

THE BRITISH GOVERNMENT

AND

THE BECHUANALAND PROTECTORATE

1885 - 1895

A Thesis presented for the degree of

Master of Arts

by

MARGARET T PIETTERS

1947

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| <u>FOREWORD and BIBLIOGRAPHY</u> | | <u>page</u> |
|----------------------------------|---|-------------|
| <u>INTRODUCTION</u> | <u>RIVAL EUROPEAN INTERESTS IN THE INTERIOR AND THE ROAD TO THE NORTH</u> | 1 |
| | 1. Early contacts with the Bechuana tribes. | |
| | 2. European interests in the Interior. | |
| | a) The Transvaal | |
| | b) The British Government | |
| | c) The Cape Colony | |
| | d) Foreign Powers. | |
| | 3. Events culminating in the decision to send out the Warren expedition | |
| <u>CHAPTER I</u> | <u>THE ESTABLISHMENT OF THE BECHUANALAND PROTECTORATE</u> | 20 |
| | 1. Warren and the Chiefs | |
| | 2. Policy of the British Government towards the Protectorate | |
| <u>CHAPTER II</u> | <u>THE EXTENT OF BRITISH INTERFERENCE IN THE AFFAIRS OF THE TRIBES UP TO 1888</u> | 30 |
| | 1. General description of the tribes | |
| | 2. Disputes among the tribes | |
| | 3. Jurisdiction over Europeans | |
| | 4. Concessions | |
| <u>CHAPTER III</u> | <u>THE BECHUANALAND PROTECTORATE AND ITS NEIGHBOURS</u> | 45 |
| | 1. Suspicion of the Transvaal | |
| | 2. Khama and Lobengula - The Disputed Territory | |
| | 3. The Grobler incident | |
| | 4. Germany and Lake Ngami | |
| <u>CHAPTER IV</u> | <u>THE EXTENSION OF BRITISH JURISDICTION IN THE PROTECTORATE AFTER 1888</u> | 61 |
| | 1. Suggestions for extending the scope of administration | |
| | 2. Orders-in-Council of 30 June 1890 and 9th May 1891 | |
| | 3. Reactions of the Chiefs | |
| | 4. Action taken under the Orders-in-Council | |
| <u>CHAPTER V</u> | <u>THE BRITISH SOUTH AFRICA COMPANY AND THE BECHUANALAND PROTECTORATE 1889-1895</u> | 81 |
| | 1. The Granting of the Charter | |
| | 2. Concessions | |
| | 3. The Disputed Territory | |
| | 4. Railway construction | |
| | 5. Rhodes seeks transfer of Protectorate | |
| | 6. Visit of Chiefs to London | |
| | 7. The "jumping off" place | |
| <u>CONCLUSION</u> | <u>THE PROTECTORATE AFTER 1895</u> | 104 |

FOREWORD

For this work I have drawn chiefly on Imperial Blue books and Colonial Office White books, together with correspondence filed in the Office of the United Kingdom High Commissioner in Cape Town.

I have concentrated throughout on the development of relations between the British Government and the Chiefs. The Introduction may seem rather lengthy, but I wanted to bring out fully the background against which the British Government assumed the Protectorate in 1885 and the attitude of the parties interested. The taking over of Bechuanaland was only one step in the European advance into the interior. That it was Britain who had taken the step gave her an advantage in the rivalry for the next stepping stone, Matabeleland.

Bechuanaland has now been under the direct protection of Britain for over sixty years. Yet it was only with great reluctance, and because there seemed no other way to secure a free highway to the north, that the Protectorate was assumed in 1885. A minimum of administration and expense was the British Government's aim, but nevertheless the Protectorate showed an annual deficit. In 1889, therefore, the country was included within the sphere of operations of the British South Africa Company, and it was hoped that the Company would ultimately relieve the Government of its administrative responsibilities.

Negotiations for the transfer of administration were begun in 1895 and the intention becoming known the Bechuana chiefs Khama, Sebele, and Bathoen visited England to protest to the Colonial Secretary. As a result large native reserves were marked out for the tribes and it was agreed that they should remain under the Crown. At the same time the strip to the east along the Transvaal boundary was transferred to the Company which thus took over the responsibilities and expense of defence. Then came the Jameson Raid, in which the Company was so deeply involved, and the British Government gradually resumed the position it had held before the question of transfer arose.

Much of the history of the Protectorate during this period is linked with the opening up of Rhodesia but I have only been able to refer briefly, and in the most general terms, to events in the north. Nor have I attempted to discuss the antecedents or results of the Jameson Raid, launched from Protectorate territory, except in so far as it affected the tribes. There is also a great deal of material concerning concessions in the Protectorate and the claims of rival concessionaires, which I have had to leave untouched.

The spelling of native names presented a difficulty for I found a large number of variations in use. In the end I adopted the versions most generally used in the Government Blue books.

I would like to express my thanks to the High Commissioner for the United Kingdom for allowing me access to White books and records, also to Mr. Cowan of the High Commissioner's Office who helped me to find my way through the labyrinth of old records stored there. I must also thank Professor Schapera for kindly lending me notes and books dealing with my subject.

B I B L I O G R A P H Y

A. UNPUBLISHED SOURCES

Correspondence between the High Commissioner and the Administrator of British Bechuanaland, filed in the Cape Town office of the High Commissioner for the United Kingdom.

The Administrator was also Deputy Commissioner for the Bechuanaland Protectorate and his despatches covered reports from Assistant Commissioners and police officers in the Protectorate as well as correspondence with the chiefs.

Until this year these records were completely neglected and as yet only the most general classification has been attempted. I understand that they may shortly be handed over to authorities more directly interested in preserving them.

Folios in the High Commissioner's Office, Cape Town. After 1890 folios on special problems or events were compiled and these are also filed in the High Commissioner's Office in Cape Town.

B. OFFICIAL SOURCES

Imperial Bluebooks

- | | | |
|--------|---|-----------------|
| C 3841 | Further Correspondence respecting the Affairs of the Transvaal and Adjacent Territories | February 1884 |
| C 4036 | Do. | May 1884 |
| C 4194 | Do. | August 1884 |
| C 4213 | Do. | October 1884 |
| C 4252 | Do. | December 1884 |
| C 4275 | Do. | February 1885 |
| C 4310 | Do. | February 1885 |
| C 4432 | Do. | May 1885 |
| C 4588 | Do. | August 1885 |
| C 4643 | Do. | February 1886 |
| C 4839 | Do. | June 1886 |
| C 4890 | Do. | Sept. 1886 |
| C 4956 | Further Correspondence respecting the Affairs of Bechuanaland and Adjacent Territories | February 1887 |
| C 5070 | Do. | June 1887 |
| C 5237 | Do. | Sept. 1887 |
| C 5363 | Do. | April 1888 |
| C 5524 | Do. | August 1888 |
| C 5918 | Do. | February 1890 |
| C 7171 | Copies and Extracts of Correspondence relating to the British South Africa Company in Mashonaland and Matabeleland | September 1893 |
| C 7190 | Further Correspondence relating to Affairs in Mashonaland, Matabeleland and the Bechuanaland Protectorate | September 1893 |
| C 7196 | Do. | November 1893 |
| C 7290 | Do. | Feb.-March 1894 |
| C 7154 | Correspondence respecting proposed railway extension in the Bechuanaland Protectorate | September 1893 |
| C 7962 | Correspondence relative to the Visit to this Country of the Chiefs Khama Sebele and Bathoen and the Future of the Bechuanaland Protectorate | February 1896 |
| C 7932 | Correspondence relative to the Transfer of British Bechuanaland to the Cape Colony | Feb. 1896 |

B. OFFICIAL SOURCES (cont.)Imperial Bluebooks (cont.)

Second Report of the Select Committee on British
 South Africa H.C. 311, 311(i), 311(ii) July 1897
 British Bechuanaland Annual Reports 1898-1895

ABBREVIATIONS

In the footnotes for the sake of brevity I have normally referred only to the Cmd. No. of a particular Bluebook.

Colonial Office White books

African No. 162

| | | | |
|-----------------|-----|----------|------|
| African (South) | 358 | May | 1889 |
| Do. | 369 | March | 1889 |
| Do. | 372 | February | 1890 |
| Do. | 392 | December | 1890 |
| Do. | 403 | | 1891 |
| Do. | 414 | February | 1892 |
| Do. | 426 | October | 1892 |
| Do. | 441 | July | 1893 |
| Do. | 454 | December | 1893 |
| Do. | 459 | | 1894 |
| Do. | 461 | February | 1895 |
| Do. | 484 | August | 1895 |
| Do. | 498 | June | 1896 |
| Do. | 517 | April | 1898 |

| | | | |
|-----------------|-----|---|--------------|
| African (South) | 439 | Memorandum on the Origins and Operations of the British South Africa Chartered Company | October 1892 |
| African (South) | 537 | Report of Concessions Commission | March 1903 |
| African No. 410 | | Memorandum as to the Jurisdiction and Administrative Powers of a European State holding Protectorates in Africa | |

C. SECONDARY SOURCESGeneral Histories

| | | | |
|---------------------|--------------------------------------|----------------------------|--------|
| <u>E. A. Walker</u> | A History of South Africa | 2nd Edition | (1935) |
| <u>G. Mc. Theal</u> | A History of South Africa since 1795 | 5 vols. (I-IV 1908 V 1910) | |

Early History of the Interior

| | | | |
|---|---|--|-------------------|
| <u>Barrow</u> | A Voyage to Cochin China | Contains "An account of a Journey to Laetakoo, the Residence of the chief of the Booshuana Nation" | (1806) |
| <u>Burchell</u> | Travels in the Interior of Southern Africa | 2 vols. | (1822-4) |
| <u>The Matabele Journals of Robert Moffat</u> | ed. by J. P. R. Wallis | 2 vols. | (1945) |
| <u>Van Riebeeck Society Publication</u> | The Diary of Dr. Andrew Smith | ed. by P. Kirby | 2 vols. (1939-40) |
| <u>J. du Plessis</u> | A History of Christian Missions in South Africa | | (1911) |
| <u>Rev. John Mackenzie</u> | Ten Years North of the Orange River | | (1871) |
| <u>David Livingstone</u> | Missionary Travels and Researches in South Africa | | (1857) |
| <u>Schopera</u> | A Short History of the Banquaketse. | Reprinted from African Studies | March 1942 |

G. SECONDARY SOURCES (cont.)Later History of the Baster (cont.)

- J. Agar Hamilton The Road to the North 1852-86 (1937)
C. W. de Kiewiet British Colonial Policy and the South African Republic 1848-1872 (1929)
C. W. de Kiewiet The Imperial Factor in South Africa (1937)
W. J. Leyds The Transvaal Surrounded (1919)
J. H. Hofmeyr The Life of Jan Hendrik Hofmeyr (1913)
E. A. Walker Lord de Villiers and his Times (1925)
Sir L. Michell The Life and Times of the Rt. Hon. Cecil John Rhodes (1910)
Basil Williams Cecil Rhodes (1921)
W. D. Mackenzie John Mackenzie (1921)
J. L. Garvin The Life of Joseph Chamberlain 3 vols. (1932-34)
R. I. Lovell The Struggle for South Africa 1875-1899 (1934)
H. Marshall Hole The Making of Rhodesia (1926)
E. P. Mathers Zambesia (1891)
J. Mackenzie Austral Africa, Losing it or Ruling it 2 vols. (1887)
- Eybers Select Constitutional Documents illustrating South African History 1795-1910 (1918)
- British Bechuanaland Proclamations 1885-1893 ed. D. Ward (1898)
 Bechuanaland Protectorate Orders in Council & High Commissioner's Proclamations & Notices ed. M. Williams (1915)
 British Bechuanaland Proclamations and the more important of the Government Notices - reprinted from the Bechuanaland Government Gazette
 Published annually at Vryburg from 1886
- Cape of Good Hope . House of Assembly Debates 1885-1896

NEWSPAPERS. "The Times", Cape Argus, Cape Times

INTRODUCTION: RIVAL EUROPEAN INTERESTS IN THE INTERIOR
AND THE ROAD TO THE NORTH UP TO 1885

Bechuanaland is the country of the Tswana tribes. In 1885 it had the Transvaal in the east, the German Protectorate in the west, and stretched from Griqualand West to the borders of Matabeleland. A British Protectorate was proclaimed over Bechuanaland and the Kalahari by a High Commissioner's Proclamation of 23rd March 1885. A High Commissioner's Proclamation of 30th September 1885 proclaimed British sovereignty in Bechuanaland, south of the Molopo River, and established the Crown Colony of British Bechuanaland. The area north of the Molopo as far as 22° S. Latitude remained a British Protectorate. This northern limit of the Bechuanaland Protectorate was an arbitrary one, fixed without survey on the spot, and the northernmost Bechuana chief, Khama, claimed actual and potential jurisdiction far beyond it. A disputed northern boundary is one of the features of early Protectorate history.

Also excluded from the Protectorate by definition in 1885 was the branch of the Tswana people living round Lake Ngami.

Generally speaking, the Protectorate comprised the area occupied by the three big Tswana tribes - the Bamangwato, the Bakwena and the Bangwaketsi, together with a number of minor tribes like the Bamalete and the Bakhatla. Also living in the Protectorate were the descendants of the original inhabitants of the area like Bushmen and Makalaka, who had been dispossessed by the Tswana peoples in the course of their migration south. To their conquerors these bore a servile relationship.

First contact with the Bechuanas was made by an expedition under Truter and Somerville⁽¹⁾ which left the Cape in October 1801. This was sent out by the Cape Government to gather information about tribes north of the Orange River, and if possible to barter cattle from them. The expedition got as far as Leetakoo, later Kuruman, and were received in a friendly manner by the local chief. However he dissuaded them from going further by his tales

(1) Barrow An account of a journey to Laetakoo, the residence of the chief of the Booshuana Nation - Supplement in his book A Voyage to Cochin China p 363 ff.

of the savage and unfriendly nature of the tribes to the north, tales which they later discovered to be quite untrue.

In 1808 the Cape Governor, the Earl of Caledon, sent Dr. Cowan of the 83rd Regiment and Lieut. Donovan to explore the country of the Bechuanas and beyond.⁽¹⁾ They were accompanied as far as the Bangwaketsi country by the missionary Mr. Anderson. The latter then turned back and no further authentic news was received of the expedition. Burchell on his journey of 1812 was asked officially to inquire of the chiefs as to their fate, but only heard a highly doubtful account of murder by tribes further north, on which he stated no reliance could be placed.⁽²⁾ The Rev. Robert Moffat later got news of their passage through the Bamangwato country,⁽³⁾ and it was eventually assumed that they must have died in the fever belt further north.

Meanwhile missionaries had begun work among the Bechuana tribes. The earliest station was that of Edwards and Kok, established in 1801 on the Kuruman River. However this was short lived, and the real story of missionary enterprise in the interior begins with the arrival at Kuruman in 1821 of Robert Moffat of the London Missionary Society. A permanent and extensive station was established, and was the centre from which the London Missionaries carried the gospel to tribes further north.

Following the missionaries came the hunters and traders, who in many cases penetrated further than the missionaries had yet gone. Early missionaries were often accused, with justice, of being traders as well. Moffat alleges that Edwards went north of the Molopo River to barter with the Bangwaketsi tribe, and certainly Kok was killed by his native servants while conveying a waggon load of ivory to Cape Town.⁽⁴⁾

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- (1) Theal History of South Africa since 1795 Vol.I p.140.
(2) Burchell Travels in the Interior of Southern Africa Vol.II pp.496 seq.
(3) Matabele Journals of Robert Moffat ed. by J. P. R. Wallis Vol.I p.18.
(4) For an account of the mission of Edwards and Kok and of subsequent missionary work among the Bechuanas see J. du Plessis A History of Christian Missions in South Africa. esp. p 107 ff , p 249 ff

In 1826 two European travellers, Bain and Biddulph, reached the Bangwaketsi tribe and were persuaded by the chief, against their will, to accompany his warriors on an attack against the Bakwena at Litubaruba (later Molepolole).⁽¹⁾ The first white man known to have visited the Bamangwato tribe, north of the Bakwena, was the Kuruman trader David Hume, who went as far north as the Macloutsie River and then explored to the east, returning through what is now the Transvaal.⁽²⁾

Genraal
Buys also

At that time the country was dominated by the Matabele under Moselekatse, and his attacks on the Bechuana tribes caused them to move further west, where they could take refuge in the desert if necessary. The march of the Matabele to what later became known as Matabeleland, after their defeat by the Boers in 1837, created further confusion among the Bechuanas. Sub-divisions of the tribes sought separate refuges or were driven apart by Matabele attacks. By the middle of the 19th Century, however, we find the Bangwaketsi reassembled under Bassitsive at Kanya, the Bakwena under Sechele at Litubaruba or Molepolole, and the Bamangwato at Shoshong.

It was as a missionary with the Bechuanas that David Livingstone began his work in Africa in 1841. His first station was Mabotsa, among the Bakhatla tribe, but in 1846 he moved away to begin the mission to the Bakwena under Sechele. From his station on the Kolobeng River he began his great journeys into the interior, in 1849 crossing the Kalahari and reaching Lake Ngami. Livingstone left the Bakwena in 1852, and in the same year his house was broken into and his possessions looted in the course of an attack on Sechele by a Transvaal commando. Mission work was continued for a time by German missionaries and in 1867 the

(1) Schapera African Studies March 1942 p.7

(2) Matabele Journals Vol.I Footnote 4 p.2

London Missionary Society recommenced its work at Molepolole. Meanwhile in 1864 Mackenzie had begun his mission to the Bamangwato, and in 1871 a mission was established at Kanya.

Thus with each of the three big Bechuana tribes there were missionaries, who had close connections with Britain and the humanitarian group there. This factor was of great importance in keeping the problems of Bechuanaland before the public.

The "Missionaries Road" into the interior also became known as the "Traders Road", when trade increased and more merchants acquired an interest in it. At first the chief commodities of this trade were the ivory and ostrich feathers, which native hunters were willing to exchange for such articles as cloth and metal ware. Most of all they wanted guns, but by the Sand River and Bloemfontein Conventions Great Britain had undertaken to stop trade in guns with native tribes north of the Orange River, and maintained its attitude in the face of much discontent among the tribes.⁽¹⁾ Later, as big game became more scarce and hunters had to go much further north, natives bartered cattle hides and skins etc. for articles of European manufacture. Trading went on right up to the Zambezi, and there were small communities of Europeans living in the main towns of all the big chiefs.

In December 1867, the same year that the sensational diamond discovery was made in Griqualand West, the German traveller Karl Mauch discovered gold at Tati. Immediately there was an intensified interest in the interior, especially as Mauch also reported that gold was to be found in Mashonaland further north. Even diggers from far-off Australia were attracted by the news, and there seemed every prospect that a large-scale gold rush and influx of Europeans was imminent.

Tati was claimed by both Moselekatse and Macheng, Chief of the Bamangwato. To both of these chiefs, on behalf of the

(1) Matabele Journals Vol.I p. 165, 168

Transvaal Government, came Commandant Jan Viljoen. Macheng was asked to cede his claims to the gold fields in favour of the Transvaal. In return the Transvaal Government promised to protect the tribes against any influx of diggers.⁽¹⁾ However Viljoen's mission was a failure. Mackenzie wrote ~~off~~ to the Cape Governor Sir Philip Wodehouse on behalf of Macheng, asking for advice and offering to hand over the gold fields to the British Government under certain conditions. The Cape Assembly voted £2000 for a commission of inquiry to be sent up and Wodehouse promised Mackenzie to lay the matter before the Home Government.⁽²⁾ However nothing was done immediately, and as it became obvious that the first optimistic expectations of the Tati goldfields would not be fulfilled, no further steps were taken in the matter by the British Government.

Meanwhile on 29 April 1868 President Pretorius, in accordance with his "Greater Transvaal" policy, issued a proclamation claiming large stretches of country to east and west as part of the South African Republic. In the west this claim stretched from Kuruman to Lake Ngami. However the British Government protested and the proclamation never came into force.

Primarily the Transvaal burghers were interested in land, and in freedom to expand their boundaries as they wished. The average burgher regarded the lands of native tribes on the border as open to exploitation when the present area became too limited. Moreover the border territory attracted the most adventurous and least civilised Transvaal citizens, who disliked and ignored government intervention in their affairs.

The claim of the South African Republic to the interior was based in the first place on the right of conquest from Moselekatse,⁽³⁾ and on the same grounds it claimed suzerainty over native tribes, who returned to settle in the Transvaal and on its borders, after the Matabele had moved north. The Transvaal Government was

(1) Rev. John Mackenzie 10 Years North of the Orange River pp.453-455

(2) W. D. Mackenzie Life of John Mackenzie p.127

(3) Leyds The Transvaal Surrounded p.81

at first too weak for this control to be anything but nominal, though farmers on the border were quick to turn out on commando to punish any breach of the peace on the part of the natives. The attack on Sechele in 1852, for instance, had been made when he asserted his independence and refused to give up Mosielele, a Batlapin chief, who was "wanted" by the Transvaal Government for cattle stealing. legale

Nevertheless, in spite of the shadowy nature of its control of border areas, the South African Republic put forward extensive claims to the interior. Pretorius agreed to submit his claims to the area between the Vaal and the Harts River to arbitration, and when the Bloemhof Arbitration Court failed to agree, Keate, the Lieutenant Governor of Natal made the final award. The Transvaal case had been badly mismanaged, while the European agents, employed by the native chiefs concerned, had put forward a clever and plausible case. The result was that Keate's Award in October 1871, decided fairly on the evidence before him, went against the Transvaal and cut off from it areas of Bloemhof, Marico and Potchefstroom, which were already settled by Transvaal farmers. Pretorius was forced to resign and the Volksraad announced it would not be bound by the Keate Award. (1)

The British Government took no active steps to impose the Award. Transvaal farmers remained in occupation of farms outside the boundary, and groups began to interest themselves in the affairs of native tribes beyond. Burgers, the Transvaal President, made treaties with the native chiefs Moshette and Massouw recognising them as paramount. (2) In the same area the claims to paramounb̄y of Mankoroane and Montsioa were acknowledged by the British.

(1) Walker A History of South Africa p.346

(2) Walker op.cit. p.357

In 1881, when the Boers regained their independence by the Pretoria Convention, a fresh attempt was made to settle the western boundary question. The line fixed was a compromise between the Keate Award and the line desired by the Transvaal Government.⁽¹⁾ Colonel Moysey, the Border Commissioner, tried to base his conclusions on beneficial occupation. Land actually occupied by Transvaal farmers, which had been excluded by Keate, was now included in the Republic. On the other hand the new line cut through the lands of the native chiefs, and left the whole of the Road to the Interior outside the Transvaal.

