession, in which Mr. Kruger's son-in-law 'hawked' about for the highest bid the vote of the Executive Council on a matter which had not yet come before it, and, moreover, sold and duly delivered the aforesaid vote. There is the famous libel case in which Mr. Eugene Marais, the editor of the Dutch paper *Land en Volk*, successfully sustained his allegation that the

President had defrauded the State by charging heavy travelling expenses for a certain trip on which he was actually the guest of the Cape Colonial Government.²

The party in opposition to President Kruger, with General Joubert at its head, might, for purposes of nomenclature, be called the Progressive Party. It was really led by Mr. Ewald Esselen, a highly-educated South African, born in the Cape Colony of German parentage, educated in Edinburgh, and practising as a barrister at the Pretoria Bar. Mr. Esselen was a medical student at the time of the Boer War of Independence, and having then as he still has enthusiastic Boer sympathies, volunteered for medical service during the war. He subsequently became attached to the President's staff, and finally, on completing his legal education, was appointed Judge of the High Court in the Transvaal. Relinquishing his seat on the Bench after some years of honourable service he returned to the Bar, and became an active factor in politics. Mr. Esselen, from being the closest personal adherent of Mr. Kruger, became for a time his most formidable opponent and his most dreaded critic. A campaign was organized for the presidential election and feeling ran extremely high. To such lengths, indeed, did the Boer partisans go that for some months the possibility of a resort to arms for the settlement of their differences was freely discussed by both parties. The election took place in 1893, and at the same time elections of members for the First Volksraad were in progress. Mr. Kruger made masterly use of his position in office and of his authority over the officials appointed during his *régime*, and for the time being he converted the Civil Service of the country into an election organization. Not even the enemies of the President will deny that he is both a practised diplomat and a determined fighter. By his energy, intrigue, personal influence, and intense determination, he not only compelled his party to the highest effort, but to a large extent broke the spirit of the opposition before the real struggle began. There are two stages in the Presidential election at which a fight can under certain circumstances be made. There were certainly two stages in this election. The first is at the polls; the second is in the Volksraad, when objections have to be

² For Volksraad records on this subject see Appendix C.

lodged against candidates and a commission of investigation appointed, and the steps necessary for the installation of the new President have to be discussed. Mr. Kruger and his party took ample precautions. It has been stated openly and without contradiction, and is accepted in the Transvaal as an unquestionable fact, that at least three properly elected members of the Volksraad were 'jockeyed' out of their seats because they were known to have leanings towards General Joubert. A number of his supporters among the prominent officials of the Civil Service were disfranchised by the action of President Kruger because they had favoured his rival. In a country where the matters of Government have been so loosely conducted it is no doubt fairly easy to find flaws, and the President experienced no difficulty in establishing sufficient case against General Joubert's supporters to satisfy the persons appointed by him to investigate matters. On various pretexts newly-elected members were debarred from taking their seats. In one case, a strong supporter of General Joubert, who was returned by a majority of something like six to one, was kept out of his seat by the mere lodging of an objection by his opponent, the former representative of the constituency; there being a provision in the law that objections with regard to elections shall be heard by the Volksraad, and that, pending the return of a new member, the member last elected for the constituency shall continue to represent it. That the objection lodged in this case was ridiculous in the extreme had no bearing on the immediate result. The President, with admirable gravity, said, 'The law provides that all objections must be heard by the Volksraad, and that pending the decision the old member (a strenuous supporter of his Honour) shall retain his seat; and before all things we must support the law.' In the case of Mr. Esselen, who was elected member for Potchefstroom, the most flagrant abuses were proved to have been committed by the polling officer, the landdrost, dead and absent men having (according to him) rolled up freely to vote for the Krugerite candidate. Numbers of Mr. Esselen's supporters were disqualified on various pretexts, and the voting being conducted openly the moral suasion and close supervision of the official (Krugerite) party were very effective. Mr. Esselen was declared to have

lost his seat by seven votes. Scrutinies were demanded and objections lodged, but without avail. The tactics above indicated were pursued in every case. The old Volksraad having been filled with Mr. Kruger's creatures, it was, of course, his interest to support the return of old members. He was thus enabled by the law above quoted to retain an old member in the Volksraad pending the decision in a case of dispute. Mr. Esselen's defeat was a crushing blow to the Joubert party, as the want of a leader in the House itself completely demoralized the General's followers. The election for President proceeded, and General Joubert was, without any doubt whatever, elected by a very considerable majority. The tactics already described were again followed, and the result was announced as: Kruger, 7,881; Joubert, 7,009. Objections were lodged by General Joubert, but, deprived of the services of Mr. Esselen in the First Raad, and overawed by the fierce determination of his opponent, the General, finding himself in for a struggle, lost heart as usual and collapsed.

