THE POLITICAL CAREER OF SIR PERCY FITZPATRICK, 1895 - 1906.

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PREFACE

This study has grown from the work which I did on the FitzPatrick Papers over fifteen years ago. At that time, I sorted and classified the large collection which is in the possession of Sir Percy FitzPatrick's daughter, Mrs Cecily Niven, at Amanzi, Uitenhage. This reduced a disorderly stack of bundles, haphazardly stored in eleven trunks, to an ordered arrangement and made the collection more accessible.

Since then, several historians have consulted the Papers. Their writings further stimulated the wish, then sparked-off by familiarity with his private papers, to investigate and interpret FitzPatrick's political career, for none of them seemed to have grasped the essence of his personality or of his politics. Such shortcomings are understandable on the part of those who, concentrating on larger issues, delved into the FitzPatrick collection. There is a vast amount of material which needs to be digested. It is for this reason also that this study deals only with the period 1895 - 1906 and thus concentrates on the years before FitzPatrick burst into public politics.

The Amanzi collection comprises the great bulk of FitzPatrick's private and business correspondence. Somewhat surprisingly in view of the care which was taken in collecting and storing the papers, there are gaps. Frequently, FitzPatrick did not keep copies of his letters. Most noticeably, one of his Letter Books for this period, doubtless containing much of interest, is missing. It was forwarded to him from Johannesburg while he was convalescing in Europe in 1904[1] and was then, presumably, mislaid. It has been possible to fill some of these gaps from the material which was in the possession of Rand Mines Ltd and stored at the Corner House in Johannesburg. Other useful sources were the Milner Papers at Oxford and the Colonial Office Confidential Print, housed in the Public Record Office in London. Contemporary newspapers contain very few clues to the behind-the-scenes political activity in which FitzPatrick was largely engaged at this time.

The assistance of the numerous persons who, in various ways, helped in the preparation of this study is gratefully acknowledged. The staffs of the following institutions met inquiries with patience and courtesy and, in several instances, went out of their

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1. Cox to FitzPatrick, 6th April 1904. RM FIT L/B VI.

way to meet special requests: The library of the University of Natal in Durban; the State Library in Pretoria (the director kindly agreed to the loan of microfilms, without which it would have been impossible to consult many of the contemporary newspapers); the South African Public Library, Cape Town; the Rand Mines library in Johannesburg; the Institute of Historical Research, the library of the British Museum and the Public Record Office in London; and the Bodleian and Rhodes House Libraries in Oxford. Research in England was made possible through the generosity of the Council of the University of Natal. Mr and Mrs J.P. Mackie Niven gave hospitality, encouragement and confidence.

Mrs Lynne Norris complacently encountered last-minute snags when engaged in the final typing and uncomplainingly agreed to many niggling alterations.

In particular, my thanks are due to my supervisor, Professor J.W. Horton. While his careful scrutiny of my manuscript increased anxiety, it made his criticism all the more valuable. My colleague, Mr W.R. Guest read the final typescript and so assisted in proof-reading.

In conformity with the regulations of the University of Natal, I hereby state unambiguously that what follows is my own original work, unless specifically indicated to the contrary in the text.

DURBAN,
November 1973.

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CHAPTER I

INTRODUCTION

In recent years, considerable attention has been paid to the period which preceeded and immediately followed the outbreak of the Anglo-Boer War in 1899.

Reasons for this interest are not difficult to discover. In Britain's imperial history, the events which led to the Boer ultimatum of October 10th appear as the climax to the crisis in which Britain found herself in the late nineteenth century. The world-wide security which she had enjoyed was coming to an end as she began to feel the commercial competition of continental rivals. Faced with rising protective tariffs in Europe and America, she showed renewed interest in her Empire and in those parts of the world which, although not part of her formal empire, had been dominated by British traders. But, even there, Britain found herself under threat, for her continental rivals sought commercial gain or strategic advantage or national prestige in securing for themselves and extending footholds in parts of the world which had not been formally annexed or occupied. Apart from producing reaction in the Foreign Office, this had the effect of focussing interest on the formal Empire. Could Britain compensate for the loss of continental markets by developing those of her colonies? Could she rely upon her self-governing dependencies to assist in the task of defending her world interests? Such questions raised others regarding colonial autonomy - that makeshift policy forged in mid-century in the face of settler agitation: was the end-result to be national independence, or was it to be imperial federation? Inextricable was also the question of Britain's commercial policy. Unlike her imperial policy, this had come to be based upon the almost-biblical orthodoxy of Free Trade. Could or should she respond to acts of rivals with retaliatory tariffs and, if she did so, how would the colonies (which were already geared to pursue commercial policies which catered for their own economic interest) be induced to follow suit?

Simultaneous with these developments which affected Britain's global strategy and stimulated concern about the Empire, her position in Africa was challenged by indigenous movements. British interests

in Egypt appeared to be threatened by Mahdism with the result that it became necessary to intervene along the upper reaches of the Nile. In South Africa - the other strategic point of the African continent - her position appeared to be threatened by Afrikanerism. Throughout the nineteenth century, she had maintained her hold by means of giving way to colonial demands for self-government, even when this involved concession to colonial susceptibilities regarding colour. Dutch colonial hostility in the Cape was tempered by the recognition of the independence of the inland trekker republics, which could act as a safety-valve, draining off Dutch extremists to the north. This arrangement produced in the Cape Colony a workable, if somewhat precarious, arrangement in the era of responsible government. The Dutch enjoyed a numerical majority and were becoming (with the extension of popular education, improved communications, and a growing professional class) involved in grass-root politics for the first time. By the 1880s they had formed the Afrikaner Bond, which, as the only cohesive political organisation in the Cape after the death of the Separatist movement, stood poised to exploit any sign of weakness. But Hofmeyr, the Bond's leader, tolerated a succession of English-speaking Prime Ministers until Rhodes's involvement in the Jameson Raid abruptly ended such co-operation. In 1898 W.P. Schreiner, parliamentary leader of the Afrikaner Bond, then became Prime Minister. Britain's position in the Cape Colony thus appeared to be seriously threatened.

While these developments were occurring in the Cape Colony, events elsewhere in southern Africa also seemed to be getting out of control. The discovery of gold on the Witwatersrand and the development of the deep-levels in the early 1890s completely altered the situation in which the inland Republics were in abject economic dependence upon the British coastal colonies. By 1894 the South African Republic had opened an independent rail link to the sea at Lorenco Marques. In such an advantageous and dominant position, it seemed that the Transvaal could dictate terms to the rest of South Africa. A link-up with the Orange Free State seemed imminent. Thereafter, it would only be a matter of time before the British coastal colonies were drawn into the orbit of republicanism. The result would be a United States of South Africa. Like the United States of America, this could not be relied upon

to fall in with Britain's economic policies or with her strategic requirements.

Looked at from these points of view, events in South Africa were crucial to the Empire and also to South Africa. They were crucial to the Empire because it seemed that this republican movement had to be curbed. Like Ireland, it put the whole imperial system on trial. The strategic importance of the harbours of the Cape and Natal made it all the more urgent that issues should be squarely confronted and dealt with.

From the point of view of Southern Africa, the matter was perhaps of even greater significance. British policy-makers do not appear to have viewed the evolution of South African republicanism (or of "Africanderism") as being necessarily, or even probably, Dutch-orientated.(1) This was because, taking the larger view and drawing parallels with north America, they anticipated rapid economic development which would produce massive immigration and the swamping of the Dutch or Boer population. However, although the matter may not have been viewed in such race-terms by theorists in the Colonial Office, this was certainly not the view which was taken by most persons who lived in Southern Africa: to them the struggle for the Empire and against republicanism was identical to the struggle for the political supremacy of the British population over the Dutch or Boer population. The fact that Britain attempted to wrest power from the hands of Dutch leaders in the Republics made this conclusion obvious. Yet, the introduction of responsible government in the Transvaal Colony in 1906 and in the Orange River Colony in 1907, followed by the elections, saw the pre-war Boer leaders returned to power. This meant that the British or English-speaking elements in South Africa were not left in a position of political predominance. It is, therefore, with justification that this period is seen as being of vital importance as far as the future politics of the Union of South Africa was concerned. After 1907 English-speaking South Africans had to engage in politics defensively and at great disadvantage against Dutch or Afrikaner party steamrollers, led by persons who were utterly dedicated to the business of politics.

All these aspects have received the attention which they

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1. See Selborne's memorandum of 30th March 1896. Quoted by R. Robinson, J. Gallagher and A. Denny Africa and the Victorians. The Official Mind of Imperialism, London, 1961, pp. 434-7.

deserve. The imperial problem in the pre-war period has been sharply defined by Professors Robinson and Gallagher.(2) The effect, as far as the Empire was concerned, of the failure of Britain's attempt to impose her will on South Africa has been analysed by Dr Hyam in his study of Elgin and Churchill at the Colonial Office.(3) The further consequences (both for the Empire and for South Africa), have been examined by Professor Mansergh in his study entitled The Price of Magnanimity.(4)

This focus upon imperial aspects has been accompanied by several detailed and scholarly studies of developments in South Africa and their link with imperial policy. Professor Marais, for example, in studying the fall of Kruger's republic,(5) is drawn into considering the parts which were played in precipitating war by Chamberlain as Colonial Secretary after 1895, by his Colonial Office advisers and by Sir Alfred Milner, High Commissioner in South Africa after May 1897. Under Marais' supervision or encouragement, specialised treatment was given to the South African League(6) and to the Witwatersrand Council of Education.(7) More recently, Marais' pioneering work had been supplemented by a detailed study of the behaviour of the Uitlanders under the conditions of pre-war stress.(8)

Professor le May, who accepted and simplified Marais' interpretation of pre-war events, moved into the post-war period, concerning himself with the battle for political supremacy in the Transvaal which, in his view, was finally decided in the Het Volk victory of 1907.(9) Here again, this pioneering work has been followed by in-depth studies of Milner and his post-war

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2. Robinson, Gallagher and Denny, op. cit.
3. R. Hyam Elgin and Churchill at the Colonial Office, 1905-8. The Watershed of the Empire-Commonwealth, London, 1968.
4. N. Mansergh South Africa, 1906-61: The Price of Magnanimity, London, 1962.
5. J.S. Marais The Fall of Kruger's Republic, Oxford, 1961.
6. W.F. Bitensky The South African League - British Imperialist Organisation in South Africa, M.A. Wits.
7. J.W. Horton The First Seventy Years, 1895-1965, Johannesburg, 1966.
8. A.H. Jeeves The Rand Capitalists in Transvaal Politics, 1892-9, Ph.D. Queen's (Canada), 1970.
9. G.H. le May British Supremacy in South Africa, Oxford, 1965.

administration and of the political behaviour of the British population of the Transvaal.[10] The defeat of "Milnerism" was in part the story of Boer political revival and here Sir Keith Hancock's biography of Smuts[11] did much to dispel illusions and to reveal the young Smuts as the most outstanding South African politician of the age; a view which was confirmed and extended by Professor Garson's study of the establishment and organisation of Het Volk during 1904 and 1905.[12]

A further study which enters such a well-trodden field might seem superfluous. Earlier studies have, however, suggested that a leading part was played in these proceedings by FitzPatrick. In Marais' work he emerges as a figure of some importance and the link between Milner and the Uitlanders.[13] Two historians who have subsequently used the FitzPatrick Papers have discovered that FitzPatrick was seldom in the background.[14] Although he was not publicly a prominent figure in Uitlander politics and although not the leader of the Transvaal Progressive Association following its formation at the end of 1904, his role has been greatly underrated. As a member of the Reform Committee, he was one of the ring-leaders of the abortive Reform movement of 1895-6 and in The Transvaal from Within became the Reformers' apologist.[15] In 1899 he was a leading figure in the Great Deal negotiations which figured so prominently in the sequence of events which led to Britain's growing involvement in Transvaal affairs as the defender of Uitlander rights. During the war and in post-war Transvaal politics he was prominent as a close confidant of Milner and as a leading Progressive.

This thesis, which concentrates on the period 1895 - 1906, seeks to determine precisely what role FitzPatrick played and this, it is hoped, will make some contribution towards a better

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10. A.A. Mawby, The Political behaviour of the British population of the Transvaal, 1902-7, Ph.D. Wits, 1969.
11. K. Hancock Smuts. The Sanguine Years, Cambridge, 1962.
12. N.G. Garson Het Volk. The Botha-Smuts party in the Transvaal, 1904-11. Historical Journal IX, No. 1 (1966).
13. See Marais, op. cit., p. 263.
14. Jeeves, op. cit.; Mawby, op. cit.
15. J.P. FitzPatrick The Transvaal from Within, London 1899. (Sections were printed privately in 1897).

understanding of the period as a whole. Furthermore, although FitzPatrick has engaged the attention of two biographers[16] and was himself the author of memoirs,[17] published posthumously, no documented study of his political career has been made. His most recent biographer considers that "he was never a politician in the sense that it was the be-all and end-all of his existence".[18] This view contradicts the opinion of Professor Wallis who, although limited by considerations of space, devoted considerable attention to FitzPatrick's political interests. A detailed study of his political career during this period will make possible a realistic assessment of his calibre as a politician.

FitzPatrick and the other British South African politicians of his day lived at a time when the future of the Empire was undetermined. Consequently, there was confusion about matters such as colonial autonomy or where the "imperial factor" should be admitted and where it should not. This confusion might account for the puzzling fact that, whereas his recent biography is entitled The First South African, the historian of the Uitlander movement refers to him as a "blustering imperialist".[19] The period 1895 - 1906 was a period during which contemporary confusion on this score must have been at its height, for it was during this period that the "imperial factor" was more assertive than at any other time. It begins with the Jameson Raid and, including the war and Milner's post-war administration, ends with the withdrawal of the "imperial factor" in the introduction of the 1906 constitution to the Transvaal. FitzPatrick's response to the dilemma in which such events placed him as a South African by birth, is clearly worth investigating.

The son of Justice James Colman FitzPatrick (1816-1880), James Percy FitzPatrick was born at King William's Town on 24th July 1862.[20] He attended school first in England at St Gregory's

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16. J.P.R. Wallis Fitz. The Story of Sir Percy FitzPatrick, London, 1955. A.P. Cartwright The First South African. Life and times of Sir Percy FitzPatrick, Cape Town, 1971.

17. J.P. FitzPatrick (ed. G.H. Wilson) South African Memories, London, 1932.

18. Cartwright The First South African, p. 144.

19. A.H. Jeeves The Rand Capitalist and the Coming of the South African War, 1896-9, p. 14.

20. For details of FitzPatrick's life, see Wallis, op. cit., and Cartwright, The First South African.

College, Downside Abbey and then at St Aidan's College, Grahamstown. His scholastic career was unspectacular. Nor did the Catholic upbringing leave an impression unless it was the cause of the agnosticism which he professed for the remainder of his life. After failing to gain admission to the South African College in Cape Town, where he intended to study law, he entered the employment of the Standard Bank in 1880. After four years in what he afterwards referred to as "the cage", he resigned and went to seek his fortune at the eastern-Transvaal goldfields. After trying his hand at various tasks, he became a transportrider and, by mid-1885, was plying between Lorenco Marques and Barberton. This colourful period of his life, which formed the basis of his famous book Jock of the Bushveld,[21] came to a sudden end in September 1887 when he lost his team of oxen through drought. He then found employment in the Barberton offices of Graumann and Cohen, a partnership which owned extensive interests in the eastern Transvaal.

It was during the Barberton period that FitzPatrick first became involved in politics. One of his responsibilities was the management of the Barberton Herald, a daily newspaper which was owned by his firm. His interest in the paper soon became more than a businessman's concern for a shaky business undertaking, for he formed a close friendship with its editor, R.J. Pakeman.[22] This forthright journalist was later to play a prominent part in Rand politics. He was already looking beyond the parochial limits of Barberton and the fortune-seeking of its inhabitants and had become a forceful critic of Transvaal maladministration and a champion of the unenfranchised Uitlanders. In addition to his consultations with Pakeman, FitzPatrick also frequently supplied the newspaper with copy:[23] his gift for writing had already

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21. Published in 1907, Jock of the Bushveld was written between 1904 and 1906.

22. Pakeman was deputy editor of the Star during the Jameson Raid crisis and editor, 1896-7. In 1899 he became editor of the Transvaal Leader, but resigned in 1902. In 1904 he published a pamphlet entitled Political Letters from the Transvaal which contained a trenchant attack upon the Milner administration and the mining capitalists. He was editor of the short-lived Daily Express in 1905 and died of cancer in 1906.

23. Cartwright, The First South African, p. 42.

marked him out with particular clarity in the small unsophisticated mining community.

At Barberton he was also associated with the attempt which was made to establish a political organisation among the Uitlander population. In September 1888 a political association was formed, the prime movers being FitzPatrick's close friend, N.H. ("Naph") Cohen[24] and J.M. Buckland,[25] both of whom (like FitzPatrick) were later to move to Johannesburg and to achieve prominence there. The organisation was founded at Barberton, where a council of twenty members was to represent the town and surrounding areas. It was hoped that similar committees would be organised at Potchefstroom, Klerksdorp, Malmani and the Zoutpansberg towns and that they would all then elect representatives to a "Grand Council" in Pretoria.[26] The movement lost momentum with the steady decline of the Barberton, Lydenburg and Pilgrim's Rest goldfields and the Witwatersrand economic crisis of 1889/90. The strategy which underlay it was, however, to become that of the Witwatersrand Uitlander movement which reached its climax in 1895.

This strategy, FitzPatrick explained, was not to overthrow the Transvaal government, but to embarrass it and, utilising this embarrassment, to force it to act:

> "...With the alien population having their own elected council meeting under the nose of the Government, they would find that a policy of conciliation would pay them better than [the one of boasting] hostility which they have so long pursued. I am sure that the meetings of the Council would cause great uneasiness and induce them to adopt a better tone to the class represented by an informal but powerful organisation which - though its policy be one of peaceful and respectful agitation - might, at a moment's notice, be changed by an ill-advised or obnoxious move on the part of the Government to an actively hostile body. Then the system which had been built up and arranged lawful courses [sic], would serve equally well for others.

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24. Cohen afterwards practiced as an attorney in Johannesburg as partner in the firm Naph Cohen, Yates and Marais. A prominent member of the Johannesburg jewish community, he was a vice-president of the Transvaal branch of the South African League.

25. Buckland was Chairman of the Rand Club, 1894-1902 and 1903-32. A member of the Reform Committee 1895/6.

26. FitzPatrick to H. Graumann, 11th September 1888. Q8 C/AO I.

> I do not for an instant believe that the most obnoxious laws they could enact could drive the digging population to violence but I do think the Government would have a constant fear of such a result and would look on the Political Association as a standing menace - almost - at any rate, as something which they have no right to object to, which they have not the strength to crush and which, on the whole, it would be wiser to conciliate than to crush".(27)

Apart from this quotation providing an essential clue to Uitlander politics before the end of 1895, it also reveals Fitz-Patrick's own grasp of political strategy.

In May 1889 FitzPatrick was transferred to Johannesburg. His arrival there just preceded the great crisis which resulted from the discovery that at the deeper levels the gold reefs entered a pyritic zone and, in the crash which followed, he lost all his savings.(28) The firm for which he worked was also badly hit, with the result that he also lost his employment. Hoping to restore his fortunes, he returned to Barberton. In July he escorted W. Verwey and G.A.A. Middelberg, the top Netherlands Railway officials, to the Komati Poort,(29) through which the new Delagoa Bay line was to pass. Through Verwey he was able to obtain a sub-concession to erect stores and hotels within a ten-mile limit of the Crocodile Poort. Difficulties, however, soon arose. First, his concession was challenged by G. Pauling(30) and then, while FitzPatrick was defending his claims, he learnt that the hotel licences for the area had been awarded to another speculator.(31) Although he was successful in an appeal to the Courts, his hopes were dashed when the Netherlands Railway Company temporarily suspended its operations.(32) He was again penniless; but had received a lesson of some value in that he had gained first-hand experience of the Transvaal government's concessions policy and

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27. Ibid.
28. By 1888 he had saved about £2,000 which he then invested. (To Harrington, 14 April 1888, Q8 C/AO I). In later years he claimed that he lost a fortune of about £60,000 in the 1890 crash (Cartwright, The First South African, p. 45), but this is unlikely in view of the above evidence of his financial position two years earlier.
29. FitzPatrick to Graumann, 18th July 1890. Q2 A/LB XVI.
30. FitzPatrick to the Mining Commissioner, Barberton, 12th November 1890. Q2 A/LB XVI.
31. Ibid.
32. FitzPatrick to McIntosh, 8th January 1891. Q2 A/LB XVI.

of the vagaries of its officials.

FitzPatrick was rescued from these serious difficulties by an offer to conduct Alfred Beit to Mashonaland.[33] Such was the impression which he made upon Beit that, on his return, he was offered a position in the offices of H. Eckstein, the Johannesburg firm which managed the extensive Witwatersrand holdings of Wernher Beit and Co.

When FitzPatrick entered Ecksteins in 1892, he was already experienced in business administration, though possibly not in the exacting and careful methods which were followed at the Corner House.[34] Equally important, he had learnt self-reliance in the bushveld and had first-hand experience of the Transvaal government's officious inefficiency. His abilities as a writer, not merely of sparkling pen-sketches but of crisp paragraphs which sifted essentials, had been revealed in his business letters to Graumann,[35] in his contributions to the Barberton Herald and also in his first publication, Through Mashonaland with Pick and Pen, which was published soon after his return from the north.[36] Furthermore, a South African by birth (unlike most of the other Eckstein employees[37]), he possessed many contacts with Boer and popular non-capitalist elements, either through personal friendships which had been formed in the egalitarian eastern

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33. For FitzPatrick's own account of this expedition, see Through Mashonaland with Pick and Pen, Johannesburg, 1892.

34. P.H. Emden, Randlords, London, 1935. A.P. Carwright, The Corner House, London, 1965.

35. Many of his letters to Graumann and Cohen are contained in his letter book. Q8 C/AO.

36. Through Mashonaland with Pick and Pen was published in Johannesburg in 1892. It consists of a series of letters, previously published in the Star and the Cape Argus, which describe the Beit and Randolph Churchill expeditions to Mashonaland.

37. The firm, Eckstein and Co., (originally a partnership of Hermann Eckstein and J.B. Taylor), was, apart from Taylor and FitzPatrick, staffed exclusively by non-South Africans. Eckstein and his brother, Friedrich (1857-1930) were Germans; Lionel Phillips was a British emigrant as was R. Schumacher; L.J. Reyersbach was a German who worked in the offices of Wernher Beit and Co. in London before transferring to Kimberley in 1894; G. Rouliot was a Frenchman.

Transvaal goldrush community,[38] or through his marriage (his wife was a member of a Transvaal family and was related to the prominent Meintjies family in Pretoria[39]). His abilities were soon recognised and he was singled out as an assistant to J.B. Taylor, Hermann Eckstein's partner. Like FitzPatrick, Taylor was South African-born. He had assumed the duties of managing the partnership's many Pretoria interests and of handling its delicate relations with the Transvaal government.[40]

FitzPatrick became associated with Witwatersrand goldmining at a very crucial and challenging stage, for it was at this time that the cyanide process greatly increased yields.[41] To this new confidence was added the excitement of deep-level mining, a development which was pioneered by Eckstein and Co.[42]

While these spectacular happenings were transforming the mining industry, significant changes were also occurring within the Corner House itself. Hermann Eckstein left Johannesburg in 1892 to join Wernher Beit and Co. in London, where he died soon afterwards. J.B. Taylor, the other founder-partner, decided to retire to England in 1894. On their departure, the name of the firm was altered to H. Eckstein and Co., the partners being

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38. Among those whose association with FitzPatrick dated back to Barberton days were R.J. Pakeman, N.H. Cohen, J.M. Buckland and A. Wools-Sampson. Cartwright (The First South African, p. 55) states that he "was on friendly terms" with A. Nellmapuis, Schalk Burger, A. Erasmus and E. Lippert. In the absence of any evidence, this statement may be as inaccurate as is Cartwright's contention that FitzPatrick spoke "the Taal" (p. 55 ibid.) In fact, though FitzPatrick understood Dutch, he was not fluent in the language; see FitzPatrick to Wernher, 15th November 1897, Q2 A/LB XVII.

39. In 1889 FitzPatrick married Lillian Cubitt, the daughter of John Cubitt, a Transvaal pioneer who was killed while on Commando during the war against Sekhukhuni in 1880. His wife's mother was a member of the family of J. Meintjies, the Transvaal official, whose son E.P.A. Meintjies became a prominent Pretoria miller and land-developer and member of the Second Volksraad. FitzPatrick's sister, Cecile, was married to Dr Hans Sauer (1857-1939), the physician and mining director.

40. Cartwright, The Corner House, pp. 139 et seq.

41. The Mac Arthur-Forrest cyanide process, first demonstrated in 1890, pushed up the recovery rate from 75% to over 90%. See ibid., pp. 97 and 102.

42. L. Phillips, Some Reminiscences, p. 116. FitzPatrick was directly involved in deep-level mining through the flotation of Rand Mines Limited in 1893 of which he was the first Secretary. Cartwright, The First South African, p. 55.

Friedrich Eckstein, Lionel Phillips and Georges Rouliot. As far as FitzPatrick was concerned, these changes meant rapid promotion to a position of managerial responsibility. Having been Taylor's assistant, he now took over much of Taylor's Pretoria work.(43) This increase in authority did not mean that he inherited Taylor's position as the main contact with the Pretoria authorities, for he continued to live in Johannesburg. He was, futhermore, a junior in the firm's hierarchical structure and was younger than the three partners.(44)

Apart from a speech at a debate organised by the National Union,(45) FitzPatrick's only political statement at this time was a letter to the editor of the Times in October 1893.(46) It was sparked off by events in Mashonaland and by rumours that the British government would intervene and impose conditions following the destruction of Matabele power by the Chartered Company's forces. He argued that it was not merely the "prestige of the white man" that was at stake. The prestige of Britain was involved and the position of British elements in South Africa was being threatened.

> "We are not all of British descent", he wrote. "Half South Africa does not quicken to 'Rule Britannia'. What deceives you at a distance is that the half which does is the talking and writing half. Those of us of British blood may spend lifetimes in nursing and tending the the delicate growth of mutual understanding and bon accord, only to find it blighted by the events of twelve years ago or the threatenings of today.
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> Those of Dutch descent have no fund of generous help in the past, of blood ties, or of historic memories on which to draw when the British government makes its heavy calls upon good temper and forbearance. It is not right that we, who are British born, should have to choose between the man who shares the house with us and the man who puts us in it".

He concluded by urging Britain to keep out of South Africa's affairs if there was no wish to assist the British colonists there: "do not hamper and paralyse us. Our stock fought their own battles

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43. Cartwright, The Corner House, p. 142.

44. Eckstein was born in 1857, Rouliot in 1861 and Phillips in 1855. (FitzPatrick was born in 1862).

45. Cartwright, The First South African, p. 62.

46. Q2 A/LB XVI.

in the past and we must fight ours today". He was giving expression to what was a very prevalent post-Majuba view.(47) More interesting is that fact that at this early stage, before he had become engaged in active politics, he had in his own mind defined the South African problem and postulated as its solution, not the encouragement of a militant British imperialism, but the fermentation of a political movement among British South Africans which would ensure the future of a British South Africa.

One of the major problems before the war - and one which FitzPatrick was to be deeply involved in - was the creation of an effective Uitlander political organisation. This was difficult to achieve partly because the Uitlanders were excluded from the franchise and so removed from the normal processes of Transvaal politics.(48) Even had this not been so, it would have been very difficult to create a representative Uitlander organisation, for the average Uitlander was non-political; an adventurer and a temporary resident. There was no demonstrable common interest which could overshadow their many differences. Furthermore, the wealthy capitalists who, as the successful adventurers, were the obvious leaders and who were most affected by the economic grievances such as the dynamite monopoly and the liquor and railway concessions, were the most unlikely to provide a lead. Success marked them off from the rest and, because their interests were in goldmining, they were greatly concerned with the maintenance of political and economic stability and therefore sought redress by negotiation rather than by untrustworthy popular agitation.

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47. When in the Pretoria jail, for example, he recorded in similar vein: "Your country treats you worse than any Mother Country. She leaves you to fight your own battles, she ignores you when you are in trouble, she only worries about you when you are successful and when she can reap what you have sown...." FitzPatrick's Diary, 1896. A/M III. See also, The Transvaal from Within, p. 44: "The abandonment was complete, without scruple, without shame...the care and forethought which would be lavished on a favourite horse or dog on changing masters was denied to British subjects by the British government".

48. In 1890 the Transvaal franchise law was altered so that immigrants could be enfranchised only after 14 years residence, provided that they were 40 years old. At the same time, a Second Volksraad was created to deal with specified matters such as the mining industry, subject to ratification by the First Volksraad. Immigrants could vote for representatives on this body, upon naturalisation, after two years residence in the Transvaal. Marais, op. cit., p. 53.

It is not surprising, therefore, that the National Union, established in 1892, did not receive any real support or that its leaders were persons who were not wealthy mining magnates.(49) Because its effectiveness was limited by its inability to unite the Uitlanders and also by the very small area in which it could manoeuvre, its main hope - like that of the Political Association which had been formed in Barberton in 1888 - was to capitalise on the Transvaal government's possible embarrassment.

In the absence of an effective Uitlander movement, Transvaal politics during the years 1890-5 continued to be the monopoly of Transvaal burghers. The mining interests, distrusting the National Union or doubting its effectiveness, placed more faith in the Chamber of Mines which had been founded in 1889.(50) The effectiveness of this organisation as a pressure group was, however, greatly limited by the absence of solidarity among its capitalist members. Some of these divisions were doubtless the result of personal disagreements in a small and highly-competitive community but, even where cordial relationships existed at a social level, there were differences of interest which made it unlikely that the capitalists would act together. By the early 1890s, the gold-mining industry was dominated by ten major groups.(51) By their nature, these groups were in competition with each other and this competition could be increased by a difference of interest between

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49. The leaders of the Transvaal National Union were J. Tudhope, C. Leonard, E.P. Solomon and J.H. Hamilton (the editor of the Star). In 1894 the Executive consisted of Tudhope, J. Hay, Hamilton, W. Hosken, W.H. Rogers, R.A. Bettington and W. St J. Carr (C.O.879/56). Hay and Bettington were both members of the Stock Exchange but neither were prominent capitalists. The great majority were, therefore, either business or professional men.

50. For details of the establishment of the Chamber of Mines and its early history see D.A. Etheridge The Early History of the Chamber of Mines, 1887-1897. M.A. Wits, 1949.

51. These were The Corner House group (H. Eckstein & Co.), the Consolidated Gold Fields group, the Barnatos group (afterwards the Johannesburg Consolidated Investment Company), the J.B. Robinson Group, S. Neumann & Co., the Albu group (afterwards the General Mining group), A. Goerz (In 1897 A. Goerz & Co., afterwards the Union Corporation), the Anglo-French group (Farrar Brothers), the Lewis and Marks group (the African and European Investment Company) and the A. Bailey group (S.A. Townships). See Emden, op. cit., p. 207.

the older outcrop mines and the new deep levels,[52] and also by possible conflicts between shareholders.[53]

On the question of reform it was particularly difficult to obtain unanimity. While it might be argued that the policies of the Kruger government inflated costs, it was difficult to produce statistical proof. Business instincts, futhermore, dictated competition with the object of obtaining particular advantages for individual companies by means of independent action upon government officials who might, at a price, be prepared to grant exemptions or to ignore infractions. Most significantly, the concessions policy, which was the basic cause of the major mining grievances, was something in which many of the capitalists possessed a vested interest.[54] It is not surprising, therefore, that the Chamber of Mines was so unsuccessful in its attempts at obtaining reform. Although there might at times be the appearance of solidarity due to understanding between representatives of the larger mining houses, such agreements were at all times extremely brittle and were politically useless, merely making it easier for the smaller concerns to forge profitable links with the government. In the absence of real Uitlander participation, Transvaal politics was able to drift along at a placid and rather unreal pace. This does not mean that no developments of any significance took place. On the contrary, the period saw the growth of the "Progressive Party" in the Volksraads.[55] This organisation, led by a group of educated young burghers including Ewart Esselen, Lucas Meyer, Carl Jeppe and R.K. Loveday, championed the cause of reform. While many Uitlanders expected much by way of actual reform from these Progressives, who, then and later, received support from

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52. The well-known exposition of this argument is given by G. Blainey: Lost Causes of the Jameson Raid, Economic History Review, 1965. While the writer does not accept Blainey's general conclusions regarding the Reform movement, it is nevertheless true that there was a difference of interest and that this was a general cause of disunity.