Quarrels between native chiefs, beyond the official boundary, provided an opportunity for interference in their affairs. White volunteers enrolled themselves with the various chiefs and obtained in exchange promises of land grants. In the fighting that followed the Pro-British chiefs, Montsioa and Mankoroane, were defeated and the territory they were forced to surrender became the two small Republics of Stellaland and Goshen.

The attitude of the British Government to Bechuanaland was that same temporising attitude, which it had held towards other border areas before circumstances compelled it to evolve a definite policy. Two motives swayed British colonial policy.⁽²⁾ On the one hand was the urge towards economy in colonial affairs, which shrank from any extension of British responsibility, favoured self-government for the colonies and the gradual withdrawal of British forces and administration. On the other side was the still strong influence of Exeter Hall and the Humanitarians, which urged that Britain should interfere more strongly on behalf of the natives and protect them from the oppression of the Boers.

(1) J. Agar-Hamilton The Road to the North p.76

(2) For the background to British colonial policy see De Kiewiet British Colonial Policy and the South African Republics 1848-1872

Neither of these policies was followed consistently, and in its constant vacillations the Imperial Factor incurred resentment and lost prestige. By the Sand River Convention the Transvaal had been given the right to manage its own affairs, and the British Government disclaimed "all alliances whatever and with whomsoever of the coloured races North of the Vaal River". For a few years the British Government tried to maintain its isolation from the affairs of the Republics, but soon came to regret the Conventions. The Transvaal in particular, with its weak central government was unable to cope with its native problems, and its attacks on tribes round its borders, might be expected to have repercussions in territories, where Britain was more immediately interested and for the defence of which she was responsible. Moreover the writings of the missionaries and events like the destruction of Livingstone's possessions stirred up Humanitarian opinion in Great Britain and the Government was urged to intervene.

In 1858, when there was a rumour of a Boer attack on Kuruman, the Colonial Secretary Lord Carnarvon had consulted the Law Officers as to the possibility of abrogating the Conventions, and received the reply that it must be regarded as binding.⁽¹⁾ However ten years later in 1868 they were ready to give the opinion that the annexations made by Pretorius in April 1868 were illegal.⁽²⁾ Consequently the British Government disallowed the President's proclamation, and with the virtual ending of the policy of the Conventions, Wodehouse threw open the arms trade to white and black. If Pretorius had pressed the issue he might have succeeded, for Britain's interest would probably have stopped short of active steps to prevent Transvaal expansion in the west. As it was he withdrew his proclamation.

This, however, still left unsettled the future of the western lands. As we have seen Transvaal farmers drifted

(1) De Kiewiet^{op. cit.} p.253

(2) De Kiewiet^{op. cit.} p.264

across the boundary line and extended the area of actual settlement and potential unclaimed farms. It was obvious that to be effective the Keate Award would have to be enforced by the British Government.

In the late 1870's the idea of annexing the Cis-Molopo area gained much support. In 1878 an armed expedition under Lanyon and Warren had to be sent against the Batlapins, who were raiding across the northern boundary of Griqualand West. After the campaign was over Warren toured the area and received petitions from the chiefs to be taken under the protection of the Queen.⁽¹⁾ The native chiefs would have preferred independence, but it was obvious that they could not maintain themselves indefinitely against European encroachment, and the English seemed the lesser of two evils. Missionaries too urged annexation as a means of preserving the tribes, and John Mackenzie wrote from Cape Town advocating European administration and white colonisation.⁽²⁾

North of the Molopo the chiefs could also be expected to welcome protection. Khama, chief of the Bamangwato, was apprehensive concerning the intentions of the Boers now collecting along the Crocodile River for the trek across Thirstland. He suspected them of intriguing to put his brother Khamanie in his place, and was also worried about the drink question. At the beginning of September 1876 Khama wrote to Sir Henry Barkly, complaining about the Boers and expressing a wish "to hear how the Queen will receive me, and my country, and my people".⁽³⁾ He went so far as to inform the Boer leader that "I have placed myself, my country, and my people entirely in the hands of Her Majesty Queen Victoria" and referred him to the High Commissioner.⁽⁴⁾

Sechele was involved in a dispute with the Bakhatla tribe,

(1) J. Agar-Hamilton op.cit. p.141

(2) Mackenzie Austral Africa Losing it or Ruling it. p.141

(3) White Book African 162 p.79

(4) White Book African 162 p.69

in which the Transvaal was also interested. Alexander Bailie, who visited the northern tribes in 1876, wrote to the High Commissioner to say the chief had "expressed a strong wish to become a British subject".⁽¹⁾ At the same time Bailie found the Bangwaketsi tribe, under Gassitsive, in a weakened condition, largely owing to the influence of liquor.

In his despatch of May 13 1878, transmitting Bailie's reports to the Secretary of State, the High Commissioner Sir Bartle Frere put forward proposals for the annexation of the Keate Award area and all land to the north as far as Lake Ngami and the Zambezi. He gave it as his strong impression "that it will be found necessary, sooner or later, to extend the British dominion or protectorate, in some form or other, over all the tribes between the Orange River and Lake Ngami, and between the sea and the present Transvaal frontier, and that the longer it is deferred the more troublesome will the operation become".⁽²⁾ He pointed out that "all the drawbacks of civilisation have preceded dominion" - traders in liquor and guns, trekking farmers, hunters, lawless adventurers - and urged that Britain should extend her protection to chiefs between the Transvaal and the Kalahari and appoint residents to live with them.

Frere was certainly justified in the event. With the Transvaal in British occupation, native tribes acquiescent and colonists openly in favour of it, annexation in 1878 would have been comparatively easy. As it was, the Colonial Secretary, Sir Michael Hicks-Beach, delayed decision and demanded fuller details, and the return to office of the Liberals in April 1880 brought Kimberley to the Colonial Office, and a re-definition of the policy of non-intervention.

Kimberley instructed Sir George Colley to visit the

(1) White Book African 162 p.76

(2) idem p.59

disputed area, but there was to be no extension of territorial responsibility. The presence of white settlers and consequent difficulties with the natives was not to serve as an excuse for annexation. The British Government wanted to maintain friendly relations with the tribes beyond the frontiers, but to abstain from interference in their affairs unless it was necessary for the preservation of peace.⁽¹⁾

In 1881 when the Transvaal regained its independence by the Pretoria Convention, it was laid down that the British Resident was to hold a watching brief in regard to native policy. But the Convention boundary was unpopular with the Transvaal, and its Government was unwilling to enforce it. Consequently, the Resident's protests at infiltration across the border into native lands were ineffectual, and the republics of Stellaland and Goshen were formed with the tacit support of the South African Republic. To obtain an adjustment of the Convention boundaries to include both these territories within the South African Republic was one of the objects of the Transvaal deputation, which left for London in 1883 to negotiate a revision of the Pretoria Convention.

Such a revision of boundaries, besides depriving the tribes of their lands, would give the Transvaal territory lying across the trade route to the north. Both for reasons of prestige - the dispossessed native chiefs Montsioa and Mankoroane were British allies - and to protect British and colonial commercial interests, the British Government was bound to oppose the Transvaal wishes. In so doing it had public opinion behind it, for John Mackenzie had come home on leave from Bechuanaland at the end of 1882, and spent his time in journeying round the country, lecturing against the abandonment of the chiefs and any yielding to the Transvaal demands. Among those he converted was Joseph Chamberlain, who proposed to his colleagues the sending of an

(1) Agar-Hamilton^{op. cit.} p.161

expedition to assist the chiefs but was outvoted in the Cabinet. (1)

The importance of the trade route to the interior had long been recognised by the Cape mercantile community. In 1835 the scientific expedition into the interior, headed by Dr. Andrew Smith, was largely financed by Cape Town merchants and had as one of its objects "to ascertain what prospects the productions of the country and the disposition of the native tribes hold out to Commercial Enterprise". (2) Just as the Transvaal burgher saw the Interior as land ripe for settlement, so did the Cape merchant regard it as the Cape Colony's natural field of exploitation in regard to mineral concessions, land speculation and trade.

In 1883, before Scanlen, the Cape Premier, left for London, Cecil Rhodes moved in the Cape Assembly that the Cape Colony should place a resident with Mankoroane. If the Colony were to take the responsibility the Road could be secured without the interference of the distrusted Imperial Factor. In his speech Rhodes referred to Bechuanaland as "the Suez Canal of the trade of this country, the key of its trade to the interior. The question before us is this, whether the Colony is to be confined within its present borders, or whether it is to become the dominant state in South Africa and spread its civilisation over the interior". (3) Although this motion was defeated in Parliament his point of view was shared by many. The South African Republic had adopted a policy of customs duties hostile to colonial trade. Now the small republics of Stellaland and Goshen, aiming at the monopoly of the interior, had imposed crippling licence fees and other restrictions on traders (4) and had virtually stopped all trade with the North.

(1) J. L. Garvin Life of Joseph Chamberlain Vol.I p.490

(2) Diary of Dr. Andrew Smith ed. Kirby. published by the Van Riebeeck Society Introduction p.29

(3) Michell The Life and Times of the Rt. Hon. Cecil John Rhodes p.86

(4) Agar-Hamilton op.cit. p.245

But the attitude of the Cape Colony towards Bechuanaland was complicated by the political situation. The Bond group in the Cape Assembly held the balance between parties and could make or unmake governments. On the Bechuanaland question Hofmeyr was of the opinion that the country was a Transvaal interest, and should be administered by the South African Republic.⁽¹⁾ Consequently, when in November 1883 the Colonial Office asked Scanlen whether the Cape would be prepared to take over Bechuanaland or alternatively assist in a Protectorate, he replied that the Cape would join in a joint Protectorate provided the Transvaal Government was also ready to join. The Colonial Office pressed the point, reminding Scanlen that the trade route was almost entirely a Cape Colony affair. Eventually in an unofficial letter to Sir Robert Herbert, Scanlen admitted "the deep interest which is felt by the Government and the Cape Colony generally as to the importance of the road to both Imperial and Colonial interests - so much so that we are willing to unite with the Imperial Government and pay our full and fair share of the cost of a protectorate, or of any other scheme which the Imperial Government may desire for keeping the road open".⁽²⁾ At the same time he drew attention to the political situation in the Cape Colony which made some agreement with the Transvaal necessary.

Meanwhile the Transvaal deputation in London put forward claims to the whole area in the west covered by the Pretorius proclamation of 1868,⁽³⁾ thus including the whole of Stellaland and Goshen. These claims the British Government would not admit, and proposed that only the lands of the Transvaal allies, Moshette and Massouw, should be included in the Republic. The rest of the country was to be an independent native reserve under the joint protection of Great Britain, the Cape Colony,

(1) J. H. Hofmeyr Life of Jan Hendrik Hofmeyr p.253

(2) Agar-Hamilton, op.cit. p.274

(3) Correspondence passing between the Colonial Office and the Transvaal Delegation will be found in Bluebook C3841 (1884) passim.

and the Transvaal. The Deputation rejected this proposal and played for time. They suggested a neutralisation of the Road and in this had the support of J. H. Hofmeyr, (1) but by this time the British Government was determined that the road must be kept open and outside the Transvaal.

Since the British Government would not discuss other parts of the Convention until the Transvaal delegation agreed that the route should be outside the Republic, they were forced to accept the British proposals. Rejection of the scheme for a joint protectorate meant the Colonial Office had to assume responsibility for the settlement. In April 1884 the Rev. John Mackenzie, whose local knowledge seemed to fit him for the post, was sent out as Deputy Commissioner.

It is unnecessary here to discuss fully the actions of Mackenzie in Bechuanaland or those of Cecil Rhodes, who was sent up to succeed him as Deputy Commissioner. The British Government continued to hope for the Cape Colony's co-operation. They instructed the Governor to ask Cape Ministers for the fulfilment of Scanlen's promise to take a fair share in the cost of the Protectorate. The Cape Parliament on July 15, 1884 passed a resolution authorising the ministry to enter into negotiations with the Imperial Government in regard to the annexation of Bechuanaland, (2) but the Cape ministry denied the binding force of Scanlen's promise on the grounds that it was made without the authority of Parliament. (3)

Meanwhile on August 8th 1884 the Transvaal Volksraad ratified the London Convention and the Government thus became bound to maintain the agreed South-West boundary. Armed disorders broke out in Land Goshen between Montsioa and the Volunteers, and the chief was forced to agree to a peace which was virtually

(1) Life of Jan Hendrik Hofmeyr p.253

(2) Cape Hansard 1884 p.343 seq.

(3) Ministers to Governor 28th July 1884 Minute 13/181
C4213 (1884) pp. 9, 18, 27

complete surrender.⁽¹⁾ One of the terms of the treaty was that Montsioa should demolish the fortifications round his chief town but this he refused to do, and there was danger that the fighting would break out again. On September 16th 1884, therefore, "in the interest of humanity" President Kruger issued a proclamation declaring a provisional protectorate over Montsioa.⁽²⁾ The President's proclamation was published subject to Article IV of the London Convention,⁽³⁾ and was partly intended to get the British Government to act decisively one way or another. However the provisional nature of the proclamation was not made clear in communications between the High Commissioner and London, and Sir Hercules Robinson declared that it was "an open and defiant violation of the Convention",⁽⁴⁾ Subsequently he recommended military preparations to enforce the Convention.⁽⁵⁾

Would the British Government acquiesce again in the setting aside of agreements as it had done in the case of the Keate Award and the Pretoria Convention? However on this occasion it was determined to enforce the Convention. Public opinion was indignant at reports of atrocities and the murder of Bethell, during the Goshen fighting. The Governor was instructed to call upon the Government of the South African Republic to withdraw the proclamation, and at the same time preparations were begun to expel the freebooters by force from the land they occupied beyond the agreed line. The Transvaal Government withdrew its proclamation on 13th October, but military preparations for the sending of an expeditionary force were continued. Major-General Sir Charles Warren was to be Special Commissioner for Bechuanaland, commanding an army of 4,000 men.

Against the proposed use of force the Cape Ministers protested

(1) Leyds^{op. cit.} p.165

(2) Leyds^{op. cit.} p.168

(3) Article IV laid down that the S.A.R. should not conclude any engagement with native tribes to eastward or westward without approval of the Queen.

(4) Bluebook C4213 p.83 (5) C4213 p.87

in a series of minutes. They pointed out the necessity for harmonious relations between the European races and considered the use of such a force "an unsound principle".⁽¹⁾ They feared complications which would make annexation to the Cape impossible. Ministers visited Bechuanaland, with the blessing of the British Government, to try and effect a peaceful settlement but their proposals, which left the northern freebooters in possession of Montsios's lands and made inadequate provision for his tribe, did not receive the approval of the British Government. Consequently the settlement was left entirely in the hands of the Colonial Office and Warren's expedition set sail in November 1884.

The Colonial Government had advocated a policy which appeased the Rooigrond volunteers and had refused to share in their forcible removal, because it feared that this might involve a conflict with the Transvaal. On the other hand many welcomed the interference of the Imperial Factor. The Bechuanaland issue caused much excitement in the Colony. Public meetings passed resolutions calling for the intervention of the Imperial Government. A meeting in Cape Town on September 24 declared itself of the opinion that failure ^{of the government} to maintain its just rights under the Convention of London would be fatal to British supremacy in South Africa.⁽²⁾ On the other hand a Bond meeting at Venterstad on October 14th protested against the resolutions of the Cape Town meeting "as the resolutions are calculated to provoke war, and to incite the Imperial Government to exercise his authority with force in the interior".⁽³⁾

A third factor, not hitherto present in South Africa, had come to influence public opinion and the actions of Britain, the colonies and the Republics. This was the entry of Germany into the South African scene. Hitherto foreign interest in

(1) H. C. Archives Ministers to H. C. 3rd Nov. 1884 Minute
13/264 C4275 p.36

(2) C4213 (1884) p.141

(3) C4275 (1885) p.33

South Africa had been represented by the ancient and unassertive Portuguese dominion over Angola and Mozambique. In August 1884, however, Germany proclaimed a Protectorate over Angra Pequena, while her agents were also busy on the east coasts. The possibility of German-Transvaal collusion was a new threat to the road to the north.

The hinterland of South-West Africa had Bechuanaland in the east and fear that Germany might expand her dominion and cut the Cape Colony off from the interior was obvious in official circles. When Granville, the British Foreign Secretary, asked Count Bismarck whether Germany intended expanding eastwards towards the Transvaal he received the sharp reply that it was a mere "question of curiosity" which "does not concern you".⁽¹⁾ Fear of such an intention was probably one reason for the forceful emphasis on British power in South Africa represented by the Warren expedition.

That Cape ministers were uneasily conscious of the foreign danger is shown by minutes which passed between them and the Governor in the last quarter of 1884. On 17th September they suggested the annexation to the Colony of the Kalahari Namaqualand and Damaraland which would confine the Germans to the coast and at the same time secure the trade route, but this proposal was rejected by the British Government. On September 23rd Ministers expressed the opinion "that in view of the German annexation on the west coast and other threatened encroachments calculated to cripple the Colony in its trade and otherwise, decisive measures should be taken for the maintenance of British authority in South Africa".⁽²⁾ To do this the Colony's assistance was promised though later it was found convenient and possible to evade fulfilment. Speaking in the Cape Parliament, June 29th 1885,

(1) R. I. Lovell The Struggle for South Africa 1875-1899 p.101

(2) Bluebook C4213 p.138

Rhodes publicly expressed these feelings of apprehension. "Germany had only to pick a quarrel ... and she could embroil the Transvaal. ... If there were a Colonial bar or an English bar through Bechuanaland Germany could do nothing". (1)

It is now possible to summarise the Bechuanaland situation in 1885. Britain was determined to reassert her prestige against the South African Republic and to show interested foreign powers that she was still paramount in South Africa. On the other hand there was no desire for annexation as such, and the British Government still hoped that the Cape Colony would relieve it of responsibility in Bechuanaland.

The Cape, however, had entered a protest against the use of force when a peaceful settlement could be achieved by coming to terms with the white occupants. Its proposals along these lines had been rejected by the British Government and it was doubtful, in view of the political position in the Colony and the Colonial outlook on native affairs, whether any obligations which involved sacrificing the interests of white to black would be accepted by the Ministry.

The Transvaal Government had all along denied any direct responsibility for the actions of filibusters outside its borders. Its assumption of sovereignty over Goshen had been something of a test case, and in the face of a firm attitude by Britain the proclamation was immediately withdrawn. President Kruger and the official party were unwilling to support the claims of the volunteers by force.

There remained the native tribes. Undoubtedly the direct enforcement of the Convention of London saved the southern Bechuanas from the loss of virtually all their land. Where this had not been occupied already, the reason was the smallness and weakness of the white population. The attitude of Gassitsive in an interview with the Cape ministers showed that he realised the

(1) Cape Hansard 1885 p.271

danger to tribes further north,⁽¹⁾ and it was reasonable to suppose that other northern chiefs felt likewise. Indeed a rumoured combination of northern and southern Bechuana tribes against the volunteers had alarmed the Transvaal in May 1883.⁽²⁾ Moreover Sechele the Bakwena chief wrote to Uppington in Dec. 1884 asking to be taken under the protection of the Queen "before any complications have arisen between him and the Transvaal".⁽³⁾

(1) C4310 p.23, 29

(2) Agar-Hamilton^{op. cit.} p.227

(3) C4432 p.75

CHAPTER I THE ESTABLISHMENT OF THE BECHUANALAND PROTECTORATE

Warren arrived in South Africa on December 4th 1884. Elaborate preparations were made for military operations but as it turned out these proved redundant. Without hope of Transvaal support the Volunteers gradually withdrew, leaving Warren to make a triumphal progress through country cleared of opposition. The size of Warren's force, criticised at the time as excessive, proved true economy, for it made resistance by scattered groups unthinkable. Moreover it made clear in impressive fashion the determination of Great Britain to maintain her position as the dominant power in South Africa.

Meanwhile the position of Britain in Bechuanaland had been put on a more regular footing. The London Convention, under which Mackenzie had been sent out, had not proclaimed a British Protectorate over Bechuanaland, but merely given the British Government the right to send a Resident to native tribes outside the Transvaal border. Mackenzie's instructions were "to obtain by treaty from Mankoroane and Montsioa a concession to the Queen of the right to exercise civil and criminal jurisdiction over all persons within their territories".⁽¹⁾ However such treaties would have no legal effect until confirmed by an Order-in-Council.

On January 27th 1885 an Order-in-Council was issued "providing for the establishment of civil and criminal jurisdiction in Bechuanaland".⁽²⁾ The limits of the Order were said to be "the parts of South Africa situate west of the boundary of the South African Republic as defined by the Convention made at London north of the Colony of the Cape of Good Hope; east of the 20th meridian of east longitude; and not within the jurisdiction of any civilised power". Consequently it covered territory ruled by the Northern Bechuana chiefs, as well as the country of Mankoroane and Montsioa south of the

(1) C 4036 Further Correspondence respecting the Affairs of the Transvaal and Adjacent Territories 1884 p.53
(2) C 4432 Do. May 1888 p.1

Molopo River. A High Commissioner's Proclamation, gazetted on 23rd March 1885, officially proclaimed a British Protectorate over Bechuanaland and the Kalahari within the limits of the Order-in-Council.

On March 14th 1885 the Secretary of State wired the High Commissioner to say that the German Empire had been informed of the Protectorate and instructing Warren to communicate with Sechele and Khama as soon as possible. (1) Warren determined to go in person to notify the northern chiefs that they were now under British protection. To the High Commissioner he advocated the making of treaties with Sechele, Khama, and Gasitsive, obtaining their formal consent to the Protectorate. (2) Sir Hercules Robinson replied that he saw no harm in making treaties similar to those made with Mankoroane and Montsioa but pointed out that jurisdiction would not be affected until a new Order-in-Council was issued. It should be made clear to the chiefs that they were expected to ^{contribute to} the cost of the Protectorate by paying hut tax. (3)

A series of wild rumours about a proposed filibustering attack on Khama, which Warren, with his fixed anti-Transvaal prejudices, proved only too ready to believe, reached its peak early in 1885. The reports were repeatedly denied by the Transvaal Government but Warren remained unconvinced. He proposed positive measures to make protection effective, including the building of a military road and telegraph to Shoshong and the stationing of troops in Khama's country. (4) The High Commissioner, with a more realistic grasp of how far the British Government was prepared to go, wired these proposals to London and the Colonial Office thereupon expressly refused to sanction any such measures. Warren "should confine himself to such police protection as absolutely necessary". (5)

(1) C 4432 (1885) p.48 (2) C 4432 (1885) p.99, 128

(3) C 4432 (1885) p.101, 125, 129 (4) C 4432 (1885) p.59

(5) C 4432 (1885) p.69

However, the Colonial Office also had its "reliable sources" of information about the Transvaal. On March 11th we find one Parker Gillmore writing to the Secretary of State to say that he has heard from a friend, recently returned from the Transvaal, that the filibustering expedition against Khama has only been postponed until the following winter. (1) Lord Derby's wire of 14th March, already referred to, also urged Warren to "take care no filibustering expedition takes possession of country, more especially Shoshong". (2)

On his expedition north Warren was accompanied by the Rev. John Mackenzie, who acted as interpreter. His first interview was with Chief Gassitsive of the Bangwaketsi tribe at Kanya on April 24; he then visited Sechele of the Bakwena at Molepolole on April 27 and Khama Chief of the Bamangwato at Shoshong on 12th May. On his return journey he had further talks with Gassitsive and Sechele.

