

of the Uitlanders and the general contempt in which it is held will give Sir Hercules Robinson a fresh card. He will, to put it bluntly, be able to buy Jameson at the cost of the Uitlanders—a very righteous form of vengeance, if it should come to that. The purchase would be all the easier, because, though two wrongs do not make a right, yet, on the other hand, it is never very edifying when pots take to calling kettles black. Sir Hercules Robinson and President Kruger who have met before to discuss questions of filibustering expeditions, will be in a peculiarly favourable condition for realising the appositeness of these remarks.

Meanwhile do not let us fall into any mistake as in some quarters there seems to be a disposition to do, about the resignation of Mr Rhodes. Here also our correspondent's telegram ought to prevent misunderstanding. There is on the one hand no doubt whatever that Dr Jameson did not act with the authority, or to the knowledge of Mr Rhodes. But, on the other hand, Mr Rhodes may be relied upon (as my correspondent puts it) "to face the music." He will meet the situation as it exists, and will do the best he can for British interests in South Africa, and for the Chartered Company, which he has made into an instrument for promoting them. Nothing can be more absurd than to suppose that he ceases to be a factor to be reckoned with, because he has resigned the premiership of the Cape Colony, nothing unless it be another statement that we find made to-day, namely, that Sir Gordon Sprigg is the really strong man of the situation. Mr Rhodes was the first man in South Africa before he became Premier. He remains the first man now. The head remains the same, no matter what hat—whether Cape Premier or Chartered Company—is on the top of it. That Mr Rhodes has lost some prestige,

and what is more important, that the causes which he has at heart have lost much by recent events, everybody must admit. It is now Mr Rhodes's task to help in repairing the blunders and making up the lost way. By resigning the Premiership he has helped to smooth Sir Hercules Robinson's path, while receiving for himself more freedom and less responsibility.

EXTRACT FROM "THE MINING WORLD"

11th January 1896

Mr P. Sunburn was one of the few Johannesburgers who came out to help Dr Jameson. He was made prisoner on his way, and the latest news by cable sent to Mr Regan is to this effect:—"Am now in Pretoria's gaol and very comfortable!" The Boers appear to have behaved very well to their fallen foes. Jameson, it is said, shed tears of rage over the conduct of the Johannesburgers

EXTRACT FROM "THE MANCHESTER WEEKLY TIMES"

17th January 1896

MR W. F. REGAN AND KRUGER'S DEMANDS

Mr W. F. Regan has sent the following message to the Press:—"It is not true that President Kruger has made exorbitant demands as given in the London Press. Certain claims have been made and guarantees demanded

of a nature that it will be impossible, under the circumstances, for Her Majesty's Government to refuse; and Sir Hercules Robinson, through Sir Jacobus de Wet, has admitted the moderation of the Transvaal Government, it was laid down that the frontier be protected, and the British covenanted to prevent raids on the Transvaal. That being so, the Boer Executive are justified in claiming, under the law of nations, adequate compensation for infringement. President Kruger has held the just resentment of his people, and in a difficult and momentous crisis has exhibited chivalrous forbearance. Our duty and desire should be to calmly and without undue haste, forgetting our defeat, sternly face the settlement of differences in a friendly spirit with the Transvaal Republic. This once done, we will establish in South Africa a reputation for integrity and honesty of principle as between man and man. It is true that a commission is about to proceed to Rhodesia with the object of inquiring into the circumstances of Jameson's raid.

EXTRACT FROM "THE PRESS," 18th January 1896

REGAN'S WORDS OF WISDOM

Early last week I sent to the Press Mr Van Buren's message that the Johannesburgers were not prepared for hostilities. A section of the London Press scouted this and held to a man Britishers in Johannesburg would come to Jameson's assistance. Subsequent events proved that my correspondent was right. I was the first to

make public the news of Jameson's arrest, as also the fact that he was to be tried. My information was strictly correct when I sent to the Press the message that not a hair of Jameson's head would be harmed. I was quite justified in making the statement, and I have it now from Transvaal official sources that the President will exercise his prerogative and that the Administrator will not be shot. Men who know anything of South African matters will support me when I say that though Jameson made a grave blunder, Chamberlain by his unstatesmanlike and precipitate action has rendered a settlement of the Transvaal question much more difficult by coquetting with the President instead of *awaiting development of events*. Chamberlain has thrown an obstacle in the way of a possible declaration of war by England. Chamberlain must have been aware that it was too late to stop the forces of the Chartered Company. That being so, his policy should have been to be more careful in his utterances, and not permit continental nations to make use of his official manifesto when he declared that the British subjects in the Transvaal had no sympathy or support from England. Now were we to take up arms under any pretext against the Transvaal, Germany, Holland and the Orange Free State, in supporting the Boers, would have the moral support of Europe. In the light of subsequent events my message to the London Press, as to the massing in Rhodesia of a second force, must be held as strictly correct. That Jameson's raid was premeditated is proven up to the hilt owing to the fact that a cable was sent to London that the massing of such a force was incorrect, because I find a telegram was sent to Buluwayo directing that the 1000 men moving from there to the Transvaal frontier be stopped. The informa-

tion supplied you that Kruger laid a trap for Jameson, in order that he (Jameson) might cross the frontier, is not true, because the President sent his son-in-law to meet Jameson and request the latter to re-cross the frontier; instead of doing so, the Rhodesian commander made prisoner the messenger. In this matter my sympathies are neutral, but I think it right that the public should be made aware of the true facts. History repeats itself, and if we investigate the workings of every corporation to whom extensive powers have been given, we may find that complications of a grave nature have arisen. The future may disclose that it was not with the concurrence of Mr Rhodes that Jameson crossed the frontier. In fact, I go so far as to say that Rhodes knew nothing of the movement. I have an opportunity of knowing, inasmuch as I am the owner of considerable real estate in Rhodesia. By his utterances Rhodes may have led Jameson and his followers to believe that support would be given, and I think great weight ought to be attached to the fact that Rhodes knew nothing of the second contingent arming in Buluwayo to follow in Jameson's footsteps. That the Johannesburgers are not united in their protest against the Boer rule is borne out by the fact that the leading corporations in the city have been barricading and mounting guns with a view of protecting their property against the mob, when their arms and attention might be directed against the Boers. I regret to find that a section of the London Press in a grave crisis have endeavoured to inflame the passions of our people instead of adopting a policy of moderation. We have enemies within the camp as well as outside, and our wisest course would be to wait the development of events and move with caution, as it is this cautious and waiting

policy that has brought victory to the Boers. In the past we have been a thinking nation, though of late I feel that the policy by which our great-grandfathers built up this mighty Empire is no longer ours. Let the English people leave the settlement of this momentous question to the most capable mind in Cape Colony, otherwise we may find complications may arise. Let us keep before our mind's eye the fact that our ship is in a storm, and that if we depose the skilled captain and entrust our lives and craft to a crew divided against itself, rocks, shipwreck and disaster will be the result.

EXTRACT FROM "THE FINANCIAL TIMES"

20th January 1896

BOERS AND UITLANDERS

To the Editor of *The Financial Times*

SIR,—Recent exciting episodes in the Transvaal are quickly passing out of the nine days' wonder stage, and becoming a matter of history. While they are to some extent fresh in the public memory, it is, I think, advisable, and it is certainly only fair, that the public should have placed before them some plain, unvarnished truths in order to enable them to arrive at a juster conclusion in respect of matters in dispute between Boers and Uitlanders than was possible during the period of excitement through which the Transvaal has recently passed.

