

exclusive right, to supply the town from springs on Government ground. The President, finding that the contractor was not in a position to undertake the work, requested certain business houses to form a company to acquire this right and to supply the town with water. After inquiry into the local conditions and the probable costs, these people represented that unless they received the exclusive right they would be unable to undertake the work, as the cost of importing pipes and machinery transported from Natal by bullock waggon and the then expensive conditions of working would make the work so costly that at a later period, after the introduction of railways, it would be possible for competitors, such for instance as the projected Municipality of Pretoria, to establish a system of water supply at probably half the cost of the first one and thus compete to their disadvantage. For these reasons the contractor and his friends declined to proceed with the formation of the company. The President, however, was very desirous of having a good water supply, and after some months of negotiations the original contract was supplemented by a grant from the Executive Council, who then held plenary powers from the Volksraad, giving the proposed company the exclusive right. Immediately after the receipt of this grant the company was formed, the capital subscribed and the machinery and other material purchased. In 1898, after nine years of work, during which shareholders had received dividends averaging $2\frac{2}{3}$ per cent. per annum, some differences occurred between the Company and the consumers, and the latter combined and subscribed the necessary funds to take action in the High Court, the object being to challenge the exclusive right and to enable the town through its Municipality to provide its own supply. At the same time the Government at the instance of the townspeople opened negotiations with the Company with a view to expropriation in accordance with the terms stipulated in the original contract. While matters were in this position, however, certain members of the Volksraad prominently concerned in the action against the Company, introduced a measure in the Volksraad cancelling the second or exclusive grant made by the Government nine years before and

recommending that the Government should either buy out the Waterworks Company upon suitable terms or should give the necessary facilities to the Town Council to introduce another system of supply. The application of the Company to be allowed to state its case was ignored, and after a short discussion the resolution was passed and the measure became law. By the action of the Volksraad the Company was deprived of that principal asset upon the security of which the capital had been subscribed, and the Government were rescued from an awkward position. The Government took no steps to defend their action in granting the right or to protest against the action of the Volksraad, and became, therefore, parties to an act of piracy. The Company were thus placed entirely at the mercy of the Government, for under the provisions of Law 1 of 1897, the Volksraad resolution put them out of court both as to upholding their title and claiming damages. All doubts as to the Government's complicity in this action were removed when upon negotiations being opened for the expropriation of the Company the Government refused to follow the procedure prescribed in the contract on the ground that as the Company had now lost the exclusive right they must accept a less sum in compensation, otherwise the Government would authorise the rival Municipal scheme. Under these circumstances the shareholders having no other power to appeal to adopted the common-sense course of taking what they could get. The result can only be expressed in figures. The shares, which had been purchased at over 40s. at the time of the Volksraad's action were worth less than 28s. in liquidation.

The inquiry into the Raid by the Select Committee of the House of Commons, early in 1897, was productive of a result which is not always traced to its real cause. The greatest dissatisfaction was expressed in the Transvaal and among all the Boers in South Africa with one feature of the Westminster inquiry, viz., the investigation of the causes which made the Raid possible. Mr. Kruger and his friends had enjoyed such a run of luck and so much indulgence, and had been so successful in presenting their side of the case only, that it seemed to them improper that anyone should wish to inquire into all the circumstances. It would even appear from what

followed that the President had convinced himself that there were no grievances, that he was an entirely innocent party deeply injured by the Reformers and the British Government, and that the Westminster inquiry had been authorized and conducted for the sole purpose of exposing him and justifying the Reform movement.

As the months dragged on and no improvement in the conditions of the Uitlanders took place, as indeed the complaints grew louder and the state of affairs grew worse, the President again began to hear the voices calling for reform. Timid whispers they were, perhaps, and far between, for the great bulk of the Uitlanders were in a morose and sullen mood. Having tried and failed on stronger lines they were incapable as yet of returning with any heart to the old fruitless and already rejected constitutional methods. The suggestions for reform, consequently, came principally from those who were on friendly terms with the Boer party and believed themselves to carry some weight. They have by this time learned that nobody carries weight with President Kruger unless he has power to back his suggestions. Many years before, the late Mr. W. Y. Campbell as spokesman of a deputation from Johannesburg, addressing President Kruger, stated in the course of his remarks that the people of Johannesburg 'protested' against a certain measure. The President jumped up in one of his characteristic moods and said: 'Protest! Protest!! what is the good of protesting? You have not got the guns! I have.' And Mr. Campbell, in reporting this in Johannesburg, remarked: 'That man is sensible; he knows the position. I claim to be sensible also, and I know he is right: you can take my name off any other deputations, for we'll get nothing by asking.'

It is stated, and the statement comes from one who claims to have been the father of the suggestion, that the President was induced to appoint a commission of inquiry by the argument that if, as he believed, the wretched state of affairs in Johannesburg was due not to the action of the Government but to the greed, machinations, and mismanagement of the capitalists, nothing could suit the latter worse than to be taken at their word and to have a commission appointed to take evidence on oath and to publicly inquire into the state of affairs; in fact

to copy the Westminster inquiry. It is conceivable that the resolute refusal to investigate matters or to listen to complaints or explanations which the President had throughout maintained may have been the means of preserving a blissful faith in the strength of his own case and the rottenness of the Uitlanders'; at any rate, it seems to be an undoubted fact that the Industrial Commission of Inquiry, which was appointed by the Executive at the request of the President, was appointed in the confident belief that it would shift the burden of responsibility from his shoulders to those of the capitalists. This construction of his motives may appear to be severe and perhaps even unfair, but it is entirely borne out by the manner in which he dealt with the report of the Industrial Commission, fighting against its acceptance, ignoring the recommendations of relief, and even imposing fresh burdens. There is, nevertheless, one thing to be deduced which is in a manner to Mr. Kruger's credit, and that is that he really must have believed that the case would—from his point of view—bear inquiring into.

The members of the Commission with power to vote were Messrs. Schalk W. Burger, Member of the Executive Council (Chairman); J. S. Smit, Government Railway Commissioner; Christiaan Joubert, Minister of Mines; Schmitz-Dumont, Acting State Mining Engineer; and J. F. de Beer, first special Judicial Commissioner, Johannesburg. Mr. Thos. Hugo, the General Manager of the National Bank, was appointed financial adviser, and certain advisory members were arbitrarily selected by the Government. The complete exclusion of all those who had had any direct or indirect association with the late Reform movement or with those in any way connected with it strengthened the conviction that the Government designed the Commission to be a whitewashing one; but whatever the design may have been it would be doing an injustice both to the Government officials and to the advisory members to have it supposed that they were parties to such an idea. They were not; they did their work admirably, and no inquiry could have been conducted in a better spirit. This, however, was not foreseen, and it was with the greatest difficulty that the Uitlanders were induced to view the thing seriously and to realize that, no

matter how it had occurred, this was a supreme opportunity for proving to the world the soundness of their case. The report and proceedings are published by the Witwatersrand Chamber of Mines in a volume containing over 700 pages of printed matter and a number of diagrams. The whole constitutes a damning indictment of the Government, as the following extracts from the report of the Commission testify :—

Your Commission are pleased to state that at present there exist all the indications of an honest administration, and the State, as well as the Mining Industry, must be congratulated upon the fact that most of the mines are controlled and directed by financial and practical men who devote their time, energy, and knowledge to the mining industry, and who have not only introduced the most up-to-date machinery and mining appliances, but also the greatest perfection of method and process known to science. But for these a good many of the mines now producing gold would not have reached that stage. . . .

To avoid such a calamity (viz., the closing down of the mines) your Commission are of opinion that it is the duty of the Government to co-operate with the mining industry, and to devise means in order to make it possible for lower-grade mines to work at a profit, and generally to lighten the burdens of the mining industry. This and the development and equipment of the new mines are a few examples among others where it is desirable that the Government shall take an active part, especially when the fact is taken into consideration that up till now the mining industry must be held as the financial basis, support, and mainstay of the State.

The question, therefore, becomes one of national economy, and it is incumbent upon the Government, considering the rapid growth and progress of the country, to so alter its fiscal laws and systems of administration as to meet the requirements of its principal industry. . . .

Your Commission entirely disapprove of concessions, through which the industrial prosperity of the country is hampered. Such might have been expedient in the past, but the country has now arrived at a state of development that will only admit of free competition according to republican principles. This applies more especially to the gold industry, which has to face its own economical problems without being further burdened with concessions that are irksome and injurious to the industry and will always remain a source of irritation and dissatisfaction.

As to white labour :—

Your Commission are of opinion that wages are not excessive, regard being had to the high cost of living at the mines. In fact, they are only sufficient to satisfy daily wants, and, consequently, it cannot be expected that white labourers will establish their permanent abode in this Republic unless conditions are made by which their position will be ameliorated. . . .

Your Commission are of opinion that as long as the cost of living cannot be considerably reduced it will be almost impossible to reduce

the wages of white labourers, and they would strongly recommend that, as far as possible, necessaries of life should be imported free of duty and conveyed to the mines as cheaply as possible.

As to the sale of liquor :—

It has been proved to your Commission that the Liquor Law is not carried out properly, and that the mining industry has real grievances in connection therewith, owing to the illicit sale of strong drink to the natives at the mines, and they wish especially and strongly to insist that the stipulations of article 16 of the law shall be strictly enforced. The evidence given on this point proves that a miserable state of affairs exists, and a much stronger application of the law is required.

Following this there is a long criticism with recommendations in detail.

As to import duties :—

With reference to this matter, your Commission can only recommend that, if possible, foodstuffs ought to be entirely free from taxation, as at the present moment it is impossible to supply the population of the Republic from the products of local agriculture and consequently importation is absolutely necessary.

As to explosives :—

Before entering on this subject, we wish to put on record our disappointment with the evidence tendered on behalf of the South African Explosives Company, Ltd. We expected, and we think not unreasonably, that they would be able to give reliable information for our guidance respecting the cost of importation, as well as of local manufacture, of the principal explosives used for mining purposes ; but, though persistently questioned on these points, few facts were elicited and we regret to say that they entirely failed to satisfy us in this important respect. . . .

That the principal explosives used here can be purchased in Europe, and delivered here at a price far below the present cost to the mines, has been proved to us by the evidence of many witnesses competent to speak on the subject, and when we bear in mind that the excess charge of 40s. to 45s. per case does not benefit the State, but serves to enrich individuals for the most part resident in Europe, the injustice of such a tax on the staple industry becomes more apparent and demands immediate removal.

After showing that the dynamite monopolists make a profit of 47s. 6d. per case on No. 1 dynamite, and 55s. on blasting gelatine, over and above the price at which the mines could buy explosives if there were no monopoly or protection, the report goes on :—

The Mining Industry has thus to bear a burden which does not enrich the State or bring any benefit in return, and this fact must always prove a source of irritation and annoyance to those who, while willing to contribute to just taxation for the general good, cannot acquiesce in an impost of the nature complained of. . . .

Your Commission inspected the factory at Modderfontein, and it must be admitted that the construction of the works and general equipment are in many respects admirable, and it appears to us greatly to be regretted that so much money should have been invested in an undertaking for the manufacture of any article whereof the ingredients have to be imported at a great cost, four tons of raw material being required to produce one ton of the manufactured article.

It has been proved to our satisfaction that none of the raw material used is found in this country, or only in such small quantities as to make it practically valueless for the purpose required. . . . All these drawbacks, which make it almost impossible to establish a bonâ-fide industry, fall on the mines and render their task, especially that of the low-grade mines, extremely difficult and discouraging. Another point that has been brought to the notice of your Commission is the prejudicial effect exercised by this monopoly in practically excluding from the country all new inventions in connection with explosives, and, in view of the numerous dynamite accidents that have taken place from time to time, it is to be regretted that it is not possible to make satisfactory trials of other and less dangerous explosives for the working of the mines. These questions have received the careful consideration of your Commission, who are forced to the conclusion that the factory has not attained the object for which it was established, and that there is no reasonable prospect of it doing so. Further, that there are good grounds for believing that the contractors have failed to comply with the conditions of their contract.