On each visit Warren read out to the chief and the assembled tribe the proclamation of the Protectorate as published in the Government Gazette. General discussion then followed. Gassitsive expressed his anxiety at the prevalence of drink in his country and Sir Charles Warren promised him assistance in controlling the traffic. (3)

Sechele's tribe proved by no means unanimous in welcoming the Protectorate. (4) Sebele, the eldest son of the chief, protested against their country being taken from them without their consent. When the nature of the Protectorate was explained to him he declared that they did not want any protection - "we feel strong enough to protect ourselves". On the other hand Khosilintse, the Chief's brother, welcomed the Protectorate as something the tribe had always wanted. Warren pointed to the fate of tribes which had tried to stand alone,

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- (1) H. C. Archives Sec. of State Despatches 1885 S.A. No. 131
(2) C 4432 (1885) p.48
(3) C 4588 Further correspondence respecting the affairs of the Transvaal and Adjacent Territories August 1885 p.36,37
(4) C 4588 (1885) pp.38 ff.

and asked what the Bakwena would give in return for protection. After discussion the tribe decided to follow their chief's lead and wait events ... "they will make up their minds as to the value of the English Protectorate by the manner in which the troubles of Mankoroane, Montsioa, and Ghasitsive with the Boers are settled". In the end Sechele admitted that a Protectorate had been established, but wished to leave over the various questions involved until there could be some judgement of its practical working.

Warren had intended only going as far as Molepolole, but while he was there, Sechele reported to him that Khama was threatened by an attack from the Matabele.⁽¹⁾ He therefore decided to travel on north as far as Shoshong. On arrival, he discovered that a Matabele impi had indeed crossed the northern part of Khama's territory and killed some of his people, but that the object of their attack was the Batwana tribe at Lake Ngami beyond the limits of the Protectorate.

The Bamangwato tribe was the most important of the north Bechuana tribes and its chief Khama a man of great ability. He had early adopted Christianity and had considerable understanding of European men and ideas. His tribe found itself menaced not only by the danger of filibustering raids but also by the Matabele in the north. Consequently Khama was ready to welcome the Protectorate as a solution to his difficulties. He realised that his people could not stand alone, when there was always the danger that land hungry Europeans would ally themselves with Lobengula against him.

In his interview with Khama and the Bamangwato⁽²⁾ Warren referred to the dangers for the tribe in their situation between the Transvaal and German settlements. The Proclamation of a Protectorate was enough to stop interference by neighbouring Governments but it might not stop filibustering by individuals.

(1) C 4588 (1885) p.42

(2) C 4588 (1885) pp.43 ff.

How would the tribe be prepared to pay for the necessary protection?

Khama's reply was to suggest that part of the extensive hunting grounds of his tribe should be set aside for the use of the British Government. His actual proposals were put in writing and delivered to Sir Charles Warren the following day, 13th May 1885. They are worth stating in some detail for they were constantly being referred to in the years that followed. (1)

In the first place Khama expressed his gratitude for the Protectorate and accepted "the friendship and protection of the Government of England within the Bamangwato country".

Secondly he made the following cession: "Further I give to the Queen to make laws and to change them in the country of the Bamangwato, with reference to both black and white. Nevertheless I am not baffled in the Government of my own town, or in deciding cases among my own people according to custom; but again I do not refuse help in these offices". Certain laws he wished to be established i.e. those prohibiting the importation of liquor and the sale of tribal land.

Thirdly Khama described the boundaries of his country which he claimed to be the Gwai, Zambezi, and Chobe rivers in the north. He protested against the fixing of 22° S as the northern boundary of the Protectorate, pointing out that it merely cut his country in two.

To defray the cost of the Protectorate Khama proposed that the tribal lands should be divided, the part round Shoshong to be set aside for the tribe, and the rest to be settled by English people who would co-operate with the Bamangwato in defending the country. Settlers should be approved by a special officer and by the chief, and land occupied by English settlers, like that of the tribe, was not to be saleable. It

(1) C 4588 (1885) p.45.

was stipulated that land should not be sold so as to exclude land speculation and the possible entry of Boers. Khama considered that the value of the land he offered would exceed the cost of the Protectorate among the Bamangwato. (1)

Sir Charles Warren said he was glad to hear what the chief had said and would put the proposals before the British Government. Before he left Shoshong he arranged for a party to visit Lobengula and notify him of the Protectorate.

On his return journey through the Protectorate Warren again visited Sechele and Gassitsive. Khama's willing acceptance of the Protectorate seems to have had considerable effect. Both Sechele (2) and Gassitsive (3) now signed agreements in which they expressed gratitude for the Protectorate and offered land for English settlement. The chiefs wished to rule their own people but white inhabitants should be governed by the Queen.

The results of his journey to the north were wired by Warren to the High Commissioner, (4) and on June 3rd Sir Hercules Robinson commented on them in a long despatch to the Secretary of State. (5) Annexation of Bechuanaland to the Cape Colony had all along been the end which he, knowing the attitude of the British Government had been working for, but Warren had stated that he felt annexation to the Cape Colony to be against the interest of all concerned and repugnant to the wishes of the natives. This the High Commissioner denied. He also pointed out the political objections to a settlement restricted to "English people", quite apart from economic difficulties like lack of transport and the high cost of administration and protection of such an isolated colony. The proposed distinction between those of English descent and other colonists did in fact cause much dissatisfaction in the Colony. (6)

(1) C 4588 (1885) p.46

(2) C 4588 (1885) p.47

(3) C 4588 (1885) p.48

(4) C 4588 (1885) p.12

(5) C 4588 (1885) p.23

(6) C 4588 (1885) p.116

Warren's full report,⁽¹⁾ containing his proposals for the future of Bechuanaland, was received by the High Commissioner in the middle of June and transmitted to the Secretary of State on June 24th. Warren treated the country as a whole, and visualised the establishment of a Crown Colony right up to 22° S latitude. Magistrates would reside with the chiefs and exercise jurisdiction over white settlers on the land ceded by them.

The High Commissioner's despatch of July 15 to the Secretary of State contained very different proposals.⁽²⁾ On July 6th the Cape Ministers had made their final offer on Bechuanaland.⁽³⁾ The conditions they laid down would have left the Imperial Government to bear the expense of Bechuanaland without control of policy or safeguards for the natives they had spent one million pounds to protect.⁽⁴⁾ It was therefore realised that annexation to the Cape Colony would have to be shelved for the present. Robinson proposed the division of Bechuanaland into two. He submitted that Britain had no interest in the country north of the Molopo River except as a road to the interior. They should therefore confine themselves for the present "to preventing that part of the Protectorate being occupied by either Filibusters or Foreign Powers, doing for the present, as little as possible, in the way of administration or settlement. The Chiefs ... might be left to govern their own tribes in their own fashion, and their offer of lands ... should be refused".⁽⁵⁾ South of the Molopo, in view of the presence of white settlers and consequent land settlement and other difficulties, Robinson recommended the establishment of a Crown Colony. A force of 500 police should be enough to protect both territories.

(1) C 4588 (1885) pp.36 ff. (2) C 4588 (1885) p.116

(3) C 4588 (1885) pp.114-116

(4) This was the estimate of Sir Hercules Robinson concerning the cost of the Warren expedition C 4432 (1885) p.129

(5) C 4588 (1885) p.116

These proposals of the High Commissioner were approved by the Secretary of State in a despatch of the 13th August. (1) On September 30th 1885 a proclamation was issued by which Bechuanaland south of the Molopo River became the Crown Colony of British Bechuanaland, while the country north of the river remained as a British Protectorate. Warren's appointment as Special Commissioner was terminated, and the High Commissioner was to make provision for the gradual withdrawal of troops and the enrolment of a police force.

The British Government had undertaken the Protectorate ~~of~~ Bechuanaland, but it was their expressed policy that it should be brought under the Cape as soon as possible. (2) It is therefore not surprising that when this fell through they should have tried to limit their commitments as far as possible. John Mackenzie and others criticised the Government severely for its failure to take advantage of the land offers of the chiefs, but these people took the offers at face value. In actual fact, quite apart from ~~the~~^{its} general unsuitability for European occupation, the land offered by the chiefs was nearly all in disputed ownership. The country to the north and north-east of Khama was also claimed by Lobengula chief of the Matabele. Sechele offered land occupied by the Bakhatla tribe, over which he had unsuccessfully tried to establish his paramountcy, while the country offered by Gassitsive was occupied by the Bamalete tribe although he claimed it as his.

The British Government now prepared to control its Protectorate with the minimum of interference and expense. Sidney Sheppard, the Administrator of British Bechuanaland was given a commission as Deputy Commissioner for the Protectorate and was empowered "... to take all such measures, and do all such matters and things in the said territory under British protection as are lawful and may appear to you expedient for promoting

(1) C 4588 (1885) p.118

(2) C 4432 (1885) p.69, 203

peace and order within the said territory ..." - all this subject to the High Commissioner's instructions.⁽¹⁾

At the beginning of 1886 a questionnaire on the future of the Protectorate was sent by the Administrator to a number of officials and missionaries with special knowledge of the country.⁽²⁾ They were asked to give their views on the existing state of things in the Protectorate, whether they considered British jurisdiction should be extended, the possibility of annexation, the extension of the Protectorate to the Zambezi etc. Colonel Carrington⁽³⁾ the Commandant of Police considered that the existing state of things could be maintained for a long time although he thought annexation would ultimately be necessary. He recommended the extension of the Protectorate to the Zambezi to forestall possible filibustering raids or the action of any Foreign Power. It was desirable that the chiefs should rule their own people but British residents should be appointed to govern any white people who might obtain land and settle. Similar opinions were expressed by the other persons addressed and the High Commissioner commented that they confirmed his view that the policy he had advocated in his despatch of July 15 1885 was the correct one.⁽⁴⁾

On 1st July 1887 the Rev. J. S. Moffat was appointed to be the first Assistant Commissioner for the Bechuanaland Protectorate. The detailed instructions given to him provide a good indication of the Government's general attitude to the Protectorate ... "the policy to be adopted as regards the existing Protectorate, as well as the extension of it to the Zambezi, if such extension should hereafter be carried out, should be to assist, if necessary by means of the Bechuanaland Border Police, the Native Chiefs to repel the invasion of their territories by freebooters or others desiring to possess them-

(1) C 4643 Further Correspondence respecting the Affairs of the Transvaal and Adjacent Territories February 1886 p.174
(2) C 4839 June 1886 pp.77-88
(3) C 4839 (1886) p.74
(4) C 4839 (1886) p.73

selves of their lands, but to abstain as far as possible from interfering with Native administration, and to discourage for the present the introduction of European land settlement.

Experience has shown that under a mere Protectorate it is very difficult to establish efficient administration and jurisdiction over Europeans, especially foreigners. Annexation is necessary for such a purpose but at present the Native Chiefs Khama, Sechele and Gassitsive, are not understood to be desirous to part with their rights of sovereignty, nor are Her Majesty's Government by any means anxious to assume the responsibilities of it".⁽¹⁾

Thus the Protectorate was established and the lines of policy laid down. It remains to be seen how that policy was worked out.

(1) C 5237 Further Correspondence respecting the Affairs of Bechuanaland and Adjacent Territories Sept. 1887 p.33

CHAPTER II THE EXTENT OF GOVERNMENT INTERFERENCE IN THE
AFFAIRS OF THE TRIBES UP TO 1888

On January 23rd 1885, in connection with a claim to land in Bechuanaland, the High Commissioner wrote as follows "... as the position of Her Majesty's Government in Bechuanaland does not amount to sovereignty, the waste lands not required by the Chiefs are vested in the Chiefs themselves, and not in the Crown ... It would be impossible, therefore, for Her Majesty's Government to appoint a Land Commission for the purpose of alienating land, as they are not possessed of the land to be alienated..."⁽¹⁾ Lord Derby concurred in this opinion on May 14th.⁽²⁾ Thus the British Government showed it recognised the internal sovereignty of the chiefs, and this sovereignty over people and land was limited only by the customs of the tribe. This remained the position in the Protectorate even after the Order-in-Council of 27th January. In British Bechuanaland it was different, for the chiefs had surrendered powers by treaty and the High Commissioner exercised these powers by virtue of the Order-in-Council. Section IV of this Order defined British jurisdiction in the Protectorate. It was to extend to British subjects and those "properly enjoying her Majesty's protection", but by Section V native laws and customs were excluded.⁽³⁾

The government and organisation of the Bechuana tribes was similar to that among natives in other parts of South Africa.⁽⁴⁾ They were both pastoralists and cultivators of the soil, their chief crops being kaffir corn and mealies. Concentration in large towns is a characteristic of the Tswana people. The garden grounds might be a considerable distance from the place of residence, and cattle posts further still. All land belonged to the tribe as a whole and was not saleable. The jurisdiction

(1) C 4432 (1885) p.15 (2) C 4432 (1885) p.187
(3) For text of Order-in-Council see C 4432 (1885) pp.1-3
(4) See Rev. John Mackenzie 10 Years North of the Orange River passim. Also his sketch of the History and Administration of Bechuanaland attached to Warren's report. C 4588 (1885) pp.63 ff.

of the chiefs was personal not territorial, and there was often an overlapping in districts where more than one tribe had cattle posts. But growing contact with European ideas of fixed and recognised boundaries meant a greater interest in extending the claims of jurisdiction on a territorial basis to their fullest extent The Chief heard complaints and administered justice daily in his kotla, where his councillors were present, and when matters of special importance were to be settled the whole tribe might be summoned to assemble. Consequently a Chief would find it difficult to go against the wishes of his people, and a strong chief took care to lead and control public opinion.

A brief survey of the position of the most important tribes in the Protectorate may here be useful.

The Bamangwato with their chief town at Shoshong was the largest of the Bechuana tribes. ⁽¹⁾ Khama strictly prohibited the sale of drink and the physical condition of the tribe was fairly good. ⁽²⁾ Shoshong itself was overcrowded and unhealthy with a defective water supply, but, being on a range of hills, it was easily defended, and it was not until 1889 that Khama felt sufficiently secure under the British Protectorate to move his capital to Palachwe, which was more suitable but also more exposed to Matabele attacks. Internally, there were two sources of danger to Khama's chieftainship. One was his brother Khamanie who had been finally banished from the tribe in 1883 and now carried on intrigues from across the Limpopo. It was not so much Khamanie's strength, which was small, that caused Khama anxiety but the fear that he would be used as a puppet claimant by Boer filibusters. The other source of trouble was Kgari Macheng now living at Kanya. Macheng, by blood the rightful chief of the tribe, had been driven out by Khama with the help of Sechele. The latter had naturally exacted a reward for his assistance and might be expected to welcome another chance of interfering in his neighbours' affairs. Moreover he had

(1) For an account of the early history of the Bamangwato see Mackenzie 10 Years North of the Orange River

(2) Report of Surg. Major Jagdowski C 4588 (1885) p.96

He was on no account to assist other Chiefs or peoples to make war. The Chief was also bound "to assist the Bechuanaland Border Police whenever they visit your country ... by force of arms if they call upon you so to assist them.."

As part of the measures to ensure peace and order which the Administrator was empowered to take, he or his representatives came to intervene more and more in inter-tribal disputes to bring about a settlement without the use of force. For example in December 1885 a police officer Lieut. Bethell was sent to the Protectorate to bring about an agreement between Gassitsive and Maghosi, chief of the Bamalete.⁽¹⁾ The latter tribe occupied lands on both sides of the border and had been the subject of an official enquiry from the Transvaal Government as to whether they enjoyed British protection.⁽²⁾ On 27th March 1885 Maghosi wrote to Sir Charles Warren asking to be included in the Protectorate.⁽³⁾ Maghosi was now informed that he must choose between returning to the Transvaal and living there as a Transvaal subject or remaining under British protection, in which case his claims to grazing ground within the Republic would have to be abandoned. Gassitsive agreed to allow the Bamalete to occupy land sufficient for their wants within the Protectorate, provided they recognised him as paramount chief and paid an annual tribute. Maghosi decided to move his whole tribe into the Protectorate and waive all claims to his lands in the Transvaal. A treaty was drawn up between the two chiefs..December 25 1885 and the tribute fixed at 10 head of cattle each year. Lieut. Bethell reported that he had great difficulty in persuading the Bamalete to agree to the treaty. Ikaneng, Maghosi's son and virtual ruler of the tribe, had been very unwilling to pay anything to Gassitsive although ready to pay tribute to the English Government.⁽⁴⁾

(1) C 4643 of 1886 pp.248 ff. (2) C 4588 of 1885 p.17

(3) C 4432 (1885) p.154 (4) C 4643 (1886) p.249

In later years there was considerable dispute about this treaty. In November 1887 we find Ikaneng complaining that there was not sufficient ground for his tribe as they were hemmed in by the Transvaal, Gassitsive and Sechele.⁽¹⁾ About the same time Sechele complained that the Bamalete were ploughing in his country and threatened to eject them by force.⁽²⁾ This difficulty was settled through the mediation of Captain Gould Adams, who arranged that there should be no fixed boundary between the Bangwaketsi and the Bamalete. In future each tribe could plough wherever there was vacant land. Sechele agreed to allow the year's crops, sown on his land, to be reaped, but in future permission must be asked by Ikaneng and rent paid.⁽³⁾

There remained the question of paramountcy and the payment of tribute. Ikaneng repeatedly denied that he ever undertook to pay 10 head of cattle annually to Gassitsive, though he had agreed to pay cattle to the Government. He maintained that Lieut. Bethell had threatened him with armed force if he did not sign the treaty of 1885 and this complaint of coercion was endorsed by the missionary Mr. Schulenburg and other witnesses.⁽⁴⁾ The question of sovereignty over Ikaneng's territory became of considerable importance in regard to the granting of concessions. On March 27th 1888 a Government Notice restricted the right of granting concessions to the three paramount chiefs Khama, Sechele and Gassitsive. Ikaneng protested that he had never agreed to recognise the paramountcy of Gassitsive over him, but on July 31st the High Commissioner ruled that it was now too late to re-open the question of the treaty.⁽⁵⁾ Having enjoyed benefits under the treaty Ikaneng could not now repudiate payment. He was to be informed that payment when due would be enforced, though if he liked, he could make it through an officer of the police. Otherwise if he broke the agreement he would have to revert to

(1) H. C. Archives B.B. Despatches 1888 No. 79G enc. 10
(2) do. do. do. " 2
(3) do. do. do. " 9
(4) C 5524 Further Correspondence respecting the Affairs of Bechuanaland and Adjacent Territories. August 1888 p.41
(5) C 5524 (1888) p.42

his position before it was signed, that of an unauthorised squatter on the Bangwaketsi country. On the other hand the High Commissioner considered that Ikaneng's consent should be obtained to mining licences, issued by Gassitsive, for the part of the country he occupied.

Captain Goold-Adams was also sent up to arbitrate in the dispute which arose between Khama and Sechele in 1886 over the ownership of the water at Lopepe. (1) Water rights in the Protectorate, with its meagre and uncertain rainfall, were naturally of great importance to the tribes, and both Khama and Sechele proposed to use force to back their claims. However both chiefs agreed to abide by the decision of Goold-Adams and an enquiry was held on the spot. After the hearing of evidence from both sides it was decided that neither tribe had an exclusive claim to Lopepe. An equal division of the water was made and marked off, and all future disputes were to be decided by a court of three white persons. Goold Adams reported that both parties seemed perfectly satisfied with the result of the case.

In regard to disputes within the tribes it was in general the policy of the Government to allow the chiefs to settle them without interference, though they might offer advice. A head chief would normally be supported against a minor chief. (2) Thus in 1887 when Korbe, chief of the minor Baselika tribe, denied Khama's authority and gave permission to Boers to hunt in his country, Khama was allowed to use force to expel them, after efforts to induce Korbe to submit peaceably had failed. A police patrol was sent up, but its action was limited to patrolling the Limpopo and preventing any Boers or others crossing over to assist the Selikas. (3)

In a letter to the Administrator, April 27th 1887 the High Commissioner laid down the principles of policy. "It must be remembered that the territory is not British soil. Khama is an

(1) C 4890 Further Correspondence respecting the Affairs of the Transvaal and Adjacent Territories Sept. 1886 pp.49 ff.

C 4956 (1887) pp.3 ff.

(2) C 5070 Further Correspondence respecting the Affairs of Bechuana land and Adjacent Territories June 1887 p.70, 82

(3) C 5237 (1887) p. 7 ff.

independent chief, and he cannot be allowed, whilst retaining his sovereignty, to put on us the trouble and expense of policing his country. A Protectorate entails no such obligation. Khama is quite strong enough to deal himself with refractory subordinate chiefs, and if any Boers enter his country and take part against him he should expel them".⁽¹⁾

The obligation to prevent filibustering in the Protectorate meant the need for some control over Europeans, and raised the question of the extent to which native chiefs should have jurisdiction over them. Moreover the problem of concessions soon came to complicate the issue. Towards the end of 1885 two groups organised deputations to be sent to Khama and obtain concessions of land for settlement north of 22°. The Vryburg Committee proposed to offer Khama military aid against Lobengula, and the Administrator suggested the result would probably be a "Lobengula deputation" from the Transvaal, to aid the Matabele, thus starting a filibuster war of the kind that had despoiled Mankoroane and Montsioa.⁽²⁾ A H. C.'s proclamation was issued, 25th October 1885, authorising the arrest of persons suspected of intentions to give military help to chiefs beyond the borders of British Bechuanaland.⁽³⁾ The Khama Deputation, led by Ingram, was arrested at Molepolole under this pro-

(1) C 5237 (1887) p.3
(Feb.)

(2) C 4643/(1886) p.225

(3) C 4643 (1886) p.204 Proclamation No 5 B.B.

clamation, and its members signed recognizances that they would not enter the military service of any chief beyond the border of British Bechuanaland.