53. A. Goerz, for example, represented the Deutsche Bank and although A. Goerz & Co. was registered in London in 1897, its shareholders were mostly German.

54. Lewis and Marks, for example, held the valuable Liquor concession. Even Ecksteins held concessions - as, for example, the Pretoria light and water concessions and the cement concession.

55. See C.T. Gordon The Growth of Boer opposition to Kruger, 1890-5, Cape Town, 1970.

Uitlander capitalists,[56] such hopes were unrealistic for, while there might be a significant number of burghers who did not approve of Kruger or his government and while it was true that there were many who were opposed to many of its unenlightened policies, when it came to the question of the Uitlander franchise, support dwindled.[57] To maintain respectability with burgher voters, care was in fact taken to dissociate from any Uitlander slurs.[58]

The predominant characteristics of Uitlander politics during the early 1890s were thus a lack of unity, a lack of hope and a lack of interest. The futility of political action was clearly demonstrated by the Volksraad's arrogant rejection of the Uitlander petition which prayed for the extension of the franchise.[59] The question therefore arises as to why it was that, during the second half of 1895, the position changed so drastically and finally culminated in the crisis of December?

One reason for the birth of hope was that the expectation of assistance from Britain increased. At the end of June 1895 Salisbury became Prime Minister and Chamberlain Colonial Secretary. This was to give colonial policy a new sense of direction.[60] Chamberlain's deliberate choice of the Colonial Office seemed particularly significant to Transvaal observers because he had already declared his interest in the Empire and his determination to augment Britain's imperial mission.[61]

Another possible explanation for the growth of interest in politics was that Transvaal affairs were being caught up in strong outside currents. The official opening of the Lorenco Marques railway in July was the culmination of longstanding Transvaal ambition, for it was the basis of hope for real independence. Such ambitions were of particular concern to the Cape Colony which until then enjoyed a vital advantage in the Transvaal markets. Furthermore, Rhodes's view of the problem was affected by the

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56. See, for example, D. Rhoodie, Conspirators in Conflict, Cape Town, 1967, p. 23.

57. Gordon, op. cit., p. 161.

58. Ibid.

59. Gordon, op. cit., p. 157; Marais, op. cit., p. 59.

60. Robinson, Gallagher and Denny, op. cit., p. 339.

61. Ibid., pp. 395 et seq.

failure to uncover either in Mashonaland or Matabeleland any justification for his vision of a "dominant north".[62] Such developments seemed to dictate a need for more positive action and hence help to explain Rhodes's growing involvement in Transvaal affairs. In June, Alfred Beit visited Johannesburg and spoke to both Phillips (president of the Chamber of Mines) and Charles Leonard (then Chairman of the National Union) about certain "suggestions" of Rhodes's - presumably involving the idea of an uprising, assisted by an armed detachment on the Transvaal border.[63]

But, while it is convincing to argue that events in the Transvaal were dictated by such outside influences, this tends to obscure developments of equal significance which were taking place within the Transvaal itself.

The first of these was that, by 1895, it had become obvious that the life expectancy of the Witwatersrand goldfields was far greater than had hitherto been estimated. In part this was due to the successful application of the cyanide extraction process but it owed more to the discovery that the reef continued at deeper levels.[64] The development of the deep-level mines was itself an indication of this confidence in the future, for unprecedenced amounts were invested in their development, the first results being expected from the Geldenhuis Deep at the end of September 1895.[65] The realisation that the goldfields were not (like those at Barberton) a temporary phenomenon meant that the Uitlander problem could not be expected to disappear in time. As far as the Uitlanders themselves were concerned, this meant that they were forced to think of themselves as long-term residents in the Transvaal and so to reassess their view of this prospect.

The second significant development was the visit of Sir Henry Loch to the Transvaal in June 1894. This did at least as much to

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62. Lockhart & Woodhouse, op. cit., pp. 292 et seq.

63. Rhoodie, op. cit., p. 22.

64. For details of the development of the deep-level mines, see Hatch & Chalmers, The Gold Mines of the Rand.

65. Ibid., p. 109. Blainey (op. cit.) argues that the association of the Capitalists with the reform plot was the direct result of their association with deep-level mining. He does not explain why, if this were so, it was that Phillips became involved before results from the Geldenhuis Deep were available.

excite Uitlander expectations as did Chamberlain's appointment a year later. Not only was this the first occasion on which the British government openly registered its concern about an Uitlander grievance; when in Pretoria, Loch went out of his way to consult Uitlander leaders and to make suggestions to them. He asked Phillips what the military resources of Johannesburg were and whether the town could hold out for six days.(66) In accordance with the suggestion, Phillips resolved to persuade the other companies to establish a "secret fund" and to "possess themselves of a few rifles etc.".(67) This interest in the military position was again seen in the visit of Major R. White to the Transvaal in April 1895 to assess the military position there.(68)

Phillips's motive was only partly the military one of providing Johannesburg with some means to fend off any attacks in the event of "some complication with England" (and particularly an anticipated crisis over Swaziland(69)). He also saw the political possibilities. "If the spending of money does not bring reform," he wrote,(70) "the only alternative is force, and that will come in time. The Boer, however, knows the upshot as well as we do, and that is why I think the country is ripe for a change of policy". This was particularly so, he believed, because "the Government has had a fright and knows that the first shot unjustly fired by the burghers would mean English intervention and the loss of the independence of the Republic...."(71)

It is clear, therefore, that the idea that a revolution was inevitable was commonly held during 1894.(72) Phillips himself

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66. Phillips to Wernher, 1st July 1894. C.O.477/1 (Transvaal Government Green Book No. 2 of 1896). Phillips later wrote: "It was this incident (Loch's visit and suggestion) coupled with the challenge which was thrown out about this time by a member of the Raad, that if Uitlanders wanted any rights they must fight for them, which won me over to the side of open revolt". L. Phillips, From Inside Johannesburg, The Nineteenth Century, 1897 (reprinted in The Star, 28th August 1897).

67. Phillips to Beit, 12th August 1894. Transvaal Government Green Book No. 2 of 1896.

68. The diary of R. White. Ibid., p. 6 et seq.

69. Phillips to Beit, 15th June 1894. Ibid., p. 5.

70. Phillips to Beit, 12th August 1894. Ibid., p. 5.

71. Phillips to Wernher, 7th July 1894. Ibid., p. 4.

72. See, for example, also Lockhart & Woodhouse, op. cit., p. 292. They argue that Hammond convinced Rhodes towards the end of 1894, that a revolt on the Rand was inevitable.

had at that stage already seen the possibilities of the armament of Johannesburg as a threat which would supplement the demands of the Chamber of Mines and of the Progressives in the Volksraads. What happened during 1895 was a decision of the leading capitalists (and particularly of Phillips himself) to support the demand for the franchise(73) and to do this in association with the National Union. This co-ordination of effort was the result of the intrusion of Rhodes and Beit. Before the middle of 1895 Phillips had made no approach to Rhodes, despite the urgings of Birkenruth and Frank Rhodes, the Consolidated Gold Fields directors, that he should do so.(74) In June, however, Beit, having discussed South African problems in person with Rhodes in Cape Town, visited Johannesburg and spoke to both Phillips and Leonard about the "suggestion of Mr Rhodes".(75)

Rhodes's intervention may have been the outcome of his wish to influence or control a movement which was already afoot, fearing that reform in the Transvaal - either as the result of a successful overthrow of the government or as the result of the threat of rebellion - might increase Transvaal isolationism.(76) The addition

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73. In June 1894 Phillips had written (to Beit, 16th June 1894, Ibid., p. 2): "...I have no desire for political rights and believe as a whole, that the community is not ambitious in this respect".

74. In June 1894 Phillips had asked Beit whether he should consult Rhodes, as he was being urged to do by Birkenruth and F. Rhodes (Phillips to Beit, 10th June 1896. Ibid., p. 1). Beit instructed him not to do this (see Phillips to Beit, 15th June 1896. Ibid., p.5)

75. Rhoodie, op. cit., p. 22.

76. See Garrett to his Sister, 1st January 1896. BM ADD 45929. Letters from E. Garrett:

> "...a Revolution on the Rand has been planned very carefully; not to reannex to England but to establish a Government which would take the South African view towards England. The way the gold is working out, the Transvaal is the key to South Africa for fifty years to come, unless such bonanzas turn up in Rhodesia as are not going to turn up. With Hollander and German influences supreme over Boer tools in the Transvaal and the Transvaal dominating all the rest of South Africa as so many poor relations, how can we get a South African union except on anti-English lines, with the gradual loss of these colonies to the Empire? which would be the signal for the loss of the rest.
>
> The men on the Rand were getting strong enough to make the Republic such a factor as we wish but they are such money-grabbers and some of 'em don't want a Republic friendly to England....
>
> Kruger and Co. saw it coming and...[that] to give the franchise would be to give without a blow the means of getting all that they would rather fight to refuse. So the only hope was Armed Bluff

of Jameson and his armed force on the Transvaal border, poised to invade when Johannesburg rebelled, was one means whereby he could hope to influence events. The anticipated arbitration by the High Commissioner, Sir Hercules Robinson, was another.

The motives and intentions of Rhodes may be matter for debate. Those of Phillips and Leonard, who now formed the core (together with Hamilton, the editor of the Star and Hammond and Frank Rhodes of the Gold Fields) of the Reform Committee, are more easily discernable. Leonard was concerned with reform (and particularly franchise reform) as an end in itself. Phillips, whose interests were in mining, was primarily concerned with obtaining the redress of mining grievances and viewed the alliance with the constitutional reformers as a means towards this end.

The culmination of the reform plot was to be a public meeting in Johannesburg on December 17th at which the Transvaal government would be presented with an ultimatum. In preparation for this, quantities of rifles were smuggled in and on November 20th Phillips, when opening the new Chamber of Mines building, positively allied the mining industry with the constitution agitation. "All we want in this country", he declared, "is purity of administration and an equitable share and voice in its affairs".(77) Due to doubts about Rhodes's intentions and about Johannesburg's preparedness for action, the meeting was postponed on December 26th to January 6th. Instead, while Leonard and Hamilton probed the position in Cape Town, a

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and that must mean the chance of armed rebellion and that rebellion must succeed at once and so Dutch South Africa find itself quietly taking the fait accompli (which was not to be the Union Jack, remember. You will recall my entreating them up at the Rand - Hamilton and Leonard - to keep sound on that, for I understand the Dutch character).

Well, the arms had to be got in and all was ready except the temper of the men. When that was all right, the Rand was to rise and establish itself at Pretoria and, of course, as you now see, the Chartered Company force (the best fighters in South Africa) were to meet at various points from the border and put the thing through - not as Chartered of course - but as English colonists taking sides in a civil war. If done properly, there would and could be no bloodshed worth speaking of....

England then goes in as Umpire, carefully snubs any Union Jack waverers and the true Republic of the Transvaal begins by summoning a conference to get first steps in a federation of the colonies and republics under own flags".

77. The Star, 21st November 1895. The Star's comment was headed "The Capitalists' Conversion".

manifesto was issued by the National Union, signed by Charles Leonard. It detailed the grievances of the Uitlanders and concluded with ten demands, including "an equitable franchise law", equality of the Dutch and English languages, independent Courts of Justice, an efficient civil service with the principle of responsibility to the legislature and free trade in South African products.(78)

The postponement of the meeting, the decision to consult Rhodes and the instruction that Jameson should wait did not, as is commonly stated, postpone action. The publication of the manifesto was clearly seen as being the signal for the Uitlander community to embark upon open preparations in support of the demands which had been made. On the day following the publication of the manifesto, Sir J. de Wet, the British Agent, visited Johannesburg for the purpose of warning the leaders there against continuing.(79) Despite this intervention, meetings were held on the 28th to organise armed detachments which could assist in the "defence" of Johannesburg.(80) Such acts indicated clearly that the reform plot had not been "postponed" but that demands and preparations had in fact been made which committed the reformers to action.

A notable feature about the Johannesburg agitation of late December 1895 was the appearance of popular solidarity which was achieved, this being all the more surprising in view of the disunity which had been so evident previously. On December 30th the Star announced that "yesterday and today the fusion of all parties was proceeding at a magic pace" and drew attention, in particular, to the fact that the Manifesto had been approved "by influential Germans to a man", even Langermann (J.B. Robinson's representative) having declared to Kruger that there would be no retreat because Johannesburg stood "one and indivisible".(81) Even the Standard and Diggers News, the government-subsidised newspaper, had to admit that the Reform Committee had "moderates" as members,(82) an opinion which was more than confirmed when on

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78. Ibid., 27th December 1895.

79. C.8164 Correspondence relating to the retirement of Sir J. de Wet, 1896.

80. As, for example, the meeting of Australians on the 28th, at which it was decided to form an "Australian Corps" (From Manifesto to Trial, p. 163) and the meeting of the Mercantile Association on the same day at which it was resolved to form a corps for the "protection of life". (Ibid., pp. 17, 85, 93).

81. The Star, 30th December 1895.

82. Standard and Diggers News, 31st December 1895.

January 3rd a list of members was published in the Star.[83]

How was this unity - or this appearance of solidarity - so essential to the reform plot, achieved? One answer is that representation on the Reform Committee was widened when in November George Farrar was admitted to its secrets.[84] Apart from being a member of an independent mining group,[85] he possessed the reputation of being in touch with mineworkers.[86] In mid-December, when the Development Syndicate Account was opened, to handle the Reform Committee's funds, FitzPatrick was one of the four directors, indicating that it was at this stage that he was brought into the proceedings.[87] Such additions helped to extend the Reform Committee's respectability and influence.

A more important factor in the production of unity was that this small committee succeeded in bringing about a situation in which many persons were caught up in the mainstream of events without their being aware of what was really afoot. By the end of December, when the National Union's manifesto was released, arms had already been imported to the Transvaal and Jameson was poised to march (he possessed an undated letter signed by Frank Rhodes, Leonard, Phillips, Hammond and Farrar inviting him to come to the assistance of the inhabitants of Johannesburg).[88] Furthermore, the secret co-ordinating Reform Committee was expanded into a public body only after the news of Jameson's invasion had been received.[89] By then, the situation had already reached a crisis.

Another explanation is that what was achieved was not so much Uitlander unanimity but merely its appearance. This illusion was the result of three factors. In the first place, the Reform Committee possessed a valuable ally in Hamilton, the editor of the Star. During his absence in Cape Town at the vital Raid period, the acting-editor was Pakeman.[90] These contacts provided the

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83. The Star, 3rd January 1896.

84. Rhoodie, op. cit., p. 40.

85. Farrar, a partner in Farrar Brothers, held extensive interests in the Anglo-French group of Companies and in the East Rand Proprietory Mines Ltd.

86. See Rhoodie, op. cit., p. 40.

87. C.O.477/1 Transvaal Green Book No. 2 of 1896, p. 74.

88. Rhoodie, op. cit., p. 39.

89. According to Rhoodie (op. cit., p. 66), the Reform Committee was expanded on 31st December 1895.

90. From Manifesto to Trial, p. 85.

assurance of support from Johannesburg's most influential newspaper. The Johannesburg Times, despite its government subsidy,[91] carried the Reform Committee's advertisements,[92] so that only the Standard and Diggers News stood out in opposition.[93] In the second place, the disunity of the Chamber of Mines was discounted by the fact that no attempt was made to use this body, even though it was one of the few representative organisations on the Rand. Phillips's speech in November gave the appearance of mining unity and obscured the fact that some of the prominent capitalists, notably the "German party" of which Albu and Goerz were members, were sympathetic to the Transvaal government.[94] The position of other leading capitalists such as Barnato, Sammy Marks, Neumann and J.B. Robinson was, at best, one of neutrality.[95]

The third means by which the illusion of solidarity was achieved was a deliberate use of patriotic organisations. Meetings of Australians,[96] Scandinavians,[97] Americans,[98] Irish[99] and Germans[100] were held on December 28th and 29th. On the 30th R. Currie convened a meeting of Natalians[101] and the Caledonian Society[102] met on the 31st. The Old Barbetonian Association, which FitzPatrick addressed on December 18th,[103] was used in similar fashion. The purpose of the meetings which were held

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91. Gordon, op. cit., pp. 88-9.
92. From Manifesto to Trial, p. 87.
93. Ibid., p. 190.
94. Rhoodie, op. cit., p. 67.
95. Although Barnato and Neumann both helf aloof from the Reform Committee, they each contributed £5,000 to its funds. See Cash Book of the Reform Committee, ADD 41653. Robinson's position was ambiguous because his manager, Langermann, was a member of the Reform Committee. Also, the Johannesburg Times, which he owned, did not actively oppose the movement.
96. From Manifesto to Trial, p. 104.
97. Ibid., p. 89.
98. Standard and Diggers News, 1st January 1896. C.O.879/45 505, Further Correspondence re S.A. Republic, p. 39.
99. From Manifesto to Trial, p. 104.
100. Ibid., p. 17.
101. Ibid., p. 161.
102. Standard and Diggers News, 1st January 1896.
103. See below, p. 25.

after the publication of the Manifesto was ostensibly to organise volunteer corps[104] but their political significance was that they lent weight to the demands of the manifesto because they created the appearance of popular support while at the same time mobilising the population for a possible resort to arms.

The success of this strategy was immediate. On December 30th, the Monday following the publication of the Manifesto, Eugene Marais, the editor of the progressive Dutch newspaper, Land en Volk, travelled to Johannesburg with A. Malan (son-in-law of Piet Joubert) at the request of General Joubert and conversed with Leonard and Bailey.[105] On the following day, having consulted the Executive Council in Pretoria, he was deputed by the Transvaal government to establish whether the reformers were willing to meet a Commission appointed by the Government. At the same time Kruger announced that he was willing to consider grievances which were raised in a "proper manner".[106] On the same day Kruger assured a Progressive deputation that all would get the franchise.[107] The Reform Committee was able to issue a confident ultimatum that, if no satisfactory reply to the demands which had been made in the National Union manifesto had been received within twenty-four hours, the British government would be approached "for the purpose of establishing our rights and averting internal strife".[108]

These were the carefully-laid plans which were disturbed by Jameson's invasion of the Transvaal on December 29th.

FitzPatrick could not have chosen to enter politics at a more stirring time. His was to be a baptism of fire.

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104. The formation of the Australian Corps, the Washington Corps, the Scotch Corps, the Scottish Brigade, the Irish Brigade and the Natal Horse. See From Manifesto to Trial, pp. 163, 118, 162, 121, 104, 161.

105. From Manifesto to Trial, p. 103.

106. Government proclamation, 31st December 1895. The Star, 31st December 1896.

107. Gordon, op. cit., p. 169.

108. C.8063 Jameson Raid, 1896, p. 74. Resolution by the Reform Committee, 31st December 1895. Rhoodie (op. cit., p. 71) appears to mistake this ultimatum for an appeal to the High Commissioner.

CHAPTER II

UITLANDER POLITICS

i) The Transvaal from within, December 1895 - May 1896.

FitzPatrick was not involved in the early stages of the Reform movement which reached its climax on December 26th 1895 with the publication of the National Union's manifesto.(1) By the time he was informed of the plot early in December, plans had already reached an advanced stage.(2) Thereafter, he became Secretary of the Reform Committee.

One of the first signs of his involvement in the Reform plot was a speech which he made at an Old Barbertonian dinner on December 18th. On this occasion, he obviously took his cue from Phillips, who, two days later at the opening of the new Chamber of Mines building, was to associate the mining industry openly with the constitution agitation.(3) FitzPatrick made the same threat when, speaking after F. Watkins (the member of the Second Volksraad for Barberton), he stated that, if there was "no hope of redress by peaceful means", the Uitlanders would be forced to resort to "the supreme arbitrament of force". Their aim, he declared ambiguously, was not to "maintain" the Republic but to "establish it and to secure their rights as men".(4) Because the Uitlanders had not stood up for their rights but had tried to "conciliate the Boer and to trust to time", the position had now been reached when the Transvaal government, "dominated by a pityless autocrat", had very nearly succeeded in its aim of crushing the mining industry in order to "drive the accursed Uitlander back the way he came". Although none would "by word or deed imperil the independence of the Republic", he declared, neither would they "turn their backs upon the great traditions of their race". While they honoured the Queen as the "symbol of an enlightened, pure and

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1. For details of the Reform movement, see Rhoodie op. cit., pp. 14-59.
2. FitzPatrick afterwards told his wife that he became aware of the plans "early in December". (FitzPatrick to his wife, 10th January 1896. A/L 1/6).
3. The Star, 21st November 1895.
4. Speech at the Old Barbertonians Dinner, 18th December 1895. Q6 PR.

patriotic government", they had "not one atom of respect" for Kruger, who for years had "deliberately broken every sacred pledge". If anyone should "raise the cry of 'race', he would say: the curse of Cain be upon him for a murderer. If such a day should come, which God forbid, he knew that the comradeship of dear old Barberton, which had brought them together that night, would be a tie which not one among them would neglect".

This speech, FitzPatrick's first major foray into politics,[5] had obviously been carefully prepared. But, judging by the frequent interruptions for applause, it fitted the occasion. He later remarked that, after it, people frequently recognised him and stopped him in the street to ask his advice during the ensuing Raid crisis.[6]

On December 29th, following the organisation of detachments of volunteers for the "defence" of Johannesburg,[7] FitzPatrick was confident that Kruger would capitulate to the Uitlander demands, rather than risk an attack upon Johannesburg. It had been one of Phillips's basic assumptions that "the first shot unjustly fired by the burghers would mean English intervention and the loss of the independence of the Republic".[8]

The optimism of the Reformers is illustrated by the following extract from a letter which FitzPatrick wrote to his wife on the 29th:

> "... during the last two days the factions which have been created to split our party up have shown great signs of joining us and, if we can bring about a complete union and present a united front, I think that we can hope for a great deal. The President is as obdurate as a man can be but there is tremendous pressure now being brought to bear on him to make him give in to us ... we have a heap of men of moderate views who are doing all they can to bring about some peaceful and satisfactory settlement. The Rissiks, Loveday, Watkins, Jeppe, Piet Joubert even, Lukas Meyer and scores of others. It is only a question of breaking down

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5. He had previously taken part in a debate organised by the National Union. Cartwright, The First South African, p. 62.
6. FitzPatrick to his wife, 29th December 1895. A/L 1/2.
7. From Manifesto to Trial, pp. 17, 85, 93, 163.
8. Phillips to Wernher, 7th July 1894. C.O.477/1, p. 4.

Paul's iron will and he must be more than human if he resists the pressure that is on him now...."[9]

It was at this point, however, that the plans of the Reform Committee were disrupted by Jameson's invasion of the Transvaal, news of which reached Johannesburg on the afternoon of the 30th. It is possible that one of the undiscoverable reasons for Jameson's precipitate action was the fear that the Reformers were succeeding and that, if they did so without a rebellion which could be the pretext for Jameson's invasion and the High Commissioner's arbitration, Cape interests (or British interests or Rhodes's interests) would be ignored.[10] This certainly was FitzPatrick's view at the time. "It is quite clear", he declared, "that Jameson (and no doubt Rhodes prompting him) feared that we were going to get all that we wanted by peaceful means and that the Republic would be made stronger than ever by our being taken in as full citizens. This would have ruined their scheme of course, so they forced our hands".[11]

But, if it was Jameson's intention to assist the reformers or to influence the outcome of the agitation, the fact was that the opposite was the result.

Improvising hastily, the Reform Committee immediately issued a statement denying all responsibility for Jameson's act.[12] Arrangements were then made for the defence of the town. Arms were issued to volunteers but care was taken to indicate by means of a prominently displayed vierkleur that this did not mean complicity with Jameson. On the following day (January 1st), they discovered their weakness when a deputation from Johannesburg met the Commission which the government appointed for the purpose of hearing their complaints.[13] On this occasion, the Johannesburg leaders must

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9. FitzPatrick to his wife, 29th December, 1895. A/L 1/2.

10. Harris, for example, had warned Rhodes of this possibility in November. See Rhoodie, op. cit., p. 47. According to FitzPatrick, the Reform Committee had informed Rhodes "some days before Jameson started" that "there seemed every likelihood of our getting the reforms by peaceful agitation". FitzPatrick to his wife, 10th January 1896. A/L 1/6.

11. FitzPatrick to his wife, 10th January 1896. A/L 1/6. See also The Transvaal from Within, p. 149. See also Phillips, Some Reminiscences, p. 156. According to Phillips, Rhodes was afraid that Phillips would not "play second fiddle".

12. From Manifesto to Trial, p. 18.

13. Government Proclamation, 31st December 1895. Star, 31st December 1895.

have been informed of the government's intention to attack Jameson's column because, instead of pressing their own demands, they attempted to persuade the commission to allow Jameson to reach Johannesburg unmolested. The four members of the deputation (Phillips, Bailey, Auret and Langermann) undertook to guarantee with their lives that, if this happened, Jameson and his followers would leave the country again peacefully.(14) After the deputation's return to Johannesburg, the Reform Committee issued a notice in which it stressed that the interests of Jameson were paramount and that any "ill-advised or aggressive step" would "grievously complicate" the situation.(15) In the evening, it was announced that the government had accepted the offer of the High Commissioner to mediate and that "pending his arrival, no hostile steps would be taken against Johannesburg, provided that Johannesburg took no hostile steps against the government".(16)

FitzPatrick apparently believed that there was still some chance of Robinson's being able to "settle matters quietly".(17) However, Jameson's defeat and capture on January 2nd destroyed any remaining hopes of success. In rounding up Jameson, Kruger demonstrated that he was prepared to run the risk of firing upon British subjects and it now seemed likely that he would dare to attack Johannesburg.(18) Acutely embarrassed by Jameson's invasion, Britain was in no position to intervene. Because the reform strategy had depended to such a degree upon "bluff", Johannesburg did not possess the military strength to engage in actual

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14. From Manifesto to Trial, p. 255.
15. C.O.879/45 Further Correspondence re S.A.R., p. 42.
16. Transvaal from Within, p. 158.
17. FitzPatrick to his wife, 1st January 1896. A/L 1/3. In The Transvaal from Within he explained that, at this stage, the reformers confidently expected Jameson's arrival because they did not believe that the Transvalers could muster a military force powerful enough to stop him. Op. cit., p. 200.
18. See, for example, Reform Committee to Prime Minister, Natal, 31st December 1895, C.O.879/45; Further Correspondence re S.A.R., 1896, p. 27. "We have absolute information that large numbers of Boers are commandeered to attack Johannesburg at once and are authorized by the Commandant-General to shoot at sight all who are concerned in the present agitation".

hostilities.[19] Furthermore, by the time Robinson reached Pretoria on the evening of January 4th,[20] the position had been greatly compromised by the actions of the British Agent, Sir Jacobus de Wet. He received a deputation from the Reform Committee on January 2nd and, so far from offering any encouragement, he offered only to attempt to persuade the Transvaal government not to invest Johannesburg in return for the guarantee that Johannesburg would "keep quiet and commit no act of hostility".[21]

On January 6th Robinson conferred with Kruger, the Executive and the Transvaal judges. Kruger was adamant. Johannesburg must lay down its arms unconditionally within twenty-four hours before he would discuss Uitlander grievances. Nor would he give any indication as to what steps would be taken once this disarmament had taken place.[22] De Wet then met the Reform Committee on the following morning. According to him, the reformers were "completely confused and paralysed with fear" and he had no difficulty in persuading them to capitulate.[23] He and Sir Sydney Shippard, the Administrator of Bechuanaland, then addressed a large crowd from the balcony of the Rand Club and urged the populace to lay down its arms. A weighty consideration in producing compliance with this request was the suggestion which was telegraphed by the High Commissioner to de Wet[24] and communicated by him to the Reform Committee (he subsequently denied this[25]) that the lives

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19. See, for example, The Transvaal from Within, p. 166. "Johannesburg had neither arms nor ammunition ... commensurate with the requirements of severe fighting, even for a single day". De Wet, in fact, used such military arguments when on December 28th he attempted to dissuade the reformers from proceeding. C8164, Correspondence relating to the retirement of Sir J. de Wet, p. 6. According to Phillips, the reformers possessed only 1,200 rifles (Webber op. cit., p. 83).

20. Rhoodie, op. cit., p. 86.

21. H.M. Agent to the High Commissioner, 3rd January 1896. C.8063, Jameson Raid, p. 131. C.O.879/45 Further Correspondence re S.A.R., p. 110.

22. British Agent to Reform Committee, 6th January 1896. Transvaal Green Book No. 1 of 1896, p. 25.

23. de Wet to Chamberlain, 21st October 1896. C.O.879/46. Affairs of the Transvaal Republic, p. 377.

24. High Commissioner to de Wet, 7th January 1896. From Manifesto to Trial, p. 256.

25. de Wet to Chamberlain, 21st October 1896. C.O.879/46.

of Jameson and the prisoners were "practically in their hands".[26] On January 7th the Reform Committee then issued a general notice (signed by FitzPatrick) calling upon those in arms to surrender their weapons[27] and, on the following day, the Republican police reoccupied the town.

Kruger now capitalised on his advantage and, within a few days, as Robinson later protested, "the position was completely changed".[28] As soon as he received news that the Reform Committee had agreed to disarm, the High Commissioner called on the President and laid before him the contents of Chamberlain's telegram of January 4th in which the British government's views regarding Uitlander grievances were made known.[29] This attempt at focussing attention on the basic factors which had produced the agitation was, however, swept aside as new and more urgent issues replaced them. On January 9th the Transvaal government extended the limit of the ultimatum to 6 p.m. on the following day[30] and, during that night, the arrest of the members of the Reform Committee began. It soon became known, also, that the Transvaal government had captured evidence which implicated both the Reform Committee and the British South Africa Company in the Jameson Raid. In such circumstances, as Robinson later explained, it was no longer realistic to press the claims of Johannesburg.[31]

Most of the leading reformers had been arrested by the 10th.[32] One of FitzPatrick's biographers suggests that he went into hiding because he was responsible for the destruction of the records of the Reform Committee.[33] His own explanation was that he feared that "complications between England and the Transvaal would make

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26. From Manifesto to Trial, p. 256.
27. Ibid., p. 90.
28. Rosmead to Chamberlain, 20th November 1896. C.O.879/46. Affairs of the Transvaal Republic, p. 362.
29. Ibid.
30. Rhoodie, op. cit., p. 89.
31. Rosmead to Chamberlain, 20th November 1896. C.O.879/46. Affairs of the Transvaal Republic, p. 362.
32. From Manifesto to Trial, pp. 52-3.
33. Cartwright, The First South African, p. 69. No evidence is presented in support of this suggestion. FitzPatrick, in fact, afterwards stated that he had hidden the records in a disused shaft of the Ferreira Mine. The White Bait Dinner, A/MSS.

the position of any political prisoner very unpleasant".[34] Whatever the reason, he gave himself up after nine days of concealment, having been assured that the members of the Reform Committee would receive moderate sentences[35] and that he would not be included with the ringleaders as he was "only a clerk".[36]

Contrary to these expectations, FitzPatrick found, after his arrest, that he was banded with the four leading plotters (Phillips, Frank Rhodes, Hammond and Farrar). Like them, he was refused bail when the other prisoners were released[37] and was confined in the Pretoria jail until February 17th, after which the five were held under guard in a private house. During the preliminary enquiry, which was held between February 3rd and March 17th, the prisoners learnt that the government was in possession of the letter, signed by the four leaders and Leonard, which invited Jameson to march to the aid of Johannesburg.[38] Major Whites's despatch box, which contained copies of telegrams which Jameson had received, was also in government hands.[39] With such evidence against them, the accused decided to plead guilty. FitzPatrick thus became separated from the four leaders who had signed the letter, for they pleaded guilty to the charge of high treason while he, like the remaining accused, pleaded guilty to the lesser charge of gekweste majesteit. Both FitzPatrick and Phillips afterwards maintained that one of the reasons why they reached this decision was that they were told by the State Attorney that they would be treated leniently if they pleaded guilty.[40]

During the trial, however, it soon became clear that no lenience would be shown: the leaders were sentenced to death and

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34. FitzPatrick to his wife, 10th January 1896. A/L 1/6.
35. FitzPatrick to his wife, 14th January 1896. A/L 1/9.
36. FitzPatrick to his wife, 17th January 1896. A/L 1/10.
37. Rhoodie, op. cit., p. 94.
38. From Manifesto to Trial, p. 251. White was induced to swear that the document, found on his person, was a true copy of the original.
39. Ibid., p. 249.
40. Phillips, Some Reminiscences, p. 166; The Transvaal from Within, p. 237.

the others (including FitzPatrick) to two years imprisonment and a fine of £2,000 (or a further year's imprisonment), followed by banishment for three years.[41] During the next few weeks, while all the prisoners were held in the Pretoria jail, pressures were brought to bear upon the Transvaal government by Britain[42] and by the South African League[43] (newly-formed in the post-Jameson raid excitement to champion the imperial cause in southern Africa). In the Transvaal, large bribes were paid[44] and Barnato threatened to close his mines.[45] After the prisoners had signed a petition asking for mitigation, most were then persuaded to submit personal pleas, suggesting alternative sentences, so that the government could exercise "clemency".[46]

FitzPatrick and ten others refused to make the second appeal with the result that, when the first commutations were announced and the majority of the prisoners were either released or had their sentences reduced to five months, he was one of four whose sentences were merely commuted to twelve months imprisonment.[47] Finally, following further representations and continued agitation throughout southern Africa,[48] on May 30th, all the prisoners were released, (with the exception of the four who had been sentenced to death and Karri Davies and Wools-Sampson, who had refused to sign anything). On release, they were all required to declare on oath that they would not "directly or indirectly, interfere in the internal or external politics of the South African Republic"

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41. From Manifesto to Trial, pp. 269 et seq.