For the aforesaid reasons, and in view of the opinion expressed by the Volksraad Dynamite Commission, that the legal position of the Government against the contractors is undoubtedly strong, your Commission desire to recommend that the case be placed in the hands of the legal advisers of the State, with a view to ascertaining whether the contract cannot be cancelled.

Meanwhile your Commission recommend that the Government avail itself forthwith of its right under Article 15 of the Regulations, to take away the agency of trading in gunpowder, dynamite, cartridges, and other explosives from the above-mentioned persons and at once take into its own hands the importation of dynamite and other explosives for the benefit of the mining industry, subject to a duty of not more than 20s. per case or such other less sum as may be determined from time to time.

This protective duty, while considerably increasing the revenue of the State, will at the same time offer ample protection to any industry of this description in the Republic. In the event of cancellation being advised to be possible, free trade in explosives to be at once established, subject to a duty of 20s. per case or such other less duty as may be determined upon from time to time, and manufacturing of other explosives in the Republic to be allowed, and also to be protected by the same import duty. . . .

Your Commission desire further to observe that it is not clear to them, judging from the published accounts of the South African Explosives Company for 1895 and 1896, that the Government receives the proportion of surplus profit secured to it under the contract, viz., 20 per

cent., and would strongly recommend, in accordance with Article 6 of the contract, an immediate investigation of the Company's accounts by qualified accountants, in conjunction with the financial adviser of the Commission, in order to find out what amount is still due to the Government under this head.

As to railways :—

Your Commission have followed with great attention and interest the evidence and statistics submitted on this point. From those it appears that not only are the tariffs charged by the Netherlands Railway Company such that by the reduction of the same the industry would be considerably benefited, but that such a reduction would necessitate that the neighbouring States and Colonies would also have to reduce their tariffs considerably.

Your Commission have come to the conclusion that, taking into consideration the evidence submitted to them, and taking the gross revenue of traffic of goods at about £2,000,000 (as in 1896) it would be desirable to recommend so to regulate the tariff that the gross revenue for 1896 would have been reduced by £500,000, equivalent to an average reduction of 25 per cent. Further, your Commission deem it desirable that the Government shall make such arrangement as will secure to them in the future a voice in the fixing of the tariffs of the N.Z.A.S.M., and express their confidence that as soon as prosperous times will warrant such a course a further reduction in tariffs will be effected. Your Commission wish to recommend that the reduction will be chiefly applied to traffic of coal, timber, mining machinery, and foodstuffs, according to a scale to be agreed upon between the Government and the N.Z.A.S.M. Your Commission are of opinion that in this manner the industry will be met in a very fair way. Your Commission wish to express the opinion that it is absolutely necessary that the reduction in all local tariffs will be brought about as speedily as possible, while they express the hope that where the co-operation of the neighbouring States and Colonies is required, negotiations will be initiated and carried out so speedily that the reductions to be so initiated will come into force not later than 1st January next. Several witnesses and some of the Commission have urged the expropriation of the N.Z.A.S.M. by the Government. Your Commission, however, for several reasons known to them, and after same have been communicated to those members of the Commission who wished to urge the expropriation of the N.Z.A.S.M., do not at the present moment desire to urge expropriation provided by the other means terms can be secured from the Company so as to obtain the reduction at present urgently required on the basis as above set forth. Your Commission have been informed that the Company have proposed to adopt the dividends of the three years 1895, 1896, and 1897 as a basis for the expropriation price, and your Commission can agree to such proposal. The expropriation price being thus fixed, the Company will have all the more reason to co-operate towards the lowering of the tariffs. Further, it appears from the evidence of the managing director of the N.Z.A.S.M., that in consideration of the reduction of tariffs, he wished to have secured to the Company a certain period of existence. Your Commission cannot recommend this course, because they do not deem the same to be in the interests of the State, and it would be contrary to the wishes of the public.

As to gold thefts :—

According to the evidence submitted to your Commission, gold thefts are on the increase, and although the Volksraad has given the matter their favourable consideration, and have, at the instance of the Mining Industry, so amended the Gold Law as to provide for the punishment of the sale and being in possession of raw gold, still it has been stated to your Commission in evidence, that the gold thefts amount to about 10 per cent. of the output, equivalent to an amount of £750,000 per annum. It follows that the administration of the law must be faulty, because there are only very few instances where the crime has been detected and punished. If those figures are not exaggerated, and your Commission have no reason to suppose so, then this matter deserves the serious consideration of the Government. The suppression of this crime can be considered as a real saving to the industry, and this amount of three-quarters of a million would, especially in times of depression, exercise a large influence on the yield and financial position of the mines. The industry ask that the penal clauses regarding this matter shall be eliminated from the Gold Law, and that a separate law be passed, more or less on the basis of the I.D.B. Law of Kimberley, Cape Colony, and that measures shall be taken by which the injured parties shall be enabled to exercise control, and have supervision over any department to be established for the detection and suppression of thefts of new gold. Your Commission are of opinion that the Government could grant this request without injuring their dignity, on the basis hereinafter mentioned. On the contrary, it would remove the blame from the present administration, viz., that these thefts can be practically carried on with impunity.

As to the Local Board :—

The evidence which has been laid before your Commission has contained suggestions to establish a Board on which Government nominees and representatives of the mining industry and of the commercial community of the Witwatersrand should sit, so that the Government representatives should have the benefit of the experience of men whose daily occupation it is to look closely into all the affairs appertaining to the mines, &c. Your Commission is of opinion that it is advisable that these suggestions should be acted upon. The scope of this Board should consist of the supervision of the administration of the following laws, viz. :—

The Liquor Law as far as it concerns the proclaimed goldfields, the Pass Law, and the Law relating to Gold Theft; and the Board will further have an advisory voice in the supply of natives to the mines, which your Commission has recommended your Government to take into its own hands. The area under the surveillance of the Board should include the Heidelberg, Witwatersrand, and Klerksdorp districts, and other goldfields as may be found desirable hereafter. Your Commission suggests that the Board consists of the following: Five members to be appointed by the Government, and four delegates to be appointed by the following bodies, with the consent of the Government, viz., one delegate of the Chamber of Mines, one of the Association of Mines (or in case of an amalgamation, two representatives of the new Chamber), a nominee of the Mine Managers' Association, and a nominee of the commercial community of Johannes-

burg. Your Commission would advise that a separate detective force be placed under the department, whose duty it should be to detect any infringements of the above-mentioned laws, and to bring the offenders to justice in the ordinary course of law. It should also be in the sphere of the Board's work to report to the proper authorities any laxity on the part of the officials who have to administer the above-mentioned laws. The Board is to report to the Executive Council upon the working of the laws referred to, and to suggest alterations. It must be well understood that the power of this Board must in no way clash with the sphere of the Minister of the Mines department and the Licensing Board, but co-operate with the same. We should adduce as a reason the more for the creation of such a Board that Government could depute to them the right to receive deputations, hear their arguments, and report to the Government on the subject, whereby a great saving of time would be the result. We would recommend that the Commission be appointed at once, and that they shall frame their proposals for regulations and submit them at once to the Government.

The establishment of a local mining board has been strongly urged by witnesses. From an industrial and financial point of view this country must be considered as still in its infancy, and, without loss of dignity or prestige, the Government may accede to the above request. Experience in these matters can only be attained after the lapse of long years, and by coming in contact with experts from other countries the State will reap the benefit of the knowledge obtained in their country, where these problems have for decades exercised the minds of their leading citizens.

In conclusion, your Commission fervently hope that they have truly and faithfully interpreted the object of the inquiry, and that their suggestions and recommendations, if acted upon, will confer a lasting benefit on the country and people.

The evidence, as has been stated, was all given on oath, and some very interesting details came out. In one case Dr. Leyds's system of misrepresentation was exposed. Whilst the Commission was actually taking evidence the then State Secretary in an interview with the Paris *Temps* strongly supported the dynamite monopoly, and stated that the price charged, namely, 90s. per case, was the same at which the Chamber of Mines had offered to enter into a sixteen years' contract with Nobel's factory. A witness questioned on this point explained that this was quite true as regards price, but that Dr. Leyds had suppressed the essential fact that whereas out of the 90s. paid to the monopolists the Government only receive 5s. by way of duty, they would out of the 90s. which it was proposed to pay for Nobel's dynamite receive no less than 38s. per case as duty, and that if the contract proposed by the Chamber had been made the Government would have profited during the previous four years to the extent of

£1,200,000 instead of £150,000. Upon another occasion light was thrown on dark places in a rather disconcerting fashion. Mr. Christiaan Joubert, Minister of Mines, took one of the witnesses in hand with the object of showing that the people of Johannesburg had only themselves to thank for the loss of confidence in this business. The following questions and answers are from the official report :—

Should not the Chamber of Mines co-operate with the Department of Mines to get a law protecting European shareholders from being defrauded by swindlers?—I don't know if such a law could be framed without interfering with what, in other countries, is considered to be personal liberty. You have to come to the point whether the man intended to swindle, and that can only be settled by the Court, as a matter of personal judgment. If a good law could be devised it would be beneficial.

Is there no possibility for the Chamber of Mines to work with the Department for the passing of such a law?—I don't know if laws exist in France, Germany, England, or America, to that specific effect; but if so, I would be guided by the wisdom and immense experience of the law makers of those countries, otherwise we might be rushing in where angels fear to tread.

Is it then possible? Are you willing to discuss the matter with us?—Oh, yes; but I do not think that that is exactly what is wanted in order to restore confidence. Lots of things combine to shake the confidence of investors. For instance, to deal with some small and homely matters, I was told by a member of the Sanitary Board yesterday that an application for the underground rights of the Market Square, had been made by Mr. Jan Meyer, a leading member of the Volksraad. That does not help to restore confidence. The Sanitary Board applied for a portion of the Telephone Tower Park in order to erect a Town Hall. They were refused. Now, some one has made an application for the right to erect swimming baths. That does not restore confidence. I hope the mere publication of these things will prevent them from succeeding. The Sanitary Board applied for the Union Ground, also for public purposes, but it was granted to private applicants on the quiet. They have hawked it about and borrowed money on it. It was offered to many of the big capitalists here, but they would not touch it. The Sanitary Board are told that a building is to be put up, in which fifty rooms will be set aside for them, but they are not satisfied that the authorities should do good by stealth and blush to find it fame.

I cannot understand how mere applications can shake confidence?—Well, they do, because they are only made when there is a chance of their being granted. But, if you want facts, I will tell you what shook the investor's confidence as much as anything that has happened for years—that was the Ferreira claim-jumping raid, which it was sworn to in Court had been suggested by you yourself, Mr. Joubert.

Not 'suggested' by me—

The Chairman said the witness was straying away from the original question.

Witness said that the Minister of Mines had wanted examples of what shook confidence, so he was obliged to give them.

The report of the Commission created a very favourable impression. The majority of people believed that although it might not be entirely acted upon, yet it would be quite impossible for the President and the Volksraad to disregard suggestions made by so influential a group of officials as those forming the Commission, and that at any rate most of the recommendations would be accepted. The unbelieving few who knew their President Kruger, however, waited for something to be *done*. Presently ominous rumours went round about differences in the Executive. Then came the scenes in the Volksraad, when the President revealed himself and charged Mr. Schalk Burger with being a traitor to his country for having signed such a report, followed by the usual fight and the usual victory for the President, and the usual Committee constituted mainly of extreme Conservatives appointed to report upon the other Commission's report; and then the usual result: Something for nothing. The Netherlands Railway made an inconsiderable reduction in rates, which it appears was designed to buy off, and did succeed in buying off, further scrutiny of its affairs. With regard to the two big monopolies, Dynamite and Railway, it appears that the Volksraad Commission accepted the private assurances of the monopolists as sufficient warrant for reversing the conclusions of the Industrial Commission. The proposed Local Board for the goldfields was promptly ruled out as an unthinkable proposition, a government within a government, and was so denounced by the President himself. But the report of the Volksraad Committee contained one supreme stroke of humour. It adopted the recommendations of the Industrial Commission to remit the duties upon certain articles of consumption so as to make living cheaper, but as a condition it stipulated that in order that the State revenue should not suffer, the duty upon other articles of consumption should be increased so as to rather more than counterbalance the loss. That was one result which the Uitlanders had in the beginning confidently expected: Something for nothing. But the other result upon which they had also calculated was a valuable one. They had put their case on record and for the future the task of justifying the Uitlanders' cause was to be

reduced to the formality of pointing to the Industrial Commission's report.