Up to the present time I have studiously held aloof from the controversy about the Transvaal in the Public Press, which has for the most part consisted of acrid and heated

denunciations of Mr Kruger and his countrymen. I might, I think, easily enough have claimed, from my knowledge of, and interests in, South African Republic, that my knowledge with regard to events therein is as valuable as that of the self-constituted "authorities" who have been airing their views and advertising themselves and their papers for several weeks past. The champions of the Uitlanders in this country have in effect bidden us behold the spectacle of many thousands of our countrymen—industrious, intelligent, law-abiding Englishmen—rightly struggling to be free in a foreign country where they were under the yoke of, and generally oppressed by, an infinitesimal minority of Dutch farmers. These Uitlanders, are, I know, believed by the great mass of the public in England to have been merely sticking up for their rights, including freedom of speech and many other privileges to which we are accustomed, and that are highly valued in a free country. In connection therewith we have been told that Uitlanders have, above all, been asserting the grand old principle in defence of which our American brethren fought and beat us more than a hundred years ago, namely, no taxation without representation. All this, I say, is the prevalent opinion in England, and it does not say much for the accuracy of the public judgment here or of the Press, which affects to guide and mould public opinion, that such a burlesque of what has really taken place in the Transvaal, and the motives of the Uitlanders generally in their agitation, should be accepted as an absolute truth. First and foremost, the Uitlanders are very far from being all Englishmen; there are men of every nationality in Johannesburg, but of most of them it may be predicted with safety that they are not Englishmen, Frenchmen or German, but above all things, financiers whose patriotism

is largely a question of £ s. d. These men came out to the Transvaal to exploit its riches, and with a full knowledge of the laws and ordinances of the country. Having amassed wealth, they begin to think that it is a thousand pities such an abnormally rich country as the Transvaal should be in the possession of a parcel of Dutch Boers, who actually had the insolence to call upon Uitlanders to pay taxes, and thereby hand over to the Government a very minute portion of the gold they were extracting from the Transvaal territory. This feeling, by dint of writing and speaking, gradually spread. A "National Union" was formed, and the Uitlanders threatened all manner of things when the time came for them to act Well, the time did come—poor Jameson was lured to his fate, and the Uitlanders began to quake in their shoes, saving those of them who, knowing what was coming, decided, like the good financiers they are, to make the most of it, and had accordingly gone "bears" of Rand gold mining shares. Some of these "bears" are now in gaol, and their "bear" operations accordingly not likely to turn out as profitable as they at one time expected.

The public will, in my opinion, be very foolish if they waste any sympathy over the Uitlanders.

That the latter have grievances I do not deny, but I am just as sensible of the fact that President Kruger and his Government are extremely desirous to ameliorate any reasonable causes of complaint if the Uitlanders will only take up the position of law-abiding citizens in a foreign country, instead of, as hithertofore, posing as rebels, who intend on the first favourable opportunity to make a clean sweep of the board and seize upon the riches of the Rand, or such of them as they do not already possess. President Kruger is probably not an angel, but neither are the

Uitlanders angels, and their behaviour with reference to Dr Jameson scarcely induces one to regard them as men of valour either. However, they have had their little fling, and they can hardly now object to being called upon to pay the costs thereof, though I have every reason to believe that President Kruger will rest content with banishing a few of the ringleaders from the Transvaal and sending them back to us in the City—where, I may remark, they are certainly not wanted.—I am, etc.,

WM. F. REGAN.

41 THREADNEEDLE STREET,
LONDON, 17th January 1896.

EXTRACT FROM "THE FREEMAN'S JOURNAL"

20th January 1896

THE TRANSVAAL CRISIS

Boers and Englishmen

To the Editor of *The Freeman's Journal*.

SIR,—The people in England have so utterly lost their heads over the Transvaal question that it seems to be expedient that one like myself who, with a full knowledge of the country, can claim to be impartial as between Boers and Uitlanders, should state his views publicly in regard to the many matters arising out of Dr Jameson's invasion of the Transvaal that have been agitating the public mind for some weeks past.

To anyone like myself who knows what Johannesburg is and what description of men the Uitlanders are, and who is intimately acquainted with the ideas, sentiments and characteristics of President Kruger and other members of the Government, it seems passing strange that public opinion in Great Britain should have been so woefully led astray as appears to have been the case in regard to the "Transvaal question." This "question" in its entirety has been manufactured by Uitlanders whose set purpose for some time past has been to get possession of the country with its vast actual and latent wealth, and clear the Boers out of it neck and crop. President Kruger has, from the very first, been fully acquainted with the aims and objects of this conspiracy against the Government, and it was hardly to be expected that he would have fallen in with it by granting to these Uitlanders, without the slightest discrimination, the full rights of citizenship and so in effect have signed his own death warrant. All the fatuous nonsense that has appeared in the Press of this country in regard to the aspirations of the Uitlanders, and their desire to assert, at any cost, those grand old principles that have made England free and famous, is really ludicrous to anyone like myself who knows what the Uitlanders are, and what it is they want. Johannesburg is, as probably your readers are aware, a city with a population of somewhere over 100,000, drawn from all parts of the world. It is this motley population of foreigners that has demanded from the Transvaal Government with menaces the full rights of citizenship, and when President Kruger, very properly, in my opinion, declined to comply with such extravagant demands, formed themselves into an Association which they called a "National Union," and which if it had existed in England or Ireland, much less any continental

nation, would have been suppressed by the strong arm of the law, and every member of it have been prosecuted for treason. When a man or collection of men go in for treasonable projects and indulge in threats against a lawfully-constituted Government, their only justification can be success. The Uitlanders blustered and threatened and talked a considerable amount of high-falutin' nonsense about the dangers to which their wives and families were subject in Johannesburg—the only danger I may remark, being the outcome of their treasonable conspiracy against the existing Government of the South African Republic. But what was the *dénouement*. When Dr Jameson, lured across the frontier by their wails respecting their wives and families, came to the rescue of these Uitlanders, they made not the slightest attempt to make good their valiant words, they never stirred an inch outside Johannesburg, and they allowed Jameson to be engaged in a fierce combat with an overwhelming Boer force within fifteen miles of the city, without even making the slightest attempt to render him assistance, direct or indirect. Having defeated Jameson's party, President Kruger had the game in his hands, and if he were the autocratic and cruel monster that he is depicted by not a few English papers he would have shot, and he most certainly would have been justified in shooting, every survivor of Jameson's force. Instead of doing this, however, the President has handed these several hundred prisoners over to the British authorities, and his behaviour in so acting has certainly been in marked contrast to the bluster and bravado, all ending in smoke, of these pot-valiant Uitlanders. Having done this, President Kruger not unnaturally thinks the time has come to put a stop to all the treasonable practices of the foreign

population of the Transvaal, and he has accordingly arrested the ringleaders of the conspiracy against his Government. President Kruger, by his treatment of Jameson and his men, has shown that he knows how to be magnanimous and merciful in the hour of victory. Let us wait until the trial of the prisoners, now in Pretoria Jail, is completed, and we shall no doubt find—in fact, I know we shall—that President Kruger has no desire to inflict on these men the penalties they have incurred and, in my opinion, they richly deserve. He will, however, insist that they shall forever rid the South Africa Republic of their presence, a step which, in my opinion, will tend to the future peace and prosperity of Johannesburg and the Transvaal generally, and enable President Kruger to grant those concessions to the Uitlanders which I know he desires to confer as largely and generously as possible, and which would have been granted long ago had it not been for the arrogant behaviour of the self-constituted leaders of the Uitlanders in Johannesburg, and their precious “National Union,” which was not national in any proper sense of the term.—Yours obediently,

W. F. REGAN.

41 THREADNEEDLE STREET, E C,
17th January 1896.

EXTRACT FROM "THE NORTHERN WHIG"

20th January 1896

BOERS AND UITLANDERS

To the Editor of *The Northern Whig*.