Ingram's justification of the expedition was that it had been formed to carry out the plans of Mackenzie and Warren. Moreover in a letter to a British M.P. he alleged plans in the Transvaal to stir up trouble among the native chiefs. British colonists settled between Khama and Lobengula would avert the danger of filibustering. (1)

Though the British Government had made up its mind to refuse Khama's offer of land by September 1885 no official intimation to this effect was sent to the chief until March 1886. (x) Mackenzie continued to urge that a settlement be established in North Bechuanaland. He supported the Colonial and British North Bechuanaland Association of Kimberley, which wrote to the Colonial Office in December 1885, urging that the Association should be permitted to organise a land settlement, even if the government was not prepared to do so. (2) The representatives of this association, Dacomb and Weil, carried letters from Mackenzie when they set off to visit Khama in December 1885. Arrested under proclamation No. 5 B.B., they admitted that their object was to force the hand of the British Government into further annexations of territory as the result of trouble between Khama and Lobengula. (3) Both were found guilty under the Proclamation, and bound over to keep the peace for six months.

The proposals of the Colonial and British North Bechuanaland Association caused the High Commissioner to define what he thought should be the official attitude to European settlement in the Protectorate. He felt that land should be acquired only by the Government, not by private persons, and

(1) C 4643 (1886) p.231 (x) C 4839 (1886) p.56
(2) C 4643 (1886) p.209
(3) C 4643 (1886) p.240

any settlement should be organised under Government supervision. (1) Government policy crystallised into definitely discouraging European settlement, and instructions to this effect formed part of the comprehensive summary of policy, transmitted to the first Assistant Commissioner on his appointment in 1887. (2) This policy coincided with the wishes of the chiefs who had no wish for European settlement as such. Their land offers in 1885 had been a bid for Government support. As conditions changed, so did their attitude, and when in later years Mackenzie again advocated European settlement in the north, and represented the Chiefs as eagerly ready to accept it, officials on the spot emphatically denied that this was their attitude. (3) On this occasion Major Goold-Adams was sent north to warn Khama that the Vryburg expedition was not sanctioned by the British Government. Khama replied that he would only sanction applications for land which came through the Government. Three Germans had lately asked him to let or sell land, but he had refused. (4)

But if large scale European settlement was not contemplated, European hunters, traders, and prospectors continued to visit the Protectorate. For these the British Government refused to accept responsibility, and any complaints they made were referred back to the native chiefs. The principle, under which he was acting, was stated by the Administrator, when replying to a complaint from Mr. Julius Weil that goods had been stolen from him at Kanya. In his opinion Mr. Weil had "no legal or moral right to look to Her Majesty's Government for any remedy in this matter".

(1) Although the Protectorate had been proclaimed the Courts of British Bechuanaland had no jurisdiction.

(2) All persons travelling through territories of native

(1) C 4839 (1886) p.68

(2) C 5237 (1887) p.33

(3) Further Correspondence respecting the Affairs of Bechuanaland and Adjacent Territories Feb. 1890 p.200, 217

(4) C 4643 (1886) p.218

chiefs possessing independent jurisdiction necessarily proceeded at their own risk.⁽¹⁾

At the same time the Administrator agreed to write to Gassitsive, asking him to investigate Weil's complaints.

In September 1886 an important case of native jurisdiction over Europeans arose, for on this occasion the Europeans concerned were Boer hunters, including one William Groening from the Transvaal.⁽²⁾ This party of three, given permission by Khama to pass through his country to Matabeleland, had actually spent two months in Khama's hunting grounds, where they had been forbidden to proceed, and killed about fifty head of large game. Khama had them all brought to Shoshong, and though Groening escaped, retained their waggons, oxen, and possessions until he heard from the Administrator whether or not he should deal with the case himself. The Administrator, with the concurrence of the High Commissioner, replied that the case was "entirely within your jurisdiction and it is for you alone to deal with it as you may think proper", but he added a strong suggestion for leniency. In the end Khama allowed the two men to proceed with all their property, only confiscating the proceeds of the illegal hunting trip. President Kruger on November 6th sent a strongly worded note to Khama, demanding the release of the men and punishment of those responsible for their detention.⁽³⁾ This was despatched, together with Khama's proposed reply, to the Deputy Commissioner for his information, and as the men had already been released, no further action proved necessary. It may be said in passing that it was this William Groening who was suspected of being prepared to bring a party from the Transvaal to assist Korbe against Khama in 1887.⁽⁴⁾

The first chief to be affected by requests for mineral concessions was Gassitsive. The Malmani goldfields lay across

(1) British Bechuanaland Despatches 1886 No. 297 12/5/86
Archives H. C. Office Cape Town

(2) C 4956 (1887) p.111 ff.

(3) H. C. Office Archives. B.B. Despatches 1886. No. 182G 9/12/86

(4) C 5237 (1887) p.13

the Transvaal border from his country, and it was suspected that the reef continued into the Protectorate. Rival concession hunters descended on the chief with demands for exclusive prospecting and mining licences, and on at least one occasion were not averse to pandering to the chief's known weakness for liquor in an attempt to obtain their own way.⁽¹⁾ The Administrator wrote to Gassitsive in October 1886 advising him not to grant any exclusive concessions or monopoly to anyone, and pointing out the danger of getting involved in land disputes.⁽²⁾ However in March 1887, on the recommendation of the Administrator, and in terms suggested by him, Gassitsive, with the agreement of his Raad, granted prospecting rights to Messrs. A. S. Woolley, J. A. Nicholls and G. Riesle. Bathoen, the chief's son, who had been away at the time, protested at the concession on his return and a new agreement was drawn up and signed in October.⁽³⁾

Meanwhile concession hunters had reached other chiefs. They avoided the missionaries, and there was an obvious danger that the chiefs would be persuaded to put their names to documents they did not fully understand. Thus in December 1886 Sechele gave a Mr. H. Boyne exclusive prospecting and mining rights in his country under the impression that he was merely giving the right to prospect in country near the Transvaal border.⁽⁴⁾ This concession was cancelled in the face of opposition from the tribe and the Deputy Commissioner wrote to Sechele, strongly advising him to extreme caution in the granting of concessions.⁽⁵⁾ Sechele eventually gave a concession to David Hume and his heirs in July 1887, which provided for a prospecting licence of 5/- a month, a mining licence of £100 p.a. and the right to exclusive working of minerals in an area 25 miles square to be chosen by the holder of the concession.⁽⁶⁾

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- (1) H. C. Archives B.B. Despatches 1886 No. 125G 23/9/86
(2) do. do. No. 148G 28/10/86
(3) do. do. No. 89G 7/4/87,
174G 15/7/87, 269G 28/10/87
(4) Administrator of British Bechuanaland to High Commissioner
10/2/87 No. 19G (Archives H. C. Office Cape Town)
(5) H. C. Archives B.B. Despatches 1887 No. 19G enc.3 10/2/87
(6) do. do. No. 197G 12/8/87

In April 1887 Khama too granted a concession for minerals in his country to Mr. Frank Johnson on behalf of the Northern Gold Fields Exploration Co. This gave them the sole right of prospecting for gold, precious stones, etc. and also of working an area not less than 100 miles square. Commenting on this concession the Administrator told Khama that it constituted an "unreasonable and dangerous monopoly ... which most assuredly will never under any circumstances be recognised hereafter by Her Majesty's Government or any English land commission or Court of Justice". He suggested that the concession should be cancelled and a new one drawn up, and advised the chief not to sign any more concessions until they had been approved by him. (1) Khama later asserted that he had distinctly refused mining rights as apart from prospecting rights (2) and it was agreed that a new concession should be drawn up. Khama also expressed his wish to commit to the Administrator as the Representative of Her Majesty's Government the power to confer concessions in his country, (3) and later suggested that the Government should be responsible for issuing prospecting and mining licences. (4)

This suggestion, that the right of granting mining concessions should be ceded by Khama, drew an opinion on policy from the Secretary of State. He considered such a proceeding inexpedient in view of possible complications. Khama might refer problems of concessions to Sir Sidney Shippard for advice but the act of granting the concession should be his, "so that the concessionaires should understand that they have no claim on Her Majesty's Government in case of failure, breach of faith, or disturbance". (5) This was put in more detail when the Imperial Secretary wrote in October to the Northern Gold Fields & Exploration Co. "The position of Her Majesty's Government

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- (1) H. C. Archives B.B. Despatches No. 117G 5/5/87
(2) C 5237 (1887) p.30
(3) H. C. Archives Administrator to H. C. 1887 No. 137G 19/5/87
(4) do. do. No. 171G 15/7/87
(5) H. C. Archives Sec. of State Despatches 1887 SA No. 101
7th July

in the British Protectorate in Bechuanaland does not warrant His Excellency in entering into negotiations in regard to the lands and mineral rights which are the property of the Chiefs and their tribes. The action of Her Majesty's Government in regard to the internal affairs of the native tribes in the British Protectorate is limited to giving to the Chiefs such advice as may be desirable, and His Excellency is not prepared to assume an authority and responsibility which is still vested in the chiefs".⁽¹⁾

Nevertheless it was obvious that some action would have to be taken to protect the chiefs from unscrupulous concession seekers. Sir Sidney Shippard had drawn up a form of concession for use in the case of Khama and the Northern Gold Fields & Exploration Co. and this had been submitted to the High Commissioner's legal adviser and revised in accordance with his recommendations. With the avowed object of discouraging attempts to obtain mineral concessions in the Bechuanaland Protectorate this form of Concession was published in the Bechuanaland Gazette. A Government Notice, 27th March 1888, laid down that in future no mineral concessions which differed essentially from this form, would be recognised as valid by the British Government in the event of future annexation. The approved concession contained safeguards for the tribes - concessionaires, for example, were bound to carry out the laws of the chief in the matter of intoxicating liquor - and ensured that a royalty on minerals found should go to the tribe. The Concession also had to have the approval of the tribe as a whole. Moreover the Notice laid down that only Khama, Sechele and Gassitsive as paramount chiefs were entitled to issue concessions.⁽²⁾

The question of concessions in the Bamalete and Bakhatla country was complicated by this issue of sovereignty. In

(1) H. C. Archives enc. in despatch to S. of S. No. 385 14/10/87

(2) Bechuanaland Proclamations & Government Notices 1888 pp17-20 Concessions granted by Ikaneng had to be ratified by Gassitsive and those granted by Lenchwe had to be ratified by Sechele.

Jan. 1888 Ikaneng granted a mineral concession for his country to a certain Mr. F. de Beer and three associates.⁽¹⁾ Ikaneng only held his land by virtue of the treaty by which he was bound to recognise Gassitsive as paramount chief.⁽²⁾ Consequently legally he had no right to grant concessions, and de Beer was informed in May that his concession was ultra vires and in no circumstances would be recognised by the British Government. At the same time Ikaneng was informed by Sir Sidney Shippard that he had no right to grant such a concession. Bearing in mind the actual facts of the position however, and the strength of Ikaneng's occupation, the High Commissioner laid down that although Gassitsive had the right to grant prospecting licences for ground leased to the Bamalete, he should not do so without Ikaneng's consent.⁽³⁾

In 1887 a similar concession to the de facto position was suggested in the case of Lenchwe who though nominally under the paramouncy of Sechele considered himself independent. Lenchwe refused to allow David Hume to prospect in his country, although he held a concession to do so from Sechele, and this was one of the reasons for the tension between the two chiefs which almost led to hostilities at the beginning of 1888. It was then laid down that the holder of a concession from Sechele should come to terms with Lenchwe before exploiting his concession and pay compensation to the Bakhatla chief over and above what he paid in rent to Sechele.⁽⁴⁾

In 1889 Sechele granted another concession to prospect in Lenchwe's country to Mr. J. A. Nicholls and this was transferred by him to the Secheleland Concession Syndicate. The Syndicate, on the advice of the Administrator, tried to come to terms with Lenchwe and offered him compensation in return for permission to prospect. Such permission Lenchwe refused to give and Shippard

(1) H. C. Archives Admin. to H. C. 22/5/88 No. 115G

(2) C 4643 (1886) p.250

(3) C 5524 (1888) p.42

(4) H. C. Archives Admin. to H. C. 13/3/88 No. 79G

was asked for advice. He gave it as his opinion that a concession granted by Sechele over Bakhatla country was quite valueless unless endorsed by Lenchwe and the Bakhatla headmen. Sechele had no power to enforce his concession and the British Government would not press Lenchwe to allow mining in his country. Consequently if they could not come to terms with Lenchwe they would have to abandon the enterprise. (1)

The Government, then, pursued a definite policy of interference in regard to the granting of concessions. That they did so was of course an infringement of the chiefs' sovereignty and as such was challenged by concessionaires whom the Government refused to acknowledge. The Government attitude was put by the High Commissioner in a letter to the Secheleland Concession Syndicate in July 1890 ... "Her Majesty's Government, who have provided and still provide gratuitously the means of protection for the Bechuanaland Chiefs, have the right to require that the sovereign prerogatives necessary for the safety and well-being of the people as a whole shall not be alienated to monopolists, at any rate until the consent of the protecting power has been obtained". (2)

This then was the position in 1888. The conduct of the internal affairs of the tribes was left to the chiefs, inter-tribal disputes were referred to the Administrator and were settled by the Assistant-Commissioner or police officers. Patrols of police visited the Protectorate fairly regularly, though the only force actually stationed there were groups of two at the main centres to preserve communications. European land settlement was discouraged and a definite stand taken on concessions.

(1) H. C. Archives B.B. Despatches 1889 No. 164G 8/8/89

(2) H. C. Archives Enc. in despatch from H. C. to Administrator 1890 Bech. No. 292

CHAPTER III THE BECHUANALAND PROTECTORATE AND ITS NEIGHBOURS
UP TO 1889

A certain sensitiveness where the Transvaal is concerned and suspicion of its motives is evident among officials of the Protectorate during this period. Sir Sidney Shippard, in particular, frequently expressed his apprehension of what the Transvaal might do,⁽¹⁾ and in December 1889 was rebuked for it by the High Commissioner.⁽²⁾

In the south, where the Protectorate marked the limit of Transvaal expansion, border disputes were settled amicably. The Boundary-Commissioner of the South African Republic met a police officer of the Bechuanaland Border Police and they jointly decided cases of cattle stealing etc.

Further north matters were complicated by the fact that the Convention of London had not specifically excluded the expansion of the Transvaal in the north, as it had done in the east and west. Treaties with native tribes east and west of the South African Republic could only be made with the assent of the British Government. No such restriction was made for the north, and a group in the Transvaal, led by General Joubert, considered it the natural field for Transvaal expansion. As the direct route to Mashonaland and Matabeleland lay through his country, Khama was naturally apprehensive at any reports from the Transvaal that Boers were massing for a trek in that direction.

The continued presence of Khamanie, his exiled brother, in the Transvaal was also a source of anxiety to Khama. Khamanie had taken up his station just across the Crocodile River and used to cross the river trying to seduce Khama's cattle men from their loyalty to him. Khama was afraid that Khamanie would involve him with the Transvaal, and gave the warning that if attacked by Khamanie he could not respect the frontier.⁽³⁾ Khama himself appealed to the Transvaal Government for Khamanie's removal, but

(1) C 5918 (1890) p.72, African (South) 369 p.219

(2) White Book African (South) 372 (1890) p.218

(3) C 4839 (1886) p.55

although the President promised this Khamanie remained. In May 1886 a patrol of the Bechuanaland Border Police under Colonel Carrington went up the Crocodile River and Khamanie was warned against crossing the river or interfering with Khama's subjects. (1) On the instructions of the Secretary of State the acting High Commissioner wrote to the State President, asking him to stop Khamanie using the Transvaal as a base against Khama and suggesting that he should be moved further back from the frontier. (2) The Transvaal Government agreed to give instructions to this effect, but Khamanie's plotting continued, and in April 1889 Moffat reported renewed activity by him which he thought was possibly instigated by the Bakwena or by persons from the Transvaal. (3)

The most serious friction between Khama and the South African Republic arose, however, in 1888 as a result of the so-called "Grobler Incident". For the background to this event it will be necessary to deal with the general history of relations between Bamangwato and Matabele and the attitude of the British and Transvaal Governments.

As mentioned in Chapter I, one of the reasons which caused Khama to welcome the British Protectorate was his fear of Matabele attacks. The last big campaign against the Bamangwato by the Matabele had been undertaken in 1863, (4) when they had suffered such heavy losses in preliminary fighting that they had not attacked Shoshong itself. However, ^{the} danger of attack persisted. Matabele impis were always active, and in 1885 had killed some of Khama's people on their way to raid the Batwana of Lake Ngami.

Consequently General Warren decided to send a party to Lobengula to announce the establishment of a Protectorate and

(1) C 4890 (1886) p.53 (2) C 4890 (1886) p.58

(3) C 5918 (1890) p.210

(4) Mackenzie 10 Years North of Orange River p.269 et seq.

if possible prevent such an occurrence again. The party consisted of Major Sam Edwards Lieut. Haynes and Lieut. Maund and reached Matabeleland in June 1885. Lobengula's reception of the news of the Protectorate was not wholly favourable. He expressed resentment that Khama should fix the border line without consulting him and would not believe that the 22° limit had been fixed in London. The Matabele had a traditional attitude of contempt for other native tribes and Lobengula now stated that Khama was "but a slave of Umzilikazi and had no country. If he wanted protection why had he not come to me". Major Edwards pointed out that the Protection was against the Boers, who wanted to dispossess native chiefs and monopolise the trade route. In regard to his claim to Khama's country the missionary Mr. Helm reminded Lobengula of the case of the Boer hunter Vermaak, who had been punished by Khama for hunting south of the Macloutse River, although he said he had Lobengula's permission to do so. When Lobengula protested to Khama the latter said the offence had been committed in his country, Lobengula had taken no further action, and a sort of tacit agreement had grown up that the Macloutse was the dividing line.

Nevertheless at an interview next day, 28th June, Lobengula, who was supported by his indunas, again denied that Khama had a country of his own. He claimed the whole of Bechuanaland and said that Sechele and Lenchwe had also been tributaries of Umzilikazi. Khama himself did not pay tribute but his father Sekhomi had paid in skins. Lobengula, in fact, felt slighted because the Protectorate had been proclaimed without his consent, and he also resented the fact that General Warren had not visited him in person, although he had visited chiefs he considered inferior like Khama and Sechele. (1)

Nevertheless, a certain amount of friendly correspondence passed between Lobengula and the Administrator of British Bechuanaland. Thus in February 1886 Lobengula wrote to ex-

(1) C 4643 (1886) pp.94-99

press gratitude for the turning back of the Khama deputation and stating his desire to live at peace with Khama. (1) Concession hunters soon appeared in Matabeleland to worry the king and he was also anxious about rumours of Boer activity in the south-east. In April 1887 a trader Mr. John Fry wrote to the Administrator, expressing the opinion that Lobengula and his people had an evident desire to come under British protection. The chief obstacle was the unsettled boundary with Khama and he suggested that the British Government should arbitrate between the two chiefs. (2)

To Sir Charles Warren Khama had made extensive claims in the direction of Matabeleland (3) but subsequently concentrated on obtaining the Shashi River as a north-east boundary. On the other hand Lobengula claimed the territory far south of the Shashi, though tacitly acknowledging Khama's authority south of the Macloutsie River. The area between the Shashi and the Macloutsie became known as the Disputed Territory. It was bush country, uninhabited except for a few Bushmen and servile Makalaka.