The third event of importance, and an event of much greater importance than has generally been recognised, was the Queen's Record Reign celebration in Johannesburg. 'Britons, hold up your heads!' was the watchword with which the late Mr. W. Y. Campbell started to organize what he eventually carried out as the biggest and most enthusiastic demonstration ever made in the country. No more unselfish and loyal subject of her Majesty ever set foot in South Africa than Mr. Campbell, whose organization and example to 'Rand Britons,' as he called them, did more to hearten up British subjects in the Transvaal than has ever been fully realized or properly acknowledged. The celebration was an immense success in itself, and besides restoring the hopes and spirits of British subjects it promoted generally a better feeling and a disposition to forget past differences.

One of the consequences of the Raid and Reform had been a split in the Chamber of Mines caused by the secession of a minority who held views strongly opposed to those of the Reform party. It has always been the policy of the Government to endeavour to divide the Rand community. This is no vague general charge: many instances can be given extending over a number of years. The accidental revelations in a police court showed that in 1891 the Government were supporting from the Secret Service Funds certain individuals with the object of arranging labour unions to coerce employers upon various points. The movement was a hopeless failure because the working men declined to have anything to do with the so-called leaders. When the split took place in the Chamber of Mines, it became the business of Dr. Leyds and the President to keep the rift open. This was done persistently and in a very open manner—the seceders being informed upon several occasions that a fusion of the two Chambers would not be welcome to the Government. Both before and since that time the same policy has found expression in the misleading statement made on behalf of the Government upon the compound question (namely, that the companies were aiming at com-

pounding all the natives and monopolizing all the trade of the Rand), a statement made to divide the mercantile from the mining community. The fostering of the liquor industry with its thousands of disreputable hangers-on is another example; the anti-capitalist campaign carried on by the Government press another. And the most flagrant of all of course is the incitement to race hatred. *Divide et impera*, is a principle which they apply with unfailing regularity whether in their relations with other countries, in the government of their own State, or in their dealings with private individuals. Happily for the Rand community the effort to settle their internal differences was successful; towards the end of 1897 the fusion of the two mining chambers took place, and the unanimity thus restored has not since been disturbed.

By this time even the most enthusiastic and sanguine friends of the Government had to some extent realized the meaning of the 'something for nothing' policy. They began to take count of all that they had done to please Mr. Kruger, and were endeavouring to find out what they had got in return. The result, as they were disposed to admit, was that for all the good it had done them they might as well have had the satisfaction of speaking their minds frankly as the others had done. The Raad's treatment of the Industrial Commission report had estranged all those who had taken part in the deliberations of the Commission, and as Mr. Kruger had been careful to select only those whom he believed to be friendly to him he suffered more in the recoil than he would otherwise have done. He fell into the pit which he had himself dug.

Mr. Kruger was fast losing his friends, and another affair which occurred about this time helped to open the eyes of those who still wished to view him in a favourable light. Mr. Chamberlain in the course of some remarks had stated that the President had failed to fulfil the promises which he had made at the time of the Raid. His Honour took an early opportunity to denounce Mr. Chamberlain to Mr. J. B. Robinson and the manager of the then Government newspaper in Pretoria. 'I would like Mr. Chamberlain to quote,' he said, 'any instances of my failure to keep my promises, and I will know how to answer him.' The chal-

lenge was published and Mr. Chamberlain promptly cabled instructions to the British Agent to ask President Kruger whether he had said this and if so whether he really did desire a statement by Mr. Chamberlain of the character indicated. Mr. Kruger took his own peculiar way out of the dilemma ; he repudiated the intermediaries, denounced the statement as untrue, and said that he was not in the habit of conveying his requests through irresponsible nobodies. The result was the immediate resignation of the newspaper man and final rupture between the President and Mr. Robinson. Thus were two more thick-and-thin supporters cast off at convenience and without an instant's hesitation, and thus were provided two more witnesses to the 'something for nothing' policy. This incident was the immediate cause of the fusion of the Chambers.

It had all along been realized that while Lord Rosmead continued to act as High Commissioner in South Africa there would be no possibility of the Uitlanders' grievances being again taken up by her Majesty's Government. The High Commissioner had committed himself to the opinion that it would be unsuitable and indeed improper to make any representations on the subject for a considerable time. Moreover, his age and ill-health rendered him unfit for so arduous a task. Many hard things have been said and written about the late High Commissioner, but it must be admitted that with age and infirmity weighing him down he was confronted by one of the most desperate emergencies which have ever arisen to try the nerve of a proconsul. It is true that the responsibilities of Government are not to be met by excuses : the supports of the Empire must stand the strain or be condemned. But it is also true that those who regard themselves as victims may not lightly assume the functions of independent judges : and thus it was that in a mood of sympathy and regret, with perhaps some tinge of remorse, the news of Lord Rosmead's death was accepted as evidence unanswerable of the burden which in the autumn of his days he was called upon to bear.

When the name of Sir Alfred Milner was mentioned as the coming High Commissioner all South Africa stood to attention. Seldom surely has a representative of the Queen been

put through such an ordeal of examination and inquiry as that to which Sir Alfred Milner's record was subjected by the people of South Africa. Not one man in a thousand had heard his name before ; it was as some one coming out of the great unknown. The first feeling was that another experiment was being made at the expense of South Africa ; but almost before the thought had formed itself came the testimony of one and another and another, representing all parties and all opinions in England ; and the Uitlanders in the Transvaal began to hope and finally to believe that at last they were to have a man to deal with who would exhibit those qualities of intelligence, fairness, and firmness, which they regarded as the essentials. Every word that was said or written about the new High Commissioner was read and studied in South Africa. Every reference made to him by the representatives of the various political parties was weighed and scrutinized, and the verdict was that it was good ! Fair firm and able. There had not been a discordant note nor a voice lacking in the chorus which greeted the appointment ; and the judgment was, 'They have given one of England's very best.'

The impression had somehow gained ground in South Africa that the first act of Sir Alfred Milner would be to visit the Transvaal and endeavour to arrange matters. The hearts of the Uitlanders sank at the thought of even the ablest and best-intentioned of men tackling so complicated a problem without any opportunity of studying the local conditions and the details. It was therefore with undisguised satisfaction that they received the new High Commissioner's assurance that as the representative of her Majesty he had plenty of work before him in visiting and making himself acquainted with the conditions and requirements of her Majesty's dominions in South Africa, the people of which had the first call upon his services. The statement cleared the political atmosphere and had a distinctly cooling effect upon the overheated brain of the Boer party, who had by this time convinced themselves that Pretoria was firmly established as the hub of the universe and that an expectant world was waiting breathlessly to know what President Kruger would do next.

Mr. Conyngham Greene, an experienced member of the Diplomatic Corps, who had been appointed towards the end of 1896 to succeed Sir Jacobus de Wet as British Agent in Pretoria, had by this time gained some experience of the ways of Pretoria. Probably few servants of the Crown have been called upon to perform a service more exacting or less grateful than that which fell to the British Agent during the period in which Mr. Conyngham Greene has held the post. Conscious that his Government was prevented by the acts of others from vindicating its own position, hampered by the knowledge of immense superiority of strength, dealing with people who advanced at every turn and under every circumstance their one grievance as a justification for all the acts of hostility which had preceded that grievance or had been deliberately perpetrated since, he was compelled to suffer snubs and annoyances on behalf of his Government, with no relief but such as he could find in the office of recording them. A good deal had been done by Mr. Conyngham Greene to establish visible and tangible evidence of the desire of her Majesty's Government to interest themselves in the condition of British subjects and—as far as the exigencies of a very peculiar case would for the time permit—to protect them from at least the more outrageous acts of injustice; but the strength of the chain is the strength of the weakest link, and it was always felt that until the link in Cape Town was strengthened there was not much reliance to be placed upon the chain.

Very frequently surprise has been expressed that, after the fortunate escape from a very bad position which the Jameson Raid afforded to President Kruger's party, the Boers should not have learned wisdom and have voluntarily undertaken the task of putting their house in order. But having in mind the Boer character is it not more natural to suppose that, inflated and misled by a misconceived sense of success and strength, they should rather persist in and exaggerate the ways which they had formerly affected? So at least the Uitlanders thought and predicted, and their apprehensions were amply justified. In each successive year the Raad has been relied upon to better its previous best, to produce something more glaring and sensational in the way of improper

laws and scandalous measures or revelations than anything which it had before done. One would imagine that it would pass the wit of man to devise a means of exploiting the Uitlanders which had not already been tried, but it would truly appear that the First Volksraad may be confidently relied upon to do it.

In the year 1897 some things were exposed which appeared, even to the Uitlanders, absolutely incredible. What is now known as the 'donkeys and mealies scandal' was one of them. For the ostensible purpose of helping burghers who had been ruined by the rinderpest the President arranged for the purchase of large numbers of donkeys to be used instead of oxen for draught purposes, and he also arranged for the importation of quantities of mealies to be distributed among those who were supposed to be starving. Inquiries instituted by order of the Volksraad revealed the fact that Volksraad members and Government officials were interested in these contracts. The notorious Mr. Barend Vorster, who had bribed Volksraad members with gold watches, money, and spiders, in order to secure the Selati Railway Concession, and who although denounced as a thief in the Volksraad itself declined to take action to clear himself and was defended by the President, again played a prominent part. This gentleman and his partners contracted with the Government to supply donkeys at a certain figure apiece, the Government taking all risk of loss from the date of purchase. The donkeys were purchased in Ireland and in South America at one-sixth of the contract price. The contractors alleged that they had not sufficient means of their own and received an advance equal to three-quarters of the total amount payable to them; that is to say for every £100 which they had to expend they received £450 as an unsecured advance against their profits. It is believed that not 10 per cent. of the animals were ever delivered to the farmers for whom they were ostensibly bought. An attempt was made in the Volksraad to have the matter thoroughly investigated and to have action taken against the contractors, but the affair was hushed up and, as far as it is possible to ascertain, every penny payable under the contract has been paid and lost.

In the matter of the mealies (maize, the ordinary native

food), large quantities were bought in South America. It was alleged in the Volksraad that the amount was far more than was necessary and that the quality was inferior, the result being that the Government were swindled and that the State, being obliged to sell what it did not require, was entering unfairly into competition with the merchants and producers in the country. But the real character of this mealie swindle can only be appreciated when it is known how the contract originated. The contractors having bargained to deliver donkeys, approached the President with the explanation that donkeys being live-stock, would have to be accommodated upon an upper deck where there was ample ventilation; the result of which, they said, would be that the ship would be top-heavy and would be obliged to take in ballast. Surely, it was argued, it would be folly to carry worthless ballast when good mealies, which were in any case badly needed in the country, would serve the purpose of ballasting equally well and would, of course, show a very large profit. A contract for mealies was therefore entered into. When the inquiry was instituted in the Volksraad certain awkward facts came to light, and it devolved upon Mr. Barend Vorster to explain how it happened that the mealie 'ballast' arrived and was paid for before the donkeys were shipped. That worthy gentleman may still be thinking out the explanation, but as the money has been paid it cannot be a cause of great anxiety.

In order to preserve a true perspective the reader should realize that the President defended both these affairs and that the exposures took place while the recommendations of the Industrial Commission were being discussed in the Raad and fiercely combated by the President himself.