SIR,—So much has been written in the Press and spoken on public platforms during the past few weeks respecting Boers and Uitlanders, in almost every instance to the disadvantage of the Boers, that I feel impelled by a sense of justice, now that public feeling has to some extent calmed down, to endeavour to afford some enlightenment on the subject respecting which my interests in, and knowledge of, the Transvaal generally and Johannesburg in particular, enable me, I think, to speak with some authority. Recognising as I do in your journal a paper that has during the recent crisis attempted to calm and control the excited feelings of the multitude, and prevent them jumping to somewhat erroneous conclusions upon imperfect information, I venture to ask your permission to calmly and impartially narrate in *The Northern Whig* the circumstances that have led up to the recent events in the Transvaal.

Now, sir, what is primarily responsible for producing the recent and present deplorable condition of things in the Transvaal? Gold. It is the same old story that we can perchance remember ourselves, or, if we cannot, can read in history as having happened all the world over. The Transvaal, unfortunately for the Boers, who, rightly or wrongly, live a rural life away from the din and turmoil of the towns, and trekked to the Transvaal to get away from men and things that were not in accordance

with their ideas, was, a few years ago, found to be rich in the precious metal, and as soon as news of this was noised abroad, men—good, bad and indifferent, but largely of the latter two classes—flocked there from all parts of the world till it has come about that Johannesburg has a population for its size probably less reputable than any city on the face of the globe. Well, in due course the gold mines became developed, with the result that there has been, month by month, a large and steadily increasing output of the precious metal therefrom. Enormous fortunes have consequently been realised by vendors, promoters, investors and speculators—all, be it observed, directly or indirectly due to the mineral wealth of the Transvaal Republic. The Republic, not unnaturally, taxed the hybrid inhabitants who had come there in search of, and had found, wealth—taxed them not to punish them, but merely to defray the costs of government, and other incidental expenses to the service of the State. Thereupon the immigrants resented this, talked glibly about “taxation without representation,” referred to the revolt of the American colonies against Great Britain, because the latter ignored this great principle, and demanded—there is no other word for it—to be admitted to all the rights and privileges of citizenship of the Transvaal Republic without further ado. President Kruger, who, whatever his faults, is certainly not lacking in shrewdness, saw clearly enough that were he to accede to these preposterous proposals he and his fellow Boers might as well commence about trekking afresh if they could find any uninhabited portion of Africa to trek to, and declined to grant such demands, but promised to consider any reasonable grievances the Uitlanders might desire to put forward. Thereupon the latter indulged in scarcely-veiled threats,

and much vituperative language in the English papers, published in Johannesburg, and organised a society which made no secret of its intentions to resort to force if necessary. Arms were imported by large quantities by devious methods, and a gigantic conspiracy was formed to get possession of the Transvaal for the Uitlanders, not from any patriotic or even plausible upright motives, but simply and solely in order that the Uitlanders might come into full possession of the country and its wealth, and expel the Boers therefrom. The object of this precious scheme is now full well known to your readers, and I think it may be truthfully averred that the only man who comes well out of the whole business is President Kruger. He has shown that he knows how to be magnanimous and merciful, and no honest man can deny that the words of congratulation addressed to him by the Queen, the High Commissioner, the Governor of Natal and others, have in any way gone beyond the merits of the case. Even in the hour of triumph, President Kruger has promised to alleviate any substantial grievances which the Uitlanders could show they suffered from, and from my knowledge of him I verily believe the President will keep his promise in the spirit as well as in the letter. As for those persons who have been arrested for treason, and will be shortly brought for trial for that offence, the public need waste no sympathy on them. The most they have to fear is banishment from the land wherein they have amassed wealth, and in return plotted against the ruler thereof for no higher motive than to still further increase their gain. In any other country these men would have been hanged for treason; but, be that as it may, it must be admitted that they played a desperate game, and I believe in many instances played it from

despicable motives. Well, they have played and lost, and their failure, let it be said, is chiefly owing to their own cowardice or supineness at the crucial moment. They can now hardly ask to have their stakes returned or the game played over again. Johannesburg will know them no more, and the morality of its financial atmosphere is likely to be all the better from this fact—Yours, etc.,

WM. F. REGAN.

41 THREADNEEDLE STREET, LONDON, E C.,
17th January 1896.

EXTRACT FROM "THE ECHO," 20th January 1896

THE OTHER SIDE OF THE TRANSVAAL QUESTION

To the Editor of *The Echo*.

SIR,—Now that the excitement with regard to the various episodes in the Transvaal has to some extent quieted down, it appears to me that, in the interests of justice and fair dealing as between man and man, some publicity should be given to the other side of the question, because there is another side to this as to most other questions, as I hope I shall demonstrate to the satisfaction of your readers. For some weeks past the English public have been induced to believe by a lot of writers and financiers, not in every instance disinterested, that the Boers of the Transvaal are a miserable collection autocratic, pig-headed Dutchmen, who grind beneath their heels all the wealth, intelligence and industry of Johannesburg and the Rand generally; who are oppressed not only

in their liberties, but financially. These Uitlanders are generally believed, by the public here at home, to be a band of gallant Englishmen, struggling day by day against the vicious principle of taxation without representation, in fact, worthy representatives of good old John Hampden, and those other patriotic and venerated Englishmen who, by their struggles in the past, have gained for Englishmen the liberties they now enjoy. Now, sir, any such idea as this is the merest travesty of the condition of things that actually exists in the South African Republic.

If we are just, we must not forget that the Boers are in the South African Republic, simply because they wished to get free of our South African Colonies, and to possess land of their own, where they could govern themselves according to their own ideas, and engage in their rural pursuits unhampered and untrammelled by those Colonial laws and regulations which they found irksome. No doubt a good many people think that the Boers are stupid and absurd people for entertaining these ideas. Well, they may be stupid and absurd; but we must recognise the fact that the South African Republic is, except in regard to its foreign relations, an independent nation, and that the rulers thereof are perfectly within their rights in regulating the administration of the country, and deciding who shall and who shall not be admitted to the franchise or other rights of citizenship. As to the autocratic propensities of the Boers, about which we have heard so much of late, it is all the merest fudge. A perusal of the contents of the English newspapers published in Johannesburg, would convince the people of this country that the liberty of the Press is, at any rate, in no danger in that part of the world, because those journals have contained, for many months past, criticisms and comments on the

administration and administrators of the State, and charges of corruption and malfeasance generally against nearly every official of the South African Republic, all written in language far exceeding in severity and vituperation anything to which even we are accustomed in this country.