The difference between the two men is remarkable. Mr. Kruger, to his credit be it said, has not the remotest conception of the meaning of fear, and would not know how to begin to give in. Mr. Joubert, 'Slim (sly) Piet,' as he is called, possessing a considerable share of the real Africander cunning, is yet no match for his rival in diplomacy, and has none of his grit and courage. In later years this has been proved a score of times, and it is, therefore, the more interesting to recall that at the time of the annexation General Joubert refused to compromise his principles by taking office under Shepstone, whilst Mr. Kruger was not so staunch; and both before and during the war General Joubert refused to accept less than what he considered to be his rights, and steadily and frequently proclaimed his readiness to fight whilst Mr. Kruger was diplomatizing.

The Commission appointed by the Raad to investigate matters was constituted chiefly of Mr. Kruger's supporters, and the result was a foregone conclusion. They confirmed the result of the election as declared; and Mr. Kruger, with the grim humour which upon occasions distinguishes him, seeing an opportunity for inexpensive magnanimity which would

gratify himself and be approved by everyone—except the recipients—appointed the most prominent supporters of his rival in the Volksraad to be the official deputation to welcome the new President.

The President did not neglect those who had stood by him in his hour of need. Mr. Kock, landdrost and polling-officer of Potchefstroom, who had deserved well of his patron, if for nothing more than the overthrow of Mr. Esselen, was appointed member of the Executive to fill a position created purposely for him. The membership of the Executive is expressly defined by the Grondwet; but his Honour is not trammelled by such considerations. He created the position of Minute Keeper to the Executive with a handsome salary and a right to vote, and bestowed this upon his worthy henchman.

The Executive Council thus constituted consisted of six members; and here again the President contrived to kill two birds with one stone, the expression of his gratitude being by no means unprofitable. After so bitter a struggle and the resort to such extreme measures as he had been obliged to use, he anticipated no little opposition even within the inner circle, and, in any case, he as usual deemed it wise to provide against all contingencies. Dr. Leyds' vote he knew he could count on, the interests of the party which the State Secretary represents being such that they are obliged to work with Mr. Kruger. The appointment, therefore, of Mr. Kock gave his Honour one half of the Executive, and the casting-vote which pertains to his office turned the scale in his favour. Whatever, therefore, might be his troubles with the Volksraad when, by process of justice, reform, or death his adherents should be gradually removed from that Chamber, his position was, humanly speaking, assured in the Executive Council for the term of his office.

The opposition to Mr. Kock's appointment was extremely strong, culminating in the formulation of charges of theft against him by Mr. Eugene Marais, the spirited editor of the leading Dutch paper, *Land en Volk*. The charge alleged against Mr. Kock was that during his term of office as landdrost at Potchefstroom he had appropriated the telegraph-wires in order to fence his own farm. Feeling ran so high

that it became necessary to hold an investigation. A trial in the ordinary courts was not permitted, but a Special Commissioner, one not qualified by legal experience or official position to preside in such a case, was selected. By a positively ludicrous exercise of discretion in the matter of admission of evidence Mr. Kock was cleared. Mr. Marais, nothing daunted, continued his exposures, challenging that action should be taken against himself for libel, and finally producing photographs taken by competent witnesses showing the *corpus delicti in situ*. The President and Mr. Kock were not to be drawn, however, and, secure in their newly-acquired positions, they declined the offer of battle and rested on their laurels.