The matter of the Selati Railway was again brought into prominence in 1897. It is quite impossible as yet to get at all the facts, but it is very generally believed that a swindle of unusual dimensions and audacity remains to be exposed, and that a real exposure would unpleasantly involve some very prominent people. At any rate the facts which became public in 1898 would warrant that suspicion. The Selati Railway Company alleged that they had been unjustly deprived of their rights, and the Government admitting repu-

diation of contract took refuge in the plea that in making the contract they had acted *ultra vires*. It was, in fact, an exemplary case of 'thieves falling out' and when the case got into the law courts a point of real interest to the public came out; for the Company's lawyers filed their pleadings! The following account of the case is taken from the newspapers of the time. The plea of the Selati Railway Company states that—

the Government was very desirous that the railways should be built, and that for the purpose the business should be taken in hand by influential capitalists, and that, having full knowledge of the sums asked for by the original concessionaires they insisted upon the said capitalists coming to an agreement with the concessionaires and paying them the amounts asked; that it was thus understood between the said capitalists and the Government of the South African Republic that the sum named in the concession as the price to be paid to the concessionaires for the formation of the Company was wholly insufficient under the altered conditions, and that further sums had to be expended to cover not only the increased amount demanded by the original concessionaires, but *also other sums of money which were asked by and paid to different members of the Executive Council and Volksraad of the South African Republic and their relatives and friends as the price for granting the concession.*

The matter came before the High Court, and several of the exceptions put forward on behalf of the Government were sustained. Regarding the accusation mentioned, Mr. Advocate Esselen, who was counsel for the State, excepted that names and particulars should be inserted, and also that the State was not bound by the action of the Government or Executive. He quoted the Volksraad resolution or *besluit* upon which the concession was granted, showing that £10,000 was mentioned as the sum to be received by the concessionaires, and then proceeded :—

'Now, I say that the Government could not contract with the Company at a higher figure than is above set forth. The measure of authority granted to the Government is set forth in the Volksraad *besluit* which I have read, and the Government could not exceed its authority. Second, the defendant Company makes allegations which are tantamount to fraudulent dealing on the part of the agents of the State. But it will be said that it is the State which sues, and that it cannot be heard to avail itself of the wrongful acts of its agents. In this matter, however, it is the State Secretary who sues on behalf of the State. The State is not bound in any event by the acts of individual members of the Government. It was the Government which was entrusted with a power of attorney on behalf of the State.'

This doctrine, so fatal to concessionaires and their methods, led to the following interesting colloquy :—

Mr. Justice JORISSEN : Do you persist in this exception, Mr. Esselen?

Mr. ESSELEN : Certainly I do.

Mr. Justice JORISSEN : You have been very fortunate in succeeding

on two exceptions. Without pressing you in the least, I am inclined to suggest that you withdraw this exception.

Mr. ESSELEN : I cannot possibly withdraw it, but I am willing to allow it to stand as a special plea and to argue it at a later stage.

Mr. Justice JORISSEN : As I said, I don't wish to press you, but it seems to me that this is a very dangerous question.

Mr. ESSELEN : It is a very important question.

Mr. Justice JORISSEN : It is not only an important but a perilous question.

In an amended plea filed by the Selati Railway Company they give the names of persons to whom the Company had to pay certain sums of money or give presents—in other words, bribes—in order to obtain the Selati contract. The following are the names filed by Baron Eugene Oppenheim :—To W. E. Bok, then member and minute keeper of the Executive Council, on August 12, 1890, in cash £50 ; the late N. J. Smit, sen., then Vice-President of the South African Republic, and member of the Executive Council, on August 12, 1890, in cash, £500 ; F. C. Eloff, son-in-law of the President and then Private Secretary to his Honour, on August 12, £50 in cash. By De Jongh and Stegmann, on behalf of Baron Oppenheim, to C. van Boeschoten, then Secretary of the Volksraad, on October 6, 1893, in cash, £100. By B. J. Vorster, jun., one of the concessionaires, on behalf of Eugene Oppenheim, on or about August, 1890, the following : To Jan du Plessis de Beer, member of the Volksraad for Waterberg, £100 ; Schalk W. Burger, member of the Volksraad for Lydenburg, now member of the Executive Council, £100 ; P. L. Bezuidenhout, member of the Volksraad for Potchefstroom, £100 ; J. Van der Merwe, member of the Volksraad for Lydenburg, £100 ; A. A. Stoop, member of the Volksraad for Wakkerstroom, £50 ; F. G. H. Wolmarans, member of the Volksraad for Rustenburg, £50 ; J. M. Malan, member of the Volksraad for Rustenburg, Chairman of the first Volksraad, £50 ; N. M. S. Prinsloo, member of the Volksraad for Potchefstroom, £50 ; J. J. Spies, member of the Volksraad for Utrecht, £70 ; B. H. Klopper, Chairman of the Volksraad, £125 ; C. van Boeschoten, Secretary of the Volksraad, £180. By J. N. de Jongh, on behalf of Baron Eugene Oppenheim, about the end of 1892 or the beginning of 1893, to the late N. J. Smit, sen., then Vice-President of the South African Republic, and member of the Executive Council, shares in the defendant Company to the value of £1,000 ; F. C. Eloff, son-in-law of and then Private Secretary to the State President, shares in the defendant Company to the value of £2,000 ; P. G. Maré, then member of the Volksraad for Utrecht, now Landdrost of Boksburg, shares in the defendant Company to the value of £500. By B. J. Vorster, jun., on behalf of Baron Eugene Oppenheim, about July or August, 1890, to C. C. van Heerden, member of the Volksraad for Wakkerstroom, one spider ; A. A. Stoop, member of the Volksraad for Wakkerstroom, one spider ; F. G. H. Wolmarans, member of the Volksraad for Rustenburg, one spider ; B. W. J. Steenkamp, member of the Volksraad for Piet Retief, one spider ; J. P. L. Lombard, member of the Volksraad for Standerton, one spider ; H. F. Grobler, member of the Volksraad for Middelburg, one spider ; W. L. de la Rey, member of the Volksraad for Bloemhof, one spider ; D. W. Taljaard, member of the Volksraad for Standerton, one spider ; J. C. van Zyl, member of the Volksraad for Heidelberg, one spider ; J. P. Botha, member of the Volksraad for Pretoria, one spider ; H. P. Beukes, member of the Volksraad for Marico, one spider ; J. F. van Staden, member of the

Volksraad for Vryheid, one spider ; J. M. Malan, member of the Volksraad for Rustenburg, one spider ; N. M. S. Prinsloo, member of the Volksraad for Potchefstroom one cart ; T. C. Greyling, member of the Volksraad for Heidelberg, one cart. Total value, £1,440.

Twenty-one members of the First Volksraad out of twenty-five ! The Vice-President ! The son-in-law and Private Secretary of the President ! The Secretary of the Volksraad and the Minute Keeper of the Executive !

The Volksraad, one would think, would be bound to take cognizance of such a statement and to cause an investigation to be held. They did take cognizance of it after the manner peculiar to them. But the last thing in the world to be expected from them was an impartial investigation : nothing so foolish was ever contemplated. There were too many in it, and an investigation into the conduct of officials and Raad members would be establishing a most inconvenient precedent. Some members contented themselves with a simple denial, others scorned to take notice of such charges, and others tried to explain them away. No opinion need be expressed upon the methods of the concessionaires ; nor does it matter whether the company, by its neglect or default, had justified the act of the Government. The point which is offered for consideration is that the indisputable fact of bribes having been taken wholesale was ignored, whilst the disputed question of liability to cancellation was arbitrarily settled by the Government in its own favour.

The crop of scandals in 1897 was as the rolling snowball. It is unnecessary to refer to them all in detail. The Union Ground, one of the public squares of Johannesburg, was granted to a syndicate of private individuals upon such terms that they were enabled to sell the right, or portion of it, at once for £25,000 in cash. The Minister of Mines, in his official capacity, strongly recommended the transaction, and was afterwards obliged to admit that he himself had an interest in it. The Volksraad however refused to confirm it, and the purchaser of the concession fell back upon the President for protection. The latter advised him to remain quiet until the presidential election, which was about to take place, should be over, and gave the assurance that then he would see that the grant was confirmed by the Raad. In

the session of 1898 his Honour strongly supported the proposal and it was duly carried.

The Eloff location scandal was another which greatly disturbed even the Volksraad. Mr. Frickie Eloff is President Kruger's son-in-law and enjoys the unsavoury reputation of being interested in every swindle which is worth being in in the Transvaal. A piece of ground lying to the north-west of Johannesburg close up to the town had originally been proclaimed as a goldfield, but no reefs having been found there and the ground not having been pegged, it was afterwards withdrawn from proclamation. The Mining Commissioner of Johannesburg in the course of his duties discovered some flaw in the second or withdrawing proclamation. He advised the head office in Pretoria of this discovery and stated that it might be contended that the de-proclamation was invalid, and that great loss and inconvenience would follow if the ground were pegged and the title upheld. Within twenty-four hours the ground was pegged by Mr. Eloff, but it is not known whence he derived the inspiration. His claim was strongly opposed by the local officials. They reported that the ground was known to be of no value, and advised that as the cost of licenses would be very considerable the obvious policy of the Government would be—if the title could not be upset—to wait until Mr. Eloff should tire of paying licenses on valueless ground. The Government, however, decided otherwise: they converted Mr. Eloff's claims into residential stands; that is to say, they made him a present of an immensely valuable piece of property and gave him title under which he could cut it up into small plots and readily sell it. This action of the Government, however, required confirmation by the Raad. The matter came before the Volksraad in due course and that body deliberately revoked the decision of the Government and refused Mr. Eloff any title except what he could claim according to law. But Mr. Kruger is not so easily beaten. He soon discovered that the piece of ground acquired by Mr. Eloff was exactly the piece which it was necessary for the Government to have for a coolie location, and without more ado the Government bought it from Mr. Eloff for £25,000.

The ingenuity of the Boer mind in getting the last possible

fraction of value out of any transaction, is well exemplified in this matter. One would naturally conclude that a deal so profitable would satisfy anybody. But not so! The piece of ground commands the approach to many valuable private plots and residences, and it was soon found that apart from intrinsic worth it might have a blackmailing value; thus towards the end of 1898, after the deal had been completed, the owners of these residences and estates were privately approached with the information that the coolie location, consisting of shelters built of scraps of iron, paraffin tins, and old pieces of wood, was to be removed to this site (probably to facilitate the transference of the present location site, which is also very valuable, to some other favourite), but that if sufficient inducement were offered by landowners in the neighbourhood, the decision would be reconsidered!

The grant of a Municipality to Johannesburg has often been quoted as an example of something done by Mr. Kruger in the interests of the Uitlanders. The principal conditions of that grant are that all burghers of the State, whether they have property or not, shall be entitled to vote for the election of councillors; that each ward shall be represented by two councillors, one of whom must be a burgher; and that the chairman, or burgomaster, shall be appointed by Government and shall have the right of veto. The elections in at least two of the wards are completely at the mercy of the police and of the poor Boers who have no interest whatever in the town. The burghers in Johannesburg—police, Boers, and officials—who may number a couple of thousand, including the naturalized lot, have therefore a permanent and considerable majority over the Uitlanders, who probably number over 40,000 adult white males.

The scope and value of this grant were made manifest when the now notorious sewerage concession came under discussion. The Municipality had upon several occasions endeavoured to get the right to introduce a scheme for the disposal of the sewage of the town, and had applied for authority to raise the necessary funds, but had been refused. Suddenly a concession was granted by the Government—they called it a contract—to Mr. Emmanuel Mendelssohn, the proprietor of the *Standard and Diggers News*, the Government

organ in Johannesburg. He said that he got it for nothing—possibly a reward for loyal services ; but he also stated that he was not the sole owner. The value of the grant was estimated by the concessionaire himself to be about £1,000,000 sterling, and in the lately published proposals which he made to one of the big firms interested in the Transvaal he indicated how a profit of £100,000 a year could be made out of it. The Town Council unanimously and vigorously protested ; but the Government took no notice of their protest. They then decided to apply to the Court for an order restraining the Government from making this grant, on the ground that they had no power to alienate a right which belonged to the town itself. In order to make the application to Court it was necessary, in terms of the constitution of the municipality, to obtain the signature of the Burgomaster. That official as representing the Government refused point blank to authorize the council to dispute the Government's action in a Court of Law, and the council were obliged to apply for an Order of Court compelling the Burgomaster to sign the documents necessary to enable them to contest in the Courts of the country the validity of an act of the Government which was deemed to be infringement upon the rights of the town. In the face of this the President capitulated for the time being ; but neither he nor the concessionaire makes any secret of the determination to find a *quid pro quo*.