If President Kruger were the despot he has been portrayed here, he would certainly have stopped long ago the gross licence of language indulged in by the English newspapers published in Johannesburg. But not a bit of it; and this fact surely goes far to show that President Kruger is anything but an autocrat, and that the Uitlanders who possess a free—an excessively free—Press have nothing whatever to complain of in that respect. And so in regard to liberty of speech also. It is not too much to say that if the National Reform Union had existed in any other country, great or small, in Europe or America, it would long since have been suppressed, and the members thereof prosecuted and imprisoned. But what do we find in the Transvaal? The National Reform Union is unmolested, and its members are as free in their speech on the platform as the English Press in Johannesburg is free in its comments on men and things in the Transvaal. Clearly, therefore, this Kruger is a peculiar kind of "autocrat." In what does his autocracy consist, and wherein does the shoe pinch in respect to these Uitlanders? I will tell your readers. The motley collection of gentlemen who are embraced under the generic term of Uitlander, are men of every nationality, but whose nationality and patriotism are all summed up in the one word finance. This Kruger, wicked man that he is, actually has the temerity to tax the Uitlanders who have come to the South African Republic to extract its riches for their own benefit. Those riches if they belong to

anybody, belong to the original inhabitants of the Republic, and the rulers of that State would have been perfectly justified, legally and morally, in preventing any Uitlanders from settling down there, and proceeding to extract the great riches of the Rand. These men have grown rich and prosperous upon the great wealth which undoubtedly lies beneath the surface of the Transvaal. They have amassed enormous sums of money, and they cannot for the life of them bear to see the coffers of the Transvaal Treasury full, and the Dutch officials of that State receiving adequate remuneration for their services. No. These Uitlanders think that if they had not to pay taxation they could make more money, and in their greed for pelf they want to get rid of the "autocratic" Kruger and the other Boers, and get possession of the country for themselves.

Now, sir, in this matter I may claim to be impartial. I have large interests in the Transvaal myself, and in one way my sympathies might be supposed to be with the Utlanders; but I cannot disguise from myself the fact that the hybrid collection of foreigners in the South African Republic, in their agitation, in their threats, in their vituperation, have been simply and solely influenced by their pockets. And from information I have received, and on which I implicitly rely, I believe it will be found, when the whole of the recent episodes in the Transvaal have been sifted, that the disturbances there have been brought about not from any motive of getting the franchise, about which not one Uitlander in a hundred cares one jot, but merely as part of a conspiracy on the part of certain individuals, whose names are perfectly well known in financial circles, to depress the value of certain mining securities; in other words, the whole proceeding was a "bear" raid of the most

despicable kind. The conduct of the Uitlanders, after all their tall talk, in leaving Jameson to his fate, has very properly incurred the reprobation of all right-thinking people in this country. I can assure your readers that their conduct in this respect was merely on a par with what it has been in many others, and I go further and say that if President Kruger, after they have been brought to trial and convicted, exercises his undoubted right of banishing quite half of the individuals he has arrested from the South African Republic, he will be conferring a benefit on the commercial morality of Johannesburg, however much we may regret the fact that the expulsion of these financiers from the Transvaal will probably ensure their repairing to England.—Yours faithfully,

W. F. REGAN.

41 THREADNEEDLE STREET.

EXTRACT FROM "THE PRESS," 22d January 1896

MR REGAN'S LATEST CABLES FROM AFRICA

Copy of Cable received from Johannesburg.

Hercules Robinson, before leaving, thanked President for kindness to prisoners, on behalf of British. Hely Hutchinson, Governor of Natal, endorsed. 16,000 burghers splendidly mounted and armed, presenting force capable of coping with 100,000 Rhodesians, will march through city presently. Johannesburgers' big talkers now quiet. Kruger grand old man of the hour. Might have shot all, law empowered, yet disposed to forget and forgive. Britons should think, ponder and be grateful Remember

Kruger was defensive, not offensive. Communicate with Press. Large section of Britons here now support President. Majority of recent arrests not Englishmen. Section anxious to make money out of crisis. Dutch here do not attach much importance to German Emperor's interference. Second condition by Kruger to Robinson—British South Africa Charter to be revoked, as continued existence source of danger, and British pay indemnity; amount not fixed. British regulars to occupy Rhodesia. Certain concessions will be given Uitlanders, but not until meeting of Volksraad in May, and then subject to good behaviour meantime. British guarantees have been given President, hence troops moving up from Cape. All quiet here, mines working.

Copy of Cable received from West Africa

Advance column of British expected arrive at Coomassie to-day. Will be no fighting. This confirms my previous cables. Case of marching up the hill and down again.

EXTRACT FROM "THE PRESS," 25th January 1896

During the past month, when the war of arms as well as words raged furiously and the German Emperor, Chamberlain, Kruger, Rhodes and Robinson, as well as Queen Victoria, all scrambled for the right to be heard, it is pleasant to note that one cool head, and that possessed by a blue-eyed Irish lad, hailing from the ancient city of the tribes, and having previously very extensive, if not exclusive, knowledge of the Transvaal, gauged the situation correctly, and thundered forth a war of words with such a force as to

command the attention of the leading organs of public opinion in England. The *Star* has burst with brilliancy, and Mr Regan is now quoted in the columns of the *Times*, *Standard*, *Chronicle*, *Daily Graphic*, *Daily News*, *Morning Post*, *Daily Telegraph*, *Echo*, *Star*, *Sun*, *Globe*, *Financial News*, *Financial Times*, *Life*, *South African Empire*, *Manchester Guardian*, *People*, *Sunday Times*, *Lloyd's*, *Reynold's*, *Glasgow Herald*, *Belfast Whig*, *Freeman's Journal* and *Independent*.

In connection with the above, it may be mentioned that it was Mr Regan who had the first news of the Ashantee business in London last Saturday. Mr Regan was kind enough to write to us that day, and we had the news in full here last Sunday morning. It was, therefore, somewhat amusing (to a pressman especially) to see the daily papers coming out with the same information on Tuesday. Through the same enterprising centre of news in these times we had the first intimation of the death of Prince Henry on Wednesday morning.

EXTRACT FROM "THE GALWAY OBSERVER"

15th February 1896

MR W. F. REGAN

Mr W. F. Regan, our distinguished townsman in London, who, as our readers are now aware, has quite an omnivorous capacity for work, is about to publish an account of the recent trouble in the Transvaal. Very probably, nay for a certainty, there is no man better able to do it than Mr Regan. It may be remembered that it was Mr Regan who

had always the first news of the startling and rather phenomenal events which have recently occurred in the South African Republic. He had, in fact, the first news about everything, while even the Colonial Office could only give out somewhat doubtful rumours which were sent to them. Mr Regan not only reported events as they occurred, but he actually in several instances prophesied events which turned out to be true. His book, therefore, will be most valuable as a faithful record of Dr Jameson's recent expedition and the circumstances which led up to it, and as such will be a valuable and reliable record of the whole period.

EXTRACT FROM "THE PRESS"

THE CRISIS IN "THE TRANSVAAL"

Details of the Fighting

Further news has come to hand respecting affairs in the Transvaal. On Saturday, news came to hand that Dr Jameson had been defeated by a force of Boers double that of the invading party, and that most of them had been made prisoners. On Monday, latest cable reports gave 240 killed of Dr Jameson's force.

Mr Chamberlain, in his speech that day to a deputation that waited upon him, said Britain would demand observance of treaty obligations, which was plainly intended as a hit-off to the Kaiser's ill-timed approval of the Boer attitude.