42. See, for example, Chamberlain to Robinson, 26th March and 27th April 1896. C.O.879/45 Further Correspondence re S.A. Republic, pp. 263 and 303.

43. Bitensky, op. cit., pp. 22 et seq.

44. S. Joel paid a large bribe to F. Eloff, Kruger's son-in-law (see E. Garrett to A. Garrett, 2nd September 1896. ADD 45929 E. Garrett letters). Beit, Farrar and Phillips were estimated to have paid out £20,000 in bribes to "big people" (Greene to Milner, 13th May 1897. "Confidential" C.O.879/56 Secret Papers re S.A. Republic, p. 92).

45. Emden, op. cit., p. 144.

46. FitzPatrick's Diary; entry for 14th May 1896. A/M III. FitzPatrick to Rose Innes, 25th May 1896. Rose Innes Papers.

47. Rhoodie, op. cit., p. 103.

48. Ibid.

during the next three years.[49]

On June 11th it was announced that the four leaders would be released on payment of fines of £25,000 each and on condition that they would not engage in political activity for a period of fifteen years.[50]

Such was the humiliating end of the Reform movement.

In the absence of private letters written by the leading reformers during this period,[51] it is difficult to make an assessment of the part which FitzPatrick played. The fact that he was only admitted to the Reform Committee late and as secretary, suggests that his role was peripheral and that his tasks were mostly of an executive nature.

In his capacity as Secretary, FitzPatrick was one of the four directors of the "Development Syndicate", formed in mid-December to control the finances of the Reform Committee.[52] He was also one of the twenty-two who signed the ultimatum which was sent to the Transvaal government on December 30th, allowing it twenty-four hours to accede to the demands which were contained in the National Union manifesto.[53] Thereafter, he appears to have signed most of the Reform Committee's notices and correspondence, working under pressure with hardly a break in makeshift offices in the Gold Field's building.[54] For example, he inserted the advertisement which the Reform Committee placed in the Star on December 31st (following the receipt of news of Jameson) in which it declared its adherence to the programme of the National Union and its determination to preserve the Republic's independence.[55] At midnight, he dispatched a panicky telegram which requested

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49. C.O.879/45 Secret Papers re S.A. Republic, p. 167.

50. Rhoodie, op. cit., p. 104.

51. The letters of J. Hays Hammond may throw some light on these obscure events. Microfilms of his Private Letter Books, 1893-9 are in the Rhodes House Library, Oxford. (Micr. Afr. 368-70).

52. From Manifesto to Trial, pp. 123, 128. The other members were Phillips, F. Rhodes and Hammond.

53. C.8063 Jameson Raid, 1896, p. 74. C.O.879/45 Further Correspondence re S.A. Republic, 1896, p. 228.

54. FitzPatrick to his wife, 1st January 1896. A/L 1/3.

55. Star, 31st December 1896.

the Prime Minister of Natal to intervene in order to prevent a rumoured attack upon Johannesburg.[56] On the following day, he, together with Phillips, Farrar and Hammond telegraphed the High Commissioner on behalf of the inhabitants of Johannesburg, invoking "immediate assistance to prevent civil war" in view of the "massing of Boers".[57] Later in the day, he sent another telegram in his capacity as Secretary, informing the High Commissioner that the Reform Committee then had "absolute information" that an onslaught upon Johannesburg was being planned.[58] On the following day, after Phillips had attempted to establish the truth about the government's intentions, FitzPatrick signed a letter from the Reform Committee to the Commission which the government appointed to meet the Uitlander representatives. It requested co-operation in preventing an attack upon Johannesburg.[59] After the collapse of the movement, he signed the Reform Committee's notice which called for the surrender of the rifles which had been issued.[60]

In addition to performing these executive acts, however, it seems clear that FitzPatrick began to play a more vital part. According to his brother-in-law, Hans Sauer, he was active in recruiting additional members of the Reform Committee, when the smaller secret committee was expanded.[61] Phillips afterwards described him as a member of the "inner council" of the Reform Committee,[62] and this also suggests that FitzPatrick was not a mere recorder or "only a clerk".[63] During the crisis period he kept his head when many of those about him were seized by panic[64]

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56. C.O.879/45 Further Correspondence re S.A. Republic, 1896, p. 27.
57. Reform Committee to the High Commissioner, 1st January 1896. Ibid., p. 228.
58. Secretary, Reform Committee to the High Commissioner, 1st January 1896. Ibid.
59. From Manifesto to Trial, p. 97.
60. Ibid., p. 90.
61. Sauer, Ex Africa, p. 26.
62. Phillips, Some Reminiscences, p. 157.
63. FitzPatrick to his wife, 17th January 1896. A/L 1/10.
64. See, for example his remark to his wife (14th January 1896, A/L 1/9): "It is very curious to note how well the well-balanced men have carried themselves and how the ill-balanced ones have wobbled".

and this helped to enhance his reputation further. In fact, it was during the Jameson Raid period that FitzPatrick began to emerge as a leader.

His assumption of this position of leadership is illustrated by events in the Pretoria jail, before and after the trial. Despite his lower status in business circles (he was not a partner in Eckstein and Co. and was not wealthy like most of the others), he played a prominent part in discussions on what strategy the defendants should employ.(65) After their reimprisonment following sentence, he became one of the most prominent members of the small group which endeavoured to preserve a united front, particularly on the question of refusing to respond to the suggestion that, in addition to the formal application for the review of their sentences, the prisoners should petition for clemency in order that the government could "show its magnanimity".(66) Lively debates took place on this subject and only eleven of the prisoners held out.(67) The other prominent member of the clique was H.C. Hull, who was also to play a leading role in Transvaal politics. FitzPatrick also dared to urge the four ringleaders to refuse to sign, until they obtained "some definite assurance as to the punishment to be imposed"(68) and in order to prevent Kruger from being "able to get at the four alone".(69) (This earned him a haughty rebuke from Mrs Phillips for presuming to do this when he was a mere "understrapper" in her husband's office.(70)) After the suicide of Gray, he again took the lead in opposing Phillips. Phillips summoned the prison superintendent when he heard that some of the prisoners, in their excitement, were threatening to "scrag" Messum, the prison doctor who had failed to place Gray under proper treatment. FitzPatrick insisted that it was quite unnecessary to involve the prison authorities. Pent-up feelings then produced a flare-up in which both Phillips and

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65. See The Transvaal from Within, p. 234.
66. FitzPatrick to Innes, 25th May 1896. Rose Innes Papers. See also, his diary for 13th, 14th, 15th and 17th May. A/M III.
67. Ibid.
68. Diary entry for 14th May 1896. A/M III.
69. FitzPatrick to Wernher, 26th December 1904. A/LB V.
70. Ibid.

Farrar "rounded on" FitzPatrick.[71] Another clear indication of FitzPatrick's leading role is that in June, after all the prisoners had been released, it was he who wrote to thank Innes for his assistance during the trial.[72]

Imprisonment was a particularly humiliating experience for the members of the Reform Committee. They were persons who in the normal course of events would not have seen the inside of a prison. Life in the overcrowded, insanitary and brutal conditions understandably imposed great stresses. The behaviour of some of the reformers under these pressures lowered them in the esteem of those who managed to respond better and who criticised the former all the more severely for showing weakness. Conversely, Fitz-Patrick's determination and consistent good-humour won him respect.

In this way, the reform movement established FitzPatrick's position in Uitlander circles. While it did so, the experience left a lasting impression on FitzPatrick himself. It seemed to him that the reformers had been victims not so much of miscalculation as of misrepresentation and mischief. First, their plans had been disrupted by Jameson. Then they had been accused - both by the press and the Johannesburg populace - of deserting Jameson. Thereafter, the High Commissioner had failed them, having, so it seemed, duped them into laying down their arms through the suggestion that Jameson's life depended upon it. Once they had lost the initiative, they then became mere "pawns in the game"[73] and, in this respect, what rankled most was the Transvaal government's apparent amusement at first persuading them to plead guilty and then imposing maximum sentences, followed by a humiliating demand that they should beg for mercy. They had finally secured reprieve only after the payment of substantial fines and after they had given pledges which, it seemed, would make renewed political organisation impossible for at least three years.

Angered and frustrated, he took up his pen and began the defence

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71. Diary entry for 16th May 1896. A/M III.

72. FitzPatrick to Innes, 7th June 1896. Rose Innes Papers. Innes had attended the trial as observer on behalf of the British Government. On his return to the Cape, he had defended the Reformers, as best he could, both in the Cape House and privately. (See FitzPatrick to Innes, 25th May 1896. Rose Innes Papers).

73. FitzPatrick's Diary; entry for 18th May 1896. A/M III.

of the reform movement which was later to be published as part of The Transvaal from Within.[74] He may have begun this work while in jail.[75] The major part, however, was written en route to England, for, immediately after his release from prison at the end of May, he left the Transvaal for England. In company with Phillips, he sailed from Durban because, like Phillips, he feared that he would be subpoenaed to appear before the Cape government's commission of enquiry into the Jameson raid.[76] After a cycling holiday in the Lake District, he returned to South Africa with his family in November 1896. He finished work on the manuscript in Cape Town because he did not wish "to take a single line of compromising material into the Transvaal".[77]

The Transvaal from Within was not intended for publication. It was written for the information of FitzPatrick's family and friends, while also satisfying his personal urge to compile a record of the events in which he had played a part. He began by providing an historical background, tracing the emergence of the Transvaal state, the discovery of gold which led to the Uitlander influx and the subsequent growth of Uitlander grievance as the result of the Transvaal government's economic and franchise policies, its inefficiency and its corruption. Having set the scene, he went on to describe the growth of the Reform movement. According to him, the decision of the capitalists to enter politics in 1895 was taken after the Volksraad session of that year, when the Uitlander petition for the franchise was rejected. They took this decision not merely as persons whose material interests depended upon mining profits but also as individuals who were concerned with the future of the Transvaal. "It is no crime to be a Capitalist", he pleaded.[78] There were two things which had aroused unease when the plot was being hatched. The first was the role of Jameson. Anxieties about this had been overcome only after the assurance

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74. See below, pp. 149-150.

75. See Wallis, op. cit., p. 59. Confusion may have arisen because FitzPatrick kept a diary while in jail and parts of this were incorporated in The Transvaal from Within.

76. Cartwright, The First South African, pp. 80-1.

77. FitzPatrick to Beit, 10th December 1896. Q3 A/LC.

78. The Transvaal from Within, p. 120.

had been given that Jameson's part was a subordinate one and that he would be called upon for assistance only if Johannesburg were actually attacked.(79) The other cause of unease concerned the flag under which the reformers intended to carry out their plan. In this respect, FitzPatrick argued that agreement between the reformers had been possible only on the strict understanding that the independence of the Transvaal would not be challenged. Many who supported the movement had no attachment to the Union Jack and therefore "to proclaim [British] rule would be to defeat the very objects they honestly had in view".(80)

FitzPatrick then detailed the attempts which had been made to prevent Jameson's raid and the alarm of the Reformers when it was learnt that he had acted unilaterally. "They realised that, even if he succeeded in reaching Johannesburg, he, by taking the initiative, seriously impaired the justice of the Uitlanders' cause - indeed, put them hopelessly in the wrong".(81) The only possible course in these altered circumstances was for Johannesburg to prepare for "possible attack", to reiterate loyalty to the Republic and to appeal to the High Commissioner. Outright repudiation of Jameson was impossible because "Johannesburg people would never have listened to such a suggestion, nor could anyone have been found to make it".(82)

The prospect of negotiation was then destroyed by the totally unexpected defeat of Jameson, it being thought impossible that the Transvalers could muster a force of sufficient strength to accomplish this,(83) quite apart from the belief that no Boer force would dare fire upon the advancing column. Once Jameson had been captured, it was obvious that the fate of the raiders depended upon the good behaviour of the reformers.

The Transvaal government, acting from its position of strength, was then guilty of a series of subterfuges which involved the breaking of pledges. The first was the movement of armaments into strategic positions around Johannesburg, despite the agreement

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79. Ibid., p. 124.
80. Ibid., p. 127.
81. Ibid., p. 138.
82. Ibid., p. 141.
83. Ibid., p. 200.

that all preparations were to cease, pending the High Commissioner's arrival. Then followed the arrest of the Reform Committee members after they had agreed to surrender and had undertaken to persuade those in arms to do the same. Another example of government chicanery was the application of Roman Dutch law at the trial, contrary to earlier assurances by the State Attorney - the result had been the degrading experience of jail life.

Although FitzPatrick poured out his grievances with gusto, there is no reason to suppose that he was guilty of any deliberate distortion. The document was not intended for publication and there is no reason why he should have wished to present anything other than an honest account of what happened in Johannesburg at this time. In his view the Reformers' defence was the truth. His denunciation of Transvaal maladministration and malfeasance, where he displayed bias, is understandable in the case of a person who had been their victim.

FitzPatrick's first taste of politics could not have been more tempestuous. But, while it left him with a feeling of grievance and depression, he had gained immeasurably in experience: not merely in terms of what he had himself gone through but also in terms of his contacts with others who were also under stress. From this he emerged with added reputation. In 1895 he had been a junior employee of Ecksteins. He was now recognised as one of the leaders of the abortive Reform movement. Such recognition carried with it the expectation that he would continue to play a leading part in Uitlander affairs following his return to Johannesburg at the end of 1896.

This was particularly true because he was not, like most of his colleagues on the Reform Committee, demoralised by the fiasco. The Uitlander leaders had been hopelessly outmanoeuvred. Yet FitzPatrick's first taste of politics was one which he relished, for he had revealed during the Reform crisis a genuine flair for politics: an ability, through sensing the motives of his antagonists and so anticipating their moves, to formulate strategy. Quite apart from the fact that there were great issues at stake in South Africa - no less that the reform of the Transvaal and the creation of a British South Africa through the activation of British South Africans - FitzPatrick was attracted to political activity because he responded to the excitement of plot and counter-plot.

These facts made it unlikely that he would find it easy to remain inactive and so honour his pledge not to engage in politics until the middle of 1899.

ii) The Industrial Commission and the Chamber of Mines, January 1897 - February 1898.

When FitzPatrick returned to the Transvaal at the end of 1896, he found that, while the basic problems of politics remained, the Jameson Raid had greatly increased the difficulty of overcoming them.

One effect of the Raid was to increase Kruger's prestige. In 1893 his election had been a near thing; he now cleverly exploited the situation to his own advantage and in 1898 was to rout his opponents.(1) From a military point of view, the Raid provided the justification for a programme of armament: the expansion of the staatsartillerie and the construction of a ring of forts around Pretoria. This helped to destroy any hope of reviving any strategy - such as that of the reform movement - which was based upon the belief that the Transvaal government could be frightened into reform by a threat of revolt.(2)

Another base of Uitlander strategy before the Raid had been the creation of Uitlander solidarity. Such an objective now seemed completely unattainable. Apart from the fact that the reform leaders were muzzled, the Transvaal government had succeeded in driving a wedge between the capitalists and had fostered the creation of a splinter organisation, The Association of Mines of the South African Republic. The first president of this new organisation was Langermann, J.B. Robinson's representative, and its leading members were G. Albu, A. Goerz, A. Wagner and A. Brakhan (the manager of Goerz & Co.)(3) Like the Germans, Robinson clearly saw the formation of the Association as a public dissociation from the Chamber of Mines, whose leaders had played such a prominent part in the reform plot.

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1. Marais, op. cit., p. 202.
2. As de Villiers, the Chief Justice of the Cape had observed to FitzPatrick: "Almost the worst thing about Jameson's work is that it was the means of showing the weakness of Johannesburg which had formerly been a powerful and unknown factor". FitzPatrick to Beit, 10th December 1896. Q2 A/LC.
3. Etheridge, op. cit., p. 125. Emden, Randlords, p. 334.

A third base upon which hopes had rested during 1895 was the expectation of support from outside - whether from Rhodes or, more particularly, from Britain, the paramount power. This expectation had now been destroyed. While the fiasco of the Jameson raid produced an awareness in the Colonial Office that Britain's position in Southern Africa was now endangered by the threatened growth of a nationalist movement which would have the Transvaal as its nucleus,(4) the British government was acutely conscious of the fact that her standing had been greatly damaged by the popular view that she had been associated with the Raid - an impression which an official enquiry and Jameson's trial did little to dispel. The result was certainly a strengthening of resolve as far as policy towards the Transvaal was concerned, but this did not produce a determination to bring about a confrontation with the Transvaal government on its Uitlander policies. Rather, Chamberlain concentrated upon two main objectives: the one was the diplomatic isolation of the South African Republic and particularly the exclusion of Germany from the southern African arena; the other was the demonstration, by means of challenging the Transvaal government on issues which might be considered relatively minor infringements of the London Convention (and therefore issues on which Kruger was likely to give way), that British paramouncy in this region was undisputed.(5) As far as the eventual solution of the problem of Transvaal isolationism was concerned, the only possible answer was seen as being the acquisition of Lorenco Marques.(6)

The subtleties of this policy and the reasons for its formulation were little understood in South Africa, least of all amongst the Uitlander population. Robinson's failure to exact any concessions from the Transvaal government during the Raid crisis was sufficient evidence that the British bulldog was toothless. As FitzPatrick later explained: "Mr Chamberlain himself - anything that has been said to the contrary notwithstanding - after the Jameson Raid and the consequent failure of the Reform movement was regarded as very far indeed from being a champion or trusted guardian of British subjects....At that time almost all were

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4. Robinson, Gallagher & Denny, op. cit., pp. 434 et seq.

5. As, for example, the Aliens Immigration Act (Marais, op. cit. pp. 127 and 149-50) and the Press Law of 1896 (Ibid., p. 130).

6. Robinson, Gallagher & Denny, op. cit., p. 440.

disgusted and disheartened; and as for the rest they were held together far more by the obstinate clinging to their rights as British subjects and by the injustice which they suffered as men whose homeland was South Africa than by hope of help from any government in England".(7)

At the beginning of 1896, when he was in hiding, FitzPatrick had analysed the prospects in southern Africa.

> "... the Transvaal government aims at getting rid of England's suzerain power and getting a port of its own and also owning the Delagoa Bay railway right down to the sea.... The whole policy of England in South Africa has been to confederate the states and colonies, so she is not going to give the Transvaal complete independence and a port - not likely! Now, when the Transvaal government finds this out as they probably have done already, what will they say? Naturally, their answer will be: "You give us nothing! We will block your policy too. You can only attain your ends by war or by our giving such reforms in our constitution as will give your people in the state as much power as the old burghers. Therefore, we will keep the power in our own hands tighter than ever!"
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> Then, as far as I can see, the only course open is for England to say: "We will give you fair time to put your affairs in order and to remedy the existing grievances as your present condition is a menace to the peace of South Africa and if you <u>don't</u> put things right of your own accord, we will put an army of occupation into the country and <u>make</u> you do it!"
>
> I seem to see the grip of England slowly closing round this country. Slowly, but with the inevitableness of fate and I am sure that, horrible as Jameson's blunder was, the present row will result in good to the country at last".(8)

As a long-term assessment of the position, this showed some insight. But at the beginning of 1897 FitzPatrick detected no signs that British policy-makers shared his reasoning. He was therefore particularly scornful of Chamberlain's diplomatic dexterity. In May, for example, he dismissed Kruger's climbdown on the Aliens' Law(9) as being insignificant. "The President has climbed down", he observed, "because he saw that he had really not a sound position and the sympathy of Europe and South Africa on his side. That is all. If other questions arise in which he

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7. <u>Lord Milner and His Work</u>, p. 9.
8. FitzPatrick to his wife, 14th January 1896. A/L 1/9.
9. See Marais, <u>op. cit.</u>, p. 159.

is supported by a considerable section of outside opinion, he will not climb down so promptly - and on some matters not at all".[10]

On the day after he wrote this observation, he expanded his thoughts further,[11] arguing that there were only three ways in which meaningful reform could be induced in the Transvaal. The first was by voluntary action on the part of the Transvaal government. The second was "by the exercise of force on the part of the British government". The third was by "the resources of diplomacy". With regard to the first, he argued that the Transvaal government neither contemplated reform nor had any "conception of what radical reform is". "The President and people are dead against any reforms except such as may be dictated by the most selfish and narrow considerations". The second possibility - that of British interference - could also be dismissed, for they had "been assured" that this would "never take place". This left the remaining possibility: diplomatic action, which might include control of Delagoa Bay, representations from France or Germany, or "the 'crabbing' of loans" in order to destroy the Transvaal's credit. Eventually such diplomatic action would lead to confrontation but it was likely to be a long time before this was reached. "All this", he observed, "is only a round about way of saying...that there is a bad time before us".

Despite his pessimism and the fact that his own position was seriously restricted by the terms of his pledge, FitzPatrick was convinced that the struggle must be resumed, a conviction which grew after he was able to examine the problems of the mining industry. "There was nothing for it", he afterwards explained, "but to begin all over again - to begin and to persevere upon sound lines".[12] This choice was to a certain extent thrust upon him. For one thing, he was now - whether he liked it or not - recognised as being a leading Uitlander politician.[13] This was partly the result of the recognition of his talent and partly the outcome of the fact

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10. FitzPatrick to Beit, 7th May 1897. RM FIT L/B I.
11. FitzPatrick to Wernher, 8th May 1897. RM FIT L/B I.
12. The Transvaal from Within, p. 285.
13. As, for example, the fact that on his visit to the Transvaal, Sir Henry de Villiers singled him out. See below, p. 47.

that the Uitlander leaders of the pre-1896 era had quit. Charles Leonard, who had emerged as the most impressive politician before the Raid, was now in disgrace, having displayed damning cowardice in not standing trial with his comrades. He was in fact never to return to the scene.(14) Hammond, the highly-respected American mining engineer who had played a prominent part on the Reform Committee,(15) left South Africa rather than agree to the condition that he abstain from political activity for a period of fifteen years. Frank Rhodes had also left, choosing banishment rather than submit to the conditions of his release. Phillips, the undoubted leader of the reform strategy, although he agreed to the fifteen-year condition of his release, left immediately for England and, even before the Transvaal government enforced his banishment at the end of 1897 after the publication of his article in the Nineteenth Century in defence of the Reform Committee,(16) he had decided that no purpose would be served by his returning to the Transvaal.(17) This meant that Farrar was the only one of the four "ringleaders" who had been sentenced to death who chose to remain in Johannesburg. Farrar's decision was itself a reflection of the fact that, to him, the pledge involved no major sacrifice, for he had not played a prominent part in the reform plot, having been admitted to its secrets at a late stage.(18) Apart from

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14. FitzPatrick never forgave Leonard for his desertion (Leonard first produced a medical certificate to the effect that he was suffering from "congestion of the brain and nervous prostration" and, after a warrant had been issued for his arrest, he sailed for Europe on the Guelph. C.O.879/46. Affairs of the S.A. Republic, pp. 10-15). He refused an attempt at reconciliation by Leonard in England. See FitzPatrick to C. Leonard, 15th October 1896. A/LC I.

15. Hammond later provided several accounts of his experiences: The Autobiography of John Hays Hammond, 1935; The Story of the Jameson Raid (by J.H. Hammond and L. Grahame) in The World Today XXI (March 1912) pp. 1932-46; The True Story of the Jameson Raid (as related to A. Ireland) in North American Review CCVII (Aug.-Sept. 1918) pp. 185-96 and 365- 76. Microfilms of his Letter Books for the period 1893-99 are in the Rhodes House Library, Oxford (Micr. Afr. 368-70).

16. "From Inside the Transvaal - a Narrative of Facts". The Nineteenth Century, August 1897.

17. T. Gutsche. No Ordinary Woman, p. 133.

18. Rhoodie, op.cit., pp. 39-40.

Farrar,[19] FitzPatrick was the only leading member of the Reform plot who remained to play a part in the reconsolidation of Uitlander politics.

There were, of course, other leading personalities on the Rand who were to make their mark in politics, but they did not then possess the reputation that was FitzPatrick's on account of his role during the Raid period. Hull, for example, was still relatively unknown; J.W. Leonard's image had been damaged by his behaviour in Pretoria jail,[20] when he had not only irritated his fellow-prisoners with his pomposity but had also been one of those who had been prepared "to sign anything". During the next two years, those who were to establish new reputations and so step into the positions of leadership which had been vacated, were persons such as T.R. Dodd, W.J. Wybergh and J. Douglas Forster, when they were associated with the growth of the South African League.[21] In the meantime, FitzPatrick was one of the few persons who remained interested in problems of politics.

Another reason why he continued to involve himself in political questions, while taking care not to give the government any pretext for banishing him from the Transvaal, was that he was now placed in charge of Eckstein's Intelligence Department.[22] In this capacity he took over what appears to have been the duty of Phillips before his departure: the management of the firm's dealings with the Transvaal government. His duties also included the compilation of regular reports to his superiors in London. These official letters he supplemented with private letters to Lionel Phillips, to Alfred and Otto Beit and to Julius Wernher. They provide vivid insight into the problems which the gold-mining industry then faced, particularly in its dealings with the

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19. Major E.A. Altham (Assistant Military Secretary in South Africa) described Farrar in February 1897 as "politically the leading man of the English section". (to the Director of Military Intelligence, 8th February 1897, C.O.879/56 Secret Papers re S.A. Republic, p.24). It is significant that in March, when de Villiers visited Johannesburg, he singled out FitzPatrick as a spokesman for the Uitlanders. See FitzPatrick to A. Beit, 22nd March 1897. R.M. FIT L/B I.

20. See, for example, FitzPatrick's diary, 11th May 1896. A/M III.

21. See Bitensky, op. cit.

22. South African Memories, p. 15.

Transvaal government.

Eckstein and Co.'s dealings with the Transvaal government during this period may be described as "political" because they involved the relation of means to ends; they included direct negotiation with persons in power and the organisation of pressures which could be brought to bear upon them in order to induce them to act. They were "political" also because it is clear that FitzPatrick was encouraged by the British Agent in Pretoria. Greene complained that Ecksteins had given up struggle as "hopeless"[23] and at the beginning of February he saw FitzPatrick and urged him to assist in recreating unity among the mining magnates.[24] FitzPatrick could, however, claim that his activities in this area were legitimate business activities and did not therefore infringe the terms of his pledge.

A few weeks after FitzPatrick's return to Johannesburg, the Transvaal was thrown into a condition of excitement by Chief Justice Kotze's judgement in the case Brown vs Leyds.[25] This judgement, in asserting the "testing right" of the Courts, raised doubts as to the validity of all besluiten and wetten which conflicted with the grondwet. It was not surprising, then, that Kruger complained that "Kotze had behaved to him like another Jameson and worse than Jameson",[26] for it followed that a great deal of the Transvaal's legislation might be null and void. An important case in point were the Franchise Laws which conflicted with the grondwet's provision that the franchise could be obtained after only one year's residence. To escape the possible consequences of the Kotze judgement, the Volksraad (by besluit!) passed Law No. 1 of 1897 which empowered the President to dismiss any judge who claimed the "testing right". Faced with this threat to their independence, all five of the Transvaal judges sided with Kotze.

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23. Greene to Rosmead, 18th February 1897. C.O.879/56. Secret Papers re S.A. Republic, p. 44.
24. FitzPatrick to Beit, 1st February 1897. RM FIT L/B I.
25. Marais, op. cit., pp. 141-2.
26. FitzPatrick to Beit, 22nd March 1897. RM FIT L/B I.

With Kruger and his Bench at loggerheads, there was a remote possibility that Kruger's embarrassment could be exploited. There was an expectation that Sir Henry de Villiers, the Chief Justice of the Cape Colony, might be able to press home this advantage when he arrived in Pretoria to arbitrate. de Villiers, however, obtained no hint of constitutional reform from Kruger when he persuaded the parties to the dispute to reach a compromise.(27) After his visit to Pretoria, de Villiers went out of his way to explain his actions in Johannesburg. FitzPatrick was present at a luncheon - organised by H.L. Sapte, the Gold Fields employee who had been on Sir Henry Loch's staff - at which de Villiers "was extremely frank". de Villiers had gone out of his way to get in touch with FitzPatrick(28) and they had a "very long talk" in which they discussed not only the legal crisis but also Transvaal politics more generally.(29)

According to FitzPatrick's detailed account of this conversation, de Villiers tried to persuade Kruger to adopt a more conciliatory policy, but the President insisted: "They don't want reforms! They want my country and while I live I mean to prevent them!" In de Villiers's view, there was little prospect of improvement while Kruger lived (he did not think that "the old man could last much longer"). His advice was that the Uitlanders should get up a "reasonable, moderate petition signed by all parties asking for redress of one or two principal grievances". If this were done, they would either get what they asked for or "be made immensely strong by being refused altogether".

This suggestion was not acted upon. The significance of FitzPatrick's talk with de Villiers was therefore that it confirmed his belief that no relief could be expected from Kruger.

An unexpected opportunity to present the case of the mining industry occurred soon afterwards. On March 24th the government announced the appointment of a Commission of Inquiry into the mining industry.(30) Its chairman was Schalk Burger who, in Uitlander circles, had long been considered an opponent of Transvaal

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27. Marais, op. cit., pp. 144-5.

28. He had called at FitzPatrick's home while FitzPatrick was out. See FitzPatrick to A. Beit, 22nd March 1897. R.M. FIT L/B I.

29. Detailed in the above letter to Beit.

30. Etheridge, op. cit., p. 128.

misgovernment. Its other members were five government officials[31] and, because only the state mining engineer was familiar with the technical problems of the industry, five additional advisory members were appointed, including representatives from the Chamber of Mines and the Association of Mines.[32] Contemporaries were very puzzled as to what the government's motives were and at least one historian has shared this puzzlement because, according to him, the Commission was "not appointed in response to any memorial".[33] It seems clear, however, that the appointment of the Commission resulted from a memorial which was submitted to the government on behalf of the "less wealthy portion of the industry" by S. Marks.[34] The position was such that many of the smaller mines would have to cease production if reforms were not introduced.[35] Following his interview with Kruger, who offered to reduce railway rates but refused to consider any tampering with the dynamite monopoly, Marks suggested that all the magnates should petition for a major inquiry.

Although FitzPatrick expected little from the Commission, he saw that the inquiry provided an opportunity for the industry to present its case. Concerted efforts were therefore made in the Corner House to prepare evidence. To ensure that spokesmen for the mines presented a consistent case, approaches were made to both the Gold Fields company and also to members of the Association of

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31. These were J.S. (Koos) Smit (the Railway Commissioner), Christiaan Joubert (The Minister of Mines), J.F. de Beer (First special judicial commissioner in Johannesburg), T. Hugo (Manager of the National Bank) and G. Schmidt-Dumont (Acting State Mine-Engineer).

32. The advisory members were: J. Hay (representing the Chamber of Mines), G. Albu (Association of Mines), A. Brakhan and E. Brochan who were both members of the Association and J.M. Pierce, the Manager of the Robinson Bank.

33. Etheridge, op. cit., p. 128. Marais states (op. cit., p. 189) that the Government's motive was to prove that the mines "were alone responsible for the depression".

34. Greene to Rosmead, 12th January 1897. C.O.879/56. Secret Papers re S.A. Republic, p. 13.

35. This view was confirmed in a report on the Transvaal Goldfields by S. Evans. Ibid., p. 13. According to Greene business was paralysed and unemployment growing on account of the depression in the mining industry. (Greene to Robinson, 29th April 1897, C.O.879/46, p. 601).