The year 1898 brought in its turn its full share of fresh encroachments and exactions. The bare enumeration of the concessions, privileges, and contracts, proposed or agreed to, is sufficient to indicate what must be the condition of mind of one whose interests are at stake under such a *régime*. Not all 'concessions,' 'contracts,' and 'protected factories' confer exclusive rights, but many might easily in effect do so and all are infringements upon the rights of the public. Here are some from the official list of 1899 ;—Dynamite, Railways, Spirits, Iron, Sugar, Wool, Bricks, Earthenware, Paper, Candles, Soap, Calcium Carbide, Oil, Matches, Cocoa, Bottles, Jam, &c.

A large loan had been constantly talked of throughout the year, but no one knew for what purpose it could be required. The Government vouchsafed no information at all but negotiations were carried on both in Pretoria and in Europe.

Month after month went by, but the millions were not forthcoming, and the Government believed or affected to believe that their failure was due to a conspiracy among the capitalists, and in retaliation they directed and subsidised a fierce anti-capitalist campaign in their press. The explanation of failure, which did not occur to them, may have been that investors believed that the course pursued by the Transvaal Government must inevitably lead to conflict with the paramount power, and they had no faith and no assurance that in the event of such a conflict taking place the British Government would take over loans which must have been contracted only for the purposes of war against England.

The juggling with the dynamite question continued throughout the year. The President had successfully defeated the aim of the Volksraad, and the investigation and reports which had been ordered by that body in 1897 to be made by lawyers and auditors, although duly handed into the Government, were suppressed by the President and not permitted to be shown to the Raad. On the contrary, the astounding proposition was made that in return for a very inconsiderable reduction in the cost of dynamite (half of which was to be made up by the Government sacrificing its share of profits) and a possible further reduction of 5s. per case under certain conditions, the monopoly should be renewed for a period of fifteen years, all breaches in the past to be condoned, and cancellation on the ground of breach of contract in the future to be impossible. This proposal, it was publicly notified, would be laid before the Raad during the first session of 1899. The existence of the dynamite monopoly was at this time costing the industry £600,000 a year, and on every possible occasion it was represented to the Government that, if they really did need further revenue, in no way could it be more easily or more properly raised than by exercising their undoubted right to cancel the monopoly and by imposing a duty of such amount as might be deemed necessary upon imported dynamite. It was also pointed out that the proposed reduction in the cost of dynamite would offer no relief whatever since it was far more than counterbalanced by the taxes upon mynpachts and profits which were then being imposed.

During this year the Volksraad instructed the Government

to enforce their right to collect $2\frac{1}{2}$ per cent. of the gross production from mynpachts (mining leases). All mynpachts titles granted by the Government contained a clause giving the Government this power, so that they were acting strictly within their legal rights; but the right had never before been exercised. For twelve years investors had been allowed to frame their estimates of profit upon a certain basis, and suddenly without a day's warning this tax was sprung upon them. It was indisputably the right of the Government, but equally indisputably was it most unwise; both because of the manner in which it was done and because there was no necessity whatever for the doing of it, as the revenue of the country was already greatly in excess of the legitimate requirements. Immediately following this came a resolution to impose a tax of 5 per cent. upon the profits of all companies working mining ground other than that covered by mynpacht. The same objections applied to this tax with the additional one, that no clause existed in the titles indicating that it could be done and no warning had ever been given that it would be done. The proposal was introduced one morning and adopted at once; the first notice to investors was the accomplished fact. These measures were particularly keenly resented in France and Germany.

The grievance of hasty legislation was in these cases aggravated by the evidence that the taxes were quite unnecessary. President Kruger still fought against cancellation of the Dynamite Monopoly, by which the State revenue would have benefited to the extent of £600,000 a year, if he had accepted the proposal of the Uitlanders, to allow importation of dynamite subject to a duty of £2 per case—a tax which represented the monopolists' profit, and would not therefore have increased the cost of the article to the mines. He still persisted in squandering and misapplying the public funds. He still openly followed the policy of satisfying his burghers at the Uitlanders' expense; but the burghers have a growing appetite, and nothing shows the headlong policy of 'squaring'—nothing better illustrates the Uitlanders' grievance of reckless extravagance in administration—than the list of fixed salaries as it has grown year by year since the goldfields became a factor.

TRANSVAAL FIXED SALARIES.

						£	s.	d.
1886	...	...	...	...	...	51,831	3	7
1887	...	...	...	...	...	99,083	12	8
1888	...	...	...	...	...	164,466	4	10
1889	...	...	...	...	...	249,641	10	10
1890	...	...	...	...	...	324,520	8	10
1891	...	...	...	...	...	332,888	13	9
1892	...	...	...	...	...	323,608	0	0
1893	...	...	...	...	...	361,275	6	11
1894	...	...	...	...	...	419,775	13	10
1895	...	...	...	...	...	570,047	12	7
1896	...	...	...	...	...	813,029	7	5
1897	...	...	...	...	...	996,959	19	11
1898	...	...	...	...	...	1,080,382	3	0
1899 (Budget)	...	...	...	...	...	1,216,394	5	0

That is to say, the Salary List is now twenty-four times as great as it was when the Uitlanders began to come in in numbers. It amounts to nearly five times as much as the total revenue amounted to then. It is now sufficient if equally distributed to pay £40 per head per annum to the total male Boer population.

The liquor curse has grown to such dimensions and the illicit liquor organization has secured such a firm hold that even the stoutest champions of law and order doubt at times whether it will ever be possible to combat the evil. The facts of the case reflect more unfavourably upon the President than perhaps any other single thing. These are the facts: The law prohibits the sale of liquor to natives; yet from a fifth to a third of the natives on the Rand are habitually drunk. The fault rests with a corrupt and incompetent administration. That administration is in the hands of the President's relations and personal following. The remedy urged by the State Secretary, State Attorney, some members of the Executive, the general public, and the united petition of all the ministers of religion in the country, is to entrust the administration to the State Attorney's department and to maintain the existing law. In the face of this President Kruger has fought hard to have the total prohibition law abolished and has successfully maintained his nepotism—to apply no worse construction! In replying to a deputation of liquor dealers he denounced the existing law as an 'immoral' one, because by restricting the sale of liquor it

deprived a number of honest people of their livelihood—and President Kruger is a total abstainer!

The effect of this liquor trade is indescribable; the loss in money although enormous is a minor consideration compared with the crimes committed and the accidents in the mines traceable to it; and the effect upon the native character is simply appalling.

Much could be said about this native question apart from the subject of drink, for it is one which is very difficult of just appreciation by any but those who have had considerable experience of and personal contact with the natives. It is one upon which there is a great divergence of views between the people of Europe and the people of South Africa. South Africans believe that they view it from the rational standpoint, they believe also that Europeans as a rule view it more from the sentimental. The people who form their opinions from the writings and reports of missionaries only, or who have in their mind's eye the picturesque savage in his war apparel as seen at Earl's Court, or the idealized native of the novelist, cannot possibly understand the real native. The writer holds South African views upon the native question, that is to say that the natives are to all intents and purposes a race of children, and should be treated as such, with strict justice and absolute fidelity to promise, whether it be of punishment or reward: a simple consistent policy which the native mind can grasp and will consequently respect.

With this in mind it will, perhaps, be believed that the recital of certain instances of injustice is not made with the object of appealing to sentimentalism, or of obliquely influencing opinions which might otherwise be unfavourable or indifferent. The cases quoted in this volume are those which have been decided by the courts, or the evidence in support of them is given, and they are presented because they are typical cases, and not, except in the matter of public exposure, isolated ones. The report of the case of Toeremetsjani, the native chieftainess,¹ is taken verbatim from one of the newspapers of the time. The woman is the head of the Secocoeni tribe, whose successful resistance to the Transvaal Government was one of the alleged causes

¹ See Appendix. K.

of the annexation. A good deal could be said about the ways of Native Commissioners in such matters. Much also could be said about the case of the British Indians and the effect upon the population of India which is produced by the coming and going of thousands of these annually between India and the Transvaal, and their recital of the treatment to which they are subjected, their tales of appeals to the great British Government, and their account of the latter's inability to protect them. Much also could be said of the Cape Boy question, but sufficient prominence has been given to these matters by the publication of the official documents and the report of the inquiry into Field-Cornet Lombaard's conduct, which was held at the instance of the British Government.

It is not suggested that if the Government in the Transvaal were influenced by the vote of the white British subjects, or if it were entirely dominated by such vote, any encouragement would be given to the Indian hawkers and traders, or that there would be any disposition whatever to give voting rights to coloured people of any kind, but it *is* suggested that a more enlightened and a more just system of treatment would be adopted; and in any case it is to be presumed that there would be no appeals to the British Government, involving exhibitions of impotency on the part of the Empire to protect its subjects, followed by the deliberate repetition of treatment which might become the subject of remonstrance. The untutored mind is not given to subtleties and sophistries; direct cause and effect are as much as it can grasp. These it does grasp and firmly hold, and the simple inferences are not to be removed by any amount of argument or explanation, however plausible. There is scarcely an Uitlander in the Transvaal who would not view with dismay the raising of the big question upon such grounds as the treatment of the natives, the Cape boys, or the Indians; and the fact that the Transvaal Government know this may account for much of the provocation on these questions. It is nevertheless undeniable that white British subjects in the Transvaal do suffer fresh humiliation and are substantially lowered in the eyes of the coloured races, because appeals are made on their behalf to the British Government, and those appeals are

useless. The condition of affairs should be that such appeals would be unnecessary, and would therefore become — in practice—impossible. Such a condition of affairs would obtain under a friendly and more enlightened government, and the only security for the voluntary continuance of such conditions is the enfranchisement of the Uitlander population.

In the midst of all that was gloomy unfavourable and unpromising there came to the Uitlanders one bright ray of sunshine. Dr. Leyds who had been re-elected State Secretary on the understanding that he would resign immediately in order to take up the post of plenipotentiary in Europe, and whom the Boers with a growing anti-Hollander and pro-Afrikander feeling would no longer tolerate, relinquished his office. In his stead was appointed Mr. F. W. Reitz formerly President of the Free State, a kindly, honourable, and cultured gentleman, whose individual sympathies were naturally and strongly progressive but who, unfortunately, has not proved himself to be sufficiently strong to cope with President Kruger or to rise above division upon race lines in critical times. Shortly afterwards Mr. Christiaan Joubert, the Minister of Mines, a man totally unfit from any point of view to hold any office of responsibility or dignity, was compelled by resolution of the Second Volksraad to hand in his resignation. His place was filled by a Hollander official in the Mining Department who commanded and still commands the confidence and respect of all parties. The elevation of the Acting State Attorney to the Bench left yet another highly responsible post open and the Government choice fell upon Mr. J. C. Smuts, an able and conscientious young barrister, and an earnest worker for reform. An Afrikander by birth and educated in the Cape Colony, he had taken his higher degrees with great distinction at Cambridge and had been called to the English Bar.

But there came at the same time another appointment which was not so favourably viewed. There was still another vacancy on the Bench, and it became known that, in accordance with the recommendation expressed by the Raad that all appointments should whenever possible be first offered to sons of the soil, *i.e.*, born Transvaalers, it was intended to appoint to this judgeship a young man of twenty-

four years of age lately called to the bar, the son of the Executive Member Kock already referred to in this volume. The strongest objection was made to this proposal by all parties, including the friends of the Government; the most prominent of all objectors were some of the leading members of the bar who, it was believed, carried influence and were in sympathy with the Government. A delay took place and it was at one time believed that President Kruger had abandoned his intention, but it is understood that pressure was brought to bear upon the President by a considerable party of his followers, and in the course of a few days the appointment was duly gazetted.