Wiring on Tuesday, Mr Regan, who is largely interested

in the Transvaal, wrote—"In my opinion, nothing but powder and shot in the near future will settle the Transvaal question. Jameson made a gallant stand, but cowardly Uitlanders did not come to his assistance—did not even make an effort to do so. I must say that Jameson acted very foolishly, and his action will lead to grave complications. President Kruger has now the moral support of Germany, Italy and Orange Free State, whilst Russia is at the moment busy on the east coast and in Abyssinia. The crisis will embolden Turkey to ignore British demands, and American citizens will endorse Cleveland's policy.—REGAN.

Regan writes that the wires were cut by Jameson's party to delay news, and that President Kruger was met by a deputation of the people of Johannesburg, to whom he promised several reforms, such as taking duties off food stuffs, subsidising all schools, etc. That town was then in a panic, and the people were leaving in great numbers, and one large train went off the rails and several people were killed and injured.

The London Times said, during a period of anxiety on Saturday:—In the City the only piece of news professing to have got through subsequently from the Transvaal was the information made public by Mr Regan to the effect that Dr Jameson was to be tried and the remainder of the prisoners released.

Later on, the Press Association says that Mr Regan has received a telegram, *via* the Continent, stating that Dr Jameson's followers will be released by the Boers on proper guarantees being given. Dr Jameson is to be tried by the High Court.

Another important telegram was received from Cape

Town giving a new and apparently authentic version of the battle fought on the 1st and 2d of January. This account brings out, in much more striking relief than the previous messages, the self-sacrificing bravery of the Chartered Company's forces. The more recent report speaks of Dr Jameson and Sir John Willoughby's column numbering only 450 men when the column started on their march. As 550 prisoners are said to be captured, it is obvious that the original force must have gathered some reinforcements on the way. The Boer force is said to have numbered not less than 2000, and were entrenched in a strong position at Krugersdorp awaiting the advance of their half-starved assailants. Jameson appears to have expected the aid of 2000 men from Johannesburg, and in the vain hope of their arrival he and his men made a stubborn fight, which continued with little intermission until the second day.

Accounts still differ as to the number of killed and wounded. The Government of Natal states that the Boers have set up a censorship of all press and private telegrams, many of which are mutilated prior to transmission. In view of this fact, it may be well to receive with all reserve the Boer accounts from Johannesburg which put Jameson's loss at 130 killed and 39 wounded, against only three killed and six wounded on the side of the Boers

A Startling Story.

The Press Association's Stock Exchange correspondent says the disposition manifested on the Exchange is to await any further development of the political situation of the Transvaal. It is believed in the City that an important

announcement has yet to be made which will reveal a gigantic scandal in which important names will appear. It is even stated that the crisis has been precipitated for stock-jobbing purposes.

EXTRACT FROM THE "TIMES"

Mr W. F. Regan, of Threadneedle Street, who is a considerable landowner in the Transvaal, and intimately conversant with Transvaal affairs, in an interview with a representative of the Press this morning, called attention to the fact that he was the first to communicate to the Press a cablegram which he received from Johannesburg in which it was stated that the reports received from that city were greatly exaggerated. He considered that the fact of the citizens of Johannesburg remaining quiet, and not joining hands with Jameson, goes to prove that the cable message from his correspondent, Mr Van Buren, represented the true state of affairs and the feeling of the people of Johannesburg. From his own experience he felt certain that the Boer Government will exercise moderation, and he considers that our own people at home should exercise a little more caution and self-control.

It is reported from Buluwayo that Captain Napier and Captain Spreckley have been ordered to the Transvaal with the Rhodesian Horse. One thousand men were asked for, they expect to leave in about a week, and travel *via* Tati. In Johannesburg every provision has been made for the safety of the women and children. Most of the mines are closed

down, and everybody has come into town. There has nearly been a run on the banks. The commandant-general has instructed all field cornets to have their men in readiness. Families from Cape Town are travelling to Johannesburg much as usual, although the return trains are thronged with refugees. The National Union adheres to the maintenance of the independence of the Republic. Mr Regan, it is stated, has received from Amsterdam a cable that not a hair of Dr Jameson's head will be harmed, and he and his followers will presently be released on parole as soon as certain arrangements are completed with the British Representative conferring with the Transvaal Government.

The Ultimatum at Johannesburg.

A telegram received in London by the *Johannesburg Standard* and *Diggers' News*, despatched from Johannesburg on Monday, says:—"The Government ultimatum stipulates that Johannesburg must lay down arms within twenty-four hours. The leaders are expected to accept the situation and submit. Order prevails in the town. The population is going back to work. The attempt at revolution is over. The Government is expected to grant certain reasonable demands. There are six thousand Boers at Pretoria."

Mr Regan, who is conversant with the affairs of the South African Republic, remarked in an interview, "In regard to the attitude of Germany at this time, it must not be forgotten that during the last six months the Press of that country has been publishing articles from German residents in Johannesburg, the prevalent tone of their

communications pointing to the possibility of some such state of affairs as now exists."

THE ACT UNDER WHICH DR JAMESON
WILL BE TRIED.

33 & 34 VICT. (1870) c. 90.

Sec. 31 repealed by S. L. R. Act, 1883, 46 & 47 Vict. c. 39. Preamble; Sec. 3, from "shall come," where these words first occur, to "thereof and;" Sec. 23, the words "Commissioners of;" Sec. 26, from "or other" to "time being," and the words "to the Lord Lieutenant;" Sec. 30, so far as related to the term "The Secretary of State," repealed by S. L. R. Act, 1893 (No. 2), 56 & 57 Vict. c. 54.

An Act to Regulate the Conduct of Her Majesty's Subjects during the Existence of Hostilities between Foreign States with which Her Majesty is at Peace.
(9th Aug. 1870.)

WHEREAS it is expedient to make provision for the regulation of the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Preliminary.

- | | |
|-----------------------------------|---|
| Short title of Act. | 1. This Act may be cited for all purposes as "The Foreign Enlistment Act, 1870." |
| Applica-
tion of
Act | 2. This Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters |
| Com-
mence-
ment of
Act. | 3. This Act shall come into operation in the United Kingdom immediately on the passing thereof, and shall be proclaimed in every British possession by the Governor thereof as soon as may be after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, and the time at which this Act comes into operation in any place is, as respects such place, in this Act referred to as the commencement of this Act. |

Illegal Enlistment.

- | | |
|--|---|
| Penalty on
enlistment
in service
of foreign
state. | 4. If any person, without the licence of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts or agrees to accept any commission or engagement in the military or naval service of any foreign state at war with any foreign state at peace with Her Majesty, and in this Act referred to as a friendly state, or whether a British subject or not within Her Majesty's dominions, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any such foreign state as aforesaid,— |
|--|---|

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted: and imprisonment, if awarded, may be either with or without hard labour.