For some time the Opposition, now called the Progressive Party, was completely demoralized, and it was not until the following year that individuals again endeavoured to give cohesion to the party. Appeals were made by them to prominent individuals and firms associated with the mining industry for financial support in the manner in which it is contributed in England for electioneering purposes. A determined and well-sustained effort was made to educate Boer opinion to better things, and to bring such influence to bear on the electorate as would result in the return of a better class of men to the Volksraad. Newspapers conducted with this end in view were circulated throughout the country, and when the elections for the Volksraad took place, specially qualified agents were sent to ascertain the feeling of the districts, and to work up an opposition to the existing methods of Government. In every case endeavours were made to select a popular resident within a district of more enlightened views and higher character than his fellows. A good many thousand pounds were contributed and expended for this purpose. Absolutely no stipulation was made by the contributors to this fund, except that the aim should be for honest and decent government. The funds were placed unreservedly in the hands of well-known and highly respected men who were themselves burghers of the State, and the Uitlanders laid themselves out for one more effort to effect the reforms by peaceful means and pressure from within the State. The elections came off and were

regarded as a triumph for the Progressive Party, which it was alleged had secured some sixteen out of twenty-six seats in the First Volksraad, and a similar majority in the Second. Hope revived and confidence was restored among the Uitlanders, but old residents in the country who knew the Boer character warned the alien community not to expect too much, as it was a question yet to be decided how many of those who were Progressives at the time of the election would stand by their professions when brought face to face with the President and his party in battle array.

The warning was too well warranted. The Volksraad so constituted was the one which rejected with sullen incivility (to apply no harsher term) the petition of 40,000 Uitlanders for some measure of franchise reform. This Progressive Raad was also the one which passed the Bills curtailing the liberty of the press, and prohibiting the holding of public meetings and the organization of election committees, and which distinguished itself by an attempt to wrest from the High Court the decision of a matter still *sub judice*—the cyanide case.

In this case the mining industry had combined to test the validity of certain patents.¹ In spite of attempts at reasonable compromise on behalf of the mines, and these failing, in spite of every effort made to expedite the hearing of the case, the question continued to hang for some years, and in the meantime efforts were being made during two successive sessions of the Volksraad to obtain the passage of some measure which would practically secure to the holders of the patents a monopoly for the use of cyanide, or an indefeasible title to the patents, whether valid in law and properly acquired or not. These attempts to evade the issue were in themselves a disgrace to a civilized nation. Failing the obtaining of an absolute monopoly, an endeavour was made to pass a law that all patents held without dispute for a certain period should be unassailable on any grounds. There was a thin attempt at disguising the purpose of this measure, but so thin, that not even the originators could keep up the pretence, and the struggle was acknowledged to be one between the sup-

¹ The decision of the High Court was given in November, 1896, in favour of the combined companies on all points, and the patents were thus declared to be invalid!

porters of an independent court of justice and honest government on the one side, and a party of would-be concessionaires—one might say 'pirates'—on the other. The judges made no secret of their intention to tender their resignations should the measure pass; the President made no secret of his desire that it should pass. His party voted as one man in favour of it, and the coffee meetings on the Presidential stoep were unanimously for it. The Raad was exactly divided on the measure, and it was eventually lost by the casting-vote of the chairman. No absolute harm was done, but the revelation of the shameful conditions of affairs in a Raad of which so much good was expected did as much as anything could do to destroy all hope. It was a painful exhibition, and the sordid details which came to light, the unblushing attempts to levy blackmail on those who were threatened with pillage by would-be concessionaires, the shameless conduct of Raad members fighting as hirelings to impose a fresh burden on their own country, sickened the overburdened community.

The Bewaarplaatsen question also excited much discussion, but was not a subject of such close interest to the Uitlander community as others, for the reason that but few companies were directly concerned. Bewaarplaatsen is a name given to areas granted for the purpose of conservation of water, for depositing residues of crushed ore, etc.—in fact, they are grants of the surface rights of certain areas at a lower rate of license than that paid upon claim or mineral areas. This variation in the licensed areas was a wholly unnecessary complication of the gold law, the difference in cost being inconsiderable, and the difference in title affording untold possibilities of lawsuits. In some cases companies had taken out originally the more expensive claim-licenses for ground the surface only of which it was intended to use. They had been compelled, by order of the Government, to convert these claims at a later period into bewaarplaatsen. They were almost invariably situated on the south side of the Witwatersrand Main Reef, for the reason that, as the ground sloped to the south, the water was found there, the mills would naturally be erected there, and the inclination of the ground offered tempting facilities for the disposal of residues. After some years of development on the Main Reef it became clear