On March 1st 1887 Lobengula wrote to Shoshong asking why Khama had not consulted him when he made his offers of land to Sir Charles Warren. (4) He also wrote to the Administrator making the same complaint. This letter, incidentally, also complains that "some of the white people have come in here like wolves, without my permission and made new roads into my country". (5)

Khama's reply to Lobengula on April 8 stated that "I have only spoken to the white men about my own country not yours. That is the reason that I have not said anything on the subject to you". (6) When the Administrator suggested that he should appoint an officer to investigate the boundary and propose a

(1) C 4839 (1886) p.72
(3) C 4588 (1885) p.45
(5) Ibid. p.18

(2) C 5237 (1887) p.22
(4) C 5237 (1887) p.23
(6) Ibid. p.15

settlement Khama wrote accepting the offer but was dubious about Lobengula who had "evil advisers".⁽¹⁾

The Administrator also wrote to Lobengula on April 29th. He said he knew of no boundary yet between Khama and Lobengula but suggested it would be a good thing in the interests of peace. If Lobengula wished to refer the matter to the British Government an officer could be sent up to propose a boundary line.⁽²⁾ Lobengula, however, was unwilling to negotiate with Khama on a basis of equality. To him, as to all the Matabele, the Bechuanas were mere "dogs" and it was beneath his dignity to confer with them. Mr. Moffat, the first Assistant Commissioner, was instructed to visit Lobengula and offer his friendly offices for a boundary settlement but had to report failure.⁽³⁾

The fact that her Protectorate stretched to the borders of Matabeleland, and the commercial interests of her citizens, caused Britain to take an interest in the country from the first. In November 1886, Shippard urged the extension of the Protectorate to the Zambezi and over Lobengula's country.⁽⁴⁾ The Secretary of State in a confidential dispatch to the High Commissioner of 9th August 1887 declared that "Her Majesty's Government are not prepared to take any action in the matter at present". However he asked to be kept informed of any actions of the German and Portuguese Governments in regard to the areas.⁽⁵⁾

It is impossible here to go into all the antecedents of the Moffat Treaty of February 11th 1888, which brought Matabeleland and Mashonaland into the British sphere of influence. By this treaty Lobengula agreed not to enter into negotiations with any foreign State without the previous approval of the High Commissioner.⁽⁶⁾ Britain ratified the treaty on April

(1) C 5237 (1887) p.30 (2) Ibid. p.19

(3) White Book African (South) 358 May 1889 p.5

(4) H. C. Archives Admin to H. C. 26 Nov. 1886 No. 176G

(5) H. C. Archives Sec. of State to H. C., 9th Aug. 1889.
Confidential

(6) Text of treaty in C 5524 (1888) p.13

25th 1888 and official notification that the 'exclusive sphere of British influence had been extended to Khama's country outside the Protectorate and the Matabele kingdom was made to the South African Republic and Portugal on 25th July 1888. (1)

The South African Republic protested strongly, 29th November and stated it refused to recognise the Moffat Treaty. (2) The year before, July 30th 1887, Lobengula had put his mark to a friendly alliance with the Transvaal, which gave the Republic the right to appoint a consul in Matabeleland. The negotiator of this treaty, Piet Grobler, was appointed as the first consul and a proclamation issued to this effect. (3) Lobengula later denied that he had intended any such agreement and had understood he was merely affirming his friendship for the Transvaal as his father had done before him. (4) In any case the British Government refused to consider the matter open to discussion and affirmed that the existence of a British sphere of influence need present no barrier to Boer enterprise. (5)

Meanwhile the activities of concession hunters complicated the problem of the Disputed Territory and increased the chances of friction. Lobengula granted to concessions to prospect in the country between the Shashi and the Macloutsie - first to Swinburne of the Tati Company and in November 1887 to two men W. C. Francis and Edward Chapman. These latter had earlier applied to Khama for a similar concession but had been refused, nor would the chief listen to suggestions that he should join them in a filibustering war against Lobengula to obtain concessions in Mashonaland. (6)

These concessions, granted by Lobengula, naturally were not recognised by Khama. In January 1888 he warned Swinburne's representative Arkle to leave the Disputed Territory under

(1) C 5918 (1890) p.146

(2) C 5918 (1890) p.145,147

(3) C 5524 (1888) p.28

(4) Ibid. p.2, C 5918 (1890) p.151

(5) C 5918 (1890) p.156

(6) C 5918 (1890) p.69 Evidence of Khama at Grobler Inquiry

threat of confiscation of property. (1) Informed of the Francis and Chapman concession the chief warned them he would not let them enter the Shashi-Macloutsie area, and ordered them to leave his country and never come back. There was plenty of evidence that Chapman and Francis had tried to stir up strife between Khama and Lobengula and the Administrator informed them that they were liable to arrest under Proclamation No. 10 B.B. 1886, an amended version of that under which the Khama deputation had been arrested in 1885. (2) On December 15th, for example, they wrote to Lobengula urging him to maintain his rights and theirs, even at the cost of war. (3)

On June 1st 1888 Chapman and Francis ignored Khama's order and arrived at Shoshong en route to Matabeleland. The chief thereupon had them arrested, and sent them down to the Administrator under an escort, which included two police troopers. Chapman, however, escaped, and Francis was released by Sechele on the grounds that Khama had not informed him of the arrest. Reporting these events to the High Commissioner Sir Sidney Shippard gave it as his opinion that "Khama had acted within his rights and was justified in the course he adopted". (4)

Chapman and Francis, having reached the Transvaal, determined to proceed to Matabeleland by the alternative route, lately opened up by Piet Grobler, the Republic's official representative with Lobengula. A pontoon had been placed across the Limpopo at a point called Baines Drift, just south of the Macloutsie, and the route then passed through the Shashi-Macloutsie territory to Matabeleland. "Grobler's Road" bypassed Shoshong and the Tati and was not recognised by Khama. Nor in fact did Lobengula regard this back door into his country with favour. (5)

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- (1) African (South) 358 May 1889 p.12
(2) British Bechuanaland Proclamations 1885-93 p.30
(3) African (South) 358 1889 p.5
(4) African (South) 358 1889 p.42
(5) African (South) 369 1889 p.109

Hearing reports of the intentions of Francis and Chapman, Khama sent out a regiment under his half-brother Mokhuchwane to patrol the Shashi-Macloutsie territory, and gave him orders to stop any white men travelling through the country, and bring them and their waggons to Shoshong. On July 8th 1888 the main body of this force met Piet Grobler and his party travelling through the Disputed Territory on their way from Matabeleland. Shooting occurred, and Grobler received a wound in the leg, from which he died seven days later. A minor collision also occurred at Baines Drift. Chapman and Francis got the help of some Boers from the Transvaal in recapturing their waggons which had fallen into the hands of the Bamangwato. But here no bloodshed took place. (1)

The news of the collision between Grobler and Khama's people first reached Cape Town in a wire from the local representatives of the Bechuanaland Exploration Company. (2) On July 21st the Assistant Commissioner's report, giving the Boers as aggressors, was wired to the High Commissioner, (3) and on the same day he received a wire from the Transvaal President, informing him that Grobler had been "treacherously attacked". (4) Robinson rejected the proposal of a joint inquiry, on the grounds that the incident took place within the British Protectorate, (5) and Sir Sidney Shippard, accompanied by Major Goold-Adams and a force of police, was sent up to hold an inquiry on the spot. Commandant F. J. Joubert represented the South African Republic as observer. Shippard found there was considerable excitement on both sides of the river. Khama had all his able bodied men under arms, and on the other side groups of Boers had assembled. However both Governments adopted a moderate attitude and no serious trouble occurred. (6)

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- (1) This account of the Grobler incident and its antecedents is derived from Shippard's report and evidence given before him C 5918 (1890) pp.29-102, 131-138
(2) African (South) 353 1889 p.56
(3) C 5524 (1888) p.36 (4) Ibid. (5) Ibid. p.37
(6) C 5918 (1890) p.1 for attitude of Governments. A few shots seem to have been fired across the river at the natives but with no serious intention to hit. Ibid. p.18

The inquiry opened on the 29th August and closed on the 6th September. On many points there was a conflict of evidence, but it was possible to get a fairly clear picture of what had happened. Grobler's party had of course refused to proceed to Shoshong at the instruction of chief Khama and assaulted some members of the detachment sent to intercept them, depriving them of their guns. When Mokhuchwane arrived with the main party he agreed to pay 250 head of cattle (i.e. £1,500 at ruling prices) as ransom for the guns and compensation for a member of the party, William Lotrie, who fell from his horse and broke his arm, while pursuing the Bamangwato. Mokhuchwane had no intention of fulfilling this agreement, however. He gave orders to his men, and at a meeting of both parties to which all were supposed to come unarmed, the Bamangwato suddenly flung themselves on the Boers. The intention was to capture them unharmed but Grobler's party naturally thought a serious attack was being made. At least three of them had kept revolvers and now opened fire, while others ran to get their rifles. At this unexpected opposition the Bamangwato fled, panic-stricken, while others, who had not attended the meeting, but waited some distance off, returned the Boer fire. That night there was a further exchange of shots when Mokhuchwane brought a party to reconnoitre the position and fired at the laager, but on this occasion no one was hit.

In the course of the first firing Grobler was shot in the leg and three others of his party received minor wounds. Six of the natives were more or less seriously wounded and at least six horses and over thirty rifles fell into Boer hands. There was considerable doubt about the firing of the shot which ultimately caused Grobler's death. After examining the scene of the incident Shippard decided that Grobler had probably been shot accidentally by one of his own companions A. W. Greef. In any case, the real reason for his having died of the wound was lack of proper medical care afterwards.

The Transvaal evidence showed that they believed the attack was an intentional attempt on their lives - they brought forward allegations of orders to "catch Mr. Grobler dead or alive".⁽¹⁾ But Khama had given an undertaking to Goold Adams in January 1888 that he would not use force or fire a shot against trespassers in the Disputed Territory,⁽²⁾ and had given his officers orders to this effect. Indeed he was so angry with Mokhuchwane for disobeying his orders that he and his regiment were put on trial for cowardice and disobedience and sentenced to do forced labour for six years. It seemed most unlikely that Mankoroane would have so flagrantly ignored his orders as to fall on the Boers with intent to kill. -

Shippard conducted his inquiry on the premise that Khama had established his claim to the Disputed Territory and therefore had the right to stop travellers passing through it. Moreover Grobler owed Khama money from the time when he had been a trader at Shoshong and was therefore additionally liable to arrest for debt. While admitting that Mokhuchwane was to blame for his treacherous attempt to capture the party, he states as his conclusion that "Grobler and the Boers appear to me to have been in the wrong from first to last",⁽³⁾ since they had defied Khama's legal authority and assaulted his officers.

However the British Government did not accept Shippard's conclusion. Their official attitude is summarised in a despatch on the subject, which Lord Knutsford, the Colonial Secretary, addressed to the High Commissioner, Sir H. B. Loch, on 16th January 1890. They considered that since Lobengula had not had an opportunity of giving evidence on his claims, Khama's right to ownership of the Shashi-Macloutsie territory could not be taken as proved. Consequently Khama's men had

(1) Evidence of P. J. Ludick C 5918 (1890) p.84

(2) H.C. Archives B.B. Dispatches 1888 No 556 16/3/88.

(3) C 5918 (1890) p.39

been acting in disputed territory, and Grobler's resistance to arrest was justifiable. Therefore they decided that Khama should pay compensation to Grobler's widow and to others in the party who had been injured.⁽¹⁾

A letter was sent to Khama by the Transvaal Government on 28th November asking satisfaction for what had taken place. They demanded that Makhuchwane should be fittingly punished; that the agreement entered into by him should be kept, and a total of 1100 cattle or their value be given as compensation for Mrs. Grobler and Lotrie. Khama's closing of the Grobler Road was "nothing else than purposely directed against the Republic and calculated to do it injury and loss".⁽²⁾ The Transvaal Government was informed in reply that as Khama was under British protection, demands for compensation should be made through the High Commissioner, but the British Government was not indisposed to consider favourably claim for compensation.⁽³⁾

They decided to submit the matter to arbitration and accepted the High Commissioner's suggestion that De Villiers, the Chief Justice of the Colony, should be asked to act as arbitrator. However the President of the Transvaal objected to De Villiers as a Colonial official, and instead suggested the President of either the Orange Free State, the French Republic or the United States.⁽⁴⁾ Not considering it a case for foreign arbitration, the British Government decided to settle the merits of the case themselves,⁽⁵⁾ and they also rejected a further Transvaal suggestion for joint arbitration by the Chief Justices of the Cape and the Transvaal, with power to choose an umpire in case of disagreement. A pension of £200 per annum was offered to Grobler's widow and a gratuity of £250 to Lotrie and this compensation was accepted by the Transvaal Government.⁽⁶⁾

(1) C 5918 (1890) pp. 241-245 (2) C 5918 (1890) p.143

(3) Ibid. p.115 (4) African (South) 372 1890 p.9

(5) Ibid. p.32 (6) Ibid. p.65

When the question of payment of compensation was first raised the British Government made it clear that any amount paid would have to be raised by Khama and his tribe. "The Grant in Aid from Parliamentary Funds could not be pledged to assist Khama in the matter, for such a pledge would assume that Her Majesty's Government were liable for Khama's acts of internal government, which is not the case under existing circumstances".⁽¹⁾ However, when the High Commissioner and all officials in the Protectorate agreed that a demand for payment by Khama would have a very bad effect politically on all the native tribes, it was agreed that an advance should be made from Protectorate funds.⁽²⁾ Provision for the payment of Mrs. Grobler's pension appears in the estimates of expenditure from 1889 onwards.

The Grobler incident naturally caused great excitement in the Transvaal, where the opinion was widely held that Khama's people had merely been the instruments of the British, and in particular of the Rhodes group.⁽³⁾ The British agent in Pretoria reported on October 12th, 1888 that Boers in the Waterberg, where Grobler had a brother, were talking of taking the punishment of the natives concerned into their own hands, and organising a filibustering attack on Khama.⁽⁴⁾ Reporting this news to London, Sir Hercules Robinson asked for an additional 100 police for the Protectorate. Following despatches from the Transvaal President, objecting to the north-east boundary of the Protectorate and denying the validity of the Moffat treaty, a total increase of 200 men and the setting up of a permanent police post at Elebe in the north was sanctioned by the Colonial Secretary.⁽⁵⁾

In denying the validity of the Moffat treaty, the Trans-

(1) C 5918 (1890) p.155

(2) African (South) 369 1889 p.243; African (South) 372 1890 p.13, 32

(3) These views were held by Kruger himself - see Memoirs of Paul Kruger p.216

(4) African (South) 369 1889 p.139

(5) C 5918 (1890) p.129

vaal Government brought forward the sworn statement of F. A. Grobler, brother of Piet, concerning an interview he had had with Lobengula. Lobengula was asserted to have acknowledged the Grobler treaty, and expressed the desire that Grobler should be avenged by the Transvaal Government. At the same time he had made vague threats of war against Khama.⁽¹⁾ Lobengula's story of the interview is very different. "The Boers came to me and said they had been killed by Khama in my country and it was my business to call Khama to account for it. I told them it was not my affair. I had nothing to do with it, it was a thing for them to talk to Khama about and not to me."⁽²⁾ Nevertheless rumours persisted that Frederic Grobler had invoked the 1887 treaty with the Transvaal, and had asked Lobengula to send his impis against Khama to assist volunteers from the Republic.⁽³⁾ Khama himself declared that he had no doubt that Lobengula had actually promised to send an expedition against him.⁽⁴⁾

Reports of a proposed attack on Khama continued to come in,⁽⁵⁾ and in March 1889 the High Commissioner communicated with the Transvaal Government on the subject. Kruger assured him in reply that he would not allow any such movement.⁽⁶⁾ The Republic had, in fact, decided to concentrate its plans for expansion on the east, rather than the north, and on 4th May 1889 Kruger offered to withdraw all claims to the north and support the British in Bechuanaland, if the Transvaal were allowed a free hand in Swaziland and access to the east coast.⁽⁷⁾ This proposal the British Government agreed to consider carefully.

While in the north, conducting the Grobler Inquiry, Sir

- (1) C 5918 (1890) p.148 (2) Ibid. p.104
(3) H. C. Archives Admin. to H. C. Conf. 29/10/88
(4) African (South) 369 1889 p.200
(5) C 5918 (1890) p.165
(6) Ibid. p.171
(7) Ibid. p.190

Sidney Shippard made a new attempt to bring about agreement between Khama and Lobengula on the problem of the Disputed Territory.

On February 20th 1888 Shippard had written to Khama suggesting that the Shashi-Macloutsie area should become a neutral zone, occupied by British concessionaires. He pointed out that both chiefs had virtually agreed to this, when they had granted mineral rights there. Moreover the country had been offered to Sir Charles Warren in 1885. Khama should leave all negotiations to the Administrator and promise to abide by his decisions.⁽¹⁾ In a covering letter to the High Commissioner explaining his proposals, Shippard envisaged an amalgamation of the British concessionaires, and payment by them of a lump sum or annual rent to both Khama and Lobengula.⁽²⁾

Khama, however, was not willing to accept the proposals. He denied that he had made any concession of debateable land to the concession holders in his country. They merely had the first right to prospect there, as elsewhere, and had promised not to exercise this right until the question of ownership had been settled. As far as the border question was concerned, to accept the Administrator's proposal would be too great a step in the dark. He had no idea of the probable results and might find the country given to Lobengula or to concessionaires like Francis and Chapman with resultant dangers to his people.⁽³⁾

In an interview with Khama at Baines Drift during the Grobler Inquiry Shippard made another proposal for settling the problem. He suggested that Khama should cede to the Queen all his rights of sovereignty over the territory lying between the rivers Shashi, Limpopo and Macloutsie.⁽⁴⁾ (This was no doubt put forward to meet the High Commissioner's objection to his

(1) African (South) 358 1889 p.13 (2) Ibid. p.10

(3) C 5524 (1888) pp.16-17

(4) C 5918 (1890) p.10

earlier plan i.e. that it would not provide for the proper government of the mining population.)⁽¹⁾ Lobengula was also to be asked to cede his claims. However Khama did not favour the idea and the suggestion was dropped.

After the conclusion of the Grobler inquiry Shippard proceeded north to Bulawayo to visit Lobengula. He explained to the chief the establishment of the Protectorate over Khama's country and said it had been done in ignorance of his claims and solely to prevent any other power from seizing it. On the boundary question, he said that the British Government would like to secure a permanent peace between the Matabele and the Bamangwato. They were willing to leave matters as they were, but he pointed out that the existence of a dispute of this kind attracted filibusters. Lobengula's attitude was friendly, and he expressed a desire to live at peace with Khama, but he remained opposed to the idea of fixing a boundary. (2)

In view of the attitude of both chiefs, therefore, the attempt to solve the problem of the Disputed Territory had to be abandoned for the time being. But in order to keep the peace, extreme care had to be taken that the balance was not upset by the action of rival European concessionaires. The two chief claimants to concessions in the Shashi-Macloutsie area were a Paris syndicate, which had taken over the Chapman and Francis concession and the Bechuanaland Exploration Company, which held the right to prospect from Khama. Both parties were forbidden to enter the Disputed Territory, and the Government maintained its position in the face of strong protests by both sides. (3)

By the end of 1888, therefore, attempts to get Khama and Lobengula to agree to the survey and fixing of a boundary between them had failed. Alternative suggestions by Sir Sidney Shippard that the territory should be ceded to the

(1) African (South) 358 1889 p.41

(2) African (South) 369 1889 p.170

(3) e.g. Bechuanaland Exploration Co. to Colonial Office Dec.5th 1888 African (South) 369 1889 p.148

Crown for occupation by concession holders had not been accepted, and indeed had caused Khama to become suspicious of government motives. Rival companies holding concessions were forbidden to enter the Shashi-Macloutsie area, and a detachment of police was stationed at Elebe to prevent trespassing.

Before leaving the subject of the Protectorate and its neighbours it must be noted that the extension of the British sphere of influence in 1888 brought protests from another quarter besides the Transvaal. Germany had not been informed officially of the extension, when it was communicated to the South African Republic and Portugal, because Lord Salisbury considered: "it might not be wise to admit, by inference, that she has any right to be consulted when Great Britain proposes to extend her sphere of influence in this direction".⁽¹⁾ She had only been informed of the assumption of a Protectorate in 1885 because of a possible clash of interests. There was no such possibility now.⁽²⁾ Germany, however, had entered into an agreement with Portugal in 1886 for delimitation of spheres of interest, and part of the area now declared under British influence had been assigned to Germany. The Imperial Government therefore said it could not recognise the assumption of an exclusive sphere of British influence in the Zambezi area but offered to enter into negotiations on the subject.⁽³⁾

These negotiations lasted until July 1890 when agreement was reached as part of a general settlement of Anglo-German differences in South Africa. The real point at issue was the control of the territory round Lake Ngami, occupied by the Batwana tribe, a branch of the Bamangwato who had seceded. At first Britain offered to share access to Lake Ngami with Germany, but as the extent of British interests in the area became better known, the official attitude stiffened and in the end virtually the whole of Lake Ngami and the Batwana territory were assigned to the British sphere.

(1) African (South) 358 p.51

(2) Ibid. p.63

(3) African (South) 358 1889 p.67

CHAPTER IV THE EXTENSION OF BRITISH JURISDICTION IN THE
BECHUANALAND PROTECTORATE AFTER 1888.

Officials in the Protectorate realised from the first that the existing system of administering the Protectorate could only be maintained as long as there was no big influx of Europeans. In March 1887 the Administrator conferred with Gassitsive and suggested he should ask for a Border Magistrate to reside with him and deal with a threatened influx of miners from Malmani in the Transvaal. (1) In his covering dispatch to the High Commissioner, Shippard strongly urged the annexation of the Bangwaketsi country by Britain, as the only effective means of protecting the chief and his people, (2) but the High Commissioner did not support his proposals. In March 1888 the Administrator again suggested the annexation of the Protectorate, this time as a solution to the problem of cattle thefts across the Transvaal border, committed by native refugees from the Republic, who thus could not be judged or punished by chiefs in the Protectorate. (3)

In August 1888, on his way to hold the Grobler inquiry, Sir Sidney Shippard visited all the chiefs. To each he explained the object of his journey and urged the necessity for peace among the tribes in view of possible danger in the north east. He then referred to the possibility of annexation in the future ... "the time might come when, from the influx of white people, danger of attack, or other causes, the Great Queen might feel compelled to assume sovereignty over Sechele's country, and annex it, together with the rest of the Protectorate, to Her Majesty's Dominions ... it might be regarded as a certainty sooner or later ..." (4)

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- (1) H.C. Archives B.B. Despatches 1887 No. 47G 17/3/87
(2) Do. Do. No. 48G 17/3/87
(3) Do. B.B. Despatches 1888 No. 52G 16/3/88
(4) African (South) 369 1889 p. 11. Similar communications to Gassitsive and Lenchwe pp 2, 14
~~chief of the Beldubila~~

In a letter to the Secretary of State August 29th 1888, written on receipt of Shippard's reports, the High Commissioner dissented from the views expressed on annexation. "It is desirable that the Chiefs in the Protectorate should understand that there is no foregone conclusion in the matter; that Her Majesty's Government are not anxious to accept the responsibility of annexing the country, and that if they were to take such a step it would only be as a favour to the Chiefs who, in the event of an influx of Europeans, would otherwise be unable to establish an orderly Government".⁽¹⁾ Lord Knutsford endorsed this opinion on October 4th,⁽²⁾ and Shippard was instructed to visit the chiefs on his return journey and remove any misapprehensions which might have arisen. He now explained that the Government would only annex if "compelled to do so in the interests and at the request of the natives themselves". Three possible contingencies were mentioned, viz. war with the Transvaal or filibustering on a large scale; civil war between the chiefs; the influx of a large European mining population.⁽³⁾

In his interviews with the chiefs Shippard put forward a suggestion for a meeting of all the Bechuana chiefs to discuss common interests. On January 11th 1888 he wrote a circular letter inviting their attendance at Kapong on February 4th. Seven items were on the agenda - (1) defence; (2) medical services; (3) the collection of hut tax to pay for (1) and (2); (4) sinking of water holes along the route from Mafeking to Palachwe; (5) erection of a telegraph; (6) railway construction and (7) the settlement of disputes.⁽⁴⁾ The proposal caused much agitation among the tribes of the Southern Protectorate. The southern chiefs had never been as whole-

(1) African (South) No. 369 p.10 (2) Ibid. p.25

(3) Ibid. p.219, 233. The account of the meeting with Gassitsive in Bluebook C 5918 (1890) p.152 omits all reference to the possibility of annexation.

(4) H. C. Archives B.B. Despatches 1889 No. 7G 17/1/89

hearted in their acceptance of the Protectorate as Khama, chiefly because they felt less in need of protection. Moreover their position in their own tribes was not as strong, and they felt the need to demonstrate their authority to their followers by a show of resistance to the government.

In this case misunderstanding was caused by the setting out of an agenda for the proposed meeting. According to native custom this meant ^{that} all the stated measures had been decided upon. Sechele wrote immediately to the Administrator, refusing to come to the meeting and saying he wanted to be left alone to rule himself. A police draft was due to pass through the Protectorate on its way to the Macloutsie, and the Bakwena threatened to oppose its passage by force. ⁽¹⁾ This led to Khama offering to send 2000 fighting men to ensure a safe passage for the police. ⁽²⁾

However the misunderstanding was cleared up by the Administrator in personal interviews with the chiefs. It had been the mention of hut tax which caused the greatest excitement and even led to the threat of a massacre of whites. Shippard now assured the tribes that no immediate action was contemplated, though he wanted them to consider the possibility of some sort of contribution to the cost of the Protectorate. ⁽³⁾ The question of defence was the most urgent problem.