5. If any person, without the licence of Her Majesty, ^{Penalty on} being a British subject, quits or goes on board any ship ^{leaving} with a view of quitting Her Majesty's dominions, with ^{Her Ma-} intent to accept any commission or engagement in the ^{jeaty's do-} military or naval service of any foreign state at war with a ^{minion} friendly state, or, whether a British subject or not, within ^{with in-} Her Majesty's dominions, induces any other person to quit ^{tent to} or to go on board any ship with a view of quitting Her ^{serve a} Majesty's dominions with the like intent, ^{foreign}—

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

6. If any person induces any other person to quit Her ^{Penalty on} Majesty's dominions or to embark on any ship within ^{embarking} Her Majesty's dominions under a misrepresentation or ^{persons} false representation of the service in which such person is ^{under false} to be engaged, with the intent or in order that such person ^{represent-} may accept or agree to accept any commission or engage- ^{tations as} ment in the military or naval service of any foreign state ^{to service} at war with a friendly state,—

He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment or

either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

7. If the master or owner of any ship, without the licence of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty's dominions, any of the following persons, in this Act referred to as illegally enlisted persons, that is to say,

- (1.) Any person who, being a British subject within or without the dominions of Her Majesty, has, without the licence of Her Majesty, accepted or agreed to accept any commission or engagement in the military or naval service of any foreign state at war with any friendly state ;
- (2.) Any person, being a British subject, who, without the licence of Her Majesty, is about to quit Her Majesty's dominions with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state ;
- (3.) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state ;

Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue ; that is to say,

- (1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour ; and
- (2.) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two justices of the peace, or other magistrate or magistrates having the authority of two justices of the peace ; and
- (3.) All illegally enlisted persons shall immediately on the discovery of the offence be taken on shore, and shall not be allowed to return to the ship.

Illegal Shipbuilding and Illegal Expeditions.

8. If any person within Her Majesty's dominions, without the licence of Her Majesty, does any of the following acts ; that is to say,

- (1.) Builds or agrees to build, or causes to be built any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state ; or

Penalty on illegal ship building and illegal expeditions.

- (2.) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state ; or
- (3.) Equips any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state ; or
- (4.) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state ;

Such persons shall be deemed to have committed an offence against this Act, and the following consequences shall ensue :

- (1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour ;
- (2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty .

Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties im-

posed by this section in respect of such building or equipping if he satisfies the conditions following; that is to say,

- (1.) If forthwith upon a proclamation of neutrality being issued by Her Majesty, he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of the matters relating to, or done, or to be done under the contract as may be required by the Secretary of State.
- (2.) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for ensuring that such ship shall not be despatched, delivered, or removed without the licence of Her Majesty until the termination of such war as aforesaid.

9. Where any ship is built by order of or on behalf of any foreign state when at war with a friendly state, or is delivered to or to the order of such foreign state, or any person who to the knowledge of the person building is an agent of such foreign state, or is paid for by such foreign state or such agent, and is employed in the military or naval service of such foreign state, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign state.

Presumption as to evidence in case of illegalship.

10. If any person within the dominions of Her Majesty, and without the licence of Her Majesty,—

By adding to the number of the guns, or by changing

Penalty on aiding the warlike equipment of foreign ships.

those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any foreign state at war with any friendly state,—

Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

Penalty on fitting out naval or military expedition without licence

11. If any person within the limits of Her Majesty's dominions and without the licence of Her Majesty,—

Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly state, the following consequences shall ensue :

(1) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

(2.) All ships, and their equipments, and all arms and munitions of war, used in or forming part of such expedition, shall be forfeited to Her Majesty.

Punishment of accessories.

12. Any person who aids, abets, counsels, or procures

the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.

13. The term of imprisonment to be awarded in respect of any offence against this Act shall not exceed two years. Limitation of term of imprisonment

Illegal Prize

14. If, during the continuance of any war in which Her Majesty may be neutral, any ship, goods, or merchandise captured as prize of war within the territorial jurisdiction of Her Majesty, in violation of the neutrality of this realm, or captured by any ship which may have been built, equipped, commissioned, or despatched, or the force of which may have been augmented, contrary to the provisions of this Act, are brought within the limits of Her Majesty's dominions by the captor, or any agent of the captor, or by any person having come into possession thereof with knowledge that the same was prize of war so captured as aforesaid, it shall be lawful for the original owner of such prize, or his agent, or for any person authorised in that behalf by the Government of the foreign state to which such owner belongs, to make application to the Court of Admiralty for seizure and detention of such prize, and the court shall, on due proof of the facts, order such prize to be restored. Illegal prize brought in to British ports restored.

Every such order shall be executed and carried into effect in the same manner, and subject to the same right of appeal, as in case of any order made in the exercise of the ordinary jurisdiction of such court; and in the meantime and until a final order has been made on such application the court shall have power to make all such provisional and

other orders as to the care or custody of such captured ship, goods, or merchandise, and (if the same be of perishable nature, or incurring risk of deterioration) for the sale thereof, and with respect to the deposit or investment of the proceeds of any such sale, as may be made by such court, in the exercise of its ordinary jurisdiction.

General Provision.

Licence by Her Majesty how granted. 15. For the purpose of this Act, a licence by Her Majesty shall be under the sign manual of Her Majesty, or be signified by Order in Council or by proclamation of Her Majesty.

Legal Procedure.

Jurisdiction in respect of offences by persons against Act 16. Any offence against this Act shall, for all purposes of and incidental to the trial and punishment of any person guilty of any such offence, be deemed to have been committed either in the place in which the offence was wholly or partly committed, or in any place within Her Majesty's dominions in which the person who committed such offence may be.

Venue in respect of offences by persons 24 & 25 Vict. c. 97. 17. Any offence against this Act may be described in any indictment or other document relating to such offence, in cases where the mode of trial requires such a description, as having been committed at the place where it was wholly or partly committed, or it may be averred generally to have been committed within Her Majesty's dominions, and the venue or local description in the margin may be that of the county, city, or place in which the trial is held.

18 The following authorities, that is to say, in the United Kingdom any judge of a superior court, in any other place within the jurisdiction of any British court of justice, such court, or, if there are more courts than one, the court having the highest criminal jurisdiction in that place, may, by warrant or instrument in the nature of a warrant in this section included in the term "warrant," direct that any offender charged with an offence against this Act shall be removed to some other place in Her Majesty's dominions for trial in cases where it appears to the authority granting the warrant that the removal of such offender would be conducive to the interests of justice, and any prisoner so removed shall be triable at the place to which he is removed, in the same manner as if his offence had been committed at such place.

Power to
remove
offenders
for trial.

Any warrant for the purposes of this section may be addressed to the master of any ship or to any other person or persons, and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to any place or places named in such warrant, and to deliver him, when arrived at such place or places, into the custody of any authority designated by such warrant.

Every prisoner shall, during the time of his removal under any such warrant as aforesaid, be deemed to be in the legal custody of the person or persons empowered to remove him.

19. All proceedings for the condemnation and forfeiture of a ship, or ship and equipment, or arms and munitions of war, in pursuance of this Act shall require the sanction of the Secretary of State or such chief executive authority as is in this Act mentioned, and shall be had in the Court of

Jurisdiction in re-
spect of
forfeiture
of ships
for offences
against
Act.

Admiralty, and not in any other court: and the Court of Admiralty shall, in addition to any power given to the court by this Act, have in respect of any ship or other matter brought before it in pursuance of this Act all powers which it has in the case of a ship or matter brought before it in the exercise of its ordinary jurisdiction.

Regulations as to proceedings against the offender and against the ship

20. Where any offence against this Act has been committed by any person by reason whereof a ship, or ship and equipment, or arms and munitions of war, has or have become liable to forfeiture, proceedings may be instituted contemporaneously or not, as may be thought fit, against the offender in any court having jurisdiction of the offence, and against the ship, or ship and equipment, or arms and munitions of war, for the forfeiture in the Court of Admiralty; but it shall not be necessary to take proceedings against the offender because proceedings are instituted for the forfeiture, or to take proceedings for the forfeiture because proceedings are taken against the offender.

Officers authorised to seize offending ships.