that the banket beds, which were known to dip towards the south, became gradually flatter at the lower levels, and, consequently, it was clear that bodies of reef would be accessible vertically from areas south of the reef which had formerly been regarded as quite worthless as gold-bearing claims. The companies which owned these bewaarplaatsen now contended that they should be allowed to convert them into claims, as, by their enterprise, they had exploited the upper levels and revealed the conditions which made the bewaarplaatsen valuable. The companies had endeavoured to convert these bewaarplaatsen into claims when they first discovered that there was a possibility of their becoming valuable, and that at a time when the areas themselves were of extremely little market value to any except the holders of the surface rights. They were unsuccessful in this through some lack of provision in the law, and year after year the subject was fought out and postponed, the disputed ground all the time becoming more and more valuable, and consequently a greater prize for the concessionaire and pirate, and a greater incentive to bribery on all hands, until it came to be regarded by the worthy members of the Volksraad as something very like a special dispensation of Providence, intended to provide annuities for Volksraad members at the expense of the unfortunate owners. After a particularly fierce struggle, the Volksraad went so far as to decide that those companies which had been obliged to convert their original claim-holdings into bewaarplaatsen should be allowed to re-convert them to claims and to retain them. Even this was only gained after the Minister of Mines had, on his own responsibility, issued the claim licenses, and so forced the Volksraad to face the issue of confirming or reversing his action !

In this matter the President again fought tooth and nail against the industry, and most strenuous efforts were made by him and his party to obtain a reversal of the decision, but without effect. This, however, only disposed of a small portion of the ground at stake. With regard to those areas which had never been held as claims, the issue lay between two parties known respectively as the companies, who were the surface-owners, and the applicants. The applicants, according to the polite fiction, were those who, having no

claim superior to that of any other individual member of the public, had happened to have priority in order of application. As a matter of fact, they were Government officials, political supporters and relatives of the President, financed and guided by two or three of the professional concession-hunters and hangers-on of Mr. Kruger's Government. Notwithstanding the existence of a law specifically prohibiting Government servants from concerning themselves in other business and speculations, the parties to this arrangement entered into notarial contracts determining the apportionment of the plunder, and undertaking to use their influence in every way with the President and his party and with members of the Volksraad to secure the granting of the rights in dispute to themselves. With them was associated the originator and holder of another infamous monopoly, and it was stated by him in the Chamber of Mines, that should they fail to obtain these rights for themselves they were prepared to co-operate with another party and force the Government to put them up for public auction, so that at any rate the mines should not have them. The object of this threat was to compel the mining companies to come to terms with him and compromise matters.

One of the notarial contracts referred to has been made public, and it contains the names of Mr. 'Koos' Smit, the Government Railway Commissioner, and one of the highest officials in the State; Landdrost Schutte, Chief Magistrate of Pretoria, and Mr. Hendrik Schoeman, one of the most prominent commandants in the Transvaal and a near relation of the President. Needless to say, all are members of the Kruger family party, and were most prominent supporters of his Honour at the time of the 1893 election. They claim that they were definitely promised a concession for the bewaarplaatsen as a reward for their services in this election. The precedent quoted on behalf of the companies in support of their claim is that of the brickmaker's license under the Gold Law. Brickmakers have privileges under their license similar to those granted with bewaarplaatsen, but in their case it is provided that should gold be discovered or be believed to exist in the areas granted under their licenses, the holder of the license shall have the right to convert his area into

mining claims on complying with the ordinary provisions of the Gold Law. The companies urged that this reveals the intention of the law, and that such a condition was omitted in connection with bewaarplaatsen simply and solely through oversight, and because at that time it never occurred to anyone to suppose that the gold-bearing deposits would shelve off and be accessible at such great distances from the outcrop as where the bewaarplaatsen are located. The companies moreover pointed out that these areas were in every case located in the middle of property held under mining licenses, that they themselves owned the surface of the property and therefore no one else could work on them, that the areas were in themselves too small and too irregular in shape to be worked independently of the surrounding ground, and that the granting of them to others could not be justified by any right on the part of applicants, and would merely be placing in their hands the means of imposing on the owners of the surfaces and the adjacent claims an excessive purchase price or the alternative of being blocked in the development of their own ground. After the Second Raad had decided in principle in favour of the surface-holders, action was taken by the First Raad, and a change of front was effected by a measure alteration, which hung the question up for another year. Everyone realized that this was secured by the influence of the President in the first place and by the pliability of Raad members in the second, on the ground that the matter was too profitable to them personally to be disposed of until it became absolutely compulsory.¹