The meeting took place at Kapong on February 5th and 6th 1888 but proved disappointing. Shippard declared the attitude of Sebele and Bathoen (who represented their fathers Sechele and Gassitsive) to be "most unsatisfactory". Sebele was "devoid of common sense and thoroughly disaffected", Bathoen followed Sebele's lead, and Lenchwe was "undoubtedly maintaining a good understanding with the Boers of the Marico district". Only Khama was "thoroughly loyal and sincerely attached to the English",

(1) H. C. Archives B.B. Despatches 1889 No. 22G 24/1/89
(2) Do. do. No. 53G 28/2/89
(3) White Book African (South) 372 1890 pp.7, 8

and consequently regarded with suspicion by the other chiefs. The only matter thoroughly discussed was defence. Shippard suggested a defensive alliance of the chiefs, whose followers would, in case of war, fight under a British general. However the chiefs declared they were at peace and wished to remain at peace. If war came they would co-operate among themselves as they had always done, but they saw no need for an arrangement with the government and would not pay hut tax towards such a scheme. Sebele went so far as to say that the only protection they wanted from the British Government was free trade in arms and ammunition. The chiefs also refused the assistance of the Administrator in settling outstanding disputes among them, and it was obvious that they were determined to assert their independence of the Government. Consequently Shippard decided to dismiss the meeting without discussion of any other points. He warned the chiefs that the British interest in the Protectorate was only as a road to the north. By their present unco-operative attitude and refusal to contribute anything to the costs of protection they were playing into the hands of people in England who would like to see the Protectorate withdrawn. In his covering letter Shippard recommended the permanent stationing of a police troop of 100 men in the Southern Protectorate and the appointment of an Assistant Commissioner. (1)

The grant of a Royal Charter to the British South Africa Company on October 29, 1889⁽²⁾ was an event of great importance to the Protectorate. Not only was it included in the sphere of operations of the Company, but plans for the development of Mashonaland and Matabeleland meant an increasing importance for the Protectorate as the highway to the north.

The first important result of the Charter was the construction of a telegraph line through the Protectorate to Tati. Rhodes offered to defray the whole cost of the telegraph, about

(1) H. C. Archives Admin. to H. C. Confidential 6/2/87

(2) C 5918 (1890) pp.226-232

£30,000, if the Government would appoint a permanent resident with Lobengula.⁽¹⁾ This offer was accepted by the Government, which had realised the necessity of quicker communications, and had itself made half-hearted preparations to make use of Warren's old military line.⁽²⁾

The southern Protectorate chiefs continued to be restless, and it was expected they would oppose the construction of the telegraph. In November 1889 Bathoen had refused to allow the digging of wells in his country and was sharply rebuked by the Administrator. "Apparently you do not yet quite understand the position which you and the other Chiefs in the Bechuanaland Protectorate occupy with respect to Her Majesty's Government ... All the Chiefs, who are under Her Majesty's protection in the Bechuanaland Protectorate, are bound to obey the Government in all things lawful ... they will also be expected to do all they can to assist in the work of constructing and maintaining a line of telegraph required by the Government..."⁽³⁾

Colonel Carrington anticipated trouble in regard to the telegraph and recommended the stationing of 100 police at some central point.⁽⁴⁾ On March 24th Moffat reported disaffection among the southern chiefs and the High Commissioner wired to London, repeating an earlier request for 100 extra police to garrison a post at Kolobeng, the suggested site.⁽⁵⁾ The increase was reluctantly sanctioned by the Treasury as a "temporary measure" and the post was eventually established at Gaborone-in Sechele's country, but the headquarters of a minor chief.⁽⁶⁾ Loch also recommended the appointment of W. H. Surmon as Assistant Commissioner in succession to Moffat, now resident with Lobengula. This was approved, and Surmon reached the Protectorate in August 1890.

(1) C 5918 (1890) p.195— (2) Ibid. p.220

(3) H. C. Archives B.B. Despatches 1889 No. 252G 5/12/89

(4) African (South) 392 Dec. 1890 p.50

(5) Ibid. p.124

(6) Ibid. p.327

Southern

In May 1890 Shippard visited the Protectorate to inform the Chiefs of the intended telegraph line and obtain a site for the police camp. Only Ikaneng proved willing to assist in the construction of the line. The other chiefs refused to allow the telegraph to pass through their country and Sebele refused to give a site for the police camp. They were supported in this attitude by European concessionaires to whom they had ceded the right to build telegraph lines through their country.⁽¹⁾ The High Commissioner wired the Administrator to inform the chiefs that the telegraph would be built as decided, in spite of their objections, and that the claims of concessionaires could not be admitted.⁽²⁾ The general impression was that there would be no armed opposition, the chiefs being sullen but acquiescing in the inevitable.⁽³⁾

Three minor incidents in the southern Protectorate exercised the attention of the Government during the next few months and seemed symptomatic of general unrest. In June 1890 Sebele was involved in a misunderstanding with a trader, which resulted in a police trooper being refused permission to buy at his store.⁽⁴⁾ The visit of a Matabele induna to Lenchwe for a time caused suspicions of a conspiracy in which Lobengula was also involved.⁽⁵⁾ More seriously, on July 23 Lenchwe's people interfered with the telegraph and damaged some equipment. Inquiry revealed that it was not the line itself they objected to but the proposed building of a telegraph office at Mochudi, the chief town. Lenchwe was ordered to pay compensation and warned that the Government would not allow any opposition to its plans. The incident caused disproportionate excitement because of rumours that the chief had been communicating with the Transvaal, and a campaign in co-operation with Khama was even contemplated.

African (South)

(1) ~~Ibid.~~ pp. 216-17

(2) Ibid. pp. 217-18

(3) Ibid. p. 273

(4) African (South) 392 1890 p. 275

(5) Ibid. p. 253

Shippard's theory was that the Bakhatla were being used as a catspaw by the Bakwena to test the British Government's determination to carry through its plans. (1)

Sebele made further protests about the telegraph in October and November 1890. In October he complained "I see you ask a thing, and if you cannot get it by asking you take it, and if I object, you do it all the same". He expressed his wish to remain independent and his dissatisfaction with British protection. The High Commissioner's reply regretted to notice this ungrateful tone. (2)

In October 1890 the High Commissioner made an extended tour through the Protectorate and held a Durbar of the southern chiefs at Crocodile Pools on 11th October. Loch started by saying he would always support the chiefs' authority provided they acted justly. The questions of well sinking, telegraphs and railways, and concessions were discussed. The chiefs agreed to allow wells to be sunk along the main road, their responsibility for protecting the telegraph line was established, and they were promised information before a railway was built, Sebele expressing the hope that it would pass near the Transvaal boundary. The discussion on concessions developed into an argument between Bathoen and Ikaneng, which the High Commissioner said should be referred to Mr. Surmon, and the meeting closed with expressions of mutual goodwill. (3)

The formation of the B. S. A. Company to develop the north meant the passage of large numbers of Europeans through the Protectorate. Moreover the Company's police and the Pioneer party spent some months in camp on the Macloutsie river before advancing into Matabeleland. Since no law except native law ran in the Protectorate there was no legal means of enforcing discipline ^{among} ~~in~~ either the Bechuanaland Border Police or those of the British South Africa Company. On

African (South) 392,

(1) ~~1891~~. pp. 297-298, 301, 326-7

(2) *African (South)* 403 1891 p.22-23

(3) *African (South)* 403 1891 p.8 H. C. Archives Report of H.C's Tour 1890 Folio 159

March 5th 1890, therefore, Loch wrote to the Secretary of State, recommending the annexation of the Protectorate as a solution to the problem of jurisdiction. He considered annexation could be carried through without opposition, provided a hut tax was not imposed, and the tribes could then contribute an annual amount to cover the slightly increased cost of administration. Annexation would also strengthen the Government's position vis-a-vis Lobengula and the Transvaal.⁽¹⁾ Loch wrote again to make the same proposal on May 20th, this time enclosing the legal opinion of W. P. Schreiner that neither the Governor nor Boards of Officers had any jurisdiction in regard to offences committed in the Protectorate.⁽²⁾

The Colonial Office reply to the first despatch, dated 16th May, made it clear that they opposed annexation both on financial and political grounds. It pointed out that in assigning the Protectorate into the Company's sphere of operations "Her Majesty's Government deliberately substituted a new mode of providing Government for the Protectorate without extending Her Majesty's colonial jurisdiction".⁽³⁾

Loch replied on June 17th. The Chartered Company was not yet in a position to assume responsibility for Bechuanaland, and in any case he was opposed to their assuming authority which would include relations with independent native chiefs and possibly, ^{with} the South African Republic and the Orange Free State. Also, as the administrative power, the Company would have to adjudicate the validity of concessions in which they were themselves interested. He reiterated the opinion that the chiefs would probably not actively oppose annexation, though they might protest loudly in public; and he thought the financial objection was also not valid, since increased revenue would be obtained by the entry of the Protectorate into the Customs Union and by the sale or lease of Crown lands outside those reserved for the tribes.⁽⁴⁾

(1) African (South) 392 1890 p.115 (2) Ibid. p.219
(3) African (South) 392 1891 p.176 (4) Ibid. pp.250-253

The Colonial Office rejected annexation but decided that some measure for dealing with police discipline and coping with any other emergency was necessary. ⁽¹⁾ Consequently on 30th June 1890 an Order-in-Council was issued, by which "The Governor of British Bechuanaland may from time to time by Proclamation provide for giving effect to any power or jurisdiction which Her Majesty, Her heirs or successors, may at any time before or after the date of this Order have within the limits of this Order".

The Order covered the 1885 Protectorate and territory up to the Zambezi, thus including the whole of Khama's country and Moremi at Lake Ngami, but excluding Matabeleland. ⁽²⁾ Issued under the Foreign Jurisdiction Acts and in accordance with precedents in the Gold Coast and Lagos, the jurisdiction exercised under it rested on the cessions of 1885 by Khama, Sechele and Gassitsive. ⁽³⁾ Lord Knutsford said he was advised ... "that the instruments of 1885 can only be regarded as "proposals" in as far as they contained offers to cede land; but that otherwise they were valid grants of jurisdiction..." ⁽⁴⁾ Loch was instructed that for the present he should only use his powers to provide for police discipline. Other matters might arise later, but meanwhile, except in an emergency, the Secretary of State should first be consulted. ⁽⁵⁾

A Proclamation was duly issued on July 4th 1890 extending the provisions of the Cape Mounted Riflemen Act, already in force in British Bechuanaland, to the Protectorate. ⁽⁶⁾ This solved the immediate problem of enforcing police discipline but the larger question of jurisdiction remained.

The question of jurisdiction in the Protectorate was reopened towards the end of 1890, when Loch again pressed for annexation. The Pioneer column to Mashonaland had left in June

(1) C.O. to Foreign Office July 3 1890 African (South) 392 1891 p.244

(2) British Bechuanaland Proclamations... 1890 p. 90ff

(3) African (South) 392 1891 p.271

(4) Ibid. p.268

(5) Ibid. p.268

(6) B. B. Proclamations 1885-93 p.

1890 and there was a steady stream of Europeans passing through the Protectorate on their way to the north. Many of them were undisciplined adventurers, and inevitably there were collisions with the natives. In a despatch of December 26th 1890 Sir Sidney Shippard reported three such incidents - a Boer had stolen 11 sheep and refused to appear before the police; one, Walker, had shot at some native women fetching water; a drunken tramp had assaulted a police picket.⁽¹⁾ In January 1891 a man named Saunders was arrested for attempting to poison another and brought for trial to Mafeking. However as the offence was committed north of 25°⁰, and therefore beyond the limits of the Cape of Good Hope punishment act, the Resident Magistrate had no jurisdiction in the case and Saunders had to be released.⁽²⁾

Loch pointed out that under the present system civil and criminal jurisdiction in the Protectorate was exercised only by the Native chiefs, and no European would submit to judgement by natives. He thought there was a real danger of anarchy if things continued as they were.⁽³⁾ In a despatch 6th February, 1891 the High Commissioner recapitulated the advantages of annexation - the provision of adequate jurisdiction, the lack of effective opposition among the chiefs, the agricultural and mineral wealth open to development by European enterprise. Moreover the agitation of the Adendorff Trek was active in the Transvaal and a Colony would be a stronger safeguard than a mere Protectorate.⁽⁴⁾

The Colonial Office agreed that some extension of British authority seemed desirable, Lord Knutsford consulted the Foreign Office and the Law Officers, and the result was the Order-in-Council of 9th May 1891. The limits of the

(1) African (South) 403 1891 pp.97-99
(2) African (South) 414 Feb. 1892 p.8
(3) Ibid. p.4
(4) African (South) 403 1891 pp.91-92

Order covered "the parts of South Africa bounded by British Bechuanaland, the German Protectorate, the Rivers Chobe and Zambezi, the Portuguese Possessions, and the South African Republic." Thus Matabeleland and Mashonaland were included. The High Commissioner was empowered to "exercise all powers and jurisdiction which Her Majesty ... had or may have within the limits of this Order". He had the power of appointment, and could legislate by Proclamation "for the administration of justice, the raising of revenue and generally for the peace, order and good government of all persons within the limits of this Order". However in issuing such proclamations he was to respect native laws and customs, except in so far as they were incompatible with the exercise of the Queen's jurisdiction.⁽¹⁾ This was in accordance with the official Colonial Office view on partial sovereignty in a Protectorate, as stated in a Memorandum on the subject... "by accepting a protectorate, the native ruler surrenders to the protecting Power so much sovereignty as is necessary for giving effect to the protection granted. This protection includes the repression of crime and disorder among white men, which the native chief is himself powerless to suppress, and the establishment of a judicial system for dealing with such crime appears to be one of the attributes of sovereignty which the protecting Power acquires".⁽²⁾

The Order was transmitted to the High Commissioner on the 15th May and general principles for applying it laid down. He was only to introduce laws which could be "usefully and effectively put in force". Secondly he was to confine the exercise of authority as far as possible to whites... "apart from the obvious advantage of not interfering with native laws and customs ... the extent of the jurisdiction exerciseable by Her Majesty over the Natives has not yet been accurately

(1) Bechuanaland Protectorate Orders in Council, Proclamations etc. 1891-1914 ed. Williams p.1-4

(2) African No. 410 Feb. 1891 p.5

defined".⁽¹⁾ The Order-in-Council was published in the Government Gazette of 4th June 1891, and on 10th June Loch issued a proclamation providing for the administration of justice by Resident Commissioners, Magistrates and other officials and also regulating such matters as the issue of trading licences, restriction of trade in arms and ammunition, and grants of land or concessions by the chiefs.⁽²⁾ These administrative clauses were of course operative in the territory of the British South Africa Company as well as in the Protectorate and it was obvious that Loch intended if possible to supersede the Company's authority by that of the High Commissioner.

Censure along these lines came quickly from London. The Government finally agreed that the judicial clauses might remain in force, but administration must be left to the Company, and a further proclamation issued, limiting the validity of the other clauses to the Protectorate and Moremi's country.⁽³⁾ This further proclamation was issued on September 4th 1891, and the operation of the Proclamation of June 10th was limited to "those territories lying to the south of the River Zambezi and to the west of Guay, Tati and Macloutsie Rivers and of the South African Republic, which are at present under the administrative control of Her Majesty's High Commissioner for South Africa".⁽⁴⁾

Steps taken under the Proclamation included the appointment of Sir Sidney Shippard, Major Goold-Adams and Mr. Surmon as magistrates, to exercise jurisdiction in the Protectorate. In October all traders were called upon to pay the £10 annual licence to the Government decreed by the Proclamation. Sebele, who had taken over the chieftainship of the tribe from his ailing father, immediately protested, and was informed that

(1) C 7171 Correspondence re B.S.A. Co. in Mashonaland and Matabeleland Sept. 1893 p.2

(2) B.P. Proclamations etc. 1891-1914 p.

(3) African (South) 414 Feb. 1892 pp. 14, 45, 91, 111

(4) Bechuanaland Protectorate Proclamations etc. 1891-1914 p.40

the money was being collected by the Government under a proclaimed law. Nevertheless two Indians at Molepolole, ordered by the Government to obtain licences, were threatened with expulsion if they did so, and Sebele's stand in the matter was supported by his uncle Khosilintse and other leading men of the tribe. On February 6th, 1892 a group of Bakwena, by Sebele's orders, prevented two policemen from accepting a plough as security for non-payment of a trading licence. Interviewed, Sebele admitted he had given these orders, and said he refused to allow anyone trading on his ground to pay licences, except to himself. It was his country, and had nothing to do with the English Government. When Surmon arrived at Molepolole to investigate the case on February 16th Sebele refused to come to see him, giving his father's illness as the reason. However, believing the real reason to be disrespect, Surmon held the inquiry in his absence and recommended that he should be fined £60 or 20 head of cattle. (1)

Interfering with the police carrying out the orders of the Government, and disrespect to a Government official, made Sebele's offence a serious one. Moreover further disturbing reports came from Molepolole that Sebele refused to allow a party of traders to pass through his country and was inciting assemblies of his tribesmen against the government. (2) Indeed there seemed imminent danger of hostilities. Shippard considered the case was being regarded as a test case by native chiefs and tribes in the southern Protectorate, who had been "irritated" by the limitation on their sovereignty, represented by the Order-in-Council of 9th May. He strongly recommended coercive measures against the chief. (3)

In dealing with the case the High Commissioner took into account Sebele's position in the tribe. His succession to

(1) African (South) 426 October 1892 pp.97-98

(2) H.C. Archives Folio 727 Admin. to H.C. 27/2/92

(3) African (South) 426 1892 p.96

the chieftainship was by no means assured, and giving the tribe a lead against the British Government was probably one way of asserting his claims. Moreover European concessionaires were suspected of advising the chief to resist the Government.⁽¹⁾ Surmon was therefore sent to Molepolole with a message to the effect that though the chiefs were recognised as independent rulers over their own people, the Queen was the paramount authority over the whole of the Protectorate, and the chief must not interfere with officials or police carrying out their duties. On this occasion the High Commissioner would accept a small fine as compensation for the offence but if it happened again he would take the necessary strong measures.⁽²⁾ Surmon also read out the Proclamation of June 10th, 1891 to the assembled tribe. Sebele agreed to pay the fine of 10 cattle imposed, but in a statement before Mr. Surmon protested "I want to rule my country myself, and not to have laws made for me".⁽³⁾ It was obvious that the southern chiefs had not yet reconciled themselves to the Protectorate.

The question of permission to trade was raised again at the end of 1893, when a trader complained that he had been fined £5 by Sebele for trading at Molepolole without his permission. Sebele, when asked, said the £5 represented payment for permission, not a fine.⁽⁴⁾ This raised the point whether chiefs should have the right to tax Europeans in the Protectorate, and the question in this case was complicated by the fact that without the goodwill of the chief a trader obviously could not carry on his business. The High Commissioner ruled that a present to the chief to secure his goodwill was in order, but that the right to tax Europeans should belong only to the Protecting Power. Revenue obtained by such taxation ought to be available for public purposes not be part of the chiefs'

African (South) 426

- (1) ~~Ibid.~~ p.115 (2) Ibid. p.102
(3) African (South) 426 1892 p.132
(4) African (South) 459 1893 p.125

private revenue. ⁽¹⁾ With this view the Secretary of State concurred in a despatch of June 15 1894. ⁽²⁾

At the suggestion of the Secretary of State, April 23, 1892, ⁽³⁾ the High Commissioner took the opportunity given by a visit of Sebele to Cape Town in June to explain in some detail the relations between the chiefs and the Government. He explained that Sebele could rule his own people but he must not interfere with Europeans. The High Commissioner controlled the whites in the Protectorate in the interests of the natives themselves. ⁽⁴⁾

On September 10th 1891 Sir H. B. Loch put forward proposals for the raising of revenue in the Protectorate. The means suggested were customs dues, trading licences, gun licences, rents from concessionaires and a postal subsidy from the Chartered and Tati Companies. The possibility of obtaining land grants from the chiefs was also mentioned. ⁽⁵⁾ After consultation with officials in the Protectorate the High Commissioner, in a later despatch, suggested that Khama should be asked to hand over to the Government the land he had offered to Sir Charles Warren in 1885. Revenue could then be obtained from land settlement. ⁽⁶⁾

In replying to these proposals the Secretary of State took up a cautious attitude, while giving general approval as far as Europeans were concerned. He opposed any direct tax on the natives, reminding the High Commissioner that although the Crown had authority to tax Europeans, "its authority with regard to natives must at present be taken largely to depend on the acquiescence of the native chiefs themselves, and to be exercisable through them ...". Also there was the danger that the expenses of collection, if the tax was opposed by the natives, would be greater than the revenue obtained.

Lord Knutsford also expressed his disapproval of any scheme

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- (1) ^{AGS} ~~Id.~~ p.125 African (South) 461 Feb. 1895 p.151
(2) African (South) 461 Feb. 1895 p.328
(3) African (South) 426 p.149 (4) African (South) 426 p.153
(5) African (South) 414 1892 p.247
(6) African (South) 426 1892 p.39-40

to obtain land grants from the chiefs since that would be equivalent to annexation, "for which Her Majesty's Government are not yet prepared".⁽¹⁾

As mentioned earlier in this chapter a proposal to levy hut tax was the great cause of disaffection in the Southern Protectorate in 1889, and the tribes in the south were as unwilling as ever to contribute in this way. Remembering the native policy of the early Transvaal governments they considered the payment of hut tax an admission of vassalage.⁽²⁾ On the other hand Khama had expressed willingness to pay hut tax, though it was not certain how far he spoke for his tribe.⁽³⁾ However, it was decided that a uniform policy should be followed for all chiefs. After the consent of the tribes had been obtained, a proclamation was issued on October 4th 1892 providing for the annual issue of permits to buy ammunition, a charge being made for the issue of such permits. Guns had to be stamped before permits were issued and the amount of ammunition obtainable was limited.⁽⁴⁾ In effect, it was an annual gun licence, arranged in this way to meet the objections of the natives to individual registration. Nevertheless the regulations caused a good deal of dissatisfaction in the Protectorate. Restriction of the arms traffic had been one of the aims in introducing the measure, but it became a grievance with the natives. The Bamangwato in particular complained that, isolated by their loyalty to the English from both the southern tribes and Lobengula, they were in return deprived of the means of defending themselves.⁽⁵⁾

The entry of the Protectorate into the Customs Union of the Cape Colony, Orange Free State, Basutoland and British Bechuanaland was one of the measures proposed by Loch for raising revenue. He raised the matter with the Orange Free State and the

(1) African (South) 414 1892 p.301

(2) See Sebele's remarks to Warren C 4588 (1885) p.38

(3) African (South) 426 1892 p.13

(4) H. C. Archives Folio 393 Copy of Govt. Gazette for 5th October

(5) H. C. Archives Folio 393 Moffat to H. C. 4/1/93

Colony in September 1891.⁽¹⁾ President Reitz replied that his Government had no objection to the admission of the Protectorate, provided the Cape Government agreed, and the Colonial Ministers expressed assent. The legal aspect of admission was whether, under Article X of the Customs Convention of 1889, the Protectorate could be defined as "a South African State Colony or Territory having a civilised government". In an opinion on this point the High Commissioner's legal adviser W. F. Schreiner thought that in spite of the Order-in-Council of 9th May the Free State was not bound to recognise that a civilised form of government had been established. Nothing short of formal annexation need be recognised as bringing a Protectorate under the Government of the Protecting Power. On the other hand he saw no reason why a friendly recognition of the de facto position should not be achieved.⁽²⁾

On 30th December 1891 the High Commissioner signed a protocol for the admission of the Protectorate to the Customs Union and submitted it to the Free State President for his signature. Reitz explained that any agreement was subject to ratification by the Volksraad, and asked for information to lay before it that the Protectorate satisfied Article X of the Customs Convention. Loch's reply submitted copies of the Orders-in-Council and Governor's Proclamations as proving that "civilised government" had been established. He was evidently hoping that Free State lawyers would differ from Mr. Schreiner.