21. The following officers, that is to say,

- (1.) Any officer of customs in the United Kingdom, subject nevertheless to any special or general instructions from the Commissioners of Customs, or any officer of the Board of Trade, subject nevertheless to any special or general instructions from the Board of Trade;
- (2.) Any officer of customs or public officer in any British possession, subject nevertheless to any special or general instructions from the Governor of such possession;
- (3.) Any commissioned officer on full pay in the

military service of the Crown, subject nevertheless to any special or general instructions from his commanding officer ;

- (4.) Any commissioned officer on full pay in the naval service of the Crown, subject nevertheless to any special or general instructions from the Admiralty or his superior officer,

may seize or detain any ship liable to be seized or detained in pursuance of this Act, and such officers are in this Act referred to as the "local authority", but nothing in this Act contained shall derogate from the power of the Court of Admiralty to direct any ship to be seized or detained by any officer by whom such court may have power under its ordinary jurisdiction to direct a ship to be seized or detained.

22. Any officer authorised to seize or detain any ship in respect of any offence against this Act may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of Her Majesty's army or navy or marines, or any excise officers or officers of customs, or any harbour-master or dock-master, or any officers having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Act, and any officer seizing or detaining any ship under this Act may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officer in the execution of his duties, or any person acting under his orders, such officer so seizing or detaining the ship, or other person, shall be freely and fully

Powers of
officers
authorised
to seize
ships

indemnified as well against the Queen's Majesty, her heirs and successors, as against all persons so killed, maimed or hurt.

Special
power of
Secretary
of State or
chief exe-
cutive
authority
to detain
ship.

23. If the Secretary of State or the chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, such Secretary of State or chief executive authority shall have power to issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the local authority shall have power to seize and search such ship, and to detain the same until it has been either condemned or released by process of law, or in manner hereinafter mentioned.

The owner of the ship so detained, or his agent, may apply to the Court of Admiralty for its release, and the court shall as soon as possible put the matter of such seizure and detention in course of trial between the applicant and the Crown.

If the applicant establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Act, the ship shall be released and restored.

If the applicant fail to establish to the satisfaction of the court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched, contrary to this Act, then the ship shall be detained till released by order of the Secretary of State or chief executive authority.

The court may in cases where no proceedings are pending for its condemnation release any ship detained under this section on the owner giving security to the satisfaction of the court that the ship shall not be employed contrary to this Act, notwithstanding that the applicant may have failed to establish to the satisfaction of the court that the ship was not, and is not being built, commissioned, or intended to be despatched contrary to this Act. The Secretary of State or the chief executive authority may likewise release any ship detained under this section on the owner giving security to the satisfaction of such Secretary of State or chief executive authority that the ship shall not be employed contrary to this Act, or may release the ship without such security if the Secretary of State or chief executive authority think fit so to release the same.

If the court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the court shall have power to declare that the owner is to be indemnified by the payment of costs and damages in respect of the detention, the amount thereof to be assessed by the court, and any amount so assessed shall be payable by the Commissioners of the Treasury out of any moneys legally applicable for that purpose. The Court of Admiralty shall also have power to make a like order for the indemnity of the owner, on the application of such owner to the court, in a summary way, in cases where the ship is released by the order of the Secretary of State or the chief executive authority, before any application is made by the owner or his agent to the court for such release.

Nothing in this section contained shall effect any proceedings instituted or to be instituted for the condemnation

of any ship detained under this section where such ship is liable to forfeiture, subject to this provision, that if such ship is restored in pursuance of this section all proceedings for such condemnation shall be stayed; and where the court declares that the owner is to be indemnified by the payment of costs and damages for the detainer, all costs, charges, and expenses incurred by such owner in or about any proceedings for the condemnation of such ship shall be added to the costs and damages payable to him in respect of the detention of the ship.

Nothing in this section contained shall apply to any foreign non-commissioned ship despatched from any part of Her Majesty's dominions after having come within them under stress of weather or in the course of a peaceful voyage, and upon which ship no fitting out or equipping of a warlike character has taken place in this country.

Special
power of
local
authority
to detain
ship.

24. Where it is represented to any local authority, as defined by this Act, and such local authority believes the representation, that there is a reasonable and probable cause for believing that a ship within Her Majesty's dominions has been or is being built, commissioned, or equipped contrary to this Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to this Act, it shall be the duty of such local authority to detain such ship, and forthwith to communicate the fact of such detention to the Secretary of State or chief executive authority.

Upon the receipt of such communication the Secretary of State or chief executive authority may order the ship to be released if he thinks there is no cause for detaining her, but if satisfied that there is reasonable and probable cause

for believing that such ship was built, commissioned, or equipped or intended to be despatched in contravention of this Act, he shall issue his warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant being issued, further proceedings shall be had as in cases where the seizure or detention has taken place on a warrant issued by the Secretary of State without any communication from the local authority.

Where the Secretary of State or chief executive authority orders the ship to be released on the receipt of a communication from the local authority without issuing his warrant, the owner of the ship shall be indemnified by the payment of costs and damages in respect of the detention upon application to the Court of Admiralty in a summary way in like manner as he is entitled to be indemnified where the Secretary of State having issued his warrant under this Act releases the ship before any application is made by the owner or his agent to the court for such release.

25. The Secretary of State or the chief executive authority may, by warrant, empower any person to enter any dock-yard or other place within Her Majesty's dominions and inquire as to the destination of any ship which may appear to him to be intended to be employed in the naval or military service of any foreign state at war with a friendly state, and to search such ship.

Power of
Secretary
of State or
executive
authority
to grant
search
warrant.

26. Any powers or jurisdiction by this Act given to the Secretary of State may be exercised by him throughout the dominions of Her Majesty, and such powers and jurisdiction may also be exercised by any of the following officers, in this Act referred to as the chief executive authority, within their respective jurisdictions, that is to say,

Exercise of
powers of
Secretary
of State or
chief ex-
ecutive
authority

- (1.) In *Ireland* by the Lord Lieutenant or other the chief governor or governors of *Ireland* for the time being, or the Chief Secretary to the Lord Lieutenant :
- (2.) In *Jersey* by the Lieutenant Governor :
- (3.) In *Guernsey, Alderney, and Sark*, and the dependent Islands by the Lieutenant Governor :
- (4.) In the *Isle of Man* by the Lieutenant Governor .
- (5.) In any British possession by the Governor.

A copy of any warrant issued by a Secretary of State or by any officer authorised in pursuance of this Act to issue such warrant in *Ireland*, the *Channel Islands* or the *Isle of Man* shall be laid before Parliament.

Appeal
from
Court of
Admir-
alty

27. An appeal may be had from any decision of a Court of Admiralty under this Act to the same tribunal, and in the same manner to and in which an appeal may be had in cases within the ordinary jurisdiction of the court as a Court of Admiralty.

Indemnity
to officers.

28. Subject to the provisions of this Act, providing for the award of damages in certain cases, in respect of the seizure or detention of a ship by the Court of Admiralty no damages shall be payable, and no officer or local authority shall be responsible, either civilly or criminally, in respect of the seizure or detention of any ship in pursuance of this Act.

Indemnity
to Secretary
of State or
chief executive
authority.

29. The Secretary of State shall not, nor shall the chief executive authority be responsible in any action or other legal proceedings whatsoever for any warrant issued by him in pursuance of this Act, or be examinable as a witness

except at his own request, in any court of justice in respect of the circumstances which led to the issue of the warrant.

Interpretation Clause.