¹ During the session of '96 the Volksraad decided to put the bewaarplaatsen up for public auction, the proceeds of the sale to be divided equally between the Government and the original owners of the farms on which the bewaarplaatsen had been granted. The *alleged* reason for this decision is that the areas in question are immensely valuable, and the State and the owners should profit by them, whilst the companies should be afforded an opportunity of acquiring them at a fair price. The *real* reason is that the companies had refused to be blackmailed further; and the 'defence' funds not being forthcoming, the gentlemen of the back-stairs had introduced the ingenious arrangement safeguarding the original owners' rights, having previously 'arranged' with the same owners. The excuse that the areas are too valuable to be given away to the companies is as illogical and ridiculous as the excuse that the Uitlanders are too numerous to justify the granting of the franchise now. When the questions were first raised there were neither great values nor large

One of the first concessions granted by the Boer Government after the restoration of the country to them was the liquor monopoly. Under this grant a factory established within a few miles of Pretoria has the sole right to distil spirits. Time and very considerable experience are in all countries necessary for the manufacture of good liquor, and the natural conditions are not more favourable to the industry in the Transvaal than elsewhere, consequently the product is not regarded with great favour. The enterprise, however, is a very prosperous one, being dependent almost entirely upon the sale of liquor to natives. For a number of years representations were made by the Chamber of Mines on behalf of the industry, by individuals and by public petitions, with the object of controlling the liquor trade and properly enforcing the laws which already existed. The following terse summary of the evils resulting from this sale of liquor is taken from the report of the Chamber of Mines for 1895. Unfortunately the remarks apply equally well to-day:

There is, indeed, no doubt that one of the greatest difficulties with which local employers have to deal is the question of the liquor trade. In very many cases the liquor supplied to the natives is of the vilest quality, quickly inflaming those who take it to madness, and causing the

numbers in existence. They were questions of principle and justice; and the fact that 'values' and 'numbers' have grown during the years of struggle in no way justifies the course taken, but rather shows very clearly the magnitude of the injustice done during the years of unjustifiable denial.

This decision shows with admirable clearness how the Uitlander fares at the hands of the Government. There were, in the last stage of the affair, four parties concerned: the Government, who are by law expressly debarred from selling claims (except in case of overdue licenses), and are obliged to allot them for the consideration of specified license fees only; the owners of the farms, who are similarly debarred and are compensated in other ways for the throwing open of their farms; the 'applicants,' who have been described elsewhere; and the surface-owners, the mining companies, who were in possession. Only one of these parties had the slenderest claim to compensation—namely, the companies, who must inevitably be disturbed in the possession of the surface by allowing others to work on or under it. But they get nothing; whilst the Government and the 'owner' (both of whom had years before derived the fullest profit allowed by law from these areas in the form of licenses), and the 'applicants' (who have allied themselves with the 'owners'), divide as compensation the proceeds of the auction!

faction fights which sometimes have fatal results, and always lead to the, at any rate, temporary disablement of some of the combatants, and the damaging of property. Accidents, too, are often attributable to the effects of drink, and altogether, as stated in the resolutions, a large percentage of the deaths among the natives here is directly due to drink. In its bearing on the labour question, drink also plays an important part. The shortness in the supply, as compared with the demand for labour, has been accentuated by it. Where possible more natives are kept in the compounds than are actually required for the work to be done, to make allowance for those who are disabled by drink.

The granting of licenses to liquor houses was carried to such an extreme that at last the entire community rose against it, and the expression of opinion was so strong that the Government was compelled to make a show of deferring to it. Involved in the liquor question was the matter of police, and arising out of this, again, was the question of dealing with crime in general, including the gold and amalgam stealing that was known to be carried on on a considerable scale at the expense of the companies.