Nevertheless the Volksraad refused to ratify the protocol. The chief reason seems to have been a misapprehension that Lobengula's territory was included in the proposal and they did not consider him sufficiently subject to the British Crown. The High Commissioner wired immediately to the President, explaining that none of Lobengula's territory was included in the Protectorate, and suggesting that the Volks-

(1) H. C. Archives Folio 522 passim

(2) Do Do Schreiner to H.C. 15th Dec. 1891

raad might reconsider its decision. However the Free State constitution barred the reversal of a resolution once taken until the following year, and Loch had to submit to a year's delay, when the President promised to bring the matter forward again. Reporting these events to the Secretary of State the High Commissioner took the opportunity of renewing his proposal for the annexation of the Protectorate. A European population could then be introduced and revenue obtained from this source would make up for the loss of expected customs dues.⁽¹⁾

In 1892 Loch had several exchanges of letters with the President on the subject of the Customs Union.⁽²⁾ The High Commissioner's proclamation of 27th September 1892, defining the area under his direct administration, removed any misapprehension about the boundaries of the territory it was proposed to include. Moreover Khama's agreement with Sir Charles Warren was quoted as evidence that the native chiefs had formally consented to their territory being administered by the Crown. The protocol admitting the Protectorate into the Customs Union was finally ratified by the Volksraad on 10th May 1893, and a Government Proclamation issued in the Gazette of 18th^{and 26th} June 1893. Membership was to take effect from 1st July.

With the increase in Government interference in the affairs of the tribes two Assistant Commissioners were employed in the Protectorate, Moffat with Khama, and Surmon in the Southern Protectorate, with headquarters at Gaberones. These officials continued and extended the earlier practice of hearing disputes among the tribes and were authorised to assume a "more authoritative position" in dealing with them.⁽³⁾ Nor was interference confined to inter-tribal disputes. In October 1892, when Moffat visited Molepolole, he found that Sechele had just died and the tribe was restless under Sebele's chieftainship. He warned Sebele that "should any serious

(1) African (South) 426 189 p.186 (3) African (South) 414 1892 p.121

(2) H. C. Archives Folio 522 esp. H. C. to President 29th May 1892 President to H. C. 4th Jan. 1893 & H.C.'s reply 10th Jan.

commotion occur the Government could not sit still and allow it to go on". (1)

A dispute as to the chieftainship of the Bamalete was settled by Surmon, and resulted in the division of the tribe, (2) and Sir Sidney Shippard adjudicated between Sebele and his brother Khari, when the latter demanded that the territory and chieftainship of the Bakwena should be divided between them. In giving judgement for Sebele, Shippard referred to the Government's "right and power of deposing a Chief and appointing a successor", but said they would not do so except in case of "grave causes shown". (3) When Khari refused to accept the award and remove himself and his followers to Kolobeng the High Commissioner ordered its unconditional acceptance, and the police were sent to evict those who did not move. Sebele was also involved in another case in 1893 when the Government reversed one of his decisions and for a time it was thought force would have to be used to get the chief to carry out the award. (4)

A serious boundary dispute arose in the Protectorate in the last quarter of 1893 and early 1894. The Bakwena and Bakhatla were both involved in trespass on land claimed by Khama and it was only the intervention of the Assistant Commissioner which prevented serious fighting breaking out. As it was a shooting incident, in which lives were lost, at the border cattle post of Menohe was treated as an ordinary criminal offence, and both parties were fined for the benefit of dependants. (5) Major Goold-Adams, Surmon and Moffat were appointed as a Boundary Commission and the chiefs were informed that they would be required to accept the Commission's decision and pay any costs involved. The decision was announced on 18th October 1894 and as a result the boundary between the

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- (1) African (South) 441 1893 p.27
(2) British Bechuanaland Annual Report 1890-92 p.4
(3) African (South) 484 1895 pp. 72, 91
(4) B.B. Annual Report 1893-94 p.47
(5) African (South) 459 1894 pp.93-94, 99. S.A. 461 (1895), esp. pp. 39, 307-310, 335-338

Bakwena and Bamangwato was defined. Lenchwe protested afterwards that part of the territory adjudged to Khama belonged by right to the Bakhatla, but was informed that the Award was final. (1)

To sum up the extension of British jurisdiction after 1888, we may say that the Government now had exclusive control over Europeans in the Protectorate. It was the arbitrator in inter-tribal disputes and also interfered in internal affairs where these might threaten the peace of the tribes. It levied revenue from natives as well as Europeans through its tax on ammunition and its de facto position as the governing power was recognised when the Protectorate was admitted into the Customs Union. Moreover it assumed even greater powers when dealing with a request from the Transvaal in August 1890, asking for the cession to the Republic of Lenchwe's country east of the Notwani River. (2) Lenchwe had been a source of trouble in the Protectorate and the British Government was at first disposed to favour the Transvaal request, in exchange for a grant of land to Ikaneng in the south. In the end, when it was decided to refuse the request, the reason was not the lack of the requisite sovereign powers to cede territory, but the fact that to grant it would deprive the Protectorate of its Marico River water supply. (3)

While as late as 1893 there were rumours of a combination of the southern tribes against the Government the chiefs appear to have gradually acquiesced in the inevitable. In his report for 1894-95 Surmon was able to state that "The Chiefs now refer all disputes with their neighbours to me and submit much more readily to the authority of the Government than they formerly did". (4)

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- (1) African (South) 484 1895 p.21,62
(2) African (South) 392 1890 pp.345-347
(3) do. 403 1891 p.24
(4) B.B. Annual Reports 1894-95 p.54

CHAPTER V THE BRITISH SOUTH AFRICA COMPANY AND THE
BECHUANALAND PROTECTORATE 1889-1895

The first formal suggestion for the creation of a chartered company to develop the interior came to the Colonial Office in a letter from Lord Gifford, January 3rd 1889. (1) Gifford's company - The Bechuanaland Exploration Company - had interests in Khama's country, and was later amalgamated with the Gold Fields of South Africa Ltd., holders of the Rudd concession in Matabeleland, and other companies, into the British South Africa Company. But it is obvious that when the Charter was granted the British Government was thinking largely in terms of the Bechuanaland Protectorate.

The principal field of operations of the British South Africa Company was defined in Article I of the Charter as "the region of South Africa lying immediately to the north of British Bechuanaland, and to the north and west of the South African Republic and to the west of the Portuguese Dominions". (2) In the draft Charter submitted by the Company the vaguer phrase "to the north of Bechuanaland" had been used, and it was the Colonial Office itself which suggested this more detailed definition, which specially indicated the Protectorate. (3) Moreover in a letter to the Foreign Office of May 16th 1889 specific reference was made to the saving in expenditure on the Bechuanaland Protectorate, which was expected to result from the granting of the Charter. (4) The Government made its intentions clear in the fourth paragraph of their instructions to Loch, 14th November 1889. The Company had been empowered to acquire certain rights of Government from rulers, including those

(1) C 5918 (1890) p.140

(2) C 5918 (1890) p.228

(3) African (South) 414 (1892) p.134

(4) C 5918 p.192

in the Protectorate, "whereby it is anticipated that hereafter Her Majesty's Government may be much assisted in the control and protection of the territories lying within the present British Protectorate".⁽¹⁾

For some years, however, the effects of the Charter on the Protectorate were seen chiefly in two spheres - the granting of concessions and relations with the Matabele. From the date of the Charter 29th October 1889 the High Commissioner made a practice of disallowing all concessions submitted to him. This was in accordance with instructions from the Secretary of State of 3rd January 1890, which laid down the policy to be followed in regard to concessions:

- 1) to refuse to recognise concessions obtained after the date of the Charter;
- 2) to try and persuade the Chiefs not to grant concessions except to the Chartered Company.⁽²⁾

The concessions to which these instructions were intended to refer were of the type granting monopolies of public utilities, like railways or telegraphs, to the concession holder. But the Secretary of State acquiesced in the extension of the ruling to mineral concessions as well, since it was expected that the Chartered Company would shortly be taking over administration.⁽³⁾

The Company, however, was too busy consolidating its position in the north to be able to undertake operations in the Protectorate. Meanwhile the southern chiefs continued to grant concessions and there was trouble with the concessionaires, whose grants were disallowed. They incited the chiefs to assert their rights of sovereignty and this fomented the discontent in the Southern Protectorate.⁽⁴⁾

For these reasons, and because it was desirable to raise revenue from concessions, if as seemed likely the Protectorate

^{C5918 (1890)}
(1) ~~Id.~~ p.225 (2) African (South) 372 (1890) p.198
(3) African (South) 441 (1893) p.219
(4) African (South) 392 p.216-7; African (South) 441 p.1

was to remain under Government control, the Secretary of State at the end of 1891 agreed to the setting up of a Concessions Court, which should examine the validity of all concessions in the Protectorate, i.e. those after the date of the Charter as well as before, on general grounds of equity. ⁽¹⁾ The Chartered Company immediately protested, pointing out that, without exclusive rights in minerals, there would be no incentive for the Company to undertake its promised construction of a railway or other capital development. They asked for a suspension of the Concession Court and offered to open discussions with the Government on railways and future administration. ⁽²⁾ The Government agreed to postpone the appointment of the Commission and in fact it did not begin its work until 1893, when it had specific instructions not to recognise as valid concessions granted after the date of the Charter. ⁽³⁾

Unlike the southern chiefs Khama had granted only one concession in his country, which was held by the Bechuanaland Exploration Company, but the great difficulty in regard to concessions in the north was the problem of the Disputed Territory. By the Rudd Concession of 1888 The Gold Fields of South Africa, Limited - the company controlled by the Rhodes group - obtained mineral rights over the whole of Lobengula's dominions, thus including in their opinion the Shashi-Macloutsie area. On the other hand the Bechuanaland Exploration Co. held rights in the same area, and there were also other parties with more or less valid claims to consideration. ⁽⁴⁾ A general amalgamation of claims took place at the time of the formation of the B. S. A. Company, and early in January 1890 a special agreement was reached on the joint working of concessions in the Disputed Territory,

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- (1) African (South) 414 1892 pp.223-224, 284, 300
(2) do. 441 1892 p.232 Interview between Rhodes and H. C. S.A. 426 p.284
(3) For negotiations leading to agreement, see later in this chapter
(4) i.e. The Exploring Co. Ltd. and holders of Wood-Francis-Chapman concession

the B. S. A. Company undertaking to send its police to maintain order and also to pay an adequate compensation to both Khama and Lobengula.⁽¹⁾ However the Government would not agree to the incorporation of a Company in terms of this agreement, nor would it withdraw its prohibition on prospecting. In view of the prospective march of pioneers to Mashonaland they thought it would be dangerous to give Lobengula any possible cause for offence.⁽²⁾

Khama also remained very sensitive on the subject of the "disputed territory" and opposed immediately any action which could be interpreted as an infringement of his rights. On January 24 1890 the Secretary of the Bechuanaland Exploration Company wrote to the "Financial Times" expressing satisfaction at the arrangements made by his Company with the B. S. A. Company. In his letter he mentioned that the directors had also acquired "one-fourth of the mining rights of the whole of the Shashi-Macloutsie territory which is in dispute as to ownership".⁽³⁾ A copy of this letter appeared in the "Cape Argus" and was seen by Khama, who immediately accused the Bechuanaland Exploration Company of conspiring to deprive him of his country, and wrote to the Deputy Commissioner, asking the Government to protect him and his tribe.⁽⁴⁾ According to the terms of the concession granted to the Company on 27th January 1888 there was no time limit to its operation, but in a private note to the Company's representatives, Johnson and Heany, Khama had assured them he would grant no other concession for two years. The chief now informed the Company that the two years he had given them to prospect in his country had expired, and he therefore withdrew his permission to prospect.⁽⁵⁾ When the local representatives complained that this was contrary to the terms

(1) African (South) 372 1890 p.200
(2) African (South) 392 1890 pp. 109, 111, 119
(3) African (South) 392 p.99
(4) Ibid. p.161-162
(5) Ibid. p.160

of the concession, Khama informed them that he had all along considered that at the end of two years their right to prospect, exclusive or otherwise, would cease. (1)

The Bechuanaland Exploration Company appealed to the Colonial Office, and asked that the High Commissioner should explain to Khama that no infringement of his territorial or other rights had been intended. They expressed concern at a precedent being created, by which a native chief could interfere with concessions without the consent of the concession holders. (2) On the instructions of the Colonial Office this message was transmitted to Khama, but in a letter of April 7th the High Commissioner gave it as his opinion that the directors had exceeded their rights and powers under the concession. They had not received a specific grant of the disputed territory nor the right to share it with others. (3) However the Colonial Secretary ruled that "according to the principles of fair dealing among civilised men, with whom Khama doubtless wishes to be classed"... the chief did not have sufficient grounds for his action. He was to be informed that he could rely on the Government to prevent encroachments by British subjects, but if he ignored their just rights he would incur the Government's displeasure. (4) In actual fact, however, this message was never delivered because, at the request of the High Commissioner, Khama allowed the Bechuanaland Exploration Company to resume prospecting outside the Shashi-Macloutsie area. He agreed to put his case unreservedly in the hands of the High Commissioner, and meanwhile asserted his independence by refusing to accept the monthly payment. (5)

Matters were thereafter left in abeyance and the Disputed Territory was excluded from the jurisdiction of either

African (South) 392

(1) ~~Ibid.~~ p.161

(2) *Ibid.* p.98

(3) *African (South)* 392 1890 p.158

(4) *Ibid.* p.202

(5) *Ibid.* p.212 *ie. due under the concession*

the B. S. A. Company or the High Commissioner in their proclamations of September 1891. The Colonial Secretary explained that this was done on purpose, so as to avoid offending either chief. ⁽¹⁾ In January 1892 he suggested that both Khama and Lobengula should be asked to agree to the administration of the territory by the British Government, the interested prospecting companies to bear the expense. ⁽²⁾ In reply the High Commissioner referred to a scheme he had lately suggested to Mr. Moffat, i.e. that Khama should be asked to renew the offer of land he had made to Sir Charles Warren in 1885, this land including the Disputed Territory. ⁽³⁾ However the Colonial Office rejected this scheme, as it had done earlier when it had been suggested as a means of raising revenue, ⁽⁴⁾ and proposed that the whole settlement should be deferred again, until the companies should show an urgent interest in the area. ⁽⁵⁾ The High Commissioner, however, postulated the need of some administrative authority, since travellers were constantly passing through the area on their way to Mashonaland. These escaped the revenue control of either the B. S. A. Company or the Government, and canteens had already been established which might lead to trouble with Khama. ⁽⁶⁾ Consequently the Disputed Territory was included within the boundaries of the territory under the High Commissioner's control, as defined by a High Commissioner's proclamation 27th September 1892. ⁽⁷⁾

In January 1893 Moffat sent a long despatch from Palapye, reviewing the problem of the Disputed Territory. He considered that Khama would probably agree to the Government taking over the control of the Shashi-Macloutsie area, provided his water and pasture rights were respected. But the

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- (1) African (South) 414 1892 p.205
(2) African (South) 426 1892 p.11
(3) Ibid. p.43 (4) See Chap. IV p. 76
(5) African (South) 426 1892 p.109
(6) Ibid. p.163
(7) Bech. Prot. Proclamations 1891-1914 pp.54-55

chief disliked the idea of handing over mining rights to any group deriving its claims from Lobengula, for that would imply a final settlement of the question in Lobengula's favour. (1)

In May 1893 the High Commissioner made the specific proposal that Khama should assign his mineral and other rights to the B.S.A. Company, or to the High Commissioner, to be dealt with as he thought fit. Cattle posts and water rights were to be preserved to the tribe and a liquor prohibition enforced. If Khama transferred his rights to the High Commissioner he proposed to transfer them to the B. S. A. Company. (2) Khama agreed verbally on May 30th to transfer his rights to the High Commissioner, but later withdrew the offer before a full meeting of his tribe, on the grounds that he could not place in jeopardy the right of the Bamangwato to the permanent waters of the Shashi. (3) The serious developments in Matabeleland throughout 1893, which finally led to the Matabele War, caused the matter to be shelved until the following year. Meanwhile, on 25th July 1893, Khama granted a mineral concession for his whole country to the British South Africa Company, (4) and under the auspices of this Company a separate "Shashi and Macloutse Exploration and Mining Company" was formed, with the approval of the British Government, to exploit the resources of the Disputed Territory. (5)

In April 1894 Loch again proposed to Khama that he should cede all his rights in the Shashi-Macloutsie area to the High Commissioner. On this occasion Khama's reply on July 4th was a sharply worded refusal, which he gave in writing. "I cannot give away the country of the Shashi and Macloutsie"... He referred to his long friendship for England and his hope that when the Matabele power was broken the dispute would be at an

(1) African (South) 441 1893 p.95 (2) Ibid. p.121

(3) H. C. Archives Folio 319 Telegram 931A 4/8/93 also Khama to H. C. 1st July 1893

(4) African (South) 454 1893 pp.76-77

(5) African (South) 459 1894 pp.41, 84

end. He expressed bitterness that the matter had been raised again by the white people. ⁽¹⁾

On learning of this letter, the British South Africa Company asked that the whole matter should be referred to arbitration, and the proposal was supported by the Acting High Commissioner Sir W. G. Cameron. ⁽²⁾ However, in a despatch of 13th November, the Colonial Secretary refused to accept any such suggestion. Lord Ripon said he failed to see why the matter had been raised again at all. The B. S. A. Company had obtained full mineral rights by its concession from Khama, and the administration of the area by the High Commissioner had been provided for by the proclamation of 27th September 1892. ⁽³⁾ In a confidential despatch of the same date Ripon expressed the opinion that there was little proof of Matabele occupation of the area and he thought that in the case of arbitration the decision would go to Khama. But the risk of an adverse decision to the chief, however remote, could not be taken in view of the importance ^{of} his friendship ~~was~~ to the British Government. ⁽⁴⁾

Thus the granting of the charter to the British South Africa Company influenced events in regard to concessions in the south and in the north. It is now time to turn to another aspect of the Company's influence in the Protectorate - the effect of its settlement in Mashonaland and Matabeleland on the territory to the south.

On December 16 1889 Sir Sidney Shippard wrote to Khama, officially informing him of the grant of a Charter to the B. S. A. Company and assuring him that "the Company will not interfere in any way with your rights and powers in the Government of your country and people ... and Mr. Rhodes

(1) African (South) 461 1895 p.418

(2) Ibid. p.417

(3) H. C. Archives Folio 319 S.of S. to H. C. S.A. No. 281
13/11/94

(4) H. C. Archives Folio 319 S.of S. to H. C. Confidential
13/11/94

hopes to have your support and assistance in his great work of carrying the blessings of civilisation ... into Matabeleland and Mashonaland⁽¹⁾ ... etc." The letter was delivered at Palapye by representatives of the Company, who must have aroused misconceptions in verbal communication, because Khama's reply was an enthusiastic promise of military support for the expedition against Lobengula.⁽²⁾

Khama was quickly informed that the objects of the Company were peaceful. Nevertheless he was called upon for help when the Pioneer expedition left for the north in 1890, and his men were of considerable assistance in the clearing of roads and by acting as scouts.⁽³⁾ This help, given to the expedition, did not improve his relations with Lobengula, which was one of the reasons why the restrictions on the arms trade were so unpopular among his people. Moffat reported in February 1893 that Khama felt no safer against a Matabele attack than before the Protectorate.⁽⁴⁾

As it happened, however, it was Khama's people who played the part of aggressors, as auxiliaries of the Bechuana-land Border Police during the Matabele War of 1893. It is impossible here to go into the causes, but relations between Lobengula and the Company steadily worsened throughout 1893 and the position was rapidly tending towards war.⁽⁵⁾ On August 25th 1893 the High Commissioner asked for permission "in certain circumstances" to give a free issue to Khama's men of a certain amount of ammunition. Asked to elaborate, he explained that in case of war Lobengula was likely to attack the Protectorate and Khama's people would have to take a big share in its defence.⁽⁶⁾ When hostilities ac-

(1) African (South) 392 1890 p.51 (2) Ibid. p.52

(3) Michell Life of Rhodes 166-167

(4) H. C. Archives Folio 393 Moffat to H. C. 16 Feb. 1893.

(5) African (South) 454 1893 p.36 (6) Ibid. p.45

tually broke out the Bamangwato were asked to supply a contingent, and on 14th October Goold Adams, the Bechuanaland Border Police commander, reported that he had been joined by Khama with about 2,000 men.⁽¹⁾ The operations of the force to which they were attached were not purely defensive, for Goold Adams was instructed to march on Tati and advance on Bulawayo, creating a diversion in favour of Company forces fighting further east. On November 1st they reached Bulawayo, and two days later were involved in a sharp skirmish with the Matabele, in which "Khama's men behaved splendidly".⁽²⁾

However on 5th November Khama informed Goold Adams that as the result of an outbreak of smallpox among his people he could accompany the column no further and would have to return at once to Palapye.⁽³⁾ Moffat gave it as his opinion that the smallpox outbreak was only a convenient excuse. The chief reason was fear of the effect further delay would have on the food crop, for the ploughing season was passing and, because of the absence of able-bodied men with the expedition, no ploughing had yet been possible. Khama was also anxious about the activities of Sebele and Lenchwe on his southern border.⁽⁴⁾

The Matabele War did in fact cause considerable agitation in the southern Protectorate. There were rumours that the Matabele had invited the southern chiefs to join them against the British, but these seem to have had no foundation in fact.⁽⁵⁾ No other chief but Khama played any active part in the war: Lenchwe was asked to supply fifty men to act as scouts but refused.⁽⁶⁾ Khama's own casualties were seven killed and eleven wounded. His men were promised pay of 1/- per day for the duration of the campaign, but this was at first held to be forfeited when Khama withdrew the force without permission.