The selection of educated and intelligent Afrikaners, sincerely desirous of purifying the administration, for such responsible offices as those of State Secretary and State Attorney, was gratefully welcomed by the Uitlander community, who believed that only through the influence of such men consistently and determinedly exerted could a peaceful solution of many difficult questions be found. It is but bare justice to these gentlemen to state that never were they found wanting in good intention or honest endeavour, ready at all times to inquire into subjects of complaint, anxious at all times to redress any legitimate grievances. To them and to many other less prominent but no less worthy officials of the Transvaal Civil Service, whom it is impossible to name and to whom it might prove to be no good turn if they were named, is due an expression of regret that they may perhaps suffer by references which are not directed against them but which are justified by a rotten system and are called for by the action of others over whom these men have no control. Nobody but one intimately concerned in Transvaal affairs can appreciate the unpleasant and undeserved lot of the honest official who necessarily, but most unjustly, suffers by association with those who deserve all that can be said against them.

It is very well known that the gentlemen above referred to would, if it were in their power, readily accord the terms asked for in the franchise memorandum recently submitted by the Uitlanders, but they are unfortunately entirely without influence over the President and his party. It is

true that—although British subjects by birth—they have chosen to associate themselves with the Transvaal Government and are now uncompromising republicans ; but there is no fault to be found with that. It may be true also that they aspire to republicanize the whole of South Africa, and free it of the Imperial influence ; that would be a cause of enmity as between them and those who desire to preserve the Imperial connection, but it is no ground for reproach. There is one point, however, upon which they in common with nearly all the enlightened Afrikanders throughout South Africa may be adjudged to have fallen short in their duty ; it is this, that whilst nine times out of ten they divide upon sound principles they will not follow that policy to a conclusion ; for upon the tenth occasion they will subordinate principle and, at the call of one who may use it unscrupulously, will rally upon race lines alone. It is only too true of only too many that they cannot be got to see that if they would really divide upon principles all danger of conflict would disappear and the solution would be both speedy and peaceful ; for it is the division upon race lines that alone raises the distracting prospect of war.

For those who are in this position in the Transvaal it may be allowed that their difficulties are great. They cannot, it is true, complain of lack of warning. They did not, it is also true, after trying their influence and finding it of no avail, cut adrift when they might have done so, and by their example have so stripped the reactionaries of all support that there could now be no question of their standing out ; but they may have honestly believed that they would in time succeed, whilst the Uitlanders, judging from a long and bitter experience, felt that they would not and could not. They may say that this is no time to part from those with whom they associated themselves in times of peace. Such reasoning may provide an excuse in the Transvaal, but no such plea will avail for those without the Transvaal who have let the day of opportunity go past, and who cry out their frightened protest now that the night of disaster is upon us.

CHAPTER XI.

THE BEGINNING OF THE END.

So the year dragged on with its one little glimmer of light and its big black clouds of disappointment, and it was Christmas-time when the spark came to the waiting tinder. What a bloody bill could the holidays and holy days of the world tot up ! On the Sunday night before Christmas a British subject named Tom Jackson Edgar was shot dead in his own house by a Boer policeman. Edgar, who was a man of singularly fine physique and both able and accustomed to take care of himself, was returning home at about midnight when one of three men standing by, who as it afterwards transpired was both ill and intoxicated, made an offensive remark. Edgar resented it with a blow which dropped the other insensible to the ground. The man's friends called for the police and Edgar, meanwhile, entered his own house a few yards off. There was no attempt at concealment or escape ; Edgar was an old resident and perfectly well known. Four policemen came, who in any circumstances were surely sufficient to capture him. Moreover, if that had been considered difficult, other assistance could have been obtained and the house from which there could have been no escape might have been watched. In any case Edgar was admitted by the police to have sat on the bed talking to his wife, and to have been thus watched by them through the window. It is not stated that they called upon him to come out or surrender himself, but they proceeded immediately to burst in his door. Hearing the noise he came out into the passage. He may or may not have known that

they were police : he may or may not have believed them to be the three men by one of whom he had been insulted. There is not a word of truth in the statement since made that Edgar had been drinking. It was not alleged even in defence of the police, and the post-mortem examination showed that it was not so. A Boer policeman named Jones (There are scores of Boers unable to speak a word of English, who nevertheless own very characteristic English, Scotch, and Irish names—many of them being children of deserters from the British army !) revolver in hand burst the door open. It is alleged by the prisoner and one of the police that as the door was burst open, Edgar from the passage struck the constable on the head twice with an iron-shod stick which was afterwards produced in Court. On the other hand Mrs. Edgar and other independent witnesses—spectators—testified that Edgar did not strike a blow at all and could not possibly have done so in the time. The fact, however, upon which all witnesses agree is that as the police burst open the door Constable Jones fired at Edgar and dropped him dead in the arms of his wife, who was standing in the passage a foot or so behind him. On the following morning, the policeman was formally arrested on the charge of manslaughter and immediately released upon his comrades' sureties of £200.

As gunpowder answers to the spark so the indignation of the Uitlander community broke out. The State Attorney to whom the facts were represented by the British Agent in Pretoria immediately ordered the re-arrest of the policeman on the charge of murder. The feeling of indignation was such among British subjects generally, but more especially among Edgar's fellow-workmen, that it was decided to present a petition to her Majesty praying for protection. British subjects were invited to gather in the Market Square in order to proceed in a body to the office of the British Vice-Consul and there present the petition, but in order to avoid any breach of the Public Meetings Act they were requested to avoid speech making and to refrain in every way from any provocation to disorder. Some four or five thousand persons gathered together. They listened to the reading of the petition and marched in an orderly manner

to the office of the British Vice-Consul where the petition was read and accepted.

This was the first direct appeal to her Majesty made by British subjects since the protests against the retrocession eighteen years before. Not very many realized at the time the importance of the change in procedure. There could be no "As you were" after the direct appeal: either it would be accepted, in which event the case of the Uitlanders would be in the hands of an advocate more powerful than they had ever proved themselves to be, or it would be declined, a course which would have been regarded as sounding the death-knell of the Empire in South Africa. The time was one of the most intense anxiety; for the future of the Uitlanders hung upon the turn of the scale.

It was late one night when those who had been called to Pretoria to receive the reply of her Majesty's Government returned to the Rand. The real reply then was known only to three men; it was simply, point blank refusal to accept the petition. There were no reasons and no explanations. It was done on the authority of Sir William Butler, the Commander-in-Chief in South Africa and acting High Commissioner; for Sir Alfred Milner was at that time in England, as also was Mr. Conyngham Greene. But the faith was in these men that it could not be true, that it could not have happened had Sir Alfred Milner not been absent, and thus came the suggestion to 'explain it away.' On the following day British subjects on the Rand learned that a breach of diplomatic etiquette had been committed, that the petition should never have been published before being formally presented to her Majesty, and that thus it would be necessary to prepare and present another in proper form. The petition was redrawn and in the course of the following weeks upwards of 21,000 signatures were obtained by that loyal and enthusiastic little band of British subjects who form the Johannesburg branch of the South African League.

In the meantime other things had been happening. Messrs. Thomas R. Dodd and Clement Davies Webb had been arrested under the Public Meetings Act for having organized an illegal meeting in the Market Square, Johannesburg, for the purpose of presenting the petition to the British

Vice-Consul. They were released upon bail of £1,000 each. Whether this was a fair example of the judicial perspective in the Transvaal, or whether it was a concession to the feelings of the Boers it is impossible to say, nor does it much matter. The fact is that for the crime of killing a British subject the bail was £200; and for the crime of objecting to it the bail was £1,000. This action only added fuel to the fire and a public meeting was immediately convened to be held in a circus building known as the Amphitheatre. Meetings are permitted under the Act provided they are held in an enclosed building. The object of the meeting was to record a protest against the arrest of Messrs. Dodd and Webb. A great many of the more ardent among the British subjects were of opinion that the time for protests and petitions was past, and they would not attend the meeting. A great many others feeling that it was more or less a formality leading to nothing else, did not trouble to attend. Not one of those who did attend had the least suspicion of any organized opposition. The following dispatch from the High Commissioner to the Secretary of State for the Colonies sufficiently describes the sequel :—

GOVERNMENT HOUSE, CAPE TOWN,
April 5, 1899.

SIR,—I have the honour to forward herewith the certified and attested copies of affidavits which form an enclosure to Mr. Wyberg's letter, transmitted to you in my dispatch of the 28th March, but which did not reach me in time to catch the last mail steamer.

From these affidavits, the number of which and the manner in which they confirm one another seem to me to leave no doubt of their general trustworthiness, it appears :

1. That early on the morning of Saturday, the 14th January, the foremen in charge of the various camps along the Main Reef Road were instructed to tell a certain number of their workmen to be at the Amphitheatre in Johannesburg at 2 p.m., where they would be addressed by an official of the Public Works Department, Mr. P. J. Malan (Hoofd van Afdeeling Wegen).

2. That the affair had been planned beforehand, and that Acting Road Inspector Papenfus and others systematically visited the various camps on that morning in order to beat up recruits, and that inquiry was made in some cases to ensure that the persons sent should be 'treu,' i.e., Boer or Afrikander workmen who might be expected to take the side of the Government. The Russian workmen were not asked to go.

3. That the men were paid two hours earlier than usual, and that those men who were ordered to go were told, if they could not get Government carts, they should hire and recover afterwards.

4. That in some cases, as that of the Boksburg section, the men were conveyed the greater part of the way by Government carts.

5. That when the men arrived at the Amphitheatre, about 2 p.m., a man who was either Mr. Bosman, Second Landdrost's Clerk, or Mr. Boshof, Registrar of the Second Criminal Court, and perhaps both of them, told them to go to the Police Station.

6. That on arriving at the Police Station, they were addressed by Mr. Broeksma, Third Public Prosecutor, and told they were there to break up the meeting when he gave them certain signals.

7. That they then went into the Amphitheatre, and that there were present, besides Mr. Broeksma, Mr. Papenfus, Mr. Jacobs, Special Road Inspector, Mr. de Villiers, Second Public Prosecutor, and Mr. Burgers, also an official, as well as several prominent members of the Town and Special Police in plain clothes.

8. That the different sections of the Road party men were placed in various parts of the building, under their respective foremen, and that several Government officials assisted in locating them.

9. That a number of the men did not understand what they were there for.

10. That the proceedings on the part of the promoters of the meeting, which, as you are aware, had been sanctioned by the Government, were perfectly regular.

11. That on the first appearance of the promoters of the meeting there was a concerted disturbance, which rendered it totally impossible to go on with the proceedings.

12. That in the riot which followed several people were seriously injured, the sufferers in every case being *bona fide* sympathizers with the object of the meeting, and the aggressors being persons who had come there with the object of breaking it up.

13. That the Police did not make the smallest effort to check the disturbances though it would have been easy to do so, and that, when appealed to, they maintained an attitude of indifference.

14. That Broeksma, Third Public Prosecutor, and Lieutenant Murphy, of the Morality Police, actually assisted in breaking chairs, and encouraged the rioters.

I have, &c.,
A. MILNER,
Governor and High Commissioner.

With affairs of this kind stirring up race hatred and feeling among the class from whom the juries have to be selected, what chance was there of securing an impartial trial of the policeman charged with the murder of Edgar? The Acting British Agent Mr. Edmund Fraser in his dispatch of December 23 tells what he thought of the prospect before these affairs took place. 'As to the ultimate charge to be brought against the policeman, the State Attorney was doubtful whether the charge had not better be one of culpable homicide, for the reason that in the presence of a Boer jury his counsel would have a much easier task in getting him off under a charge of murder than for culpable homicide. But

the chances of a Boer jury convicting him at all are so small that I said I should not assent to either charge until I had seen what rebutting evidence the Public Prosecutor brought.'