Mines.[36] Representatives of these other companies then attended a Rand Mines meeting at which figures were produced which proved the staggering proportion of mining costs which were absorbed by such items as native labour and food (according to Evans, who prepared much of this evidence for presentation to the Commission,[37] this was as high as 35%[38]) and railway charges. It was, observed FitzPatrick, "news to men like Barnato and Robinson that Labour forms so important an item and that Railway Carriage adds largely to the cost of equipping a mine".[39] In this way, it was attempted to present a consistent picture and also to guard against the danger that evidence would be devalued on the grounds that it came from "political agitators". Understandably, spokesmen for the mines concentrated on the three items which inflated costs and which lay within the government's ameliorative power: railway rates (especially with respect to coal); dynamite and the effect which the monopoly had upon the cost of this commodity; and native labour, of which the non-enforcement of the Liquor Law was but one aspect.[40]

FitzPatrick appeared before the Commission on two successive days. In his opinion, he was called upon because the Commissioners were anxious to discredit the outspoken evidence of Rouliot who, in the absence of Phillips, had become the leading spokesman for Ecksteins. FitzPatrick's evidence would be more easily discredited "if it bordered in any way upon politics, because of the Reform business".[41] With this in mind, he was careful to "avoid any political colouring" and concentrated on purely economic questions.

Like most observers, FitzPatrick was puzzled by these proceedings. He suspected the Commission's competence and also the Government's intentions. After his interview, he observed that although Burger had displayed a genuine interest in the mining problems and, although

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36. Greene to Rosmead, 16th January 1897. Ibid., p. 17.

37. Marais, op. cit., p. 187. S.("Afridi") Evans had arrived in the Transvaal in 1896 as the representative of Sir Edgar Vincent (the Governor of the Ottoman Bank). In 1898 he joined H. Eckstein and Co. and was to become a partner in 1902.

38. Marais, op. cit., p. 187.

39. FitzPatrick to Beit, 7th May 1897. RM FIT L/B I.

40. The Mining Industry. Evidence and Report of the Industrial Commission of Inquiry. (Published by the Chamber of Mines, 1897).

41. FitzPatrick to Wernher, 1st May 1897. RM FIT L/B I.

Schmidt-Dumont had "seemed to be very fair", Smit, Joubert and de Beer had made no effort to conceal their hostility.(42) The only means whereby the findings and recommendation of the Commission could be influenced (apart from ensuring that reliable and consistent evidence was placed before it) was to work through the unofficial members. Here, the Chamber of Mines representative, Hay, proved very unreliable. As FitzPatrick explained: "Hay, is Hay".(43) He had been elected President of the Chamber precisely because a neutral President, independent of the Corner House and also of the Gold Fields, was desired as Phillips's successor.(44) Albu was an unexpected ally, though a very timid one. His "conversion" occurred at the Rand Mines meeting, when the detailed breakdown of mining costs convinced him that he was "being robbed".(45) It was apparently through Albu that William Hosken, the prominent Johannesburg businessman, was summoned to give evidence which, it was expected, would be prejudicial to the dynamite monopoly, in which subject he was "thoroughly versed".(46) When A. Philipp (the director of the dynamite company)was examined, Albu was given a list of questions which he was to put but he "lost his head", showed his hand prematurely and gave Philipp chances of evasion.(47) FitzPatrick attended the proceedings of the Commission himself on the days when the dynamite question was being investigated and, whenever he had the opportunity, attempted to bolster the unofficial members. "I must say, however", he commented, "it was very disheartening to find that our men would not even answer the questions written out for them. Albu was not <u>afraid</u> of asking anything but he was posing and speechifying and doing gallery business all the time but the others were really afraid to press home until it became clear that the witness [Philipp] did not command the sympathy of the Boer members".(48)

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42. <u>Ibid</u>.
43. FitzPatrick to Wernher, 7th June 1897. RM FIT L/B I.
44. J. Hay (1847-1905) is one of the most obscure of the Rand magnates. He had arrived in Johannesburg in 1888 and became Chairman of the Stock Exchange in 1891. He was not apparently connected with any of the large mining houses.
45. FitzPatrick to O. Beit, 7th May 1897. RM FIT L/B I.
46. FitzPatrick to O. Beit, 31st May 1897. RM FIT L/B I.
47. FitzPatrick to Wernher, 7th June 1897. RM FIT L/B I.
48. <u>Ibid</u>.

When the Commission's inquiry drew to a close, another tactic suggested itself. This was to induce the unofficial members to act together and, in this way, either influence the Commission's recommendations or, failing this, submit a minority report. This proved to be very difficult, however. Albu declared that he did not wish to force the pace but believed "in getting in the thin end of the wedge" and would not listen to FitzPatrick's reasoning.(49) In fact, FitzPatrick observed bitterly, the unofficial members of the Commission had "been selected, with some skill, so as to combine the maximum of appearance of fair representation with the minimum of reality".(50)

A last possibility of influencing the Commission through the unofficial members was through the fact that Hay was President of the Chamber of Mines and its official representative on the Commission. It was put to him that the easiest and safest course for him would be "to fortify himself with a resolution of the Chamber's executive, defining in writing what suggestions of reform they will accept as the irreducible minimum".(51) As Hay could not be trusted to adhere to such a directive under pressure, FitzPatrick proposed to "practically write his report for him" and to send him an official letter from the Chamber in which he would be informed that "if he signs anything else in conflict with this or modification of it, he will fail to represent the views of the Industry".(52) This attempt at controlling Hay failed miserably. Faced with this show of firmness, he chose to resign from the Commission and from the presidency.(53)

FitzPatrick had not expected much from the Commission, regarding it primarily as a valuable opportunity for the industry to "state" its "case clearly".(54) This expectation was further diminished by his failure to win the wholehearted co-operation of the unofficial members. He was, therefore, surprised(55) at the

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49. Ibid.
50. Ibid.
51. Ibid.
52. These demands were to include the cancellation of the dynamite monopoly, the expropriation of the railway company and a local board to control the liquor traffic. (Ibid.)
53. Etheridge, op. cit., p. 130.
54. FitzPatrick to O. Beit, 7th May 1897. RM FIT L/B I.
55. FitzPatrick to Wernher, 30th August 1897. Q2 A/LB XVII.

findings of the Commission's report, published at the end of July. The Commission found that, of the seventy-nine goldmines which were in production during 1896, only twenty-five had declared dividends. In order to alleviate the position, and especially the difficulties which faced the smaller mines, the Commission recommended that the cancellation of the dynamite monopoly should be considered, that import duties on foodstuff and all transit duties should be abolished, that railway rates should be reduced and that an Industrial Board (consisting of government nominees together with representatives of the mining industry and of the commercial community) should be established in order to control the liquor trade, the Pass laws and gold thefts.(56)

Any optimism which was felt at the time of the publication of the Report was gradually whittled away in the weeks that followed. The Volksraad referred it to a sub-committee. While this committee endorsed the recommendations of the Commission in general terms,(57) it altered them significantly. For example, in place of the cancellation of the dynamite monopoly, the Committee recommended (after Kruger's personal intervention(58)) that the Transvaal government should agree to waive its claim to five shillings per case on all dynamite sold and that it should attempt to persuade the concessionaires to reduce their royalties by the same amount. Whereas the Commission had recommended the abolition of import duties on all imported foodstuff, the Volksraad committee merely proposed the abolition of protective duties on butter, cheese, coffee, rice, sugar and cattle in favour of an ad valorem duty of 7½%(59) (a recommendation which was adopted with the exception of the protective duty on sugar). When the Volksraad made these alterations, furthermore, it took the opportunity to raise import duties on such commodities as alcohol,

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56. Report of the Industrial Commission, C.9345. Papers re Complaints of the British subjects in the S.A. Republic, pp. 2-13.

57. See, for example, J. Emrys Evans's views in his report on the Gold industry. C.9093, Report on Trade, Commerce and the Goldmining industry. See also The Standard and Diggers News, 25th and 26th October 1897 which tabulated the recommendations of the two reports in order to "prove" their similarity.

58. Marais, op. cit., p. 193.

59. Report of the Sub-Committee of the Volksraad, C.9345. Papers re Complaints of the British Subjects in the S.A. Republic, pp. 14-21.

jams and empty bottles.[60] Most important, the recommendation of the Commission regarding the appointment of a local Board was dismissed on the grounds that the committee considered that such matters should be dealt with by the Second Volksraad. The Committee suggested that a special corps of detectives should be created instead.[61] To meet the additional expenses and to make up for the loss of revenue which would result from these concessions, the Government proposed to introduce a tax on dividends.[62]

A final attempt at bringing pressure to bear upon the government to implement the recommendation of the Commission was the convening of a mass metting in Johannesburg. Although FitzPatrick played a part in the preliminary stages of the organisation of this demonstration,[63] he declined to play a prominent part at the meeting itself, which was chaired by J.B. Robinson. This decision was obviously influenced by his fear that this might be interpreted as being "political activity", but he also explained to Wernher that it would be more effective if the Chamber of Mines leaders did not take the lead, so as to create the impression that the public meeting was proof of popular support for what the mining leaders had done.[64] For the same reason, N.J. Scholtz (a Director of the Robinson group of companies) represented the mining industry on the deputation which conveyed the resolutions of this meeting to the government in Pretoria.[65]

The outcome of the many hours which had been spent on preparing evidence and on co-ordinating the efforts of mining and commercial interests in Johannesburg was very disappointing. Without hope of

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60. C.9093. Report on Trade, Commerce and the Goldmining industry of the S.A. Republic.

61. Report of the Volksraad sub-committee, C.9345, pp. 14-21.

62. FitzPatrick to Phillips, 18th October 1897. Q2 A/LB XVII.

63. The demonstration was planned at a preliminary meeting attended by representatives of the Sanitary Board, the Chamber of Commerce, the Mercantile Association, the Chamber of Mines and the Association of Mines. FitzPatrick was one of the Chamber of Mines representatives. FitzPatrick to Wernher, 10th September 1897. Q2 A/LB XVII.

64. FitzPatrick to Wernher, 10th September 1897. Q2 A/LB XVII.

65. Ibid. The other members of the deputation were J.N. de Jongh (of Lewis and Marks), E. Hancock (representing the Sanitary Board), Noble of the Mercantile Association and Pistorius of the Chamber of Commerce.

relief, many mines were forced to cease production.(66) "We have had a real good fight for our reforms", observed FitzPatrick, "and if we have been eaten, we alone in this place have not the added bitterness of disappointment because we expected nothing".(67) At FitzPatrick's suggestion, the Chamber of Mines did not issue a formal protest. "If Schalk Burger's report carries no weight with the Raad", he observed, "our protests will carry none".(68) Instead, it was the Chamber of Commerce which took the initiative and, at its general meeting on October 21st, resolved to ask foreign consuls to make representations to the Transvaal government.(69)

The effort had, however, not been altogether wasted. For one thing, the public enquiry had publicised the genuine distress of the goldmining industry. The Chamber of Mines published the entire proceedings and the Commission's report.(70) Another outcome of the Industrial Commission was a greater measure of co-operation between the magnates and this was to lead to the reunification of the rival Chambers. At the beginning of September when the Dynamite Company offered to reduce its royalties on the sale of dynamite by five shillings per case,(71) FitzPatrick immediately approached the leaders of the Association "to get them into line".(72) He arranged a joint meeting of the Chamber and the Association to plan a common strategy. It was intended that Rouliot (President of the Chamber of Mines after Hay's resignation) would take the chair at this joint meeting but, as he was away in Lorenco Marques, FitzPatrick thrust aside the suggestion that he should preside and proposed Brakhan, one of Goerz's representatives on the Association. "It seemed to me a good thing", he explained, "to let the Association people figure for once as agitators - to rob the Government of their unfailing reproach that this community is divided". If Brakhan did not "die of fright at his audacity", he would also be forced to appreciate the difference in quality

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66. Marais, op. cit., p. 193. See also C.9093 Report on Trade, Commerce and the Gold mining industry of the S.A. Republic.
67. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII.
68. Ibid.
69. Milner to Chamberlain, 28th October 1897, transmitting a report from Greene. C.O.879/49 Further Correspondence re S.A. Republic, p.11.
70. The Mining Industry. Evidence and Report of the Industrial Commission of Enquiry, 1897.
71. Cartwright, The Dynamite Company, p. 61.
72. FitzPatrick to Wernher, 6th September 1897. Q2 A/LB XVII.

between a Chamber of Mines meeting and one of the Association, where it was "a struggle to get five to form a quorum".(73) At this meeting a joint statement was agreed to, supporting cancellation of the monopoly and declaring the mining industry's willingness to allow competition with European manufacturers.(74)

The failure of this move, together with that of the Industrial Commission to produce meaningful relief for the mining industry, became known on October 16th when the Volksraad committee presented its report. The Association leaders who had played such a prominent part on the Burger Commission and who, as smaller producers, were most anxious to obtain relief, were the most disappointed.(75) In this way, Kruger lost the advantage which he had gained through the split in the mining industry which had been created earlier in the year with the formation of the Association of Mines. The members of the Association had now learnt by their own experience that a united mining organisation was essential. Although there was thus a movement among the German members of the Association in favour of reunification, it was impossible without the support of Robinson, who had played such a prominent part in the formation of the Association at the beginning of 1896. His motives are characteristically difficult to determine. His disaffection with Kruger began before the appointment of the Industrial Commission. Early in February 1897 he and Barnato secured an interview with the President, Robinson having declared his intention in England of "settling" the Uitlander question. Kruger discussed matters such as education, the expropriation of the Railway Company, the possibility of reducing the price of dynamite, native labour problems and the suggestion that the two mining associations should be fused.(76) According to the Star, Robinson's real concern was to obtain a sensational report for his newspapers.(77) The result was the account which was subsequently released by Weinthal (then chief agent for Reuters in the Transvaal and the Daily Telegraph's

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73. FitzPatrick to Wernher, 10th September 1897. Q2 A/LB XVII.

74. Ibid.

75. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII. According to FitzPatrick, Brakhan and Brochan were particularly disappointed.

76. R. Casement to Rosmead, 13th February 1897, Lorenco Marques, C.O.879/46 Further Correspondence re S.A. Republic, p. 522.

77. Robinson owned both the Johannesburg Times and the Press.

representative in Pretoria). It reported Kruger's reaction to Chamberlain's catalogue in the House of Commons of Uitlander grievances and his accusation that Kruger had repeatedly "broken his promises".(78) According to this report, a copy of the cable which contained details of Chamberlain's speech was handed to Kruger during the interview. He then began "roaring like a lion" and demanded to know what promises he had broken. Chamberlain wanted neither laws nor reforms, declared Kruger: "He wants my country. He wants war. Well, he can have war! We are ready for him!"(79) Kruger ended by declaring that, in view of Chamberlain's attitude, he could no longer consider the granting of reforms and the interview was then terminated.

Precisely what the truth of this strange occurrence was is difficult to determine. Weinthal protested to de Reuter himself(80) that he had cabled the report of the interview at Kruger's own request and it was therefore "very unfair of the old man to throw the blame on me". Whatever the truth concerning the interview itself and whatever the reasons for the publication of the report, the fact was that Robinson was greatly annoyed at Kruger's complaints. He was also, presumably, annoyed at his failure to obtain any further promises of concessions. Shortly afterwards, he sought an interview with Eckstein and discussed the possibilities of fusion.(81) One of the arguments which Robinson used in support of such a move was that Kruger had himself expressed the opinion that a new Chamber should be formed, but Kruger flatly denied having said this when challenged by Farrar. With Robinson exposed as a "------ liar" and with most of the Association members reluctant to lose their position of prominence in a larger organisation,(82) nothing came of this move at this stage.

After the publication of the Volksraad committee's report on the Commission's recommendations, Robinson let it be known through his lawyer, van Hulsteyn, that he "was willing" to "take the lead in a movement for reform".(83) He proposed drawing up a manifesto

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78. Marais, op. cit., p. 138.
79. FitzPatrick to Wernher Beit & Co., 8th February, 1897. RM FIT L/B I.
80. Weinthal to de Reuter, 8th February 1897. C.O.879/56 (532). Secret Papers re the S.A. Republic, pp. 22-3.
81. FitzPatrick to Weinher Beit & Co., 8th February 1897. RM FIT L/B I.
82. Ibid.
83. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII.

and a general campaign against "Kruger and Krugerism". Fitz-Patrick told van Hulsteyn that, in his opinion, their priority should be the fusion of the two Chambers. He then met Robinson personally and spent an hour listening to his outpourings on "the doom of the Republic", "the iniquity of Kruger" and the necessity for unity. The real purpose of Robinson's approach, it seemed, was a proposal that the mining houses should provide Christiaan Joubert, the Minister of Mines, with a waggon and a team of mules so that he could travel around the country working up opposition to Kruger during the presidential election. FitzPatrick rejected this suggestion on the grounds that Joubert was "such an old scoundrel that he would take the money and sell us" but it was from this suggestion that the agreement arose to support the candidature of Burger.(84)

Finally, E. Brochan, who had been one of the unofficial members of the Commission, made a personal appeal to FitzPatrick. Fitz-Patrick told him that there was no point in discussing fusion unless Brochan could bring "a definite and unanimous proposal from his party".(85) At this stage he made good use of the knowledge that Brakhan, the acting Chairman of the Association, had gone to Lorenco Marques with Leyds under the false pretence that he had been deputed to do so by the Association. When Brochan informed Robinson of this, Robinson immediately sent Brochan back with the instruction that terms of fusion should be discussed without delay. His only condition at this stage was "aimed at his enemy Sam Marks". It was that "no one associated with a concession shall be eligible for election to the executive".(86) FitzPatrick immediately approached Albu's representative, Leubeck, and negotiations began in earnest.(87) The result was the decision to create a new united mining organisation, the Chamber of Mines of the South African Republic. As a concession to the members of the Association and the smaller companies, "class representation" was abolished and several members of the Association became members of the new Executive.(88) The first meeting of the new Chamber took

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84. See below, p. 58.

85. FitzPatrick to Wernher, 1st November 1897. Q2 A/LB XVII.

86. Ibid.

87. Ibid.

88. Etheridge, op. cit., p. 124.

place early in December in an atmosphere of "effusive friendliness".[89]

A condition which Robinson had insisted on before giving his final agreement to fusion was that the Corner House should support him politically and particularly his scheme to sponsor a candidate to oppose Kruger in the forthcoming presidential election. Although Wernher and Beit in London had some misgivings about this,[90] Rouliot and FitzPatrick agreed because they believed that it was the unavoidable price of Robinson's support for fusion[91] and because FitzPatrick argued that it was important that they should continue to support Boers whose "professed aims are...in favour of the industry". Also, the example of the Corner House might be followed by the other mining houses, in which case something more useful politically might result.[92]

Because FitzPatrick's involvement in the presidential election was the result of an attempt to humour Robinson, it was extremely half-hearted. In accordance with the agreement with Robinson, he and Scholtz of Robinson's office interviewed both Burger and Piet Joubert and attempted to discover what their intentions were.[93] Neither was prepared to commit himself. Burger declared that he would not stand for election if Joubert was a candidate but subsequently resolved to stand regardless of Joubert's intentions after receiving a requisition signed by 7,000 voters.[94] Joubert insisted that he was waiting for God's will to become known to him.[95] In the end, both Joubert and Burger stood for election against Kruger and Joubert refused all offers to induce him to withdraw so as not to split the opposition vote.[96]

Professor J.S. Marais wrongly implies[97] that FitzPatrick did not wish to see Burger win the election. According to him, like the other "magnates" (who are unspecified), FitzPatrick argued

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89. FitzPatrick to Wernher Beit & Co., 4th December 1897. Q2 A/LB XVIII
90. FitzPatrick to Wernher, 6th December 1897. Q2 A/LB XVII.
91. FitzPatrick to Wernher, 8th November 1897. Q2 A/LB XVII. See also Marais, op. cit., pp. 200-1.
92. FitzPatrick to Wernher, 6th December 1897. Q2 A/LB XVII.
93. FitzPatrick to Wernher, 8th November 1897. Q2 A/LB XVII.
94. FitzPatrick to Wernher, 15th November 1897. A/LC VII.
95. FitzPatrick gave Wernher a detailed account of this interview. See FitzPatrick to Wernher, 15th November 1897. A/LC VII.
96. Marais, op. cit., p. 201.
97. Ibid.

that, as president, Burger "would be able to accomplish little in the teeth of obstruction from Kruger; but if he were defeated by a narrow majority - which is what they desired - he might lead an opposition in the volksraad strong enough to force Kruger to agree to reforms". In fact, FitzPatrick believed that, "if Burger were to get in...there would certainly be a very great change in policy as also in public feeling".(98) His half-hearted approach to the election was, therefore not the result of anxiety not to succeed but of a belief that success was impossible. At one stage he observed that "if Joubert and Burger join forces there will be a good fight and with the odds against Kruger".(99) Even before Joubert's decision was known, he had, however, reached the conclusion that it was "quite useless".(100) In mid-December he again stated his emphatic belief that "Burger will not get in, confident as his people are and much as the meetings have gone against Kruger".(101)

FitzPatrick's motivation was, therefore, quite the opposite of what Marais supposes. Neither did he envisage Burger, having been narrowly defeated, as leading an opposition party. Rather, he believed that support for Burger was worthwhile because, even though Burger was expected to "fall into line again" in order to "keep his place in the Executive" once the election was over,(102) he could be expected to remain sympathetic to the mining industry if only because "he will know who helped him and will expect and want help again".(103)

Another political development which occurred towards the end of 1897 was the so-called "Campbell plot". W.Y. Campbell was the president of the Caledonian Society and in June 1897 had taken the lead in organising a jubilee banquet.(104) He was also

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98. FitzPatrick to Wernher, 13th December 1897. Q2 A/LB XVII. Marais is possibly confused by the fact that FitzPatrick believed that Joubert would "not be such a vast improvement on Kruger". (See FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII).
99. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII.
100. FitzPatrick to Wernher, 8th November 1897. Q2 A/LB XVII.
101. FitzPatrick to Wernher, 13th December 1897. Q2 A/LB XVII.
102. FitzPatrick to Wernher, 20th December 1897. Q2 A/LB XVII.
103. FitzPatrick to Wernher, 13th December 1897. Q2 A/LB XVII.
104. Greene to Milner, 18th June 1897, Milner Papers vol. 4. (Letters Received, 1897-8).

rumoured to be a political agent of Rhodes's.[105] Precisely what Campbell was up to is by no means clear but he was believed to be the leader of an armed secret society.[106] One of this society's acts was to distribute a circular among the burghers which urged the adoption of the recommendations of the Industrial Commission.[107]

According to one historian of the period, FitzPatrick was "in sympathy with Campbell's movement".[108] The foundation of this statement appears to be a letter which Emrys Evans, the recently-appointed British vice-consul in Johannesburg, wrote to the British Agent in Pretoria.[109] Evans told Greene that he believed that FitzPatrick and Campbell were "engineering some scheme". He then went on to give details of a dinner which he had attended at Campbell's invitation. The others present were FitzPatrick, Sir James Sivewright, Samuel ("Afridi") Evans, H. Solomon, Richard Currie, Chaplin (correspondent for the Times) and H.C. Boyd (correspondent of the London Telegraph). Sammy Marks arrived later. Despite the presence of Marks, whose contact with Kruger was believed to be fairly close, and that of Emrys Evans, who was a representative of the British government, the after-dinner conversation was dominated by FitzPatrick who attacked Sivewright "on his attitude and his action immediately after the Jameson Raid" and was "most indiscreet in his utterances". It is doubtful whether this can be taken as evidence that FitzPatrick, Marks and Sivewright were in sympathy with any schemes of Campbell's. Emrys Evans had only recently taken up his appointment in Johannesburg and it is likely that he misinterpreted the significance of the occasion. In fact, he went on to inform Greene that Campbell had told him that the purpose of the dinner was to give FitzPatrick the opportunity of attacking Sivewright and so establish "which side of the fence" he was then on. This seems to be a far more likely explanation, particularly in view of the fact that FitzPatrick

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105. Greene to Milner, 5th November 1897, "Very Confidential", C.O.879/56 Secret Papers re S.A. Republic, p. 129. See also Bitensky, op. cit., p. 14.

106. See the secret report by F. Davis. C.O.879/56 Secret Papers re S.A. Republic, p. 128.

107. Bitensky, op. cit., p. 14.

108. Ibid.

109. J.E. Evans to Greene, 1st December 1897, "Private". Milner Papers, Vol. 4 (Letters Received, 1897-8).

had seen Greene recently.[110] In his report to Milner on Campbell, written shortly after this interview, Greene made no mention whatsoever of FitzPatrick's being associated with Campbell.[111]

The position at the end of 1897 was difficult to assess. There appears to have been a fairly general feeling in Johannesburg and elsewhere that some progress had been made and that more could be expected. This was certainly the view of Greene, who reported to Milner that there was a possibility "of something very like a revolution taking place".[112] Professor Marais is, however, wrong when he contends that FitzPatrick was among those "prophets" who shared this optimism.[113]

FitzPatrick believed that Kruger had lost a great deal of "the ground he made at the time of the Raid. He is less secure today than he has ever been in his life".[114] This was owing largely to the fact that the Industrial Commission's report had been a "staggering blow".[115] Furthermore, new divisions had appeared in the ranks of the Boers: most obviously, the emergence of Burger as an opponent of the Kruger regime who had won real popular support. "They hate each other now (these Krugers, Jouberts and Burgers)", FitzPatrick observed with obvious satisfaction, "worse than they hate us".[116] In November he told Greene that, in his opinion, "the Boers are playing into our hands as fast as they can. The best thing we can do is sit still and give them all the rope they want. If we only leave them to go on as they are going now, it will not be long before they hang themselves".[117]

While there was obviously some cause for optimism, FitzPatrick was realist enough to assess the situation at greater depth. For

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110. See below, p. 63.

111. Greene to Milner, 5th November 1897, "Very Confidential" C.O.879/56 Secret Papers re S.A. Republic, p. 129.

112. Marais, op. cit., p. 193.

113. Ibid.

114. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII.

115. FitzPatrick to Wernher, 13th December 1897. Q2 A/LB XVII.

116. FitzPatrick to Beit, 10th January 1898. Q2 A/LB XVIII.

117. Bitensky, op. cit., p. 70. Marais, op. cit., pp. 193-4. The full text of Greene's letter to Milner (5th November 1897) is in C.O.879/56 Secret Papers re S.A. Republic, p. 129.

example, he did not share any prevailing optimism regarding the presidential election. With regard to the possibilities which might exist in the fact that divisions had emerged amongst the Boers, he saw that (with the possible exception of Burger) "any new party will be almost as bad as this present one as soon as they were securely in power. I am afraid that, in the present case, what is wanted is the surgeons knife and that a change of diet, so to say, will be trifling with the case".(118) He may also have asked himself whether the reunification of the mining leaders was of any real political import. From the point of view of the industry itself, it was obviously an advantage to have a single Chamber once more, but from the point of view of Transvaal politics this merely recreated the pre-1895 situation, with all its weaknesses. Furthermore, the weakness of the mining industry's position was surely revealed in the Transvaal government's failure to implement the recommendations of the report, which FitzPatrick had described as a staggering blow. This was most clearly shown in the case of dynamite, where despite the Commission's recommendation of cancellation, the Volksraad Committee referred the matter to the Executive Council with the instruction that it should obtain legal opinion as to whether the Dynamite Company had acted in accordance with the conditions of its contract.(119) FitzPatrick did not expect cancellation because he believed that the monopolists would spare no effort "to <u>persuade</u> the Raad" and "that certain embarrassing assurances were given to the German government regarding the inviolability of the concession".(120) In December 1897 Kruger restated his view that the Dynamite concession was the "cornerstone" of the Republic(121) and this provided more than a clue as to what might be expected. FitzPatrick does not, at this stage, appear to have seen much possibility of being able to destroy the Transvaal's credit. This may have been due to the fact that it was known that Lewis and Marks were prepared to

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118. FitzPatrick to Wernher, 11th October 1897. Q2 A/LB XVII.
119. Marais, <u>op. cit.</u>, p. 192.
120. FitzPatrick to Phillips, 18th October 1897. Q2 A/LB XVII.
121. Gordon, <u>op. cit.</u>, p. 56.

negotiate a "further considerable loan" of two million pounds.[122]

Returning to the analysis of the chances of securing change which FitzPatrick had made in May 1897,[123] it was apparent that few, if any, of the conditions which he had then postulated had been met by the end of the year. A large question-mark still hung over Boer politics - both in respect of the chances of a Progressive party actually securing power and also in respect of the chances of reform once this unlikely event had occurred. The "crabbing of loans" to destroy the republic's credit did not seem feasible at this stage. Representations from foreign governments (as had been invited following upon the publication of the Industrial Commission's report) had produced no obvious harvest.

There remained the third possibility which he had envisaged - that of British interference. In December 1897, Chamberlain's famous suzerainty dispatch was delivered to the Transvaal government.[124] FitzPatrick may have detected in this an indication that the post-raid era of imperial meekness was coming to an end. This suspicion may have been strengthened by Greene during their discussion in November, when Greene singled him out to ask him why Britain had not been asked, like the French, German and Dutch governments, to bring pressure to bear upon the Transvaal to implement the recommendations of the Industrial Commission.[125] Whatever the cause, the result was that in February, while he was on holiday in Cape Town with "three friends and political associates",[126] he made a direct approach to the High Commissioner.

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122. Greene to Milner, 15th September 1897, "Secret". C.O.879/56 Secret Papers re S.A. Republic, p. 125. On September 30th Greene informed Milner (C.O.879/49, p. 7) that the Transvaal's credit stood at a mere £75,892 and that, in addition to the offer of Lewis and Marks, "five other financial houses" had made offers. The latter were rejected by the government on grounds of suspicion. One of these offers may have come from Wernher Beit & Co.

123. See above, p. 43.

124. See Marais, op. cit., p. 197.

125. Greene to Milner, 5th November 1897. C.O.879/56 Secret Papers re S.A. Republic, p. 129.

126. Lord Milner and his Work, p. 10. FitzPatrick did not specify who his associates were. One of them seems to have been S. Evans (see Greene to Milner, 14th March 1898, "Confidential". Milner Papers, 4.)

According to FitzPatrick, the meeting was not pre-arranged but arose out of discussions between the four Transvalers. "We considered it both unfair and unwise", he later recalled, "that British subjects should not be allowed to state their case for themselves to the highest representative of the Crown....Hence I was deputed to make an effort to see Sir Alfred Milner".(127)

FitzPatrick was more than surprised at Milner's response, for he found that Milner was not only prepared to meet him but was eager to exchange views. They talked for an hour and then, after Milner had returned from a dinner engagement, met again at 10 o'clock and continued their discussion until 2 a.m. After cycling back to Muizenberg, he spent the remainder of the night making notes so that he would have an accurate record of what had been said.(128)

The meeting at Newlands occurred at a very crucial moment. At the beginning of February, shortly before, the news of Kruger's re-election had reached Cape Town. This, together with the dismissal of Kotze, the Chief Justice, forced Milner to rethink his position.(129) The result was his dispatch of February 23rd in which he was to urge upon Chamberlain the need for a more vigorous policy towards the Transvaal,(130) together with support for Kotze.(131) FitzPatrick's excitement on gaining this insight into the High Commissioner's thoughts was very considerable. "The elaborate structure of our imaginings had been brushed aside like a house of cards; the very bedrock of things had been exposed".(132) Milner completely astounded FitzPatrick because he declared his determination to settle the South African question by taking up the cause of reform in the Transvaal and pursuing it even if it meant war. He also suggested that FitzPatrick should expose himself to the risk of expulsion by engineering a public address in support of Kotze.(133)

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127. Lord Milner and his Work, p. 10.

128. Ibid.

129. Marais, op. cit., p. 203.

130. Ibid., p. 205. The significance of this in the overall perspective of Milner's South Africa policy is discussed in Chapter IV.