30 In this Act, if not inconsistent with the context, the following terms have the meanings hereinafter respectively assigned to them; that is to say:—

“Foreign state” includes any foreign prince, colony, province, or part of any province or people, or any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people. ^{“Foreign state.”}

“Military service” shall include military telegraphy, and any other employment whatever, in or in connection with any military operation: ^{“Military service.”}

“Naval service” shall, as respects a person, include service as a marine, employment as a pilot in piloting or directing the course of a ship of war or other ship, when such ship of war or other ship is being used in any military or naval operation, and any employment whatever on board a ship of war, transport, store ship, privateer or ship under letters of marque; and as respects a ship, include any user of a ship as a transport, store ship, privateer or ship under letters of marque: ^{“Naval service.”}

“United Kingdom” includes the *Isle of Man*, the *Channel Islands*, and other adjacent islands: ^{“United Kingdom.”}

“British possession” means any territory, colony, or place being part of Her Majesty’s dominions, and ^{“British possession.”}

- not part of the United Kingdom as defined by this Act :
- “The Secretary of State :”
 “The Secretary of State” shall mean any one of Her Majesty’s Principal Secretaries of State :
- “Governor :”
 “The Governor” shall as respects *India* mean the Governor-General or the Governor of any presidency, and where a British possession consists of several constituent colonies, mean the Governor-General of the whole possession, or the Governor of any of the constituent colonies, and as respects any other British possession, it shall mean the officer for the time being administering the government of such possession, also any person acting for or in the capacity of a Governor shall be included under the term “Governor” :
- “Court of Admiralty.”
 “Court of Admiralty” shall mean the High Court of Admiralty of *England* or *Ireland*, the Court of Session of *Scotland*, or any Vice-Admiralty Court within Her Majesty’s dominions :
- “Ship”
 “Ship” shall include any description of boat, vessel, floating battery, or floating craft ; also any description of boat, vessel, or other craft or battery, made to move either on the surface of or under water, or sometimes on the surface of and sometimes under water :
- “Building.”
 “Building” in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly :
- “Equipping.”
 “Equipping” in relation to a ship shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions, or stores, or any

other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for naval service, and all words relating to equipping shall be construed accordingly :

- “Ship and equipment” shall include a ship and every-thing in or belonging to a ship: “Ship and equip-ment.”
- “Master” shall include any person having the charge or command of a ship. “Master.”

Repeal of Acts, and Saving Clauses

31. From and after the commencement of this Act, an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, chapter sixty-nine, intituled “An Act to prevent the enlisting or engagement of His Majesty’s subjects to serve in foreign service and the fitting out or equipping, in His Majesty’s dominions, vessels for warlike purposes, without His Majesty’s licence,” shall be repealed: Provided that such repeal shall not affect any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act comes into operation, nor the institution of any investigation or legal proceeding, or any other remedy for enforcing any such penalty, forfeiture, or punishment as aforesaid.

Repeal of Foreign Enlistment Act
59 Geo. 3. c. 69.

32. Nothing in this Act contained shall subject to forfeiture any commissioned ship of any foreign state, or give to any British court over or in respect of any ship entitled to recognition as a commissioned ship of any foreign state any jurisdiction which it would not have had if this Act had not passed.

Saving as to commissioned foreign ships.

Penalties not to extend to persons entering into military service in Asia
 59 Geo. 3. c. 69, s. 12

33. Nothing in this Act contained shall extend or be construed to extend to subject to any penalty any person who enters into the military service of any prince, state or potentate in Asia, with such leave or licence as is for the time being required by law in the case of subjects of Her Majesty entering into the military service of princes, states, or potentates in Asia.

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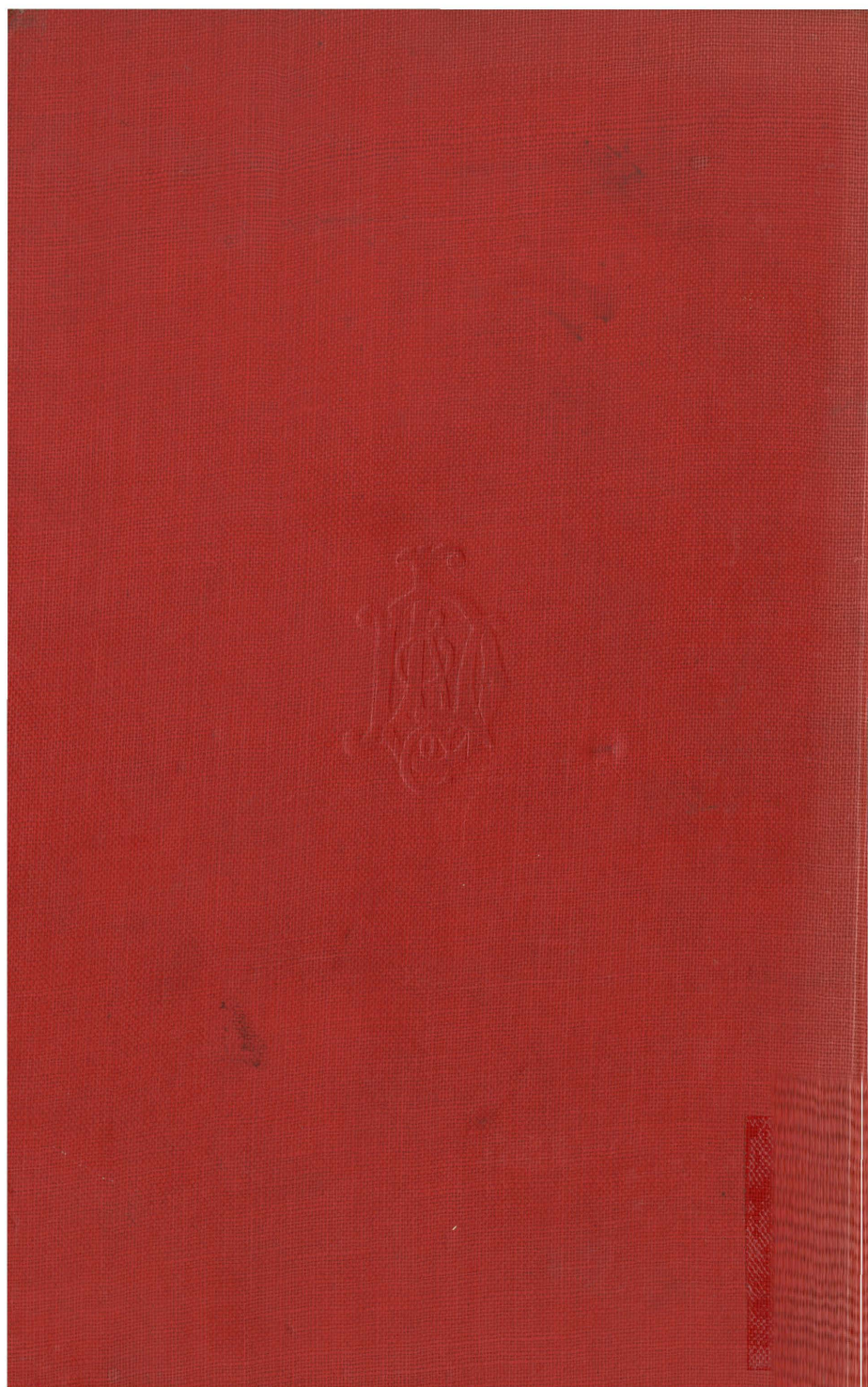
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