But this was not all. Immediately after the murder of Edgar, Mr. J. S. Dunn the editor of the *Critic* newspaper, recited the facts of the case as they were known to him and passed some severe strictures upon Dr. Krause, the First Public Prosecutor, who was responsible for determining the charge against policeman Jones and fixing his bail in the first instance. The steps now taken by Dr. Krause no doubt were within his legal rights, but they do not appear to a layman calculated to ensure justice being done. Before proceeding with the murder trial Dr. Krause took criminal action against Mr. Dunn for libel, and in order to prove the libel he, whose duty it was to prosecute Jones for murder, entered the witness-box and swore that under the circumstances as known to him he did not consider that Jones had been guilty of murder, and had therefore faithfully performed his duty in charging him with the minor offence and releasing him on bail. Further, he called upon the Second Public Prosecutor to testify in a similar strain; and finally he directly and deliberately associated with himself as witness on his side the man Jones himself who was charged with the murder. All this ostensibly to prove a paltry libel which could have been dealt with quite as effectively and infinitely more properly after the trial for murder had taken place; indeed it is incontestable that the verdict in the murder trial should properly have been relied upon to a large extent to determine the gravity of Mr. Dunn's offence. It had appeared to the British population that the chance of an impartial trial, with the jury drawn exclusively from the burgher class, was sufficiently remote without any proceedings so ill considered as these. The result fulfilled anticipations. In due course the constable Jones was indicted for culpable homicide and acquitted; and the presiding judge (Mr. Kock, who as already described had claimed a judgeship as a 'son of the soil') when discharging the prisoner said, 'With that verdict I concur and I hope that the police under difficult circumstances will always know how to do their duty.'

After the preliminary examination of Jones the Acting British Agent had written to the Acting High Commissioner (December 30, 1898): 'I will only remark that the enclosed report . . . seems to show that the Public Prosecutor (Krause), who has been deeply offended by the slur cast upon his judgment through the orders from Pretoria to keep the accused in prison instead of out on bail, was more inclined to defend than to prosecute and showed an extraordinary desire to incriminate either the British Vice-Consul or the South African League for what he termed contempt of court in connection with the publication of certain affidavits in the *Star*.'

That was indeed the position. In this as in the Cape Boys case (the Lombaard inquiry) the aim of the prosecution appeared to be to prove that the British Vice-Consul had investigated and reported cases of injustice suffered by British subjects; and the establishment of such proof seemed to be considered a sufficient and triumphant answer to the original complaint. Such action drew the following spirited protest from Mr. Emrys Evans to the British Agent: 'He (Krause) seems generally to suppose that I have no right to do anything in the way of assisting British subjects, and that my action as Vice-Consul is nothing more nor less than officious meddling.' That well describes the position of Great Britain's representative in the Transvaal, and it has been the same for so many years that among the Uitlanders it creates no feeling of surprise; but imagine the representative of—let us say—the United States being so treated!

While these matters were proceeding an opportunity occurred to raise fresh funds for the Uitlander Education Council. The scheme had been perilously near collapse on several occasions, but by a little generous and timely help actual abandonment had been averted. The possibility of a return of better times had been foreseen by some of those interested in education, and the appeals which were made in the months of February and March resulted in raising a fund of over £100,000. The companies were also applied to for assistance in the form of annual grants for maintenance; and guarantees were given amounting in all to about £16,000 a year. A final effort was made by the Government party and

the allies of Dr. Mansvelt, the Superintendent of Education, to show that the Government had made ample provision for the education of English-speaking children, and that the Uitlanders' scheme was unnecessary. Even Mr. Reitz, the State Secretary, it is to be regretted, undertook a public defence of the system which he has frequently expressed his disapproval of; but the more favourable construction which he endeavoured to place upon the law was immediately removed by a plain statement from the President to the exact contrary effect.

The Uitlanders consider that, if the intentions of the Government were as good as they desire them to be thought, firstly, they should not object to have the conditions permanently established and not leave them liable to alteration at the sweet will of the Superintendent, as they are to-day; and secondly, as there has been nothing to hinder the carrying out of benevolent intentions—had they existed—there is no reason why there should be five or six thousand Uitlander children without any facilities for education in their own language except such as are provided by private enterprise or charity. And this is so; notwithstanding the expenditure by the State of nearly a quarter of a million per annum, ostensibly upon education, nine-tenths of which sum is contributed by the Uitlander population.

The spirit in which the State aid is given and the aim which the Government have in view are entirely revealed in the conditions, a brief reference to which will be sufficient.

The Government capitation grant of £4 per annum may be earned on the conditions:—

- (a) That the child be over six years of age.
- (b) That it shall have a sufficient knowledge of the Dutch language and South African history.
- (c) That it be not the child of Dutch or Hollander parents.
- (d) That a qualified Dutch teacher must be retained by the school.

The first condition excludes all the children of the kindergarten schools, and also a class who form a considerable percentage in the elementary schools. The third condition excludes all those who have in early years any chance of satisfying the inspectors under the second condition. Obviously

the amount earned by the few who would satisfy all the conditions could not possibly pay for the salary of a Dutch teacher. It was an actual experience in several schools that the acceptance of State aid involved a direct loss; a good example of the 'something for nothing' policy.

English is permitted to be the medium of instruction in Government schools on the conditions, among others—

That Dutch be taught for one hour a day during the first year, two hours a day during the second year, three hours a day during the third year; and that in the fourth year Dutch shall become the sole medium of instruction.

The characteristic trickery and cunning which mark so many of the Boer-Hollander enactments are again apparent here. The proposal is made to appear reasonable, but it is clearly impossible for a child to attain within the time named such proficiency in a foreign language as to be able to receive all instruction in it. The effect and the design are to place English-speaking children at a grave disadvantage compared with Dutch-speaking children; either they would have to devote a great deal more time to the study of Dutch in the first three years so as to be able to receive all instruction in that tongue, or they would suffer in the higher standards through their imperfect knowledge of the medium of instruction. It was not to be supposed that the Uitlanders, after an experience extending over a decade and a half of all sorts of promises, not one of which had been kept in the spirit in which it was intended to be construed, would consent to abandon their scheme at the behest of Dr. Mansvelt and the misguided few who judged his proposals by appearances. President Kruger speaking at Rustenburg as lately as March last laid particular emphasis upon the stipulation in the Law that in the fourth year Dutch should be the sole medium of instruction, and explained that his determination was to make Dutch the dominant language.

In the month of February the Transvaal Government received a dispatch from her Majesty's Government with reference to the dynamite concession. It referred to the announcement already recorded, that in the course of the coming session of the Raad a proposal would be submitted

for the extension of the monopoly for fifteen years. Mr. Chamberlain pointed out that her Majesty's Government were advised that the dynamite monopoly in its present form constitutes a breach of the Convention; he expressed the hope that the Transvaal Government might see its way voluntarily either to cancel the monopoly or to so amend it as to make it in the true sense a State monopoly operating for the benefit of the State; and he suggested that in any case no attempt should be made to extend the present concession, as such a proposal would compel her Majesty's Government to take steps which they had hitherto abstained from taking in the hope and belief that the Transvaal Government would itself deal satisfactorily with the matter. It was with this despatch, so to say in his pocket, that the President introduced and endeavoured to force through the Raad the proposal to grant a fifteen years' extension of the monopoly.

That representations had been made by the British Government on the subject of the dynamite monopoly, had been known for some time before the Peace Negotiations (as they have been called) between the Government and the Capitalists were proposed. On February 27* Mr. Edouard

* It is stated that President Kruger, ever since the signing of the London Convention on Majuba Day—February 27—1884, has believed in certain lucky days, and has a kind of superstitious regard for anniversaries. If that be so, the incidence of events has given him something to ponder over during the last three years. Three notable schemes conceived by himself and carefully designed to strengthen his position, have by a curious coincidence matured upon dates of certain interest in Transvaal history. All three have failed disastrously. The first anniversary of the Reformers' sentence day was the occasion of the Reformers giving evidence before the Industrial Commission, which so strongly justified their case. The Peace Negotiations with the Capitalists were opened by Mr. Lippert upon the anniversary of Majuba. The Bloemfontein Conference was opened upon the Reformers' emancipation day, the expiry of the three years' silence. That his Honour really attaches importance to these things was shown when over two hundred ministers representing the Dutch Reformed Church in the Transvaal met in Pretoria to urge upon him the suppression of the Illicit Liquor trade. In all innocence they had chosen May 24 on which to present their address. Their astonishment was great when Mr. Kruger, passing lightly by the liquor question, gave the assembled pastors a thorough wiggling for finding fault with his administration at all, but chiefly for their unpatriotic conduct in selecting the Queen's birthday of all days on which to expose internal differences in their country.

Lippert, the original dynamite concessionaire, who it was known would receive the further sum of £150,000 if the monopoly remained uncanceled for five years, opened negotiations on behalf of the Government with certain representatives of the capitalist groups on the Rand; and it was immediately seen that the main—one might almost say sole—object of the negotiations was to safeguard the dynamite monopoly. The Government had, in fact, been placed in a very awkward position. One of the excuses for not expropriating the monopoly had been that the State had not been successful in raising a loan. In order to deal with this objection the Chamber of Mines had, in the month of February, 1899, made an offer, guaranteed by all the principal firms on the Rand, to provide the sum of £600,000 to compensate the monopolists for their actual expenditure up to date upon buildings, plant, machinery, &c., so that there should be no semblance of injustice in the treatment meted out to them. The conditions of the offer were that the dynamite monopoly should be cancelled and importation of explosives permitted under an import duty which would give the State a very large revenue at once and which in the course of a few years would provide a sinking fund sufficient to extinguish the loan of £600,000. The offer was so favourable to the State that it placed the Government in a quandary.¹ The attitude of the Volksraad, too, was distinctly hostile to the dynamite monopoly; and on top of all came the representations of the Imperial Government upon the subject. It became necessary to do something to save the threatened 'cornerstone'; hence the Peace negotiations between the Government and the capitalists.

This was another and one of the clearest examples of the 'something for nothing' policy, for it will be observed that of all the things mentioned dynamite alone was the matter to be definitely settled—and that to the satisfaction of Mr.

¹ In addressing a meeting of burghers in Heidelberg three months later the President showed to what lengths he was prepared to go in defending the monopoly when in reply to a question he denied that any such offer had been received 'by the Executive.' The explanation, which he did not give, is that the *Government*, i.e., the President and State Secretary, had received it—and withheld it from the Executive!

Kruger. Long years of experience had taught the Uitlanders to examine any proposals coming from the Government with the utmost care; and the representatives of the mining industry were soon of one mind in regarding these negotiations as nothing but a trap.

Of the five men who represented the Government, viz., the President, the State Secretary (Mr. Reitz), the State Attorney (Mr. Smuts), the Foreign Plenipotentiary (Dr. Leyds), and the 'disinterested intermediary,' Mr. Lippert, it was easy enough to account for three. The President had frequently pledged himself to maintain the monopoly, and always referred to it as the corner-stone of the independence. Dr. Leyds had chosen to associate himself with the defence of the concessionaires upon all occasions, and had even gone so far, as evidence given at the Industrial Commission showed, as to misrepresent the facts in their defence. The difficulty was how to explain the association of the State Attorney and State Secretary, in whose good intentions and integrity there was a general belief. The solution was to be found in the illusory promises of reform under the heading of franchise and reorganization of the finances and other matters. These proposals, it was believed by Mr. Kruger and his party, would secure the support of the two above-named officials, as well as entice the capitalists into the trap set for them. But there were other points of advantage for Mr. Kruger. The whole scheme was in accordance with the *divide et impera* policy. The first impression, if the scheme were accepted, would be that the capitalists had secured something for themselves by bartering away the rights of the public; so there would have been a division in Johannesburg. Another effect to be brought about by the proposed action regarding the Indians would have been to divide the Uitlanders from the Imperial Government, and the net result of it all would have been that neither the public nor the capitalists would have got anything but illusory promises and Mr. Kruger would have secured his dynamite; for had he been able to extract from the Industry an expression of approval or acquiescence, it would have given him his majority in the Volksraad in favour of the monopoly.