131. See, for example, Milner to Selborne, 9th May 1898. Milner Papers, 6a.

132. Lord Milner and his Work, p. 11.

133. FitzPatrick to Beit, 4th March 1898. 03 A/IC

On their return to the Transvaal, FitzPatrick and Samuel Evans called upon the British Agent[134] and Greene confirmed Milner's assurances. When FitzPatrick asked him about the future administration "in the event of a row", Greene replied: "Oh, you need not fear! We shall make a clean sweep of all those people. We see no difficulty about the future! When the Tommies get scattered about and the military bands play, they will soon get to like it. As for those who won't like it - well, they will be taught that it is not so necessary for a Boer to be a good marksman and a citizen-soldier as it is to be a good farmer". When FitzPatrick asked him how long the diplomatic build-up would take, Greene replied: "My dear fellow, in my opinion, it is time to act now. The account is so collosal that there is no sense in piling it up further. Some of the things we have against them would make your hair stand on end. Now is the time to act, while they are floundering in the mud. This is the very time to jump on them. You must remember that Kruger has a bit of luck at times and may just happen to flounder onto his feet instead of getting deeper in the mire! Kotze should appeal <u>now</u>. Brown should appeal <u>now</u>. The people of the Rand should appeal to us <u>now</u>. It all makes action easier and more justifiable".[135]

Putting together the suzerainty dispatch, the interviews with Milner and Greene and Milner's consequent Graaff-Reinet speech,[136] FitzPatrick concluded that "Joe has got his teeth in and does not mean to let go".[137]

This impression was, however, soon dispelled. Shortly after this interview had taken place, Milner received a directive from London which indicated that his advocacy of a hard-line policy was not supported. Selborne declared that Britain would still play a "waiting game"[138] and Milner passed this directive on to Greene. Greene, in turn, explained the position to FitzPatrick personally.[139]

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134. Greene to Milner, 4th March 1898, "Confidential". <u>Milner Papers</u>, 4.
135. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.
136. See Marais, <u>op. cit.</u>, p.
137. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.
138. Le May, <u>op. cit.</u>, pp. 13-14.
139. Greene to Milner, 25th March 1898, "Private and Confidential". <u>Milner Papers</u>, 4.

Instead of assisting the High Commission in launching a new diplomatic offensive, FitzPatrick was called upon to assist in damping down the agitation of the South African League,[140] which was planning a public demonstration in support of its appeal to the British government to "put an end to the present menace" arising from the dismissal of Kotze.[141]

Because the line of policy which Milner had outlined in Cape Town in February was abruptly cancelled in March, it is easy to overestimate the importance of the Newlands interview. It was however the beginning of a personal relationship, based upon a remarkable mental affinity, which was to last for many years and which was to draw FitzPatrick into the pre-war manoeuvrings. But in March 1898, what he had learnt in Cape Town and Pretoria did not give any real cause for optimism. On the contrary, the knowledge that Chamberlain had summarily rejected Milner's plea for more positive action must have contributed to the gloom. Until there was some positive indication of an actual change in British policy, there was nothing for it but to return to the less dramatic but equally tantalising problems of the Transvaal itself.

iii) Smuts, March 1898 - February 1899.

In March 1898, when FitzPatrick was forced to reassess political prospects in the Transvaal, they appeared very bleak. The instruction to abandon the idea of appeal to Britain coincided with the news that the government was overcoming its financial difficulties by means of negotiating a loan of £2,500,000 through the Railway and Dynamite Companies.[1] This move, in thrusting aside the offers which had been made by the finance houses, promised to give Kruger the greatest possible degree of independence. In

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140. Bitensky, op. cit., p. 99. Apart from an appeal for financial assistance in October 1897 (J.D. Forster to FitzPatrick, 8th October 1897, "Private and Confidential". B/A I), FitzPatrick did not have any connection with this organisation. Greene's appeal to FitzPatrick was therefore not to a member of the League itself but to one who could easily give the hint to its leaders.

141. Report of S.A. League Congress, 26th February 1898. C.O.879/49, p. 188.

1. Greene to Milner, 9th March 1898, "Secret". C.O.879/56 Secret Papers re S.A. Republic, p. 34.

addition, it suggested that all hope of inducing the government to cancel these concessions or to agree to expropriation would have to be abandoned. The mining depression which had commenced in late 1895 and which had given rise to the appointment of the Industrial Commission in 1897, continued unabated by any implementation of the Commission's recommendations.(2) The feeling of hopelessness was increased by the belief that the Uitlanders were "terrorised" into inactivity by a network of spies which operated in clubs, bars and hotels.(3)

The mining depression and the absence of political prospects suggested that, if any advances were to be made, efforts should be concentrated once more on the specific complaints of the mining industry. Here the position also appeared more hopeless than at the end of 1897. For one thing, the mining industry, following J.B. Robinson's strategy, had backed the loser in the presidential election. This would not improve relations with Kruger. In addition, Christiaan Joubert, the Minister of Mines, had been encouraged by the magnates to take "a very strong line against Kruger in the elections" (another of Robinson's suggestions). He had been a vital link between the mines and the government. Now, this channel was closed and Joubert was likely to "have his wings clipped".(4) The reunification of the industry at the end of 1897 had been engineered in order to promote united action, but this held little promise. FitzPatrick had explained the problem to Milner in relation to the suggestion that the Chamber could support an address to Kotze.(5) This illustrated the fact that reunification did as much to expose the divisions within the industry as it did to overcome them. By May, in fact, Brakhan began to revert to his earlier role of government lackey.(6)

Immediately after his return from the Cape, FitzPatrick was involved in the preparation of the annual Rand Mines report.(7)

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2. Greene to Milner, 11th March 1898, "Private and Confidential". Milner Papers, 4.
3. The Star, 8th March 1898. See also Greene to Milner, 8th March 1898. C.O.879/56 Secret Papers re S.A. Republic, p. 31.
4. FitzPatrick to Wernher Beit & Co., 26th March 1898. Q2 A/LB XVIII.
5. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.
6. FitzPatrick to Wernher, 23rd May 1898. Q2 A/LB XVII.
7. FitzPatrick to Phillips, 4th March 1898. Q3 A/LC.

It was presented by Eckstein on March 24th but it was written almost entirely by FitzPatrick.[8] Always on the lookout for an opportunity to lure the government into some kind of action, he took this chance too. He deliberately made the suggestion that the shortage of African labourers should be alleviated by the employment of 15,000 White miners. This, he explained, was intended to frighten the government into being more co-operative with regard to the mines' demands for assistance in the recruiting and control of African labour.[9] He then went on to refer, in very strong terms, to the uncontrolled sale of liquor and its effects upon labour:

> "I do not hesitate to say that the liquor traffic carried on during the past year on these Fields would be a disgrace to any country in the world. Managers have reported until they are sick and tired of the subject and Directors have represented the facts until from sheer weariness they have given it up: the papers have published complaints with the names of persons, houses and localities, by whom and in which the trade was carried on openly, until their readers must have thought the matter stereotyped; but still it rages and it must be perfectly clear to anyone that the trade is carried on with the connivance, and even with the assistance, of the authorities".[10]

This open challenge could hardly be ignored. A Commission of inquiry, consisting of the State Attorney and the Collector of Customs was appointed to investigate these charges and Eckstein was asked to substantiate them. In the preparation of this evidence and in the formulation of the strategy which was followed, FitzPatrick again took the lead. While mine managers were asked to submit evidence which could then be consolidated in a comprehensive document,[11] he proposed in the Chamber of Mines that a direct approach be made to the Liquor Company. In accordance with this, he and J.G. Hamilton were appointed to meet two of the directors of the Hatherley Distillery. The intention, FitzPatrick explained, was to place the Chamber's views clearly on record; to emphasise that the responsibility lay with the government; to obtain "something in writing" from Marks "which it will be difficult for Marks

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8. FitzPatrick to Wernher, 28th March 1898. Q2 A/LB XVII.
9. Ibid.
10. The Star, 24th March 1898.
11. Eckstein to the State Attorney, 6th May 1898. RM FIT L/B II.

privately to work against with Kruger", and to demonstrate to the government the Industry's willingness to assist in achieving "a better state of things".(12) These moves were then supplemented by memorials from the Chamber of Mines to the Volksraad, urging total prohibition and requesting the creation of a Local Board on the Reef to establish this.(13) In addition, Volksraad members were lobbied.(14) FitzPatrick envisaged, as a last resort, the payment of compensation to the Liquor Company for losses which they might suffer through discontinuing the manufacture of liquor for the "kaffir trade".

At the preliminary meeting between the Chamber of Mines representatives and those of the Liquor Company, FitzPatrick and Hamilton suggested the payment of an annual subsidy of £10,000 to the Company.(15) Although this offer was rejected, the Liquor representatives appeared to accept the principle of compensation. When the following meeting was held, however, Marks announced that "I don't want the Industry's money. I would not take a penny of it!" The Company was now prepared only to accept expropriation.(16) Their real reason, according to FitzPatrick, was that they were holding out for a system whereby the trade would be controlled through a monopoly which they would hold.(17)

While these negotiations were in progress, FitzPatrick prepared the lengthy statement (signed by F. Eckstein) for the State Attorney. It was accompanied by a voluminous enclosure which provided supporting evidence that the liquor law was not being adequately enforced. Eckstein's letter ended with an appeal for total prohibition.(18) One intention appears to have been to

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12. FitzPatrick to Wernher Beit & Co., 23rd April 1898, Q2 A/LB XVIII.
13. "This may not mean much practically", FitzPatrick observed," but it marks a distinct advance among ourselves for...at the time of the Industrial Commission a great many of our own party would not even suggest a local Board, feeling that the proposal would offend the Government". Ibid.
14. Ibid.
15. FitzPatrick to Wernher Beit & Co., 8th May 1898. Q2 A/LB XVIII.
16. FitzPatrick to Wernher Beit & Co., 21st May 1898. Q2 A/LB XVIII.
17. Ibid.
18. Eckstein to the State Attorney (with enclosure). 6th May 1898, RM FIT L/B II.

induce the Company to accept, under threat of losing its trade altogether, an offer of expropriation and, when this was refused,[19] another offer of compensation.[20]

These manoeuvrings placed the Chamber of Mines representatives (FitzPatrick and Hamilton) in a strong position when, on May 28th, the Chamber and Liquor Company representatives met the State Attorney. On this occasion, the Chamber representatives were able to ally themselves with the government, urging that the present system of prohibition, if properly applied, could meet their requirements. The Company's refusal of the Chamber's offers had provided them with a trump card. "This, of course, we reckoned on", observed FitzPatrick. "We knew that he [Marks] would refuse it and that it would embarrass him".[21] The result was that FitzPatrick and Hamilton were able to lead the State Attorney into a discussion on how the law could be properly applied and so to broach again the idea of a Local Board on the Witwatersrand. Because FitzPatrick believed that Kruger would never agree to the creation of such a body, he proposed that a branch of the State Attorney's executive department should be established in Johannesburg. It should consist of the Mining Commissioner, the First Criminal Landdrost and the Burgemeester. "He may then call it a Licensing Committee or whatever he likes, and in the end add a couple of members of the Industry".[22]

On June 11th FitzPatrick wrote a private letter to J.C. Smuts,[23] who had just replaced van Leeuwen as State Attorney. In it he outlined a scheme to control liquor sales. He emphasised that what was needed was the proper application and not the alteration of the existing law. His proposals included a total prohibition on the manufacture or importation of "overproof" liquor; that all dealers in spirits be required to keep exact records of their sales; that licences be granted to houses and not to individuals; that a Special Court be constituted to deal with liquor cases and empowered to impose very severe penalties. Most important, he again urged the creation of a Local Board on the Witwatersrand to control

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19. FitzPatrick to Wernher Beit & Co., 21st May 1898. Q2 A/LB XVIII.
20. FitzPatrick to Wernher Beit & Co., 30th May 1898. Q2 A/LB XVIII.
21. FitzPatrick to Wernher, 3rd October 1898. Q2 A/LB XVII.
22. Ibid.
23. FitzPatrick to Smuts, 11th June 1898, "Private". RM FIT L/B II.

licensing and to supervise the operations of a special police force which would also deal with Pass Law and Gold Theft offences. This Board, he was careful to explain, would be a part of the State Attorney's department.

This complex plan, which is an interesting example of Fitz-Patrick's stratagems, was an ingenious attempt to outflank the opposition of the Liquor Company with its vested interests and close contacts with Kruger. This opposition was not long in asserting itself. On the 9th of June the First Volksraad rejected the proposal to establish a Local Board.(24) Although the Second Volksraad resolved to appoint a Commission to investigate, and although FitzPatrick considered this a "good Commission",(25) Kruger then intervened. He sent for Brakhan who, with his contacts with the Deutsche Bank had long been recognised as the weakest link in the Capitalist alliance. To Brakhan he proposed the appointment of an "Advisory Board" (or "Special Council") which would consist of between three and five government officials and the same number of Chamber of Mines representatives. FitzPatrick viewed this move with the greatest suspicion. Not only was the deliberate approach to Brakhan seen as an attempt to create disunity amongst the magnates, but Kruger's proposal fell far short of FitzPatrick's. In his view, it was a "castrated version" because Kruger's Advisory Board would not have actual control over police operations and would therefore merely meddle in Reef affairs.(26)

In this way, Kruger threw the mining front into disarray. Brakhan approached Sapte (of the Gold Fields) and Sapte summoned FitzPatrick, Hamilton (of Barnatos) and Dalrymple (of Farrar Brothers) to discuss the proposal. At this meeting Brakhan, "portentious" and "swollen nigh unto bursting",(27) explained the situation. FitzPatrick immediately protested that only the Chamber of Mines could negotiate with the government on behalf of the Industry and that it should continue to do so openly. He had little difficulty in persuading the others of the wisdom of this insistence and Brakhan was then prodded into agreeing to inform Kruger that he

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24. Greene to Milner, 14th June 1898. C.0.879/49 Further Correspondence re S.A. Republic, pp. 507 et seq.
25. FitzPatrick to Wernher Beit & Co., 13th June 1898, Q2 A/LB XVIII.
26. FitzPatrick to Eckstein, 20th July 1898. Q2 A/LB XVII.
27. FitzPatrick to Phillips, 25th July 1898. Q2 A/LB XVII.

should make an official approach to the Chamber. To obviate any possibility of misunderstanding, FitzPatrick wrote a curt letter to Brakhan, urging upon him the need to keep the executive of the Chamber fully informed. Should Brakhan not do this, FitzPatrick added, he would himself inform the Chamber.(28)

In this way some appearance of solidarity was again created, but it had no significance, for when the memorials which asked for the establishment of a local board to control the liquor trade was considered by the First Volksraad on September 12th, the request was rejected by fourteen votes to six. (M.V. Lombard justified his vote on the grounds that "it was one of the Native's instincts to drink" and he could "drink himself to death if he liked"(29)). Marks at this stage still hoped to obtain a controlled sale of liquor in terms of which he would secure the agency.(30) What finally brought the matter to some conclusion was the canvassing of support by the Chamber of Mines from the Dutch Reformed Church.(31) This resulted in a Volksraad besluit in November in favour of total prohibition. This decision did not include the creation of a local Board in Johannesburg and it deferred consideration of the proposal that control of the liquor trade should become the direct responsibility of the State Attorney.(32)

Although this attempt to establish control of the Liquor trade (and, indirectly, of Labour) by means of the establishment of a Local Board had met with only moderate success, one unexpected and significant result was the establishment of FitzPatrick's link with Smuts. FitzPatrick was immediately impressed by the new State Attorney. He accepted that Smuts was genuinely desirous of bringing about reform although he remarked that the "young fellow" would "either lose his enthusiasm and succumb to the old man's influence, or he will bump up against the local 'wall of China' and smash himself".(33) It seemed, therefore, that Smuts's appointment created a new hope.

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28. FitzPatrick to Brakhan, 26th July 1898, "Confidential". RM FIT L/B III.

29. C.9345 Papers re complaints of the British subjects in the S.A. Republic, p. 42. Greene to Milner, 15th September 1898. C.O. 879/49 Further Correspondence re S.A. Republic, pp. 593 et seq.

30. FitzPatrick to Wernher, 3rd September 1898. Q2 A/LB XVII.

31. FitzPatrick to Wernher Beit & Co., 19th November 1898. Q2 A/LB XVIII.

32. FitzPatrick to Wernher, 28th November 1898. A/LC VII.

33. FitzPatrick to Wernher Beit & Co., 13th June 1898, "Private". Q2 A/LB XVIII.

The personal relationship which had been established during the liquor negotiations was renewed in August. Their next meeting arose out of the proclamation of the Turffontein Estates as a goldfield.[34] This was done despite the fact that the owner's permission had not been sought, nor had any prospecting been done there (two stipulations of the Gold Law).[35] The land was owned by a company in which Rhodes, the Consolidated Gold Fields, Neumann and the Rand Mines held shares. Christiaan Joubert was immediately contacted (in a "low canteen"). He assured FitzPatrick that the farm could be deproclaimed if valid objections were raised, but FitzPatrick suspected that the real purpose behind the proclamation was to grant to the Turf Club (in which Bailey held interests) the mining rights of the land which it occupied. This could not be done before the farm as a whole had been proclaimed. Because FitzPatrick believed that is was "both useless and foolish to fight the government as long as there is an alternative", he suggested that the proclamation should not be opposed but that the Corner House should attempt to secure as many rights as possible for the holding Company. In October, however, when the matter was considered by the Executive Council, he decided to approach Smuts. Smuts promised to intercede and the result was that the proclamation was cancelled.[36]

Smuts's action in sorting out the Turffontein business seemed to indicate that he possessed real influence with the government.

> "Smuts is very fair, when he has the facts", FitzPatrick wrote to Beit,[37] "very willing and very bright, but he has a heartbreaking task. He has certainly won the confidence of the President and some of the Executive and two amusing examples of his influence were given me by one who was present at a meeting. Once the President got excited and began to ramp when Smuts, who is very slender, cleanshaven and awfully boyish-looking, leaned forward and, putting his hand on the old man's knee, said very quietly: 'Gently, President, gently!' Kruger cooled down at once. In another case, the Executive members began to stray back into the history of a case to show why certain things should not have been allowed and, after a few minutes of this, he said quite

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34. Staatscourant, 10th August 1898.

35. FitzPatrick to Wernher Beit & Co., 15th August 1898, "Private". Q2 A/LB XVIII.

36. FitzPatrick to A. Beit, 27th October 1898. Q2 A/LB XVII.

37. Ibid.

> respectfully: "Well, gentlemen, regrets and arguments will not help us. The position now is this...." and he recited it. And when one of them again began: "Yah, maar....", he repeated steadily: "This is now the position!" And they all subsided and finished the business as he suggested!"

FitzPatrick was again convinced of Smuts's genuine interest in reform, although Smuts told him that the "liquor men and the harpies and the intermediaries" meant to "smash" him.(38) Another outcome of the Turffontein question was that, at Smuts's invitation, the two met for "a good hour's talk" at the Pretoria Club. FitzPatrick explained other difficulties which he was experiencing and Smuts then engaged in "some good straight talk" in which he contended that the Turffontein matter would have been cleared up much sooner if only FitzPatrick had not "nursed grudges for three months and attributed to us the worst possible motives". In the end, FitzPatrick agreed that, in future, he would "go to him at once and put our views straight to him". For his part, Smuts promised to "send at once for us when he wants an explanation or feels that we are not doing the right thing, in which case, we will tell him plainly whether we can or cannot do as he wishes; and, if not, why not".(39)

It is by no means certain that Smuts was genuine in posing as the friend and ally of the mining interests. His motive may have been to establish immediate access to information and, through winning the confidence of the capitalists (and of FitzPatrick in particular), to dampen their hostility to the government. Whether this latter possibility was his intention or not, it certainly was the result for, having accepted Smuts's assurances, FitzPatrick now thought that there was real hope of obtaining redress through Smuts.

In accordance with the "compact" which they had entered into, FitzPatrick, having obtained the go-ahead from Eckstein, made another approach to Smuts in November. He did so because he wished to discuss the longstanding bewaarplaatsen question(40) and also the government's proposed tax of 5% on mining profits.(41) At the same time, he envisaged an all-embracing settlement of all

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38. Ibid.

39. Ibid.

40. For details of the bewaarplaatsen question, see Marais, op. cit., p. 20.

41. Ibid., p. 228.

the outstanding grievances of the mining industry. In particular, he proposed the cancellation of the Dynamite, Railway and Liquor monopolies.(42) As an inducement to the government to accept the suggestion that the bewaarplaatsen question should be settled by direct negotiation between the government and the companies concerned (so as to exclude "intriguers" and "blackmailers"), FitzPatrick offered a loan of £2,500,000 on easy terms.(43) This would also counteract the government's contention that it had been forced to impose the 5% tax on profits because the mines had opposed its attempts to raise loans.(44) As compensation for the loss of revenue due to the cancellation of the dynamite monopoly, he proposed a tax on sales. If these reforms were introduced "and all friction of material points removed", he suggested that it might then be possible "to achieve or promote some agreement on the political question" (i.e. the franchise).(45) He also envisaged as a possible outcome of such a settlement in the Transvaal "a kind of three-cornered, roundtable talk" at which the imperial government would be represented and at which such matters as suzerainty, and the treatment of "coolies" and "Cape boys" in the Transvaal could be discussed,(46) though it is not certain that he put this suggestion to Smuts on this occasion.

Smuts may have been surprised at these grandiose suggestions but he appeared sympathetic. He began by claiming that he had, in fact, opposed the proposal to introduce the 5% tax in the Executive Council "but all the success he had was that it was only

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42. S.A. Memories, p. 162.

43. FitzPatrick to Wernher, 3rd December 1898. Q2 A/LB XVIII.

44. See Rouliot's speech at the Chamber of Mines meeting on 21st November 1898. C.O.879/55 Further Correspondence re S.A. Republic, pp. 19 et seq.

45. S.A. Memories, p. 162. It is not clear whether FitzPatrick's description of his meeting with Smuts, given here, refers to this meeting (for a discussion of this point, see below, pp. 81 et seq). But that he clearly envisaged the loan as providing the opportunity for raising other questions is indicated by his letter to Wernher (25th November 1898, A/LC VII) in which he explained that, should Kruger "want to talk to us about money...we should have some ideas of the terms on which it could be done, the objects of the loan, the control of the spending, the security, the guarantees of good faith in the way of legislation and the limitation of taxation".

46. Ibid., p. 167.

5% instead of 10% as at first proposed and that he had extricated pledges that it would 'never be increased'". FitzPatrick again accepted Smuts's bona fides and was sceptical only about the assurance that the tax would not be increased. His experience had shown that the Transvaal government's pledges were not to be relied upon. As far as the bewaarplaatsen proposal was concerned, Smuts agreed in principle that the Government should get only a "moderate" price, to be fixed by valuators representing both parties, and undertook to put the proposal to Kruger. He was less optimistic about the chances of obtaining the cancellation of the dynamite monopoly and of persuading Kruger to agree to a tax on dynamite sales as an alternative. "I'm afraid the dynamite people are too strong for us", he said. Kruger's mind was also "poisoned by the hangers-on who abuse the Capitalists". He suggested that the mineowners should offer the government a loan in order to enable it to shake off the hold of the monopolists and middlemen.(47)

The outcome of this meeting could hardly have given FitzPatrick much satisfaction. When Smuts placed the proposals regarding the cancellation of the dynamite monopoly and the offer of a loan to Kruger, he is supposed to have replied that "he was not going to be taught by a youth how to govern this country, that he was quite independent of such offers and could get any amount of money".(48) Kruger then attempted to rush through the Volksraad a proposal to prolong the dynamite monopoly for a further period of 15 years in return for a reduction in price of five shillings per case.(49) The Volksraad turned down the request but agreed to consider it at its February session. On receipt of this information, Chamberlain sent a telegram to Kruger, warning him that such an act would be construed a breach of the London Convention. At the same time, the Colonial Secretary urged the "leaders of the industry" to make a "firm protest" to the Transvaal government.(50) In accordance with this, FitzPatrick consulted E. Fraser,(51) the Acting British

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47. FitzPatrick to Wernher, 28th November 1898. A/LC VII.
48. FitzPatrick to Wernher Beit & Co., 3rd December 1898. Q2 A/LB XVIII.
49. Greene to Butler, 7th December 1898. C.0.879/55 Further Correspondence re S.A. Republic, p. 53.
50. Marais, op. cit., p. 244.
51. FitzPatrick to Wernher, 30th January 1899, "Private". A/LC VII.

Agent during Greene's leave, and then again discussed the matter with Smuts. After Smuts had not ruled out the possibility of cancellation, FitzPatrick put forward a new suggestion.(52) It was that the Chamber of Mines would advance the government an amount of £600,000 which could be used to compensate the Company for the loss of its monopoly. On January 31st he was able to inform Smuts by letter that he had secured the agreement of the leading finance houses to their being guarantors of the loan.(53) On February 2nd a special meeting of the Chamber of Mines was convened at which a public announcement was made of the offer to the government.(54)

From one point of view, FitzPatrick's success in obtaining unity in the Chamber in opposition to the proposal to renew the dynamite monopoly was a remarkable achievement. All the leading houses agreed to support the loan proposal. Even A. Goerz & Co. (representing the Dresdner and Deutsche Banks), whose attitude had hitherto been "somewhat uncertain",(55) co-operated. Fitz-Patrick, however, does not appear to have attached any importance to this. Nor did he see hope in the prospect of a Progressive Volksraad majority after the 1899 election.

> "We know these Progressives only too well", he observed. "We know that the Dynamite people were very busy among Volksraad members and we also know that they do not devote themselves to these gentlemen on account of their good looks....Who can possess an atom of faith after such unblushing examples of ratting as that of Lucas Meyer (and Louis Botha(56)) a year ago, Jacob van Wyk in the liquor debate a few months ago, and the scarcely less disgraceful running away of de la Rey and another - all lights of the 'Progressive Party'".(57)

It is therefore surprising that he continued to have faith in Smuts,

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52. Fraser implied that this was his suggestion (Fraser to the High Commissioner, 28th January, quoted in Marais, op. cit., p. 245). The idea was obviously discussed at the meeting between Fraser and FitzPatrick.

53. FitzPatrick to Smuts, 31st January 1899, "Private". RM FIT L/B II.

54. Fraser to the High Commissioner, 3rd February 1899. C.0.879/55 Further Correspondence re S.A. Republic, p. 205; C.9317 Correspondence re Explosives Monopoly in the S.A. Republic, p. 6.

55. Fraser to the High Commissioner, 3rd February 1899. C.0.879/55.

56. This phrase in parenthesis was added by FitzPatrick to the copy of his letter.

57. FitzPatrick to Wernher, 30th January 1899, "Private". A/LC VII.

who assured him of the growing influence of Reitz, who "in matters of principle and of importance like this Dynamite affair" could be counted upon "absolutely".(58)

This continuing trust was demonstrated a week later when the government advertised for tenders for the bewaarplaatsen.(59) This surprising move flatly contradicted the proposal which Fitz-Patrick had made to Smuts in November. Seeking elucidation, he called on Smuts and told him that the Chamber of Mines would not tender unless there was a clear understanding with the government that there was "no possibility of getting another tenderer for the whole lot".(60) He also repeated his argument that the settlement of the bewaarplaatsen question "offered a good chance to remove one of the great causes of irritation and creating a quieter and better feeling". Out of this "spell of peace" would arise the possibility of working towards reform.(61)

Smuts's reply - after claiming time to investigate the matter - was that the call for tenders "was not seriously meant". It was merely intended "to find out approximately what the companies would be prepared to offer".(62) Despite this further evidence of Smuts's inability to influence government decisions (or possibly of his doubledealing), FitzPatrick wrote to him and assured him that he did not hold him responsible for what had happened. Smuts replied with a note, inviting FitzPatrick to spend an evening with him:

> "Don't be discouraged. I think the time has come to wind up old quarrels and what better chance than the Bewaarplaatsen?"(63)

FitzPatrick thereafter met Smuts again a few days later. Smuts then told him that Kruger was willing to withdraw the notice which called for tenders and to ask the Volksraad to approve in principle the course which FitzPatrick had suggested (sale by valuation to the surfaceholders), but that the government would then be free to accept any tender above this.(64) FitzPatrick would not agree. While, he said, he had confidence in Smuts and

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58. Ibid.
59. Staatscourant, 5th February 1899.
60. FitzPatrick to Wernher, 6th February 1899. Q2 A/LB XVII.
61. Ibid.
62. FitzPatrick to Smuts, 10th February 1899. RM FIT L/B II.
63. FitzPatrick to Wernher, 20th February 1899. A/LC VII.
64. FitzPatrick to Wernher Beit & Co., 25th February 1899. Q2 A/LB XVIII.

in "one or two others", he was not prepared to trust the government as a whole. He also explained again that his bewaarplaatsen proposals must be seen as part and parcel of a general settlement of all outstanding grievances; that apart from this, the mine-owners had no urgent interest in the bewaarplaatsen because they would be able to "buy more cheaply from the intriguing syndicate than we can hope to buy from the government", particularly as most of the bewaarplaatsen could not be worked independently but would have to be acquired by the adjoining mine.(65)

Smuts undertook to speak to Kruger and met FitzPatrick again that afternoon. On this occasion he announced that Kruger had contended that it was impossible to do anything during the present session of the Volksraad and that the matter would have to stand over until May.(66) This FitzPatrick saw as an attempt to "lull us into inactivity" but, he observed, "we do not at the moment see what more we can do".

This then, was the position at the end of February 1899. In writing to Wernher at the end of the month,(67) FitzPatrick observed that it was "impossible to feel satisfied" about the dynamite and bewaarplaatsen questions. It was with difficulty that he was able to detect any reasons for optimism in the political situation. One cause for satisfaction was that a more competent editor was found for the Star(68) when W.F. Monypenny was appointed to the position. Also, FitzPatrick had played a leading role in the establishment of the Transvaal Leader, a morning paper which was established as a rival to the Standard and Diggers News.(69)

But these gains did not counterbalance the losses of the past

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65. Ibid.

66. Ibid.

67. FitzPatrick to Wernher, 27th February 1899. A/LC VII.

68. FitzPatrick had for some time been complaining about C.E. Finalson (see, for example, FitzPatrick to Phillips, 18th October 1897). W.F. Monypenny assumed the editorship early in 1899.

69. See FitzPatrick to Wernher, 27th February 1899. A/LV VII. The Transvaal Leader commenced publication early in 1899 edited by R.J. Pakeman. The capital of £40,000 was provided largely by Eckstein & Co., but in 1902 the majority of shares were sold to the Cape Times. In 1902 FitzPatrick explained that the intention was to oppose the Standard and Diggers News (to E.T. Cooke, 28th July 1902. Q2 A/LB XVII).

twelve months. The failure to make any progress at all in the direction of reform had been amply illustrated in the government's confident announcement in November of the new 5% tax on mining profits - a measure which it knew would arouse the united opposition of the interested parties. Similarly, the proposal to renew the dynamite concession coolly discounted and dismissed the expected opposition of the magnates. It followed, therefore, that the attempt to pressurise the government into reform by means of industrial unity had been revealed for what it was worth. Furthermore, the proposed tax on mining profits appeared to represent the complete failure of the capitalists' attempt to destroy the Republic's credit and then to force concessions at the price of offering loans.(70) Here, the Transvaal government had called their bluff and the bankrupcy of the move itself was revealed by FitzPatrick's failure to interest the government in the £2,500,000 loan.

It is a significant fact that the Transvaal government in this way provoked the capitalists at the very time that the South African League's agitation was getting under way. This again indicates its confidence in its ability to manage the magnates. One reason for this confidence was that, at the end of 1898, the Capitalists generally appeared more conciliatory. E. Evans, for example, reported from Johannesburg that there was now a general belief that "they can get what they want by means of bribing" and that they "dreaded" British occupation. In passing on this letter to Selborne, Greene commented that it was quite clear that the capitalists were "now fully in league with the Boer government".(71) Albu provided public evidence of this when, in an address to the shareholders of the Roodepoort United Main Reef Company, he argued that the government was "not as black as it is painted".(72) Another reason for the government's confidence may have been Smuts's

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70. Greene, for example, told Milner that the Transvaal government was convinced that "the exceedingly hostile attitude of nearly every financial house in Europe was entirely due to...a conspiracy arranged by the Johannesburg capitalists". Greene to Milner, "Secret", 15th July 1898. C.O.879/56 Secret Papers re S.A. Republic, p. 78.

71. Greene to Selborne, 6th November 1898, "Confidential". C.O.879/56 Secret Papers re S.A. Republic, p. 101.

72. C.O.879/49 Further Papers re S.A. Republic, p. 648.

success in persuading FitzPatrick (whom Smuts recognised as the leading capitalist strategist[73]) that there was a real prospect of reform by negotiation.