(1) C 7196 (1893) p.72

(2) C 7290 (1894) p.11

(3) Ibid. p.22

(4) Ibid. p.23

(5) African (South) 461 1895 pp.268, 278

(6) African (South) 459 1894 p.119

However when Moffat pointed out that real sacrifices had been involved in leaving their fields at the ploughing season, payment was authorised by the British Government. (1)

Thus the danger of Matabele attack was removed from the Protectorate. Henceforth Khama's disputes as to boundaries were with the Company. Besides the old problem of the Shashi-Macloutsie area in the north east, a new dispute had arisen in the north. In 1892 gold discoveries were made west of Tati and reported as being in Khama's territory. Rhodes thereupon denied that Khama's territory extended north of 22nd parallel S. latitude - claims in the new area belonged to the B. S. A. Company as heirs of Lobengula. (2) The opposite view was taken up by the Bechuanaland Exploration Company, and both parties addressed lengthy despatches to the Colonial Office, citing Bluebooks and contemporary statements in support of their case. (3) Lord Knutsford urged the two companies to come to some agreement by themselves. If the matter came before the Government for decision he thought either side would have difficulty in proving a case. (4)

These constant differences arising with the Company, and his observations of its native policy in Matabeleland, did nothing to make Khama favour any extension of its influence. Moreover he seems to have borne a personal ill-will towards Rhodes himself dating from an interview between them after the Matabele War. (5) It could be expected that Khama would oppose any transfer of the Protectorate to the Company's administration.

The question of handing over administration was closely connected with the proposal to build a railway through the Protectorate. This had been put forward by Lord Gifford

(1) African (South) 461 1895 p.209, 226

(2) African (South) 426 1892 p.161

(3) Ibid. p. 183, 205

(4) Ibid. p.217

(5) I have not been able to find any account of this meeting but it was constantly referred to by Khama e.g. Khama to H.C. 7/6/95 refers to Rhodes as "the man who insulted me in my own town" African (South) 498 1896 p.8

when he submitted the scheme for a Chartered Company to the Colonial Office in April 1889.⁽¹⁾ In January 1890 the British South Africa Company contracted to build a railway from Kimberley to Mafeking. On completion of the first section of the line to Vryburg the Company was to get a land grant of 6,000 square miles in British Bechuanaland, and a similar grant when they reached Mafeking. The Cape Government had the right to purchase the line to Vryburg at any time, and agreed to do so in 1891, in exchange for a share of the profits from the first land grant.⁽²⁾

In July 1891 there was an exchange of views between the High Commissioner and Rhodes about railway construction beyond Vryburg. Loch favoured a light narrow-gauge railway into the Protectorate, and submitted the proposal of Sir Charles Metcalfe to build a line to the Macloutsie and Tati, in return for an annual payment of £25,000 for five years.⁽³⁾ However the Treasury refused to consider any such scheme before the railway reached Mafeking.⁽⁴⁾

At this stage proposed railway construction became mixed up with the problem of concessions. As mentioned earlier, the British Government had agreed to postpone the appointment of a Concessions Commission, pending discussions with the British South Africa Company.⁽⁵⁾ In an interview with Loch on July 25th 1892 Rhodes pointed out that if other individuals and companies controlled the resources of the Protectorate by means of concessions, there would be no inducement for the Chartered Company to undertake the financing of a railway line beyond Mafeking. He therefore proposed:- first, that the B. S. A. Company should have the support of the High Commissioner in acquiring concessions from the chiefs, and second,

(1) C 5918 (1890) p.189

(2) C 5918 (1890) H. C.'s summary of negotiations pp.244-5

(3) C 7154 (1893) p.1

(4) Ibid. p.4

(5) see p. 83

that all concessions after the date of the Charter should not be recognised by the Government. In return he promised to extend the railway northwards and also to pay an annual contribution to the cost of the Protectorate. ⁽¹⁾

The details of railway policy for the Protectorate were worked out during 1892 at meetings in Cape Town and London. The full proposals are contained in a despatch from the Marquis of Ripon to the High Commissioner dated 20th December 1892. In order to inspire public confidence there was to be a guarantee of £30,000 per year for ten years, £20,000 being paid by the British Government and the rest by the B. S. A. Company and other interested companies. The B. S. A. Company was to surrender its option to build the line from Vryburg to Mafeking; and its share of the first land grant of 6,000 square miles, plus the second land grant of 6,000 square miles, was to be placed at the disposal of the new company, which would be formed to build the railway as far as Palapye. There were the usual technical clauses regulating freight, mail etc., but Section 16 in paragraph 7 is interesting. "The Government of British Bechuanaland will use its best endeavours to induce the Chiefs, through whose country the Line will pass, to grant, free of cost the land requisite for the Line, stations, sidings etc." The chiefs would also be encouraged to grant mineral, land and other concessions to the B. S. A. Company, on condition that they actually exploited their concessions and offered "reasonable inducements" to the chiefs.

A Concessions Commission would be set up by the High Commissioner, which would not recognise as valid any concession after the date of the Charter, i.e. 29th October 1889. Holders of concessions granted after this date ^{but} which were otherwise legitimate would receive reasonable compensation from the B. S. A. Company. ⁽²⁾

(1) African (South) 426 1892 p.284

(2) C 7154 (1893) pp.27-30

Treasury sanction for this proposal was achieved through Sir Henry Loch's submitted estimates of the great savings, especially in police expenditure, which would result from construction of a railway. ⁽¹⁾ A new company - the "Bechuana-land Railway Company" - was formed to build the line and signed a contract with the High Commissioner on 3rd August 1894.

In 1889, when the Charter was granted, and at intervals since then the British Government had reaffirmed its hope that the Company would one day take over the administration of the Protectorate. ⁽²⁾ In November 1892, when discussions were going on in London on the railway question, Rhodes made an offer, on behalf of the Company, to undertake the administration of the Protectorate immediately, on payment of an Imperial subsidy of £50,000 for five years. ⁽³⁾ Loch opposed the suggestion because he doubted whether the Company would be able to deal with the opposition there would certainly be from the chiefs. He also pointed out that this latest offer by Rhodes was inconsistent with that of July 25th when he had been willing to contribute to the cost of administration. ⁽⁴⁾ Ripon decided the whole question had been raised prematurely and the Company was informed to this effect.

During 1893 affairs in Matabeleland engaged the attention of Rhodes, but in 1894 he visited England and had a series of interviews with the Marquess of Ripon, the Secretary of State for the Colonies. The substance of these talks is contained in an exchange of correspondence at the end of November 1894. On November 28th Rhodes wrote, asking for "an assurance from Her Majesty's Government that their policy is

(1) Ibid. p.5

(2) Ch. IV p.68, Ch. V p.81

(3) African (South) 441 (1893) p.30

(4) Ibid. p.31

unchanged, and that when, in their opinion, the time has arrived, they will transfer the administration of the Protectorate to the Chartered Company, thus carrying out the terms of the charter and the former assurances of their predecessors". Rhodes said that his whole policy in regard to railways, telegraphs etc. had been based on the expectation that the Protectorate would one day be administered by the Company. He offered to take over administration at once without any subsidy from the Government, and promised adequate provision for the natives. (1)

Lord Ripon replied on November 30th: "Speaking generally, I regard your letter as setting forth the situation correctly, and when the proper time arrives Her Majesty's Government will be prepared to entertain favourably any reasonable proposals, such as those sketched in your letter, if put forward officially by the British South Africa Company". (2) Loch was asked for his views on this correspondence and strongly opposed any transfer of administration to the Company. He thought its rule in Matabeleland had not by any means proved itself, and that handing over the chiefs in the circumstances would be "a breach of faith". (3)

The question of the future of the Protectorate became more urgent in the middle of 1895 when arrangements were virtually completed for transferring British Bechuanaland to the Cape Colony, thus leaving the Protectorate as the only area on the way to the north under Imperial control. On June 6th a resolution in favour of annexation was introduced by Rhodes in the Cape Assembly, (4) and by June 12th it had passed both Houses. (5) Sauer introduced an amendment, which aimed at ensuring that the Cape Colony had some voice in the future of the Protectorate, but failed to get a majority. (6)

(1) African (South) 484 1895 pp.74-75

(2) Ibid. pp.76-77

(3) Ibid. pp.197-198

(4) Cape Hansard 1895 p.188

(5) C 7932 (1895) p.7

(6) Cape Hansard p.205, 208
(1895)

of the Company's administration, had defined its western limits as "the Territories of the Chief Khama of the Baman-gwato".⁽¹⁾ Since both Khama and Lobengula had claimed jurisdiction in the Nata River area this boundary of Khama's country had never been fixed, and it was decided that the wording of the Order-in-Council was too vague and open to question. Consequently the Customs boundary of June 26th 1893 was adopted, administrative powers east of the line being exercised by the Company.⁽²⁾

This meant that part of the land claimed by Khama, and occupied by his people, came under the Company, and Company police occupied Panda-Matenka. Assurances were given to the chief that his private rights would be respected, but Khama protested vigorously, stating that "we cannot consent to have anything to do with the Chartered Company".⁽³⁾ He complained that the Government had acted without consulting him, and pointed out that he had ceded no rights of government to the Company and therefore it had no authority over his people.⁽⁴⁾

These events, the debate in the Cape Parliament, which seemed to imply possible action by the Cape Colony, and reports in the newspapers that the Protectorate was to be handed over to the Company in the near future, made Khama decide to visit England in person, and put the case of his tribe before the Colonial Secretary. Sebele and Bathoen also expressed anxiety at being transferred to the Company's administration and decided to accompany Khama to England. Before they left all three tribes drew up petitions to the Secretary of State, asking to be allowed to remain under the direct rule of the British Government and expressing distrust of the Company in view of its policy in Matabeleland,

(1) African (South) 484 1895 p.21
(2) Ibid. p.111
(3) African (South) 498 1896 p.8
(4) Ibid. pp. 40-41

especially in regard to land and liquor. They all stated their willingness to pay hut tax if only they could remain under the Crown.⁽¹⁾ After interviews with the High Commissioner in Cape Town, at which they reaffirmed their determination to oppose the transfer to the Chartered Company, the chiefs left for England on August 21st, accompanied by two missionaries Willoughby and Good.⁽²⁾

Meanwhile, in London, Harris had an interview with Chamberlain at the Colonial Office on August 1st. He pressed for an immediate transfer of the Protectorate to the administration of the Chartered Company, and said it was necessary for railway development. Chamberlain refused to decide the future administration of the Protectorate until he had heard the views of the chiefs. However he promised his full support for railway construction, and suggested that instead of taking over the whole Protectorate, it might be sufficient just to obtain land for the railway.⁽³⁾

Chamberlain had his first interview with the chiefs on September 11th. He explained to them that the ultimate transfer of the Protectorate to the Company had been decided upon, and in any case they would have to give up a strip of land for the railway. He suggested that they might be able to get better terms from the Company now, than later, and asked them to open direct negotiations with Harris. If no agreement could be reached he would make the final decision.⁽⁴⁾

Chamberlain at this point left England for a holiday abroad and the Bechuana chiefs spent the next two months travelling round England and visiting centres like Birmingham and Manchester. They appeared at many meetings of missionary societies and temperance rallies and petitions in their favour were addressed to the Colonial Office.⁽⁵⁾ Harris reported by

(1) Petition of Khama African (South) 498 1896 pp.38-39; Sebele Ibid. pp.42-43; Bathoen Ibid. pp.43-49

(2) C 7962 (1896) pp.9-11

(3) Select Committee H.C.311 Evidence of Chamberlain p.338 and Harris p.337

(4) C 7962 (1896) pp.13-14

(5) "The Times" Nov. 6th 1895 Chamberlain acknowledges petition from Manchester of 29th Oct.

wire on November 2nd "Country press very much in favour of Khama".⁽¹⁾

In a letter to the Colonial Office of 24th September the chiefs recapitulated their case as given verbally in the earlier interview.

- 1) They wanted to remain under the Queen.
- 2) They enumerated reasons for distrusting the Company, e.g. drink etc.
- 3) They asked for boundaries between them to be fixed.
- 4) If it was inevitable that they should come under the Company they asked for a postponement for ten years.
- 5) They requested that the Government should not listen to idle appeals from their "younger brothers". In the old days rebellion meant war but now the rebel might even be rewarded by the government with a piece of land, to prevent bloodshed.
- 6) Hut tax should be collected by the chiefs themselves.
- 7) A Resident appointed by the Government should live with them and hear complaints.⁽²⁾

The direct negotiations between the chiefs and the British South Africa Company were not successful. The Company proposed that each tribe should have a reserve, based largely on those marked out for Sir Charles Warren in 1885. Inside the reserves they promised to prohibit liquor, respect native laws and customs, maintain game laws etc. However they did try to make some adjustments in Khama's boundaries, as proposed in 1885.⁽³⁾ It was proposed that other areas should be assigned to the chief in exchange, but unfortunately water rights were involved, and the result was a desperate appeal to the Colonial Secretary, to protect them against the Company which wanted to take their "best land".⁽⁴⁾

Chamberlain, therefore, had to make the final settlement himself, and a meeting of both sides was held at the Colonial Office on November 6th. The verbal decision was put in wri-

(1) App. to Select Committee Report 311(i) p.593

(2) C 7962 (1896) pp.13-14

(3) African (South) 498 (1896) Harris to Willoughby 26/10/95 pp. 118-121

(4) C 7962 (1896) p.20

ting and communicated to the chiefs the following day.

A strip of country along the Transvaal border as far as Elebe was to be given up by the chiefs for the building of the railway. If possible it was nowhere to be more than ten miles wide. Beyond Elebe the railway would run through the middle of Khama's country and therefore no land grant would be asked except for the actual line.

The Chiefs were each to have reserves in which they would live under the Queen. The Chiefs would rule their people as at present, but a British resident would live with them, and try cases where whites were involved, or where the punishment was death. He could also be appealed to in serious cases. No liquor would be allowed into the reserves, and hut tax would be paid, the chiefs for the present collecting it themselves.

Boundaries were laid down for all the reserves. Khama obtained more territory than he had specified in 1895 especially in the north and west where his boundary was the Nata River. (1)

The chiefs thus obtained a great deal of what they asked for. Most important in their eyes was, of course, the fact that they were to remain under the British Government and to have reserves secured to them. The railway strip they had agreed themselves to cede and they had also promised beforehand to pay hut tax. Hence they were well pleased with their visit, and left London to the cheers of the crowd on November 23rd, having issued a manifesto to the People of England, in which they expressed the hope that Bechuana and Englishmen might be "long linked together in bonds of mutual friendship". (2)

The Company also accepted the general lines of settlement, though the directors were "greatly disappointed that such large areas are proposed to be allotted to the three chiefs for native reserves". (3) However the chief aim as far as the

(1) C 7962 (1896) pp.21-23

(2) "The Times" 25th November 1895

(3) African (South) 498 (1896) p.155

extension of the railway was concerned, and also for the fulfilment of Rhodes' secret purpose, had been achieved i.e. ownership with rights of administration of a strip of country along the Transvaal border. The Company thus became the Border Authority and entitled to maintain an armed force. Moreover Chamberlain agreed to release the Bechuanaland Police immediately, for transfer to the Company's service if they wished.⁽¹⁾ In exchange for these concessions the Company agreed to indemnify the Government against the £200,000 of the railway subsidy.⁽²⁾ With the additional annual saving of about £50,000 on the police it will be seen that the financial benefit to the British Government was considerable.

The chief point in the settlement which the Company disputed with the Colonial Office was the extension of Khama's boundaries to include areas which they stated were occupied by Matabele. They also wished Ngamiland to be included in the settlement, for the Company held land concessions in the Ghanzi district and two hundred trekkers were at the moment waiting for the word to move forward, to occupy farms there.⁽³⁾ Chamberlain refused to alter Khama's boundaries, but he agreed to let the Company exercise administrative control over Lake Ngami.⁽⁴⁾ The general feeling of Rhodes about the settlement, apart of course from achieving the satisfactory railway strip, is found in a telegram he sent to Harris on 12th November. "It is humiliating to be utterly beaten by these niggers they think more of one native at home than the whole of South Africa".⁽⁵⁾

While these negotiations were going on in London events of more immediate importance, as far as the forthcoming raid was concerned, were occurring in South Africa. On August 21st the British South Africa Company informed the Colonial Office

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- (1) C 7962 (1896) p.24
 - (2) African (South) 498 (1896) p.161
 - (3) Select Committee 311(i) Rhodes to Harris p.595, 596
 - (4) African (South) 498 (1896) p.181
 - (5) App. Select Committee 311(i) p.595

that they wished to begin construction at once of the railway line from Mafeking to Gaberones. They asked for the assistance of officials in obtaining the necessary land grants, as provided for in the agreement of December 1892.⁽¹⁾ Moreover they suggested that part of the Company's police should be brought down to Gaberones to give the necessary protection to railway workers, reminding the Colonial Secretary of the opposition there had been from the natives to the telegraph in 1890.⁽²⁾

Chamberlain instructed the High Commissioner to support the Company in obtaining free grants of land for railway construction, but on the advice of Robinson refused to allow the police to come down. The latter considered that as long as the High Commissioner controlled the Protectorate, the presence of an armed force under another authority was undesirable.⁽³⁾ Rhodes then proposed to ask Ikaneng, through whose country the railway would run for 100 miles, to agree to the transfer of administration in his country to the Company in terms of the Charter. This he thought would meet the High Commissioner's objections to the police coming down.⁽⁴⁾

It is obvious, in the light of later knowledge, that Rhodes was thinking of his "jumping off" ground. He sent his brother Col. Frank Rhodes up to negotiate on behalf of the Company, but the interviews with native chiefs were actually conducted by Sir Sidney Shippard the Resident Commissioner. Ikaneng was somewhat reluctant to leave the direct protection of the Queen, but eventually agreed on 24th December to a cession of jurisdiction to the Company. He offered a site for a police camp and magistracy at a place called Lekholoboto (later Pitsani, from which the Jameson Raid took

(1) See p. 93

(2) See pp. 66-67

(3) C 7962 1896 p.5

(4) African (South) 498 1896 p.98

place).⁽¹⁾ The Baralong chief Montsioa, whose territory stretched from Mafeking to the Bangwaketsi country, also agreed to the transfer of administration⁽²⁾ and a proclamation bringing the territory of both chiefs under the control of the Company was issued on 18th October.⁽³⁾ The proclamation re Ikaneng was only authorised when Shippard gave an emphatic opinion that the paramountcy of Bathoen over him need no longer be seriously considered.⁽⁴⁾

Thus the stage was set for the Jameson Raid. The High Commissioner arranged for practically all the Bechuanaland police to collect at Mafeking to meet Dr. Jameson, so that the transfer to the Company's service of those who wished could be carried through.⁽⁵⁾ Meanwhile the Company's forces moved south, much to the alarm of Khama's son Sekhome left as regent in his father's absence.⁽⁶⁾ On December 29th 1895 Jameson invaded the Transvaal and in doing so closed one chapter of the history of the Bechuanaland Protectorate, as indeed the same event closed so many other chapters of South African history.

African (South) 498

(1) ~~Ibid.~~ p.124-125

(2) Ibid. p.126

(3) C 7962 1896 p.26-28

(4) African (South) 498 p.125

(5) C 7962 p.38

(6) Ibid. pp.31, 32

CONCLUSION THE PROTECTORATE AFTER 1895

Jameson invaded the Transvaal on 29th December 1895. It was obvious from the first that the B. S. A. Company was deeply implicated and negotiations which had been going on for the transfer of the rest of the Protectorate outside the proposed reserves, were immediately suspended. Chamberlain, himself, was against a revocation of the Charter as had been suggested, and was even willing that the Company should have the land in the Protectorate, ceded by the three chiefs. (1) However on January 21st Sir Hercules Robinson warned him of the adverse political results in South Africa of any extension of Company control, especially over a strip alongside of the Transvaal. The High Commissioner advised that the arrangement made in London should be cancelled or suspended indefinitely, and that the territories of Ikaneng and Montsioa should be restored to the jurisdiction of the High Commissioner. (2) Chamberlain agreed, and a proclamation to this effect was issued on February 4th 1896. Thus the whole of the Protectorate was again under the High Commissioner's administration. (3)

On January 24th Mr. Chamberlain wrote to the B. S. A. Company, pointing out that as the result of the Raid, the Company was no longer able to carry out its responsibilities as the Border Authority, and "under the circumstances he does not consider that there would be any advantage in confiding, or indeed that it would be practicable to confide to it, any part of the administrative work of the inhabited Protectorate". (4)

On August 31 the B. S. A. Company asked for an assurance that the policy of eventually handing over the administration of the Bechuanaland Protectorate to the Company had not been altered, (5) but the Colonial Secretary refused to commit him-

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- (1) African (South) 498 1896 p.216
 - (2) African (South) 517 1898 p.13
 - (3) African (South) 517 1898 p.32
 - (4) H. C. Archives Folio 1182 settlement of Protectorate S. of S. to B.S.A. Co. 24/1/96
 - (5) African (South) 517 p.219

self until after the report of the Select Committee was issued. (1)
In fact, the agreement of November 1895 as to administration never came into force, though the lands were vested in the B. S. A. Company in 1904, and the old direct relationship between Government and chiefs was resumed, with the Government gradually extending its control over natives as well as Europeans. The Territory continued to be governed by a Resident Commissioner, Assistant Commissioners and Resident Magistrates.

As far as concessions went, practically all concessions granted by the chiefs were acquired by the B. S. A. Company. In the case of legitimate concessions disallowed by the Commission of 1893 simply because they post-dated the Charter, the Company agreed to pay an annual sum as compensation to the chiefs. The railway was continued to Palapye and then to Bulawayo, Khama being persuaded to give the railway concession, on condition that his troublesome brother Radieladi and his followers were settled in the Chartered Zone.

The Bechuanaland Protectorate is the largest of the British Protectorates in South Africa. It is also the poorest because of its generally unfertile soil, its meagre rainfall and its small population. The railway to the north still passes through it, a legacy from the days of the British South Africa Company. It cannot be denied that it played its part in history during the years 1885-1895.

SKETCH MAP SHOWING THE OFFERS OF THE CHIEFS TO SIR CHARLES WARREN IN 1885, ALSO ILLUSTRATING THE GENERAL HISTORY OF THE PROTECTORATE.

- Bamangwato - proposed cessions outlined in —
- Bakwena - proposed cessions outlined in —
- Bangwaketse - proposed cessions outlined in —
- Transvaal boundary
- Railway route Mafeking to Bulawayo