The following is the correspondence which passed :—

JOHANNESBURG, S.A.R.,
27th March, 1899.

To the Honourable the State Secretary,
Pretoria.

HONOURABLE SIR,

Before communicating to you and the representatives of the Government whom we met the expression of our opinion and that of our London friends on the proposals submitted to us by Mr. Lippert on behalf of the Government of the S.A.R., we deem it advisable to recite shortly how we have arrived at the present position.

On the 27th of February Mr. E. Lippert called together Messrs. A. Brakhan, E. Birkenruth, and G. Rouliot, to whom he submitted a certain programme concerning the settlement of some pending questions forming the subject of grave differences between the Government of the S.A.R., on the one part, and the whole Uitlander population and the mining industry on the other part, with a view to ascertain whether these gentlemen were willing to open negotiations on the basis suggested, in order to try to come to a settlement. Upon the affirmative answer of these gentlemen, Mr. Lippert obtained an equal expression of approval from Dr. Leyds, the State Secretary, the State Attorney, and also of President Kruger. The preliminary programme at Mr. Lippert's request was then communicated by cable to our London friends. Upon receipt of a reply to the effect that our London friends were in favour of any arrangement which would produce harmony and secure administrative and financial reform, which was communicated to Mr. E. Lippert, a meeting was arranged with Dr. Leyds, Messrs. Reitz, Smuts, and Lippert, as representing the Government, on the 9th of March; but as Messrs. Brakhan, Birkenruth, and Rouliot had repeatedly mentioned that they did not consider themselves qualified to discuss matters on behalf of the general body of Uitlanders, and seeing that the programme submitted was to be considered as a whole, and either adopted or rejected as such, therefore it would be necessary to obtain the views, on the franchise question, of prominent citizens more able to express the wishes of Uitlanders on this subject; Mr. Lippert, on behalf of the Government, invited in addition Messrs. Pierce and Pistorious to be present at the meeting.

At this meeting several points were discussed, but as no definite proposal regarding franchise could be submitted, no decision was arrived at, it being made clear, however, that this was only a preliminary conversation with the object of exchanging views, and that in any case the opinion of the Uitlander population, and also that of our friends in Europe, would have to be fully ascertained.

On the 12th instant, at the request of Mr. Lippert, Messrs. Brakhan, Birkenruth, Rouliot, Pierce, Pistorious and Fitzpatrick met, and Mr. Lippert communicated to us the definite proposals of the S.A.R. Government, which were duly cabled the same day to our friends, requesting a reply before the end of the week, as the Government would have to submit the whole matter to the Raad, and we were requested to sign an agreement with the Government, and a declaration binding on ourselves and our London friends.

Their answer, suggesting a further conference with Dr. Leyds in London, was duly communicated to his Honour the State President. His Honour's reply, stating that the exchange of views had better take place here, was communicated to our European friends.

Now they have cabled us a full *résumé* of the proceedings and resolu-

tions passed at the meeting held in London on the 16th instant, and the following is therefore the expression of our opinion as well as that of our European friends, upon the subjects which have already been discussed between the representatives of the S.A.R. Government, and ourselves.

It having been stipulated by the Government that the various matters herein dealt with shall be taken as parts of one whole plan, we have bowed to that decision, and we beg now to reply under the various heads on the understanding that no one portion may be judged as apart from the whole.

BEWAARPLAATSEN.

In furtherance of the general settlement, those of us directly concerned in the mining industry would be prepared to recommend a modification of the claims of the surface holder and a final settlement of the question on the lines suggested as preferable to the continued uncertainty, on the understanding that the basis for valuation should be arrived at by fixing, after consultation, a maximum price upon the best situated bewaarplaatsen or water-right, and that the price of all other mining rights under bewaarplaatsen, machine stands or water-rights be valued by competent engineers on the basis and in relation to the above maximum value, taking into consideration the comparative value of the outcrop claims and the diminishing value in depth; the surface holder having the preferent right to acquire the undermining rights at the price thus arrived at.

FINANCIER AND AUDITOR.

The appointment of a suitable man with efficient control and assured status would undoubtedly meet one of the most serious of the grievances, and would be universally accepted as satisfactory. The financier, in order to enjoy the confidence of all concerned, and with a view to avoid as far as possible ulterior discussion of his recommendations, should be approved of by some person belonging to a firm of well-known independent standing, such as Lord Rothschild, for instance. The financier to be a member of the Executive Council, and to formulate and approve every scheme of taxation should further or other taxation become necessary.

LOAN.

Any loan offered at reasonable rates and approved by the Finance Minister for the common good would undoubtedly receive our support; we understanding, on the other hand, that no new taxation will be imposed on the general population or the mining industry pending the appointment of the financier.

PRESS AGITATION.

There having been, as far as we know, no organized press agitation, it is impossible for us to deal with this matter, but it is clear that the criticism which has been provoked by a certain condition of affairs here would necessarily cease upon the causes of complaint being removed, and we would be prepared, in case of our coming to a settlement with the Government, to declare that the solution of the questions arrived at meets with our approval as a whole, so as to discourage further agitation in newspapers on these subjects.

POLITICAL ORGANIZATIONS.

We shall at all times be willing to publicly discourage and repudiate any political organization having for its object the stirring up of strife or promoting dissension between the different nationalities inhabiting this State, and we would and will in any case do this freely and upon principle, and entirely apart from other considerations connected with this Conference, but it should be clearly understood that this declaration must not be construed as repudiating or deprecating any legitimate representations which the community or any section of them may see fit to make in matters which concern them as inhabitants of this State.

COOLIE QUESTION.

We well appreciate the dangers of uncontrolled, indiscriminate immigration of the lower class Indians, Chinese, and other coloured races, and the necessity for provision for sanitary control, and shall be most willing to aid the Government in the above objects ; but we consider it impossible for us to intervene in this matter, which is governed by the London Convention with the British Government. We suggest that for the purpose of guarding against the dangers above referred to, this matter be explained to the Imperial Government as part of the whole scheme for the settlement of differences, and claim therefore an especially favourable consideration, for, in the success of this scheme, all who desire peace and prosperity in this country must be deeply concerned and willing to co-operate on generous lines. We suggest that this representation be made in such manner as may be deemed less calculated to provoke unfavourable comment, or offend susceptibilities in any quarter, and that the suggestion be viewed by all parties in its true proportions as one part of the whole scheme of settlement. Unless so viewed we should be unable to put ourselves forward in a matter at issue between the two Governments, nor of course could the proposals of the Government be taken to suggest this.

DYNAMITE.

With the principle of granting a monopoly to individuals, agencies, or corporations it is impossible for us to agree, and whatever arrangement be effected, we should have to make it clear that in this instance we are viewing the question solely as a burden—a tax which the mines are asked to definitely accept in order that an amelioration of the general conditions affecting the whole Uitlander population may be secured.

The difference between the cost at which dynamite could be imported (exclusive of Transvaal duty) and the price we are now compelled to pay amounts to over £600,000 per annum on the present rate of consumption, a sum which will increase steadily and largely in the immediate future.

Whether the mining industry should voluntarily accept such an immense burden as a set-off against terms which, whilst they would doubtless eventually favourably affect the industry, are in their immediate effects designed to satisfy the Uitlander population in their personal rights as distinct from the mining industry as a business, is a matter which would in the first place have to be submitted to the recognized elected representatives of the mining industry, and would in the second place depend upon whether the people in whose interest such sacrifice is required would accept the terms which the Government would be willing to concede as satisfying their reasonable aspirations.

It is also a matter of grave and general concern that a sum so enormous, when compared with the revenue requirements of the State, should be taken annually from the mines with little, if any, benefit to the country, when it might be utilized in part or entirely in supplementing the State revenue, and thus afford relief in other directions to every taxpayer in the country.

Notwithstanding the above considerations, however, we feel that a great monetary sacrifice might be made to secure a peaceful and permanent solution of vexed questions, and that the subject of dynamite should be submitted to the Chamber of Mines and discussed in that spirit.

Whilst we are willing, in order to bring about a general settlement of all pending questions, to recommend such a heavy sacrifice to be made, and adopt the proposal made by the Government, it would be a condition that there shall not be any extension of the concession, and that the terms of the contract shall be rigidly enforced ; that the Dynamite Company shall reduce the price of dynamite to 70s. per case, giving to the Government the 5s. per case and the share of the profits to which it is entitled ; and that at the end of the present agency the factory shall be taken over at a valuation which shall not include compensation for goodwill or for loss of future business.

FRANCHISE.

This is the vital point upon which a permanent and peaceful settlement must hinge, and if a satisfactory solution can be arrived at on this point, as well as on the others raised, we shall be prepared to recommend to the Industry to make the sacrifices involved in accepting the Government proposals.

We note that—

- (a) the proposals do not include a substantial recognition of past residence ;
- (b) that the period is seven years ;
- (c) that it is proposed that those who acquire citizenship under the law, if changed as proposed, shall not have the vote for the office of President, and that the oath of allegiance would be required seven years before the acquisition of limited burgher rights ;
- (d) that the proposed new law would have to be published for a year and receive the assent of two-thirds of the enfranchised burghers of the Republic.

Whilst declaring ourselves willing to accept and recommend the acceptance of any fair scheme on constitutional reforms, we consider that such a scheme must first be laid before, and approved by, the unenfranchised community, as the rights, liberties, and privileges of the community would depend absolutely on the nature of the reform.

We have repeated on many occasions that business houses are not qualified to discuss this question on behalf of the general body of Uitlanders, and that we would not presume that we were appointed by the whole community to discuss it on their behalf. It will therefore be necessary to find means to bring the whole question before those directly affected, who are the only ones entitled to finally dispose of the matter, their acquiescence to the scheme having to be first obtained before we recommend the sacrifices which we contemplate in order to ensure a general permanent and peaceful settlement.

For your guidance we enclose an expression of opinion which has been furnished to us by some of the most prominent Uitlanders, and

places before you the views of a very large and influential section of the community.

The above subjects are only those which have been discussed between the Government representatives and ourselves, but, in order to arrive at a final permanent settlement, we think that we ought to endeavour to remove all other causes of disagreement, and treat as well several other important questions left untouched; and we would beg that the Government will take the necessary steps, as far as lies in their power, to assist the industry by bringing native labourers to the goldfields, and to this end will be willing to confer with the Chamber of Mines as to the best means to be adopted; that the law relating to the sale of intoxicating liquor at present in force shall be maintained and strictly enforced. We may further state that we have every confidence in the probity and honour of the Judges of the S.A.R., and wish to place on record our desire that the independence of the Bench should be assured and maintained inviolate in the highest interests of all the inhabitants of the Republic.

We enclose copy of the cable which we sent, embodying the proposals of the Government of the S.A.R. as communicated to us by Mr. Lippert, and copy of the *précis* and resolution passed at the meeting held in London, when the above cable was considered.

This letter conveys to you our opinion as well as that of our friends in Europe, and we should be most happy to arrange a meeting with you and any other representatives of the Government to consider and discuss the points contained therein.

We beg to assure you once more that we, as well as our European friends, are most sincerely desirous to arrive at a satisfactory settlement, securing a peaceful future and promoting the welfare of the country and the people, and trust that you will regard the expression of our opinion in that light.

We remain, honourable Sir,

Yours obediently,

G. ROULIOT.
H. F. E. PISTORIUS.
E. BIRKENRUTH.
JOHN M. PIERCE.
A. BRAKHAN.

The foregoing embodies our views as well as that of our London houses.

(Signed) J. G. HAMILTON.
W. DALRYMPLE.

The following memorandum—the one referred to in the above letter—was prepared by well-known Uitlanders whom the Government, owing to the refusal of the capitalists to deal with the franchise, had been obliged to select in order to get some pronouncement upon that question. The little ironies of life have two properties: the humour for the winner, and the hurt for the worsted. The Uitlanders had for three years enjoyed a singularly monotonous experience in ironies, but a turning came in the long lane when it became necessary for the President to suspend the operation of his three years'