Yet a third reason for the Government's confidence may have been that it recognised that there was no link between the capitalists and the South African League.[74] It was, for example, the view of "Matt" Spence (Lippert's agent who was believed to have very close contacts with the government) that the League's agitation was tolerated because the government knew that the League was strongly opposed to capitalist domination.[75]

A remarkable feature of FitzPatrick's relationship with Smuts was, as we have seen, his faith in Smuts's genuineness. That Smuts sincerely desired reform he never doubted[76] (in fact the publication of the Smuts Papers have revealed that FitzPatrick was right[77]). But, at some stage during the many discussions which took place between November and the end of February, he obtained further insight into Smuts's thoughts. Exactly when this happened is in some doubt. In his reminiscences (written in the 1920s), he implies that the conversation took place during their November meeting.[78] However, FitzPatrick's reference to the fact that he had already seen Smuts on several previous occasions[79] and the statement that it took place in the afternoon, following discussions in the morning,[80] suggests that it occurred at their last meeting at

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73. See, for example, Smuts's statement as recorded by FitzPatrick, that he "knew perfectly well" that FitzPatrick was "at the back of it all". South African Memories, p. 169.

74. See, for example, the report of Fraser (18th January 1899 to the High Commissioner, C.0.879/55 Further Correspondence re S.A. Republic, p. 179). According to him, the entire committee belonged to the "highly educated professional class" and financiers fought shy of it. The leaders were emphatically not "men in the political service of Capitalists".

75. Greene to Graham, 28th October 1898. C.0.879/56 Secret Papers re S.A. Republic, p. 95.

76. See, for example, his statement (written in 1899) that Smuts and Reitz favoured franchise reform "but they are unfortunately entirely without influence over the President and his policy". The Transvaal from Within, p. 331.

77. See, for example, Selections from the Smuts Papers, I pp. 147, 181, 230, 168.

78. South African Memories, p. 167.

79. The Transvaal from Within, p. 166.

80. Ibid.

the end of February. FitzPatrick's account of this last meeting to Wernher Beit and Company[81] contains no reference to it. The point is fortunately not crucial (except that, if it took place early in the proceedings, FitzPatrick's continued participation in the discussions with Smuts would be difficult to explain). What is important - not least because it was to affect his attitude to the ensuing "Great Deal" negotiations - was that, in a weak moment, Smuts revealed his inner thoughts.

The occasion was FitzPatrick's explanation to Smuts that he envisaged a settlement of the mining grievances as a prelude to the settlement of the franchise question and then to a round-table discussion at which the imperial government would also be represented. When Smuts immediately dismissed this suggestion as being out of the question because it was "inconsistent with the dignity of an independent state",[82] FitzPatrick "let himself go" in urging him to reconsider. "Do you realise what it's leading to", he asked, "and what must inevitably happen if we don't make a supreme effort to get a settlement; do you realise that it means war?" Smuts replied calmly that he knew what it meant and, when FitzPatrick incredulously enquired whether he seriously contemplated a war with the Empire, Smuts replied:

> "...You may take the cities and the mines, for we would not meet you there, but for six or seven years we shall be able to hold out in the mountains...and long before that there will be a change of opinion in England. Other things will crop up, they will become tired and lose interest; there will be another general election and the Liberals will come into power....And <u>this time</u> we shall get all that we want".[83]

In his reminiscences, FitzPatrick declared that Smuts's statement was "a devastating end to my fine dreams". Henceforth, he felt that "nothing would come of" the talks and that "we must just go on as before with the dismal certainty of war before us".[84] His contemporary letters do not reveal any dramatic loss of faith before his final meeting with Smuts at the end of February. But

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81. FitzPatrick to Wernher Beit & Co., 25th February 1899. Q2 A/LB XVII.
82. <u>South African Memories</u>, p. 167.
83. <u>Ibid.</u>, p. 168.
84. <u>Ibid.</u>, p. 169.

his vivid account of this conversation with Smuts has a ring of truth about it. Although he may have dramatised it (as, indeed, he compressed the series of meetings with Smuts into one crucial meeting and also dramatised it into a last-minute attempt to avert war), there is no reason to doubt the element of truth. If this is so, it is permissable to state that by the end of February 1899 FitzPatrick's faith in Smuts had been badly shaken. Smuts had not been able to secure the measures which he had promised - most obviously in the case of the bewaarplaatsen and the dynamite monopoly. This seemed to destroy any hope of his being able to sponsor any other major reforms.

iv) The "Great Deal". February - March, 1899.

A few days after FitzPatrick's final meeting with Smuts, events took a dramatic turn. On February 26th Lippert visited Johannesburg and sought out E. Birkenruth, the Consolidated Gold Fields director. He told him that he had decided to liquidate and leave the country and that, before doing so, he wished to repay his "debt of gratitude to the place" by "bringing about a better state of affairs as between the different sections of the community".(1) Both Fitz-Patrick and Rouliot, on hearing of this, thought it an "elaborate joke",(2) but on the following day Rouliot attended the meeting which Birkenruth convened to discuss Lippert's proposals. The others present were Birkenruth, Brakhan and Lippert himself.

Lippert then outlined a programme of reform which, he said, he had already discussed with Smuts, Reitz and Leyds. Should the capitalists be prepared to open negotiations on the basis suggested, the three officials would attempt to persuade Kruger to agree. Two overall conditions were that the programme must either be adopted or rejected as a whole and that the matter must be kept absolutely secret. Lippert's proposals were that the capitalists should agree to "the cessation of press agitation" both in the Transvaal and in Europe; that they should support the government on the "coolie questions" and that there should be "severance from the South African League". With regard to the coolie question, Lippert explained that

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1. Report of Proceedings (of the meeting on 13th March 1899). Q-PR.
2. Ibid. See also Rouliot, Pierce, Brakhan and Birkenruth to the State Secretary, 14th April 1899. Reprinted in The Transvaal from Within, pp. 354 et seq.

he envisaged a memorial to the Imperial government to the effect that they "were entirely at one with the government" and regarded it as a "matter of internal concern". With regard to the South African League, what was wanted was a public repudiation of the organisation.

Lippert suggested that, in return for these concessions, the government should offer an "equitable arrangement" about dynamite; the appointment of a State Financier and State Auditor, "of European reputation", with a seat on the Executive; no new taxation on mining profits unless this were recommended by this new official after his appointment and the sale of the bewaarplaatsen at "moderate valuations" to the surface-holders. In addition, he suggested that burgher rights (including the franchise) should be granted after a period of five years residence in the Transvaal, subject to a property test.

A final proposal was that the leading finance houses should assist the government in placing a loan, should this be required.

According to FitzPatrick, these proposals were received with "inexpressible surprise".(3) The three capitalists who were present declared, however, that they were willing to open negotiations on this basis although Rouliot stated that he wished to consult his partners and this request was accepted after a "little demur".(4) Lippert then returned to Pretoria and on March 1st announced that Kruger had been approached and "was viewing the matter favourably"(5) and, at Lippert's request, cables were sent to the London offices of the Gold Fields Company, Wernher Beit and Co., and A. Goerz and Co. in order to establish whether there was support in London for the proposed negotiations.(6)

It was at this stage that FitzPatrick intervened and took the lead. Two "catches" seemed to him to be immediately apparent. The first was that it was more than a little strange that the approach should have come via Lippert, whose vested interests were in the dynamite concession. This suggested that the move was a complicated attempt to save the monopoly in the face of the Chamber of Mines' offer at the beginning of February to provide

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3. Report of Proceedings, 13th March 1899. Q-PR.
4. Ibid.
5. Rouliot and others to the State Secretary, 14th April 1899. The Transvaal from Within, p. 355.
6. Rouliot and others to the State Secretary, 27th March 1899. The Transvaal from Within, p. 345.

the government with the loan of £600,000 with which it could compensate the Company (a proposal which still hung in the air). The second ground for suspicion was that a major government objective appeared to be that of creating "estrangement between us and the imperial government".(7) These doubts existed quite apart from the fact that the proposals for reform did not include the reform of the High Court (which would provide a real guarantee of good faith).(8) Was the move not merely another adept attempt at sowing disunity among the Uitlanders by means of appeal to the self-interest of capitalists?

FitzPatrick's first move was to approach Smuts in person in order to attempt to establish to what extent it was true that the proposals had official backing. He travelled to Pretoria on March 3rd for this purpose. At their meeting Smuts told FitzPatrick that the Lippert proposals were "really the outcome" of his earlier suggestions. Smuts had considered the matter and it had occurred to him: "Why confine the settlement to the bewaarplaatsen only; why not make an effort to settle all outstanding questions?"(9) FitzPatrick then asked him why it was that Lippert was being used as an intermediary when he was "so liable to be suspected". Smuts replied that he had himself put this to Lippert who had replied that "he would frankly discuss that aspect of the case" with the Johannesburg capitalists. When FitzPatrick revealed that Lippert had said that he was unable to discuss any proposals about dynamite; that he had explained that this would have to be dealt with direct with the government representatives, Smuts replied: "Very well. That is all right. We can settle that amongst ourselves".

According to FitzPatrick's account of the discussion which then followed, Smuts then first asked how the capitalists stood on the coolie question?

> "I told him frankly that, like all others living in South Africa, we did not like the Coolies and at heart we could sympathise with the Transvaal Government's action, but that they must not ask us (as Lippert had suggested) to petition the Imperial Government, thus favouring the action of the Transvaal Government as against the action of the Imperial Government".

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7. Report of Proceedings, 13th March 1899. Q-PR.
8. FitzPatrick to Wernher, 4th March 1899, "Private". Q2 A/LB XVII.
9. The details of this meeting are obtained from FitzPatrick's letter to Wernher, 4th March 1899, "Private". Q2 A/LB XVII.

It was unreasonable, FitzPatrick contended, for Smuts to expect this because "it might justly be regarded as an impertinent interference on our part" and because, even if the capitalists agreed to sponsor a petition, they would "most assuredly fail to get the general public to sign". They would, in fact, be exposed to ridicule on the grounds that this would be contrasted with their refusal to support the petitions of the South African League. Smuts appeared to concede that FitzPatrick's attitude was reasonable and stated that the matter was not really crucial because there was every likelihood of its being settled "in a friendly manner within a month or so".

The discussion then touched upon bewaarplaatsen, on which subject Smuts assured FitzPatrick that the settlement would be by valuation and sale to the surface-holders. On taxation, he assured FitzPatrick that there would be no increase. As to the proposed appointment of a Finance Minister, he explained that the government would not consult the Johannesburg industrialists as this was "rather beneath the dignity of the government". However, he assured FitzPatrick that the appointment would be acceptable to them and hinted that John X. Merriman was being considered for the position, although Kruger was not in favour of the idea.

The franchise question was then discussed at length. Here Smuts explained that the five-year franchise outlined by Lippert would be retrospective. Convinced that he had discovered a major loophole in the government's proposals (which he was sure that Kruger and Leyds were also aware of), FitzPatrick asked how this five-year period would be determined. When Smuts replied that it would be determined from the date of naturalisation, FitzPatrick pointed out that this, in effect, meant that enfranchisement would only take place after the renunciation of British nationality. Furthermore, the proposal then meant that the general enfranchisement of the Uitlanders would not occur until five years after the passing of the new law. Smuts again conceded this point and agreed that a possible way out of the difficulty would be to take proof of residence for ten years instead of naturalisation.

FitzPatrick then put some "pretty searching questions" to Smuts. In particular, he wanted to know why it was that both Leyds and Kruger, who had for so long been regarded as the opponents of reform, had suddenly changed their minds. Smuts replied that

Leyds had been convinced by his experience in Europe. Everywhere he went he was met with hostility on account of the South African Republic's treatment of the mining industry. "You can believe me that Leyds is very genuine", Smuts said. "He wants to go and live in Europe and he wants his position to be a pleasant one". As far as Kruger was concerned, Smuts explained that he now realised that the future of the country depended upon making peace between the two sections and, as he was now aging, he wished to bring this about before his death or retirement.

When FitzPatrick asked about the anticipated opposition of the other members of the Executive and of the Volksraad, Smuts replied: "Well, of course we have not told the Executive everything, far from it. The President promises that he will support it and is confident he will get it through the Raad in secret session but we shall have to overwhelm the Raad with the magnitude of the proposal and get it through in that way. It must not leak out beforehand and be discussed".

One last question on which FitzPatrick sought elucidation was why there was a need for urgency. Smuts's reply was that the President was very old. It was "absolutely impossible" for him to keep a secret for more than a few days because he "forgets the importance of it and begins to talk". If any of the "thousands of adventurers" who were "well-suited by the state of affairs" got to hear about the proposals, there would then be "not the least chance of success".

Smuts's replies were by no means convincing. His version of the motivation of Leyds and Kruger was, to say the least, shallow. The statement that the Executive and the Volksraad could be convinced if taken by surprise, was equally incredible. FitzPatrick was more than sceptical. "I am positively certain", he wrote to Wernher on the day following the meeting, "that there is not the remotest prospect of anything on those lines and Smuts's attitude convinced me that he has been spoofed by Kruger and Leyds".

> "The whole thing is about as complicated and as puzzling as anything we have had and, if one is to venture at this stage upon a judgement, it would be that Smuts has told the truth and acted straight, that Leyds and Lippert, knowing his ideas, have seized the opportunity to work in a settlement of the Dynamite question and that the President is in with them".

FitzPatrick's distrust of the government's motives was increased when he learnt from Rouliot two days later that Rouliot and

Birkenruth had raised the question of establishing the independence of the High Court when their meeting with Lippert had taken place. Lippert had observed that this would "put the fat in the fire" and urged the capitalists not to make such a request because it would "spoil everything". FitzPatrick regarded this as being extremely significant because, immediately after seeing Smuts, he had argued that the cancellation of Law No. 1 of 1897 should be a first demand because it would be "a real test of their sincerity". His subsequent actions must, therefore, be seen as the result of his conviction that the government was not sincere in its offer. Although he was not sure what the government's intentions were, he argued that "where hostility and duplicity are so ingrained as they are in Kruger, Leyds and Lippert, it is sufficient to know what they really want us to do to determine us to go and do the exact opposite".

FitzPatrick's first act after seeing Smuts was to call on the British Agent in Pretoria. He told Greene about his discussion with Smuts and his impression that, while he believed Smuts to be genuine, he mistrusted the others and did not believe that the Volksraad would ever accept the proposals.(10) It is not clear whether it was Greene's suggestion at this meeting that Chamberlain should be informed. As Greene mentioned in his secret letter to Milner, written on March 3rd, that Ecksteins had sent a confidential cable to Wernher Beit and Co. (in addition to the cable which merely contained details of the government's offer), it is possible that the idea was FitzPatrick's. In any event, Greene's letter does not indicate that any discussion took place but gives the impression that FitzPatrick merely informed him of what had happened and promised to keep him informed. The outcome of this was that Wernher went to see Selborne in London.(11) It was after this meeting that Wernher Beit and Co. indicated its belief that the negotiations should be proceeded with (this being also the view of the Colonial Office).(12)

On March 9th Greene sent a message to FitzPatrick, with Samuel Evans acting as the intermediary. He wanted FitzPatrick

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10. Greene to Milner, 3rd March 1899, "Secret and Confidential". Milner Papers, 13.

11. Chamberlain to Milner, 10th March 1899. Secret telegram. Milner Papers, 13.

12. This point is discussed in greater detail below, p. 121.

to postpone his overseas leave in order to take charge of the negotiations on behalf of the Uitlanders. In Greene's opinion, FitzPatrick was the only person "able to undertake" this task. He also laid great stress upon the need for the Capitalists to negotiate as representatives of the Uitlanders as a whole.(13)

FitzPatrick's next move was therefore, to insist that Birkenruth, Rouliot and Brakhan were in no sense representative of the Uitlander community as a whole.(14) Other leading Uitlanders should therefore be admitted to the secret negotiations. When on March 9th Smuts, Leyds and Reitz met the three capitalists in Johannesburg to "discuss things finally", Rouliot insisted that this should be done.(15) The officials then "selected" H.F.E. Pistorius (the manager of E.W. Tarry & Co. and Chairman of the Johannesburg Chamber of Commerce) to "represent the Uitlander who desired the franchise"(16) and J.M. Pierce (of the Robinson Bank) to represent "the typical Englishman".(17)

Rouliot then insisted that, if the franchise question was to be discussed, the Uitlander representation should be widened further with the admission of FitzPatrick. (FitzPatrick had discussed this move at a preliminary meeting with Brakhan, Rouliot and Birkenruth(18)). Although Birkenruth supported Rouliot, and Reitz and Smuts appeared sympathetic, Lippert flatly refused to admit FitzPatrick because of his involvement in "the reform business". The unofficials then agreed to discuss "several points" generally, but argued that, "as no definite proposal regarding franchise could be submitted, no decision was arrived at". They stressed that, in their view, the meeting was only "a preliminary conversation with the object of exchanging views". Whatever was decided would have to be referred to the European financiers who held interests in the Transvaal and to the Uitlanders themselves.(19)

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13. Greene to Milner, 10th March 1899, "Private and Confidential". Milner Papers, 13.
14. There is no evidence to prove that FitzPatrick was directly responsible for this move. Rouliot made the demand at the meeting on March 9th. He clearly acted in close collaboration with FitzPatrick.
15. Report of Proceedings, 13th March 1899. Q-PR.
16. Ibid.
17. Ibid.
18. Ibid.
19. Rouliot and others to the State Secretary, 27th March 1899. The Transvaal from Within, p. 345.

In this way, the government negotiators were forced to reconsider their insistence that only the leading finance houses would be involved in the negotiations at the risk of weakening their own position; for the alternative would be the revalation that their intention was not to promote a general settlement, but to create Uitlander disunity. The meeting on March 9th was thus halted without any finality being reached. On the 12th Lippert admitted his weakness by implication when he convened a further meeting and invited FitzPatrick to attend.(20)

On the night of March 12th, immediately after receiving this invitation from Lippert, FitzPatrick paid a secret visit to the British Agent.(21) He told Greene that he still thought that Smuts and Reitz were genuine but that the sole aim of Leyds, Kruger and Lippert was to save the dynamite monopoly and to estrange the Uitlanders from the Imperial government. His strategy, FitzPatrick said, would be to propose that settlement of the dynamite question be postponed until the other conditions had been fulfilled. This would surely have the effect of "breaking up the whole negotiation". As far as the meeting the next day was concerned, he would take his stand on a retrospective franchise and redistribution. He would also insist on an independent High Court. Should the government representatives refuse to concede these, he would withdraw from the meeting and ensure that "the subject was not handled by anyone else".

FitzPatrick did not, in fact carry out these stated intentions on the following day. This may have been due to Greene's opinion that the negotiations should not be terminated, but there is no indication in his letter that he impressed this upon FitzPatrick. It is, however, probable that it was Greene's idea that FitzPatrick should attempt to concentrate upon the franchise question and then attempt to bring about a united Uitlander stand on this question.(22)

The meeting on the 13th was attended by Pistorius, Pierce, Brakhan, Rouliot, Birkenruth, Lippert and FitzPatrick. Lippert began by announcing what he called "the definite proposals" of the government (which were then cabled to London at his request)

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20. Rouliot and others to the State Secretary, 14th April 1899. Ibid., p. 355.

21. Greene to Milner, 13th March 1899. Secret telegram. Milner Papers, 13.

22. This is discussed below, pp. 120 et seq.

and he then read out a declaration, which he suggested those present should sign "on behalf of themselves and of their European friends". The document contained proposals which provided for the appointment of a Financial Advisor, and to establish the Auditor General's responsibility to the Volksraad. It then declared that, before the appointment of this new official, no fresh taxation would be introduced. It detailed a proceedure for the sale of the bewaarplaatsen mining rights by valuation to the surface-holders. With regard to dynamite, it promised an immediate reduction of five shillings per case and promised that the government would buy out the Dynamite Company on the expiry of the contract period. It then detailed proposals for the extension of the franchise. Naturalisation would be granted "to all seeking it" after a period of two years residence in the Transvaal. Upon naturalisation, the right to vote in elections for the Second Volksraad would be admitted. Voting rights for the First Volksraad would follow after a further period of five years. The government would, however, reserve the right to "extend the period of naturalisation for the right of voting for the election of a President". Also, it reserved the right to impose a "moderate" property qualification. As the passing of this law would involve twelve-months delay to enable it to be "submitted to the people" (when it would require a two-thirds majority), it would not come into operation until 1900, but the government promised that it would then be applied retrospectively, which meant that in 1900 full franchise rights would be granted to all Uitlanders who had been naturalised for a period of two years and who could then prove residence in the Transvaal for a period of nine years.(23)

There then followed a declaration in which the signatories declared that these reforms "will be hailed by us with great satisfaction as removing all obstacles to a friendly and peaceful development of mutual understanding and co-operation". They were also to dissociate themselves from press agitation. Recognising that "many evils" result from "indiscriminate immigration of coloured races", and in return for the government's assurance that

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23. Draft of Declaration to follow protocol embodying the resolutions agreed upon. The Transvaal from Within, pp. 358-9.

it would do all in its power to "facilitate in other ways the supply of labour", they were to declare their support for the government's treatment of "coolies and other coloured races". Finally, they were to express their satisfaction with the "final settlement" of the dynamite question and support the placing of a loan in the European markets, should the government decide to do so. The government was then to be permitted to publicise the settlement in whatever way it pleased.(24)

Having been admitted to the negotiations, FitzPatrick immediately took the lead. He began by seeking permission to infringe the terms of his pledge not to engage in politics for three years and, once this was given, declared his absolute refusal to sign the statement. He did so, he explained, not because he was necessarily opposed to the provisions which related to the franchise but because he was "not going to be a self-constituted representative of the Uitlander".(25) "You want me to sign....I will see you damned first". Lippert replied that he was empowered by the government to add to the number of representatives and asked who FitzPatrick had in mind. Fitz-Patrick replied that the leaders of the miners should be consulted and also Hosken, the outspoken Johannesburg businessman. Lippert protested that these men were "extremists". "Well, if you think so", FitzPatrick responded, "you should hear what they have to say....I would in your place. I would go to the extreme extremist, anything short of an assassin and say: 'Look here. You must have some sort of ideas and aims. Come on; out with them and let me know what you want. Let us talk like men'." Lippert, however, "would not hear of it" and the meeting broke up. FitzPatrick was not afraid that the negotiations themselves would be broken off because Lippert's dynamite settlement was "still in the balance" and "we still had to cable our friends in London".(26) FitzPatrick then stated that he would consult Smuts about it and Lippert agreed. In this way, FitzPatrick had again succeeded in manoeuvring Lippert into a position in which he had to choose between breaking off the negotiations and widening the Uitlander representation in them.

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24. Ibid.
25. Report of Proceedings, 13th March 1899. Q-PR.
26. Ibid.

FitzPatrick met Smuts later that morning. Smuts first contended that "on account of the rising of the Raad, it was almost impossible to discuss the matter with other people".(27) FitzPatrick insisted that he could see most of those he had in mind that afternoon, if Smuts would agree and would absolve him temporarily from his pledge and so permit him to address a secret meeting in Johannesburg. At the same time, he informed Smuts that, quite apart from his objections on the score of the franchise, he would not sign the statement because he was not prepared to repudiate the South African League publicly, nor was he willing to declare his support for the Transvaal government on the coolie question.(28) Despite this statement which must have made it clear to Smuts that there was now no longer any chance of obtaining unanimous agreement to Lippert's document, he agreed to allow FitzPatrick to convene the meeting.

It is not known who were present at the meeting that evening at the Rand Club.(29) Hull (for whom FitzPatrick had also obtained temporary absolution from the conditions of his pledge) opened the proceedings - somewhat unnecessarily in the circumstances - with a toast to the Queen. FitzPatrick then outlined to those present the recent happenings which had commenced with Lippert's visit to Johannesburg on February 26th. He then read the government's "final offer" and explained his reasons for refusing to sign it.

The franchise offer (which FitzPatrick saw as fundamental to the whole question) was, he argued, meaningless in view of the fact that there was absolutely no chance of its being agreed to by the Volksraad. Furthermore, Lippert had "in numerous instances betrayed the real motive" of the proposals (presumably, the retention of the dynamite concession for at least the remaining ten years of the original contract). He suggested that it might be worth considering accepting what was offered as a "first instalment" but

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27. Ibid.

28. Ibid.

29. The detailed account of this meeting is a TSS of a record which was made by an unnamed shorthand-writer. Ibid. According to Greene, there were twenty-four persons present. Among them were the President and Secretary of the South African League (Wybergh and Dodd), the President of the Chamber of Mines (Rouliot) and the President of the Chamber of Commerce (Hosken). Greene to Milner, 15th March 1899, "Private", Milner Papers, 13.

he made no secret of his belief that it should be rejected. To him the problem was how the proposals could be rejected so as to gain maximum advantage from them. The very fact that the offer had been made, he said, had "greatly strengthened" the Uitlander position because it admitted the need for reform even more explicitly than the Industrial Commission had done.

The essence of FitzPatrick's suggestion was that a statement should be drawn up which would embody the minimum Uitlander demands. In particular, the question of the franchise must be investigated and an attempt made to define the conditions upon which settlement could be contemplated. Having done this, an appeal should be made to the High Commissioner. The "nature and conditions of the whole compromise" would then be explained to him. On this occasion, they would explain to both the Transvaal government representatives and those of the Imperial government that they could not be expected to side with either of the two, but that they "would welcome a settlement of the coolie question". This approach would certainly be rejected by the Transvaal government (Smuts's reaction to Fitz-Patrick's similar suggestion in February was evidence enough of this). "None of you believe they will accept that solution", he declared. "Well, neither do I". The point was that this strategem would trap the Transvaal government into terminating the negotiations in such a way as to suggest that its proposals had never been sincere. This would enhance the Uitlander and also the Imperial case against the Transvaal.

It is not clear whether FitzPatrick's recommendations were accepted by the meeting. Although there is a full report of Fitz-Patrick's speech, there is no record of the decisions that were taken. According to Greene (whose informant was Samuel Evans) several other speeches were made and, in spite of the general belief that the whole affair was a mere "spoof", it was resolved to continue the negotiations in order to "induce the government to show its hand". Nothing of a binding character would be decided without an appeal to "the people of the Rand" at a public meeting.(30) This might be interpreted as being a general instruction to Fitz-Patrick to continue. The meeting also elected a consultative

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30. Greene to Milner, 15th March 1899. Private telegram. Milner Papers, 13.

committee, headed by FitzPatrick. The other members were H.A. Rogers, A. Bailey, Wybergh and Hosken.[31]

From FitzPatrick's point of view, the resolutions of the secret meeting were very satisfactory. Not only had he received what amounted to an endorsement of his actions; more important, he had succeeded once more in outmanoeuvring Lippert. Lippert had admitted FitzPatrick to the negotiations with great reluctance. He had then flatly refused FitzPatrick's insistence that other "extremist" Uitlanders should be consulted. Lippert had then been outflanked by FitzPatrick's approach to Smuts and Smuts's agreement to allow him to address the meeting in Johannesburg. The very fact of being allowed to convene this meeting gave FitzPatrick the opportunity to claim that he - and not the government-selected capitalists - was the true mouthpiece of Uitlander opinion. In presenting the details of the negotiations to the meeting in Johannesburg, FitzPatrick ensured that they were no longer "secret" and this, in turn, meant that it would no longer be possible for the government to parade an agreement signed by the small original body of negotiators as a general settlement unless its provisions were in fact generally approved of. In the final resort, too, the position now was that no settlement was possible without FitzPatrick's knowledge and approval (since he headed the new consultative committee which had been elected at the meeting). It is surprising that Smuts, who was no mean strategist, had so meekly allowed him to gain such an advantageous position.

There are, unfortunately, very few clues as to what occurred behind the scenes during the ensuing ten days. That FitzPatrick wrote nothing during this period is hardly surprising. On March 16th, in a lengthy speech, he outlined details of the scheme which he had been working upon whereby the leading finance house gave support to the Witwatersrand Council of Education in order to enable it to provide "an adequate system of elementary education for the Rand".[32] He was also, at this stage, consulted by Wybergh as to whether the second Uitlander petition should be

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31. Report of Mr. FitzPatrick's Speech at Johannesburg on 13th March, 1899. Milner Papers, 13.

32. The Star, 17th March 1899. This report was later forwarded by Milner to Chamberlain and published in C.9345, Papers relating to the complaints of British subjects in the S.A. Republic, pp. 76-79. See below, pp. 118-9.

presented while the Great Deal negotiations were still in progress.[33] He attended a conference with the leaders of the South African League at which it was decided that the petition should be presented as soon as possible.[34] These activities must have engaged a great deal of FitzPatrick's time and attention. Quite apart from these involvements, however, there appears to have been agreement that further action in Johannesburg should be postponed until news was obtained from London about the decisions of the London financiers who had been asked to express their opinion on Lippert's proposals.

The London meeting took place at Old Jewry on March 16th. It was attended by three representatives of the Consolidated Gold Fields Limited: Lord Harris (the Chairman), H.E.M. Davies and Sapte. Alfred Beit represented Wernher Beit and Company. Others present were J.B. Robinson, S. Neumann, G. Farrar, S. Joel and A.H. Marker (the lastnamed representing A. Goerz and Company).[35] At this meeting it was resolved that those present were prepared to accept the dynamite proposal (expropriation of the Company on the termination of the period of its concession, together with an immediate reduction on five shillings in the price of dynamite) but on condition that a satisfactory settlement to the franchise question was reached. They did not define what, in their opinion, would constitute a "satisfactory" settlement but stated that it must be popularly endorsed by the "unenfranchised community".[36]

The fact that this emphasis upon the franchise and the insistence upon popular approval dovetailed so exactly with what had occurred in Johannesburg might suggest that there was collusion. But this is not necessarily so. If FitzPatrick wrote to Beit on the subject, it is strange that no copies of such letters (or telegrams) survive. Nor was there any liaison via the British Agent in Pretoria, who merely kept the High Commissioner informed about what was happening. A more likely explanation for the common stand which had been made was that both FitzPatrick

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33. Greene to Milner, 17th March 1899, "Private and Confidential". Milner Papers, 13.
34. Greene to Milner, 18th March 1899. Ibid.
35. Precis of a meeting held on 16th March 1899. Milner Papers, 13.
36. Ibid. See also Chamberlain to Milner, 20th March 1899. Secret telegram. Milner Papers, 13.

and the London capitalists were falling in with a scheme which neither had devised. FitzPatrick's instinct had been, as we have seen, to terminate the Great Deal negotiations after his meeting with Smuts. It was Greene who apparently persuaded him to continue and who urged him to concentrate upon the franchise. If this is so, the London decision was influenced by the same considerations of imperial policy (Wernher had, for example, personally consulted Selborne). This question, involving the relationship between the Colonial Office, the High Commission and the Uitlander leaders will be discussed in the following chapter.

It was not until March 24th that the Uitlander leaders who had been nominated by the government met to consider their final reply to the government's offers. FitzPatrick, who might have been entitled to attend by appealing to the fact that Lippert had invited him to attend the meeting on the morning of the 13th, chose to operate from outside it. He had prepared a memorandum on the franchise which gained the appearance of popular endorsement by virtue of the fact that it was also signed by H.C. Hull, W. Dalrymple, W.A. Martin, T. Mackenzie, R. Store, J.G. Hamilton, T.J. Britten and H.R. Skinner.(37) The accompanying note addressed to Rouliot, Birkenruth, Brakhan, Pierce and Pistorius, stated simply that those who signed it begged to submit it "in response to the invitation from the Government...conveyed to us by Mr. E. Lippert". The memorandum stated that "it would be quite useless to approach the Uitlander population with the Government proposal in its present form" because no consideration was given to "residence already completed". Quite apart from this technical point, it argued that the proposed alteration to the franchise law was a "practical impossibility" in view of the fact that the change would require the approval of two-thirds of the burghers. In the last Presidential election, despite the general interest, less than two-thirds had voted. In addition, it argued that the present oath of allegiance on naturalisation was "humiliating and unnecessary" and that the government's proposals required persons to give up their citizenship but did not offer immediate alternative rights but "a period of disqualification". There was no guarantee that the expected rights would not be legislated away (as had been done

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37. The memorandum, with accompanying letter are quoted verbatim in The Transvaal from Within, pp. 350 et seq.

in the past) when they were on the point of maturing.

The memorandum suggested as an alternative that the government restore the pre-1890 position. This would mean the abolition of the Second Volksraad and the enfranchisement, upon naturalisation, of all Uitlanders who had resided in the Transvaal for a period of five years. As a token of the government's bona fides it suggested a "moderate proposal" for redistribution. The memorandum ended by stating that these suggestions were not intended for "public use" but were put forward in good faith as a basis for negotiation.