The Attorney-General, or State Attorney, as he is called in the Transvaal, is the responsible head of the Law Department, and until lately was the departmental head of the police. The gentleman then occupying the position of State Attorney was peculiarly unfit—in the midst of that world of unfitness—for the duties which he was supposed to perform. He was removed from office, and after considerable negotiation Mr. Esselen was prevailed upon at a great monetary sacrifice to accept the position of State Attorney, he stipulating that he should have a free hand in reorganizing the detective and police forces. During the months in which Mr. Esselen continued in office admirable reforms were introduced, and a very appreciable influence was exercised on the condition of affairs in Johannesburg. It is inadvisable to state explicitly the nature of the objections which existed against some of the officials employed under the former *régime*; it is sufficient that they were proved to be participators in the offences which they were specially employed to suppress. Mr. Esselen's first step was to appoint as chief detective an officer borrowed from the Cape Colonial Government, Mr. Andrew Trimble, who in a very little while showed that courage and honesty of purpose could not only effect

considerable reforms, but could provoke the undisguised and fierce hostility of a very large section of the community. The canteen keepers were up in arms ; the illicit gold buyers left no stone unturned ; the hangers-on of the Government lost no opportunity in their campaign against Mr. Esselen and his subordinate and their reforms. The liveliest satisfaction however was expressed by all those whose interest it was to have matters conducted decently and honestly, and who had no interest in crime except so far as its suppression was concerned. Representation was secured for the Chamber of Mines upon one of the licensing bodies, and here, too, a very appreciable result followed. During Mr. Esselen's term of office all went well as far as the public were concerned, but influences were soon at work to undermine the two reforming officials. It was represented to the President that Mr. Trimble had once been in the British army ; that he was even then a subject of the Queen, and entitled to a pension from the Cape Government. The canteen interest on the goldfields, playing upon the prejudices of the Boers, represented that this was unfitting the dignity of the Republic. The President, who was too shrewd to be caught with such chaff, was perfectly ready to support them for the sake of the liquor interest, which for him constitutes a very useful electioneering and political agency throughout the country. Mr. Esselen was sent for, and it was represented to him by the President that the employment of a British subject in such a responsible office as that of chief detective was repugnant to the burghers. The reply was that it was competent for the Executive to naturalize Mr. Trimble at once and so remove the objection, the Government having power in special cases to dispense with the conditions of the Naturalization Law—a power frequently exercised in the case of their Hollander friends. The President, in reply, stated that it could not be done, and he appealed to Mr. Esselen to select a man of another nationality—' a Frenchman, German, or even an American '—this last being a concession wrung from him by Mr. Esselen's soothing suggestion that the Chief of Police should be familiar with the language of the criminal classes. The hitch was maintained for some months, but finally the

influences on the side of the President became too strong, and when it became clear that the many months of laborious work and self-sacrifice which had been given in the interests of reform were to be nullified by the appointment of a creature who would connive at every breach of the law, Mr. Esselen decided to stand or fall by his subordinate, the result being a triumph for the President.

In Mr. Esselen's place there was appointed as State Attorney Dr. Coster, a Hollander, who however declined to have anything to do with the organization of the police; and in Mr. Trimble's stead reappeared the individual whom he had superseded and whose services had been dispensed with.¹ The triumph of the back-door influences was again complete and the blow was a very nasty one to the mining industry.

Small wonder that at about this time the Uitlander community stopped all agitation, and that a mood of sullen opposition and discontent took its place. Hope was absolutely dead as abuse after abuse and scandal after scandal were showered upon them during the Session of 1895. Some of the acts of the Volksraad cut at the foundation of all security. In the early days of the Republic the Volksraad members had taken it upon themselves to reverse several of the decisions of the High Court, and in one case where the Government was being sued for the fulfilment of a contract the Volksraad had passed a resolution absolving the Government from certain terms of the contract. The decision of the Court, delivered by Chief Justice Kotzé, was to the effect that if the Volksraad should take a decision in conflict with an existing law, that law became *ipso facto* so far modified. In another case (the Dom's case) a resolution was passed disabling the aggrieved individual from taking action against the Government; in another, where the responsibility of the Government for the maintenance of roads had been indicated by a judgment for £1,000 damages, a law was passed in defiance of the conditions of the Grondwet, which stipulates for a period of notice and publication for proposed

¹ (July, 1899.) This individual has been again removed—this time by the present State Attorney, Mr. Smuts.