FitzPatrick presented this memorandum to the meeting and he and Hull were then invited by Rouliot (who was in the Chair) to join the discussions.(38)

The result of these deliberations was the drafting of the letter dated 27th March which presented the formal reply of Rouliot, Birkenruth, Brakhan, Pierce and Pistorius to the proposals.(39) After accepting the government's bewaarplaatsen proposals without demur, it agreed to the appointment of a financial adviser and auditor and promised to support a government loan. As far as press agitation was concerned, the signatories declared that they were powerless to do anything about it beyond declaring that a satisfactory settlement had been reached and so discouraging further agitation. While they were willing to discourage and repudiate political organisations which aimed at promoting dissension, they would not do so in the case of "legitimate representations". Regarding the Coolie Question, they insisted that this matter was governed by the London Convention and that it should therefore be discussed with the Imperial Government (a proposal which followed up FitzPatrick's suggestion at the Rand Club meeting on the 13th). They then declared their willingness to accept the "sacrifices" entailed in the government's dynamite offer, but insisted that they could go no further than recommend its acceptance to the Chamber of Mines.

The letter then went on to deal with the franchise proposals, which it described as "the vital point upon which a permanent and peaceful settlement must hinge". Here the significant points in

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38. Fiddes to Milner, 28th March 1899, "Private and Confidential". Milner Papers, 13.

39. Rouliot and others to the State Secretary, 27th March 1899. Quoted verbatim in The Transvaal from Within, pp. 355 et seq.

the government proposals were simply noted. While those who signed the letter were "willing to accept and recommend the acceptance of any fair scheme", it would then have to be approved by the unenfranchised community. "For your guidance" (the words were carefully chosen) "we enclose an expression of opinion which has been furnished to us by some of the most prominent Uitlanders and places before you the views of a very large and influential section of the community".

The letter ended with the plea that, in addition to the questions which had been raised, the government should assist the industry in the recruitment of native labour and that the law prohibiting the sale of liquor should be "maintained and strictly enforced". While they had "every confidence in the probity and honour of the Judges of the S.A.R.", they wished to place on record their desire that the independence of the Bench should be established.

It proved extremely difficult to obtain agreement on this reply. Brakhan proved the most troublesome. He first asked for a day's delay, hoping (according to FitzPatrick) that the government would break off the negotiations on account of the presentation of the second Uitlander petition on the 24th.(40) When the others refused, Brakhan announced that he would not sign. Pistorius interceded for him on the following day after the others had told him that he would be excluded altogether if he persisted. Finally, after what FitzPatrick described as "terrific manoeuvring", he was persuaded to sign but only after FitzPatrick's franchise proposals had been excluded from the letter itself and merely referred to as "an expression of opinion which has been furnished to us".(41) Although there was an appearance of unanimity, some of those who signed were in "a piddling funk" and would break away at the first sign of weakness, particularly as FitzPatrick had "spoofed" the "majority" into signing.(42)

There is no doubt that in FitzPatrick's view this letter brought the Great Deal negotiations to an end. The provisions that

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40. Fiddes to Milner, 28th March 1899, "Private and Confidential". Milner Papers, 13.

41. Milner to Chamberlain, 5th April 1899, "Secret". Milner Papers, 13. According to Milner, Birkenruth had also jibbed at the franchise proposals.

42. Fiddes to Milner, 28th March 1899, "Private and Confidential", Milner Papers, 13.

the dynamite proposal would have to be submitted to the Chamber of Mines and that any franchise settlement would have to be approved by the Uitlanders themselves flatly denied the government's request for secrecy in order to push the proposals through the Exeeutive and Volksraad. In any event, as FitzPatrick argued in the Memorandum, there seemed very little likelihood of the proposals themselves being accepted by a two-thirds majority of the burghers. Furthermore, the suggestion that the treatment of Indians in the Transvaal was an Imperial concern, was expected to produce immediate rejection.

The final break occurred when the details of the negotiations were published in the London Times on April 3rd and, some days later, the full text of the letter of March 27th appeared in the Cape Times.(43) FitzPatrick later claimed that he was responsible for this.(44) To what extent this is true is not clear. In his memoirs he states that on March 28th, when he visited Pretoria and handed the letter to Reitz, he provided P.C. Falconer (the Pretoria correspondent of the Cape Times) with the money which he could use to bribe a Transvaal official. Once again, the detail with which FitzPatrick related this story suggests that it must have a good deal of truth in it but that the meeting with Falconer did not occur on the 28th is suggested by the fact that he did not mention it to Greene that evening.

FitzPatrick visited the British Agent after dinner and stayed for about two hours, discussing matters with Greene and G.V. Fiddes, the Imperial Secretary in Cape Town, who was then visiting the Transvaal, at Milner's request, to investigate and report on the situation there.(45) The significance of this meeting will be discussed in the next chapter. The relevant point at this stage is that, on this occasion, Greene argued that it was "of vital importance that these negotiations should somehow or other become public property at a very early date".(46) FitzPatrick agreed but argued that there were "grave difficulties" (which are not

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43. Cape Times, April 6th 1899.

44. South African Memories, pp. 175 et seq.

45. Milner to Chamberlain, 27th March 1899, "Secret and Private". C.O.879/56 Secret Papers re affairs in South Africa, p. 21.

46. Fiddes to Milner, 28th March 1899, "Private and Confidential". Milner Papers, 13.

specified). If the government broke off the negotiations, then the details could be published. If not, he suggested that the proposed dynamite settlement should be placed before the Chamber of Mines. There, someone "not in the know" was bound to protest at the sacrifice without knowing what was being offered by the government in return and the details could then be produced. If this failed, FitzPatrick suggested that "the circle of those in the know" could be enlarged until "a bona fide indiscretion occurs". Whatever was done, he declared his wish not to be involved as he felt that "he had done his share". What was more, Smuts had "told him that he is morally certain that he [FitzPatrick] is at the bottom of everything". Should he be able to obtain proof of this, he would "put it into him for all he is worth".(47)

On March 30th, "feeling utterly finished and done-for" as the result of his exertions during this hectic period, FitzPatrick left Johannesburg for the Cape. He had also arranged with Greene to see Milner personally. In Cape Town he wrote a lengthy letter to Wernher, informing him of the position.(48)

> "Our position today is at its best", he declared. "We have been asked to suggest and negotiate and have done so and have taken up a position upon which it is impossible to improve. If we go on privately negotiating, we risk incurring suspicion and mistrust of the Uitlander population and must whittle away our excellent position as stated in the letter, for negotiation must mean giving way on both sides. It would be perhaps good policy for us to concede something in public negotiations at a later stage, but in private and in the first stages, it would be madness".

He then explained that, in order to publicise the negotiations, at least fifteen copies of the correspondence with the government had been made and then distributed to "all who have a right to it". Enquiring journalists had been refused information but had been told that "if they can get by hook or by crook the correspondence from the Government side, they will be doing a service". Failing this, Rouliot would attempt to goad the Standard and Diggers News "into some outrageous attack".

Even if it cannot be stated with certainty that FitzPatrick was personally responsible for the termination of the Great Deal

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47. This is confirmed by FitzPatrick's account of his meeting with Smuts, see South African Memories, p. 169.

48. FitzPatrick to Wernher, 6th April 1899. Q3 A/LC.

negotiations, he clearly was party to the strategem which made them public. On April 8th Reitz informed the signatories to the letter of March 27th that, in view of the publication of the proceedings, the government could not continue.(49) At this stage the government was doubtless pleased to find a pretext for doing this. Whether the motive had been to save the dynamite monopoly or to drive a wedge into the Uitlander ranks by means of bribing the leading mining houses with a bewaarplaatsen settlement, or whether the intention was to relax British diplomatic pressures by means of inducing leading Uitlanders to repudiate British policy, it was surely obvious, by the time that the Uitlander reply of March 27th was handed over, that the government plan had not worked. The negotiations had already been enlarged so that they were no longer a secret deal between the government officials and three capitalists. They had become Uitlander representatives insofar as they had declared their unwillingness to settle without a popular mandate. Furthermore, the five government-selected Uitlander representatives had signed, without public disagreement, a new declaration of Uitlander rights. The government now stood self-condemned by the very fact that it had offered reforms, thereby admitting their need. That the negotiations were continued by the officials despite these setbacks may be accounted for by the hope that capitalist divisions would reassert themselves. But, before this could happen, the details had been made public. The myth of unity was therefore maintained.

The government strategists had been outwitted. FitzPatrick grasped the situation at once and had been largely responsible for turning the tables. Milner admitted this when he told Chamberlain that, were it not for his three-year sentence, FitzPatrick would "probably soon become the recognised leader of the Uitlanders.... Even in spite of all disabilities, he had during the recent discussions succeeded to a remarkable extent".(50)

That FitzPatrick's actions had been to some extent co-ordinated with British imperial policy is obvious. In order that an assessment can be made of the way in which this interaction took place, a closer examination becomes necessary.

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49. Reitz to Rouliot and others, 8th April 1899. Quoted verbatim in The Transvaal from Within, pp. 351 et seq.

50. Milner to Chamberlain, 5th April 1899, "Secret". Milner Papers, 13.

CHAPTER III

REFORM OR WAR ?

i) The Uitlanders and the High Commission, 1897 - April 1899.

FitzPatrick was in close communication with the British Agent in Pretoria after his return to the Transvaal at the beginning of 1897. He called on Greene in February and it was at Greene's suggestion that he then attempted to bring about the reunification of the mining capitalists,[1] a move which failed at this stage because it needed the impetus of the Industrial Commission. J. Emrys Evans, who was appointed British Vice Consul in Johannesburg in August, was in constant touch with the Uitlander leaders[2] and one of the reasons for his appointment was doubtless the establishment of a regular channel of communication. In November, Greene summoned FitzPatrick in order to consult him about whether the Capitalists required the British government to intercede on their behalf with regard to the implementation of the recommendations of the Industrial Commission.[3] Thereafter, FitzPatrick had visited Greene twice in March 1898 - on the first occasion to discuss the position after his meeting with Milner in Cape Town and, on the second, to be informed that the British government had vetoed Milner's plan.[4] During the second half of 1898 and the first two months of 1899 Greene was in England on leave. After his return, during the Great Deal negotiations, FitzPatrick had kept Greene informed of developments and an exchange of views had taken place - either directly or through the agency of Samuel Evans.[5]

In addition to this contact with the British Agent, FitzPatrick twice consulted the High Commissioner in Cape Town: in February 1898 and again in April 1899, after the final Uitlander reply to the government's Great Deal negotiations had been handed to the State Secretary in Pretoria.

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1. FitzPatrick to Beit, 1st February 1897. RM FIT L/B I.
2. See, for example, J.E. Evans to Milner, 10th July 1898. Milner Papers, 9. According to Evans, he saw Samuel Evans "often".
3. See above, p. 63.
4. See above, pp. 65 and 66.
5. See above, pp. 88 et seq.

The question therefore arises as to the extent to which FitzPatrick's actions were in consequence of directives which he obtained from the High Commission. Before this can be established, it is necessary first to understand what Milner's intentions were and this, in turn, requires some account of his reliance upon Conyngham Greene. Greene took up his appointment as British Agent in the South African Republic at the beginning of December 1896. He was able to draw upon six months experience by the time Milner took up his appointment in the following May. Understandably, Milner had great faith in his judgement, particularly as they had both been educated at the same Oxford College.

On arrival in South Africa, therefore, and quite apart from any considerations of the official Colonial Office view, Milner accepted Greene's assessment that something constructive could be achieved. Greene's opinion was related to his attempts during February to bring about a united magnate front,(6) to his assessment of the possibilities inherent in Kotze's split with Kruger,(7) to the appointment of the Industrial Commission and to the expectation that these would encourage the growth of a Boer opposition to Kruger. In July he told the new High Commissioner that things were "going well". Kruger's health was such that it was unlikely that he would live for much longer. A new generation would change the Volksraad. "Once we can leaven that Assembly, then indeed we shall begin to get the tide aturning".(8) In mid-August he did not "take a very gloomy view of the situation" (referring to the report of the Industrial Commission) because at this stage the government could not ignore the interests of the mining industry if it was to succeed in raising loans.(9) Kruger might threaten to shelve the report but "the Rand people have taken Kruger's measure sufficiently by this time to know that his promises are

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6. Greene to Rosmead, 18th February 1897, "Confidential" and 25th February 1897, "Confidential". C.O.879/56 Secret Papers re S.A. Republic, pp. 44 et seq and 53 et seq.

7. See, for example, Greene to Milner, 18th June 1897, "Private". Milner Papers, 4. Also Greene to Milner, 2nd July 1897, "Very Confidential". C.O.879/56 Secret Papers re S.A. Republic, p. 110.

8. Greene to Milner, 18th July 1897, "Private". Milner Papers, 4.

9. Greene to Milner, 13th August 1897, "Private and Confidential". Milner Papers, 4.

valueless and that without a fait accompli in the way of reform, there is no use in throwing time and money away. For my own part, I think it much more likely that the Rand will frighten Kruger than that he will frighten them...."[10] Even after he had learnt that Lewis and Marks were negotiating to advance the government a loan, he observed that the only way in which Kruger's "obstinacy" could be broken down was "by the pressure of Boer and Uitlander alike". He did not think that such a development was impossible.[11]

Milner, taking his cue from Greene, was able to assure Chamberlain in August that significant developments were taking place in the Transvaal. Change was being slowly but surely produced by the Republic's financial embarrassment and by the "slow growth of opposition to the ruling oligarchy". Kruger's leading opponents - such as Kotze and Burger - would obviously lean more and more on Uitlander support and this, in turn, would lead to the extension of the franchise and so to a permanent improvement. For this reason he did not think that the time was then ripe for the British government to "cut in".[12]

This reference to the possibility of Britain's intervention reveals another aspect of the picture which Milner was building up of the Transvaal problem. This was his belief that the Transvaal government would respond to diplomatic pressures. The Executive Council's decision to rescind the Aliens Expulsion law at the beginning of May[13] seemed a perfect example. Greene was certain that this decision was reached because the Transvaal government was aware that "should Her Majesty's Government ever be reduced to the extreme necessity of resorting to arms, they would place the issue beyond all doubt".[14] Two months later he repeated his belief that Kruger was "sufficiently well posted" to

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10. Greene to Milner, 20th August 1897, "Private". Milner Papers, 4.
11. Greene to Milner, 15th September 1897, "Secret". C.O.879/56. Secret Papers re S.A. Republic, p. 125.
12. Milner to Chamberlain, 29th August 1897. Milner Papers, 6a Letter Books, 1897-8.
13. Marais, op. cit., p. 160.
14. Greene to Milner, 13th May 1897, "Confidential". C.O.879/56 Secret Papers re S.A. Republic, p. 98.

know that "if we go to war, we must in the end succeed and he has given proof of this knowledge by his recent action in respect of the Aliens Law".(15)

Again Milner accepted Greene's assessment. At the beginning of August he wrote to Chamberlain and gave it as his opinion that "we should be very patient with them, very conciliatory" because the interests of the "reformers" in the Transvaal would best be served by this. But, he argued, this demonstration of tolerance must be backed by a show of strength in order to underline the fact that "there is a degree of harshness, whether to Uitlanders or Natives, which means war with England". Faced with such a certainty, "even the most violent of the reactionaries will shrink, as they have shrunk already".(16)

This aspect of Milner's and Greene's reasoning is puzzling. In an historical perspective it seems almost incredible that they could have placed any reliance upon it when it contained obvious flaws. One such flaw was, for example, recognised by Greene himself when, earlier in the year he reported on a secret approach which was made by Judge Jorrisen to certain Uitlander leaders. After those present had been sworn to secrecy, a scheme was outlined in terms of which the Uitlanders would receive franchise rights on condition that those enfranchised renounced their nationality. Greene commented that a possible explanation for this might be an attempt to counter the pressures which were then being exerted in support of British demands about the Aliens Law. "If the Government found that any considerable section of the population was disposed to accept the olive branch, they might reply to any pressure which Her Majesty's government might apply by formulating some alluring scheme for a new understanding".(17) Clearly, Greene saw that the Transvaal government would have room in which to manoeuvre if pressed on the franchise question. Another obvious flaw (and this Greene also pointed out) was that there was

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15. Greene to Milner, 7th July 1897, "Secret". C.O.879/56 Secret Papers re S.A. Republic, p. 113.

16. Milner to Chamberlain, 2nd August 1897. Milner Papers, 6a. Letter Books, 1897-8.

17. Greene to the Acting High Commissioner, 5th April 1897, "Confidential". C.O.879/56 Secret Papers re S.A. Republic, p. 84.

likely to be a limit to what the South African Republic would concede in the face of pressures of this kind. The Volksraad, for example, might refuse to follow a presidential lead which proposed to enfranchise the Uitlanders or pressed "the claims of Johannesburg to the detriment of the Boer population". In such an event, Kruger might be forced to go to war.(18)

Milner appears to have been less aware of the weaknesses inherent in a policy of building up diplomatic pressures than was Greene. The only indication that he was at this stage conscious of them was his argument to Chamberlain that a policy of determined action, which would present Kruger with the choice between accepting reform or the destruction of the Republic's independence by Britain's superior military might should he refuse, was "quite compatible with a policy of conciliation".(19) What he does not seem to have considered was whether a conciliatory policy on the part of the Transvaal government would not make a diplomatic build-up difficult to create or maintain.

One reason why Greene and Milner may have been so willing to accept and to continue to hold this assessment of Kruger and of the possibilities for change in the Transvaal was that, then and later, this was the advice which was given to them by persons whom they consulted amongst the Uitlander and the "progressive" elements. Almost without exception, Kruger's opponents appear to have believed that the only certain way to success was via the threatened intervention of the paramount power. In February 1897, for example, Weinthal who was a well-informed newspaperman, gave it as his opinion that "things ought to be brought quickly and sharply to a crisis. I am convinced that when Oom Paul sees that business is meant, he will give way...."(20) Farrar said the same when he argued that diplomacy would have no effect unless backed by the show of strong force. The Boers would "probably 'bluff' up to the very last moment and are likely to appeal for help to other foreign powers; but eventually it is probable that they will yield without fighting".(21)

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18. Greene to Milner, 7th July 1897, "Secret". Ibid., p. 113.
19. Milner to Chamberlain, 9th July 1897. Ibid., p. 106.
20. Weinthal to de Reuter, 8th February 1897. Ibid., p. 22.
21. E.A. Altham to the Director of Military Intelligence, 8th February 1897. Ibid., p. 24.

FitzPatrick, as we have seen, held similar views. He had expressed the opinion that there were some matters on which the Transvaal government would not climb down[22] but at this stage he had not been explicit about the crucial issues on which Kruger was likely to refuse to yield. In the circumstances, the question was purely a theoretical one. At this theoretical level he saw the result of a diplomatic build-up as being that Britain would ultimately be forced to the realisation that she would have to put "an army of occupation into the country" in order to "put things right".[23]

The question of Britain's intervention in southern Africa was a purely theoretical one during 1897 for two reasons. The one was that, as Milner expressed it, "we have no fleet, nor, for the moment, the slightest public interest in England". Without these he could not contemplate embarking upon an aggressive policy. The second reason was that he and Greene had both detected grounds for optimism in the Transvaal itself. This optimism, although severely battered by the fizzling out of the Industrial Commission, was sustained into 1898 by the expectation that Kruger would have a "close shave" in the presidential election.[24] The result of this combination of powerlessness and hope was the deliberate avoidance, apart from the Aliens Law demands, of confrontation with the Transvaal government. Thus, in August, Milner held back a dispatch from Chamberlain in which the Colonial Secretary presented the British government's view that the dynamite monopoly was a breach of the London Convention.[25] When, in December, Milner forwarded this dispatch to Greene together with the suzerainty dispatch, he was careful to express his wish that the two dispatches should not be presented at the same time. "That would look too much like a deliberate demonstration - 'piling it up' as we did in April last....That can't, I think, be done every six months - not, at least, without seriously impairing the effect".[26]

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22. See above, p. 43.
23. See above, p. 42.
24. Milner to Greene, 11th February 1898, "Confidential". Milner Papers, 6a.
25. Marais, op. cit., p. 191.

Kruger's re-election and Kotze's removal certainly forced a reappraisal of the position, but they did not, as Marais would have it, change Milner's mood "from over-optimism to over-pessimism".[27] His private letters do not reveal any pessimism[28] nor, indeed, did FitzPatrick record any sign of it during their long discussion at Newlands in February, shortly after the news from the Transvaal had reached the Cape. On the contrary, Milner was bristling with ideas. He was rethinking his strategy and it is for this reason that FitzPatrick's record of this conversation is so interesting.

FitzPatrick wrote three accounts of the meeting.[29] Reliance must be placed upon these alone, because the notes which he made immediately afterwards[30] cannot now be found.

The first, a letter to Beit which was written soon after FitzPatrick's return to Johannesburg,[31] contains few details about the discussions which took place on matters of general policy. FitzPatrick told Milner that he did not see the point of imperial protests such as had occurred over the Aliens Act because these did "no good to anyone and only irritate the Boers and make them more circumspect". "I begged of him to remember this: that every time the British government give Pretoria a prod, Pretoria passes it on to us and...our feeling is that, unless the British government is determined to see the whole thing settled, it is better not to meddle but wait until they are so prepared. And when the day comes for the reckoning to be presented, it must not be settled by squaring the last item, which may only be a technical breach of the Convention, but the account must be settled in full from A to Z (the status of the Courts, the native policy, the franchise, redistribution of seats, language, customs, railways, Court of Appeal, etc.); settled once and forever so that we may have peace to follow our business and an end to all the South African turmoil and unrest". Milner ticked off each item with a nod and replied:

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26. Milner to Greene, 6th December 1898. Milner Papers, 6a.
27. Marais, op. cit., p. 205.
28. As, for example, Milner to Greene, 11th March 1899. Milner Papers, 6a. In this letter he argued that he did not view Kruger's re-election as a major setback because he had always envisaged change as occurring over "several years".
29. Lord Milner and his Work; FitzPatrick to Beit, 4th March 1898. Q3 A/LC; and FitzPatrick to Milner, 22nd February 1905. A/LB VI.
30. Lord Milner and his Work, p. 10.
31. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.

"Yes, that's it. No one can foresee what little incident may provide the occasion for presenting the bill, but it is assuming very large proportions and, in the meantime, we just keep on adding items and accumulating evidence". Later in the discussion, when they were dealing with the question as to whether certain members of the Transvaal administration should be retained in a reformed administration, Milner exclaimed: "...it's absurd to discuss that. There is only one possible settlement - war. It has got to come".

FitzPatrick's second account of the meeting gives a very different impression. It was part of his appreciation of Lord Milner, published early in 1925 in the Cape Times on the occasion of Milner's visit to South Africa.(32) The detail with which he here describes the discussion suggests that he then used the notes which he had compiled in 1898. According to this account, the franchise question was discussed "on its merits" and then in relation to the problem of establishing British suzerainty. Milner's reply was that:

> "It was not the word that mattered. The facts were still there without the word....Suzerainty or no Suzerainty, it would be impossible to tolerate arrangements with Germany which would give the latter a footing in the Transvaal for ends hostile to England and threatening the peace of South Africa....Suzerainty was not a provision hostile to the Transvaal's legitimate interests; it was a protective reservation in the grant of independence...."(33)

FitzPatrick immediately pointed out that "this view was not shared by the Boers" and to this Milner replied that "once the causes of friction were removed, as they could be by sensible negotiation, there would be no more thought or talk of war and enemies". FitzPatrick then asked him whether this meant that the British subjects in the Transvaal should accept the franchise at the cost of forfeiting their "status and rights as British subjects?" Milner stated that the "goal at which he aimed was settlement by negotiation, by peaceful means....Therefore, if in the terms of settlement the franchise should be conceded upon reasonable terms he expected that we would avail ourselves of it". He then went on to press FitzPatrick to agree to give his pledge that, if he

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32. Reprinted as Lord Milner and his Work.

33. Ibid.

were successful, FitzPatrick would be "the first to go forward and claim the franchise and sign the oath of allegiance".

The third reference by FitzPatrick to the meeting "under the oaktrees in the moonlight at Newlands" was in a letter which he wrote to Milner in 1905, on the occasion of Milner's retirement.(34) "Have you forgotten or did you ever realise", he asked, "what it meant to us?" He referred particularly to Milner's question: "How will Johannesburg people face it?" (he did not state what "it" was). FitzPatrick replied: "You can rely on them; of course everybody kicks a bit in the dentist's chair, but...." And to this Milner replied: "You put them in the chair. I promise you I'll never let go till I have it out!"

FitzPatrick's accounts appear contradictory. But this is not necessarily so when it is appreciated that there are three aspects to Milner's thoughts, for which he was using FitzPatrick as a sounding-board.

The first - and this was a view which he had held consistently ever since his arrival in South Africa in May 1897 - was that there was little to be hoped for from raising relatively minor issues with the Transvaal government under the London Convention. Such acts needled the Transvalers and kept the whole of southern Africa in a condition of excitement.(35) In this way, they helped to destroy prospects for a peaceful settlement. Even before the Anglo-German Treaty of August 1898(36) established at the diplomatic level the fact of British paramouncy in southern Africa, Milner was questioning whether there was in fact an external threat of this nature from a foreign power. For these reasons, he disagreed with Chamberlain's (or the Colonial Office's) attempts to demonstrate British suzerainty by means of diplomatic action. Milner argued that, instead of the effect of British pressures being wasted through the overuse of threats on insignificant matters, a cumulative case should be prepared. This he later referred to as the "final bill"; at the beginning of 1898 he referred to it as a "pyramidal grievance ...slab upon slab, each beautifully polished".(37) Once this case

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34. FitzPatrick to Milner, 22nd February 1905. A/LB VI.

35. See, for example, Milner to Greene, 11th February 1898, "Confidential". Milner Papers, 6a. (He explained to Greene that he did not believe in "useless protesting").

36. See Robinson, Gallagher and Denny, op. cit., p.

37. Milner to Greene, 11th March 1898, "Confidential". Milner Papers, 6a.

had been prepared, it should be presented to the Transvaal government (on "the great day of reckoning"[38]) and the demand for the redress of these grievances should then be supported to the hilt by Britain. There would then be one great crisis, used to maximum effect. In this aspect of his thinking, Milner was absolutely consistent. His major objective was to induce the British government to define its demands and then to present them. He was still pursuing it when war broke out in October 1899.

The second aspect to Milner's thinking was that he believed that it would be in Britain's interest to enfranchise the Uitlanders. In this respect he disagreed absolutely with the established view in the Colonial Office that a reformed Transvaal would pose a greater threat to Britain's position than did Kruger's Dutch Republic. This view also conflicted with the proposition, faithfully adhered to by Chamberlain, that the key to the South African problem lay in Lorenco Marques. The idea that the Uitlanders should settle for a reasonable franchise - even at the cost of losing their status as British subjects - was one that he expounded to FitzPatrick to the extent of extracting from him the promise that he would provide a lead in such circumstances and be the first to renounce his British citizenship and so qualify for the vote. Despite the obvious weaknesses in this line of thought Milner defended it staunchly. It was paradoxical that "the only effective way of protecting our subjects is to help them to cease to be our subjects".[39] In May of 1899 he wrote to Sir Walter Hely-Hutchinson, the Governor of Natal, who had questioned the soundness of the idea: "...I am not afraid that, if the Uitlanders are admitted to power by our aid and it is <u>toute evidence</u> that they would not have got it otherwise, that they will turn and rend us... ..In any case, I cannot see how a Transvaal which is either Anglicised or, like the Cape Colony, neutralised by an Anglo-Dutch fight on equal lines, can be a danger to us and the focus of disaffection in all our possessions which the Transvaal is today".[40] The enfranchisement of the Uitlanders was, of course, an essential

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38. <u>Ibid</u>.

39. Milner to Chamberlain, 4th May 1899. Telegram. Headlam, <u>Milner Papers</u>, vol. I, p. 348.

40. Milner to Hely-Hutchinson, 12th May 1899, "Very Confidential". <u>Milner Papers</u>, 6b.

part of any final bill of reckoning (it was one of the guarantees against relapse). But Milner did not view enfranchisement only as part of a general settlement; he saw it as a settlement itself. This point will be illustrated in relation to the Great Deal negotiations and the events which followed their breakdown.

The third aspect of Milner's thinking concerned the need for war against the Transvaal. There were occasions when Milner felt that war was unavoidable, in the sense that what was needed in South Africa was the military occupation of the Transvaal in order that a new, reformed British state could be constructed there. (His observation to FitzPatrick that "there is only one possible settlement - war. It has got to come", is an example). But to argue that Milner set his sights on war and would be satisfied with nothing else[41] is a dangerous simplification. His reasoning on this point was extremely subtle. In the first place, war entered his calculations because, as he argued to Chamberlain in February 1898, when the "final bill" was presented, it was of the utmost importance that this should be backed by an absolutely genuine threat to the effect that the alternative was war. In the second place, Milner rationalised the use of force by arguing that, if in such a situation (the Transvaal having been presented with the choice between accepting the terms of an ultimatum and the alternative, war), the South African Republic refused to reform itself, then it followed that war was, indeed, inevitable and the sooner it was fought, the better. In this connection, it must be pointed out that Milner believed that, if the Transvaal were forced to choose between reform and war, it was likely to choose the former. Thus, when Milner explained to Chamberlain that the only possibilities in South Africa, were "reform or War",[42] he was postulating these as alternatives.

Before the "reckoning" could be presented to the Transvaal government, it was necessary that Milner should be provided with justification in the form of an appeal by the Uitlanders. He envisaged the Kotze crisis as being used for this purpose and suggested that FitzPatrick should arrange a public address in

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41. As, for example, does le May, op. cit., pp. 12 et seq.

42. Milner to Chamberlain, 2nd February 1898. Headlam, Milner Papers, vol. i, p. 222.

support of Kotze.[43] FitzPatrick was careful to explain that his first loyalty was to his firm, of which he had now become a partner.[44] "Ecksteins are not political agents but a business firm desirous of pursuing their own business in a legitimate and unhampered fashion and politics only concern us where they touch our business". Furthermore, should he be found to have engaged in politics despite his pledge, he was likely to be banished from the Transvaal and his firm "mercilessly treated".[45] Although Milner promised to back FitzPatrick in such an event, inferring that his expulsion from the Transvaal would itself become an incident which could be used to justify British intervention, FitzPatrick refused. The result was that, after his return to Johannesburg, instead of the public address, he established a fund in Kotze's honour, to which the leading finance houses contributed.[46]

Shortly after this conversation took place, the South African League planned to take up Kotze's case and organise a public demonstration.[47] This would suggest that it was FitzPatrick who provoked the League to do this. However, FitzPatrick had no connection whatsoever with this organisation.[48] Not only was the League distrusted by the Rand capitalists,[49] FitzPatrick was, of course, anxious to avoid overt political action and particularly association with its radical imperialism. Furthermore, the decision by the League to support Kotze was made while FitzPatrick was still

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43. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.

44. Cartwright, The First South African, p. 82.

45. FitzPatrick to Beit, 4th March 1898. Q3 A/LC.

46. Ibid. The contributors were Ecksteins, Barnatos, The Consolidated Gold Fields, Farrar, Robinson and Sam Marks.

47. Report of S.A. League Congress, 26th February 1898. C.0.879/49, p. 188.

48. Except that his friend, Naph Cohen, was a prominent member. See Bitensky, op. cit., p. 51.

49. See, for example, Fraser to the High Commissioner, 18th January 1899, C.0.879/55. Further Correspondence re S.A. Republic, p. 179. Fraser's view was that the financiers fought shy of the League. Also, T.R. Dodd and P.A. Ogilvie (two prominent members of the League) to Greene, 30th October 1898, C.0.879/56 Secret Papers re S.A. Republic, p. 95. According to them the capitalists distrusted the movement because it was a "popular agitation". Wybergh's forced resignation from the Consolidated Gold Fields, following his election as President of the League in 1898 is another case in point. Farrar was apparently in regular touch with the League (see Webber, op. cit., pp 95 and 99-100) but Farrar was then in England.

in Cape Town (on the 26th - FitzPatrick returned on the 28th of February). If, therefore, there was collusion between Milner and the South African League at this stage, it occurred via Greene and not through FitzPatrick.

Milner's attempt to prod the British government into action at the beginning of 1898 met with no success at all. Selborne replied to his "reform or war" letter in a confidential letter.(50) He stressed that, while Britain's object was "the future confederation of South Africa under aegis of the Union Jack", the result would be more "durable and valuable" if this were achieved peacefully. The use of force could be contemplated only if it were clear that British confederation would be endangered by the refusal to do so. In such an event, it would also have to enjoy the "practically unanimous consent of the British in South Africa", the "moral assent" of as many Dutch "as possible", and the practically unanimous approval of the British public. It was still a "waiting game", declared Selborne. The only valid reason for going to war, as far as he could see, would be the refusal of the Transvaal government to annul or redress particular acts when asked to do so by the British government.

As soon as he had arrived in England on leave, Greene visited the Colonial Office and secured an interview with Chamberlain. He reported to Milner that, although Graham and Selborne favoured "action", Chamberlain had explained that a harder line in South Africa would not receive Opposition support or even that of a large number of government M.P.s.(51) In November, Milner himself visited England. He too failed to persuade Chamberlain or the Cabinet to give wholehearted support to his strategy. During his return voyage to Cape Town, he declared his intention of advancing matters by his own actions, believing that he would "have support when the time comes".(52) It seemed to him that it might be possible for him to bring about a situation of crisis in South Africa and that, once this had been done, the British government and public would respond to the crisis. In this way, he would be able to make real threats in support of demands upon the Transvaal government.

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50. Selborne to Milner, 22nd March 1898, "Confidential". Milner Papers, 5.

51. Greene to Milner, 22nd July 1898, "Private". Milner Papers, 5.

52. Headlam, The Milner Papers, i, p. 302.

It is a measure of his misjudgement that he did not foresee the many consequent complications which this decision implied.

How did this new resolve affect Milner's Transvaal policy? One result was that he persuaded Chamberlain, prior to his departure from London, to challenge the Transvaal government's attempt to renew the dynamite monopoly as an infringement of the London Convention.(53) He also urged Fraser (Greene's temporary replacement in Pretoria) to suggest to the Chamber of Mines that it make a "strong but temperate protest" which should be made public.(54) On January 28th Fraser informed the Colonial Office that he had "arranged" for this to be done and that the Chamber would also offer the Government the loan of £600,000 with which it could compensate the monopolists.(55) This statement of Fraser's is less than accurate. What had in fact happened was that Fitz-Patrick had called upon Fraser and had informed him of the suggestion to offer the loan. This loan had not already been guaranteed, as Fraser claimed, because it was only on the 31st that FitzPatrick was able to inform Smuts that the leading finance houses had agreed.(56)

According to Marais, the decision to send the protest about the dynamite monopoly had "momentous consequences".

> "Chamberlain entered into an understanding with the mining magnates. Henceforward their leading spirits acted in close concert with him and his representatives. Milner and Greene were thus able to reconstitute the reform movement of pre-raid days on the Rand with some of the magnates taking a share in public."(57)

This description of the situation is confusing. It does not state who the "leading spirits" were, nor does it make it clear precisely how they acted in "close concert" with Chamberlain. Also, as will be seen from the ensuing discussion of the Great Deal negotiations, the parallel with the Reform movement of 1895, with its closely-knit action committee, is hardly an accurate description at this stage.

What the Chamberlain telegram undoubtedly did was to provide FitzPatrick, at least, with a signal that the Colonial Office might

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53. See Marais, op. cit., pp. 244-5; le May, op. cit., pp. 16-7.
54. Marais, op. cit., p. 244.
55. See above, pp. 76-7.
56. Ibid.
57. Marais, op. cit., p. 245.

be swinging onto the offensive. It is therefore significant that he apparently informed Fraser that there was no hope of cancellation "without an ultimatum" and added that the Chamber of Mines did "not at all expect" this to occur. Beyond kindling such a hope, it is difficult to see that the consultation with Fraser was at all significant. Fraser, in fact, due to his indiscreet criticisms of Milner and his "megalomania" had forfeited the confidence of both FitzPatrick and Wybergh.(58)

It was during this period, when the links between the Johannesburg leaders and the British Agent in Pretoria were at their weakest that three developments occurred which were to be of such importance to Milner and Greene after their return to South Africa at the end of February, 1899. The first was the drawing up of a petition to the Queen. As is well known, the incident which sparked off the South African League's concern was the shooting of Edgar by a Transvaal policeman.(59) On December 24th the League called a meeting in Johannesburg. One of the advertised purposes of the meeting, according to Wybergh,(60) was to endorse a petition to the Queen which would pray for the protection of British subjects in the Transvaal. Fraser, however, insisted that he did not anticipate a petition but only a verbal protest to the British Vice-Consul in Johannesburg.(61) He then refused to accept the petition when it was presented to him. Wybergh immediately demanded to know why Fraser had done this and was informed that the reason was that the contents of the petition had been published.(62) He then immediately set about collecting signatures for a new petition with the intention of presenting it in accordance with Fraser's requirements.

It is not certain that the originators of the petitions

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58. Greene to Milner, 9th March 1899, "Private". Milner Papers, 13.
59. See Marais, op. cit., p. 237 et seq.
60. Wybergh to Greene, 6th March 1899. C.9345 Papers re Complaints of the British subjects in the S.A. Republic, pp. 144-7.
61. Fraser to the High Commissioner, 28th December 1898. Ibid., pp. 113 et seq.
62. Fraser to Wybergh, 10th January 1899. Ibid., pp. 132-3.

(Presumably Wybergh and Dodd) realised their political potential.[63] FitzPatrick recalled that "not very many people realised at the time the importance of the change in procedure".[64] The cleverness of the move was that it placed the British government in an awkward dilemma. If it ignored the appeal, the loyalty of the British Uitlanders was likely to be affected and the result would, in his opinion, be "the death-knell of the Empire in South Africa".[65] If, on the other hand, the pleas of the Uitlanders were responded to, Britain would become more involved in the Transvaal's affairs as the champion of Uitlander rights. It was political blackmail. There can be no doubt that Milner saw the possibilities and, after his return, contact with Wybergh was re-established through Greene. In this way he could hope to time the presentation of the second petition for maximum effect.

The second event of importance to occur during Milner's absence was the Great Deal. The Transvaal government's offer was made on February 26th but, as we have seen,[66] this was really the sequel to the discussions which FitzPatrick had been carrying on with Smuts for some time prior to this. FitzPatrick informed Greene of the government proposals on March 3rd. Thereafter, Milner was in a position to influence the negotiations.

The third development which Milner was to exploit was the establishment of a fund to assist the Witwatersrand Council of Education. According to Professor Horton, the Chamber of Mines decided to support the Council of Education after it "had received confidential assurances from the British Colonial Office that it would receive the British Government's backing in its demands on the Republican Government".[67] While it is true that the Chamber of Mines formally agreed to support the scheme on March 16th (after

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63. Webber (op. cit., pp. 99-100) afterwards claimed that the idea of a Petition originated with Farrar in London. He arranged for Chamberlain to be asked in the House of Commons whether the British government intended to aid its subjects in the Transvaal. Chamberlain replied that no request for assistance had been received. Farrar thereupon urged the South African League (with which he was in constant touch) to draw up the Petition.

64. The Transvaal from Within, p. 335.

65. Ibid.

66. See above, pp. 74 et seq.

67. Horton, op. cit., p. 11.

the wishes of Greene or of Milner could have been made known), FitzPatrick had in fact been working on this scheme independently since September 1898. There is no suggestion in his letters that his interest was anything other than a genuine concern, kindled by another appeal for financial support from the Council of Education.[68] This induced him to approach Beit[69] and to canvass support from the wealthy Uitlanders for a more ambitious scheme "to provide a complete education system: free schools, poor schools, grammar schools and a college where anything up to B.A. and M.A. could be within reach".[70] Beit agreed to contribute £25,000 towards the £100,000 which, it was estimated, was needed to start the scheme. By February 1899, FitzPatrick had succeeded in securing other donations,[71] so that this first estimated capital outlay seemed assured. His appeal to the Chamber of Mines on March 16th was, therefore, supplementary to this and embraced a proposal that £15,000 a year would be provided by an annual levy on the companies which were represented in the Chamber.

From the foregoing it is clear that the High Commission played no part at all in the initiation of the first or the second petition, of the Great Deal negotiations, or of the Education proposal. Milner merely seized the opportunity which these offered after his return from overseas. His motive in encouraging the presentation of the second Uitlander petition was clearly to provide the pretext and the justification for Britain's intervention in the Transvaal's affairs. Once accepted, it would also draw Britain into further involvement. His motive in drawing Chamberlain's attention to the education scheme[72] was to counteract the popular view (which Chamberlain shared[73]) that the

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68. Eckstein & Co. to Wernher Beit & Co., 15th January 1898. Q2 A/LB XVIII. Cf. Jeeves, The Rand Capitalists, p. 26. He states erroneously that FitzPatrick "suddenly" revived the issue in December.

69. FitzPatrick to Wernher, 12th December 1898. Q2 A/LB XVII. (This refers to an earlier letter to Beit).

70. FitzPatrick to S.J. Jennings, 26th September 1898. RM FIT L/B IV.

71. For a list of donations, see Horton, op. cit., Appendix A. £65,000 had been contributed by March 16th. See Star report, 17th March 1899.

72. Milner to Chamberlain, 22nd March 1899. C.O.879/55 Further Correspondence re S.A. Republic, p. 328.

73. Robinson, Gallagher & Denny, op. cit., p. 432.

Randlords were motivated solely by self-interest in political matters. This might help to overcome hesitations about the wisdom of Britain championing the Uitlander cause.

The purpose of this attempt to bring about British pressure upon the Transvaal Republic was not to steer events in the direction of war but to supplement Milner's strategy in relation to the Great Deal. Immediately upon hearing the details of the government offer (which FitzPatrick had communicated to Greene on March 3rd), he telegraphed Greene:

> "My view, as you know, is to keep in the closest possible touch with the Uitlanders. If they ask our advice, we ought not to refuse to give it. The more they rely on us the better as, while they look to us, they will neither do anything rash, nor come to terms with the South African Republican government behind our backs....I am all for the Uitlanders negotiating and coming to terms <u>if they can</u>. But I think they can afford to be stiff in the bargain, for it is evident that...the South African Republic's government begins to find its position intolerable".(74)

In his secret telegram to Chamberlain two days later, Milner gave it as his belief that the Transvaal government was "frightened" and was prepared to pay a substantial price to "get rid of" the South African League. The offer, he said, was a "good one" and should be discussed in a "friendly spirit". He suggested that the Uitlanders should insist upon the franchise and redistribution.(75) On March 8th he wrote to Selborne and expressed the opinion that the South African Republican government was "weakening". "This situation, if well managed, may result <u>in some real reform for the Uitlanders as a body</u>. The danger is that the big financial houses will think only of themselves...and give away the bulk of the Uitlander population and the Imperial government to boot".(76) He suggested that FitzPatrick, Beit and Wernher were "capable of taking the broader and more statesmanlike view. I think they will follow our advice if only we will give it and we ought to give it".

Milner's telegrams to Chamberlain and Selborne produced a reply on March 10th. In it, Chamberlain agreed that the government

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74. Milner to Greene, 3rd March 1899, "Confidential". <u>Milner Papers</u>, 6b.

75. Milner to Chamberlain, 5th March 1899. Secret Telegram. C.O. 879/56. <u>Secret Papers re affairs in S. Africa</u>, pp. 11-12.

76. Milner to Selborne, 8th March 1899. <u>Milner Papers</u>, 6b.

offer should be taken seriously. He suggested, however, that the Capitalists who had been approached must not give any undertakings on behalf of the Uitlanders as a body but should undertake only to "use their influence". As far as political reforms were concerned, he suggested that a "genuine municipality" for the Rand should be insisted upon "before anything else".(77) Milner agreed, with the reservation that, although he thought that a genuine municipality would be preferable, it would be much harder to obtain than the franchise.(78) Milner then informed Greene of Chamberlain's views and suggested that the Uitlanders should either go for "complete control of their local affairs" (which the Transvaal government was extremely unlikely to grant) or a genuine measure of enfranchisement - he suggested a five-year retrocpective franchise and redistribution. The difficulty would be to communicate this advice to the Uitlanders; "I see more and more that, if anything is to be done, we need to be in closer touch with the Uitlanders. But, at present, they have no really representative men and those who do approach us, like FitzPatrick, do so by fits and starts".(79)

Greene's first opportunity to get in touch with FitzPatrick occurred on March 9th when Samuel Evans called to see him on FitzPatrick's behalf.(80) Greene told Evans of Milner's attitude and particularly his belief that the Uitlanders should come to terms, provided that satisfactory terms could be obtained. He also laid stress on the need for the Capitalists to negotiate only as representatives of the Uitlanders generally and asked Evans to "implore" FitzPatrick to cancel his leave and lead the negotiations. If FitzPatrick were to succeed in bringing about a settlement, he would get credit for "the greatest thing in the way of conciliation ever recorded in this country".(81)

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77. Secretary of State to Milner, 10th March 1899. Secret Telegram. Milner Papers, 13.

78. Milner to Secretary of State, 11th March 1899. Secret and Confidential Telegram, ibid.

79. Milner to Greene, 11th March 1899. Ibid.

80. See above, p. 88.

81. Greene to Milner, 10th March 1899. "Private and Confidential". Milner Papers, 13.

At this stage, the effect of Greene's intervention was that, when on March 9th the Capitalists met the government representatives for the second time, Rouliot insisted that other Uitlanders (and particularly FitzPatrick) should be admitted to the discussions and that any decisions regarding the franchise would have to be referred to the Uitlanders themselves.(82) Thereafter, while the negotiations were suspended, pending Lippert's decision to bow to the demand that FitzPatrick be admitted to them, Greene and Milner were uncertain whether FitzPatrick would approach them again (as is revealed in the telegram which Milner sent to Greene on the 11th).(83)

It was fortuitious that, on the day after Milner expressed this view to Greene, FitzPatrick called upon Greene in order to inform him about the negotiations.(84) At this stage, FitzPatrick had just received the invitation from Lippert to attend the meeting on the following day. FitzPatrick, as we have seen, declared his absolute distrust of the government negotiators (apart from Smuts) and his belief that their motive was to save the dynamite monopoly and to estrange the Uitlanders from the imperial government.(85) He also told Greene that he intended to bring the negotiations to an end, either by proposing the postponement of the dynamite question until the other conditions had been fulfilled, or by taking a stand on a retrospective franchise, redistribution, an improved jury system and an independent High Court. Although Greene did not provide a detailed account of his conversation with FitzPatrick, there is no doubt that he persuaded him not to take such a strong line, to drop the insistence upon the High Court and to continue the negotiations by concentrating upon a five-year retrospective franchise such as Milner had suggested. In fact, Greene disagreed with FitzPatrick's view that the position was hopeless.

On March 14th Milner telegraphed Greene, after receiving details of this meeting:

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82. See above, p. 89.

83. Milner to Greene, 11th March 1899. Milner Papers, 13.

84. See above, p. 90.

85. Greene to Milner, 13th March 1899. Milner Papers, 13.

"I am glad FitzPatrick is keeping you informed. I think on your side to inform him of increasingly defiant attitude of South African Republic's government to Her Majesty's government. I say this not to prejudice negotiations or alter attitude of Rand representatives (which, as described by FitzPatrick, seems thoroughly statesmanlike) but because it is a fact of importance bearing on situation which he ought to know. What he says of State Secretary and State Attorney agrees with my own impression. But I incline to believe that Leyds is the real inspirer of the present policy and, if so, it is in my belief nothing more than a didge to divide Uitlanders especially in view of approaching presentation of petitions".(86)

This telegram indicates that Milner had qualified his optimism but, although he expressed some doubts, he had certainly not lost faith in the negotiations.

There then ensued, on March 13th, the meeting between the "Uitlander representatives" (including FitzPatrick) and Lippert. FitzPatrick, in accordance with his discussion with Greene the previous evening, focussed attention upon the franchise, refusing to sign the final settlement because he wanted it to be referred to a representative Uitlander meeting.(87) After obtaining Smuts's permission, he then addressed the Uitlanders whom he had invited to the Rand Club that evening. On this occasion, it will be remembered, he again fastened upon the franchise question, although he again expressed the view that, in his opinion, it was pointless to proceed and advised that the negotiations should be brought to an end by the Uitlanders insisting that the British government should be included in them.(88) After this meeting, there then followed an interlude during which the results of the London meeting were awaited. The Uitlander representatives then met again on the 24th to consider their final reply which was presented on the 27th. It included, as an accompanying memoranda, FitzPatrick's definition of the minimum franchise reform which would be recommended for acceptance to the Uitlanders at a public meeting.(89)

While these events were taking place, there is no suggestion that FitzPatrick's actions were influenced by further contact with Greene. Samuel Evans provided Greene with an account of what had

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86. Milner to Greene, 14th March 1899. Milner Papers, 13.

87. See above, p. 92.

88. See above, pp. 93-4.

89. See above, pp. 98-9.

occurred at the Rand Club dinner and Greene passed this on to Milner without comment.(90) On March 16th or 17th Evans again called on Greene with the report that the final reply to the government would be drafted after the London meeting had taken place.(91) Greene again simply passed this information on to Milner.(92) Milner's comment was that, thus far, the Rand representatives appeared "thoroughly sensible and statesmanlike".(93) Similarly, when the Rand representatives were drawing up their final reply, Greene merely kept Milner informed.(94)

That both Milner and Greene still hoped that something would come of the negotiations is indicated by the fact that Greene was perturbed that the presentation of the petition at that time might prejudice the chances of success.(95) Wybergh had promised to "take no step at any time" without keeping the British Agent informed "and to limit all agitation to constitutional methods, provided only we play fair".(96) Greene asked Wybergh to consult FitzPatrick(97) and the result was a conference between the South African League Leaders and the "Rand representatives" at which it was agreed that the petition should be presented "as soon as possible", independently of the secret negotiations.(98) This decision appears to have resulted more from FitzPatrick's view that the negotiations were likely to be abortive than from any instruction or suggestion of Greene or Milner.

That Milner was at this stage still hoping for substantial concessions from the Transvaal government in the way of franchise

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90. Greene to Milner, 15th March 1899. Private Telegram. Milner Papers, 13. On March 18th Greene sent Milner a verbatim report of FitzPatrick's speech. (Greene to Milner, 18th March 1899, Milner Papers, 13.

91. Greene to Milner, 17th March 1899. Cypher Telegram. Milner Papers, 13.

92. Ibid.

93. Milner to Greene, 18th March 1899. Milner Papers, 13.

94. Greene to Milner, 23rd March 1899. Telegram. Ibid. Greene to Milner, 27th March 1899, "Private and Confidential". Letter. Ibid.

95. Greene to Milner, 17th March 1899, "Private and Confidential". Milner Papers, 13.

96. Greene to Milner, 10th March 1899, "Private and Confidential". Ibid.

97. Greene to Milner, 17th March 1899. Ibid.

98. Greene to Milner, 18th March 1899. Ibid.

reform is further indicated by the fact that, shortly before the Uitlander reply was handed to the Transvaal government, he sent Fiddes to investigate the position, believing that a"fresh reform movement" was in contemplation.(99) Two days later, he wrote a lengthy secret dispatch to Chamberlain in which he attempted to weigh up the possibilities.(100) If it was true that this was "practically a revival of the Reform movement", then it was likely to persist and increase. "I don't quite know enough about the inner history of the recent negotiations to say who is the man responsible for the attitude of the mining industry, but the results up to date seem to indicate that there is some wise head or heads directing their action". With the magnates united in a demand for political reform, it would be difficult for the "money-seekers" to create disunity. It was unlikely that the Transvaal government would tolerate this agitation and the result was therefore likely to be more and more appeals to Britain for intervention. "It is therefore with very divided feelings that I contemplate the likelihood of another organised agitation on the part of the Uitlanders. On the other hand, I cannot help rejoicing in it, for, without agitation, there will be no reform...." He then went on to argue that, in view of the political position in Johannesburg, it was imperative that the British government reply to the petition, promising not only moral support but that it would "compel redress by force" if necessary. If this were done, the Transvaal government would be unlikely to act against the Uitlanders and the Uitlanders would be able to continue their agitation, without which there could be no hope of reform. Milner's main purpose was clearly to persuade Chamberlain to support the Uitlanders openly. In this way, diplomatic action would reinforce the internal Transvaal movement.

Fiddes made contact with FitzPatrick soon after his arrival in Pretoria. He was staying with the British Agent when FitzPatrick called after dinner on March 27th, after having handed the Uitlander reply to Reitz. Fiddes thought the reply a "wonderfully clever

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99. Milner to Chamberlain, 27th March 1899, "Secret and Private". C.0.879/56 Secret Papers relating to Affairs in S. Africa, pp. 21 et seq.

100. Milner to Chamberlain, 29th March 1899, "Secret". Ibid.

document".[101] After hearing its details, he told FitzPatrick that, in his opinion, an Uitlander organisation should be established to have a detailed programme of reforms "ready".

> Greene ("playing neck or nothing") ..."told FitzPatrick plainly and at great length, hammering it in time after time, that, reading between the lines of the Secretary of State's speech,[102] he regarded it as a direct challenge to the Uitlanders".

FitzPatrick then enquired what more Chamberlain could possibly want than a petition signed by 22,000 people? "Precision", replied Greene. "A definite statement of the grievances you want redressed". Greene then went on to urge upon FitzPatrick the need to make the details of the negotiations public as soon as possible. FitzPatrick declared his unwillingness to have a hand in this himself because of his fear that the government would act against him for having broken his pledge not to engage in politics. "Mr Chamberlain can push this line too far", he told Greene. "He has now got an appeal from 22,000. If this isn't enough, he will never get another. We (the Capitalists) can make our peace easily enough with the government and we shall do it if this last effort isn't enough for Mr Chamberlain. Not I, for I will never have anything to do with the Transvaal government. But I shall never darken the doors of the British Agency again, and I shall clear out of the country. If you can't move J.W. Chamberlain on this, the game is up".[103]

From this account, it would appear that FitzPatrick positively declined to play any further part in the proceedings. Three days later, he left the Transvaal for the Cape, where he discussed the position with Milner personally, immediately after his arrival on March 31st.[104] Milner told him that "so far, we had conduced the negotiations with 'consummate statesmanship'." He then asked what the Uitlanders proposed to do next. FitzPatrick replied that, in his opinion, the correspondence should be published, but that

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101. Fiddes to Milner, 28th March 1899, "Private and Confidential". Milner Papers, 13.

102. Chamberlain's speech in the House of Commons on March 20th. See Bitensky, op. cit., p. 73.

103. Ibid.

104. FitzPatrick to Wernher, 6th April 1899. A/LC. FitzPatrick stated that he saw Milner "last Friday".

neither he nor the others who were in the know could do this because they were bound to secrecy. Milner then replied that things had moved more rapidly than he had expected. Everything hinged upon the British government's reply to the position. This, in turn, depended very much upon the Press and he asked FitzPatrick to see to it that "the Press...get before the House or the public the mass of damning evidence that lies in the petitions". Chamberlain was most likely to make a statement to the effect that, while the British government appreciated the gravity of the situation, it hoped that this would be realised by the South African Republic and that reforms would be introduced "without direct pressure from H.M. government".

On Monday, April 3rd, FitzPatrick again spoke to Milner. The High Commissioner urged him to return to the Transvaal, to keep the agitation alive and to attempt to hold the Uitlanders together "for a few months". This time, he said, he would utilise to "get the Imperial Government up to the mark in principle" and to prepare the "material" so that, "if it is necessary to act" he could do so "within twenty-four hours - swift and instant!"

> "Remember...if anything like terrorism or coercion or interference with free expressions of your views is attempted, there will be no reason to wait a moment longer. We should not allow that. If it comes to a delay, I look to you to hold them together, to have meetings indoors, which are legal, and to form opinion and hold it firm. Remember, it is the chance of a lifetime".

FitzPatrick ended his account of this meeting with the significant statement that Milner was "quite confident that Kruger will climb down when the Imperial government show that they are in earnest".(105)

On the day following this second meeting with FitzPatrick in Cape Town, Milner wrote another secret dispatch to Chamberlain.(106) He had now learnt more about the position in the Transvaal, he said, and was now able to report that attention had been focussed upon the franchise. In view of this, he argued, it would be "disconcerting and weakening" to attempt to change the platform to demand for a municipal government for Johannesburg. A five year

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105. Ibid.

106. Milner to Chamberlain, 4th April 1899, "Secret". C.O.879/56 Secret Papers relating to Affairs in S. Africa, pp. 40 et seq.

retrospective franchise (such as had now been demanded) would result in the election to the Volksraad of Boers "of a more liberal type" and these would be "perhaps even more useful" than Uitlander members.

> "My own conviction is...that the Boer oligarchy will never agree to any reform at all worthy of the name, except under direct pressure from Her Majesty's government....I fail to see ...what is ever going to make it easier for us than it is today to tell the Transvaal government that it must reform, and to offer to act as mediators between it and its discontented subjects, with full determination not to allow such proffered mediation to be refused".

Milner's conviction that diplomatic pressure, combined with the agitation which was occurring within the Transvaal, could now produce reform was reinforced by information which he received from Greene. After visiting Johannesburg, Greene wrote to Milner on April 4th.(107) He told him that the general opinion there was that a golden opportunity now existed. "If no action were now taken by Her Majesty's government, no similar combination of forces need again be anticipated". All those whom he had spoken to deprecated a resort to arms but were convinced that "a resolute response on the part of Her Majesty's government" would "avert that danger and result in a general 'climbdown'...all along the line". Greene's opinion was confirmed by FitzPatrick, who told Greene(108) that Kruger was in a "funk" due to the combined effects of Chamberlain's speech, the Uitlander reply and the public announcement of the fact that the second petition had been presented. FitzPatrick also told Wernher that "Kruger is in a corner and in as great a fright as he was in '95; worse, if anything".

This opinion was based upon a short interview which he had with Smuts on March 28th (the day after the reply had been delivered to the government). FitzPatrick had called on Smuts because "if he has any grudge on account of the franchise proposals, he must have it out now and not nurse it for the fortnight of my holiday".(109)

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107. Greene to Milner, 4th April 1899, "Confidential". C.O.879/55 Further Correspondence re S.A. Republic, p. 420.

108. Greene to Milner, 30th March 1899. Ibid.

109. FitzPatrick to Wernher, 6th April 1899. A/LC VIII.

He found Smuts "very subdued and tame". He told FitzPatrick that the government was preparing a scheme to give full burgher rights to all who could prove nine years residence in the Transvaal, without a naturalisation oath. Leyds had been instructed to go to London with the specific instruction to "talk things over with the Imperial Government". As he was leaving, FitzPatrick asked Smuts: "Why in the world don't you be perfectly frank and straightforward? Talk it over with the Imperial Government and the Uitlanders and settle all questions and let us live in peace. Give up playing to be a power!" Smuts replied that this had been attempted "often" but that Chamberlain would "not allow a peaceful settlement. If it could be a success, we would do it today but failure would cost too dear". Smuts's altered attitude appears to have convinced FitzPatrick that his earlier assessment of the chances of reform had been incorrect and that there was now some hope of a climb-down if, as Milner envisaged, imperial pressures were brought to bear.

In the light of this evidence, it is clear that both FitzPatrick and Milner believed at the beginning of April 1899 that there was real hope of reform in the Transvaal. There is no reason to believe that this belief was in any way altered by the publication, on April 6th, of the details of the Great Deal in the Cape Times.(110) On April 19th, FitzPatrick informed Wernher(111) that he had decided to extend his holiday by a further week because, if "things shape up a bit", he would then be in a position to cancel his leave. He also, following Milner's request, supplied newspaper correspondents with information about the Transvaal situation.(112) "The position is decidedly interesting", he said. "It looks as though we shall find a policy developed during the next few weeks or months which will settle the destinies of South Africa". In preparation for the adoption of a stronger line by the British government, Milner was considering the "minimum of reform which he would accept". This included, a five-year retrospective franchise,

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110. See above, p. 100.

111. FitzPatrick to Wernher, 19th April 1899. A/LC VIII.

112. FitzPatrick particularly mentioned contact with the Daily News and the Daily Mail, through Garrett. See Ibid.

redistribution and no delay between naturalisation and enfranchisement.(113)

ii) The Uitlander Council, April - June 1899.

While in Cape Town, FitzPatrick (taking up the suggestion which Fiddes had made at their Pretoria meeting), suggested the formation of a new Uitlander organisation. His proposal was

> "...to hold a number of smaller meetings all along the reef and get them to appoint delegates. When this is done, hold meetings of Uitlanders at all the other centres, towns, in the Transvaal to approve the action in the negotiations so far and also appoint delegates and then to meet in Johannesburg: a sort of Uitlander Parliament and so give force and unity to the movement. This Congress should then put such questions to the Government as will force an answer "yes" or "no" or necessitate an evasion so palpable and disingenuous as to expose Kruger to the whole world".(1)

This was to lead to the establishment of the Uitlander Council, an organisation which could respond, at a moment's notice, to suggestions from the High Commission. This, presumably, is what Marais had in mind when he wrote that the mining magnates "acted in close concert" with Milner and his representatives.(2) But it occurred early in April 1899 and not, as he suggests, in January. Nor, as we have seen, was the liaison established with a view to manipulating Uitlander opinion with the intention of promoting war. To the contrary, the intention was to bring about a co-ordination of effort among the Uitlanders, and between the Uitlanders and the British government, so as to bring about a peaceful settlement.

FitzPatrick explained to Wernher(3) that it was very difficult to "keep in the closest touch with our people by telegraph", but that he had done all that he could to organise the Uitlander Council from Cape Town. There is no indication as to precisely how this was done. One possibility is that Fiddes broached the subject on his fact-finding visit to Johannesburg early in April. He contacted most of the Johannesburg leaders, including Eckstein,

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113. Ibid.

1. Ibid.
2. Marais, op. cit., p. 245.
3. FitzPatrick to Wernher, 19th April 1899. A/LC VIII.

Monypenny and Pakeman, and on the 7th had dinner with H.A. Rogers, C. Mullins, A. Bailey, H.C. Hull, A. Mackie-Niven and W. Hosken. According to Fiddes' account of this dinner,(4) he urged them not to "go to sleep" and urged them to define what they would require in a "final settlement". But Fiddes did not mention that he had suggested the formation of a Council.

While it is difficult to pinpoint exactly how FitzPatrick was attempting to arrange these "smaller meetings all along the reef", it is also difficult to determine precisely what meetings were the result of his exertions. For example, a public meeting was arranged in the Amphitheatre on April 15th. Greene was alarmed about this, fearing that it would do more harm than good,(5) and Milner asked who the organisers were.(6) Greene replied that Hull had informed him that the application for permission to hold the meeting had been signed by "independent Uitlanders" and that the agitation had "gone too far to be stopped".(7) Hull's involvement suggests that this meeting was arranged by him after he had received a message from FitzPatrick in Cape Town. If this is so, Greene's ignorance can be explained only if Milner left the arrangement of the meetings entirely to FitzPatrick and did not, for reasons of security, inform Greene. It was only on April 15th that he wrote to Greene and told him what he had in mind.(8) The "great point", he explained, was to keep future negotiations public and force the Transvaal government into "some definite position - yes or no - about the franchise".

> "The other thing is to get the Uitlanders - as they cannot have a mass-meeting - to express in any way they can, by a series of smaller meetings along the Rand, if they can be organised, their approval of the scheme of reform <u>outlined in the memorandum</u>....FitzPatrick is well alive to all this and quite understands that the interval between this and the time when the British government must give its answer to the petition, is a golden opportunity(9) and that the

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4. Fiddes to Milner, 7th April 1899, "Private". <u>Milner Papers</u>, 12.
5. Greene to Milner, 8th April 1899. Cypher Telegram, <u>Milner Papers</u>, 13.
6. Milner to Greene, 10th April 1899. <u>Ibid</u>.
7. Greene to Milner, 11th April. <u>Ibid</u>. In fact, permission to hold this meeting was refused.
8. Milner to Greene, 15th April 1899. <u>Milner Papers</u>, 6b.
9. i.e. to extract concessions from the Transvaal government.

tone of that answer will depend very much upon the amount of determination and energy which the Uitlanders can display during that interval.

"There is no hurry if the pot boils hard all the time. Unfortunately, Fitz himself is muzzled till May 31st. I have warned him to be careful, as it would be a dreadful blow if they could legitimately attack him on the ground of his having broken the promise to abstain from politics for three years".

Greene replied to this on April 21st.(10) He told Milner that he had spoken to Samuel Evans and had told him about the contents of Milner's letter. But, wrote Greene, "the scheme of meetings along the Rand had already been decided upon". Once again, it is not clear exactly what is referred to.

It does, however, seem logical to assume that both S. Evans and Hull (both close associates of FitzPatrick) were involved in the organisation of the meetings, while FitzPatrick, anxious to avoid any suggestion of complicity, carefully concealed the part he was playing. While some doubt may exist in the case of the Amphitheatre meeting on the 15th, this is not so in the case of the meetings which were held at the various mines during the week, 20th - 27th April.(11) At these, resolutions of a similar nature were passed, supporting the franchise memorandum as the "smallest acceptable measure of reform". It is not clear why, at these meetings, delegates were not elected to the "Uitlander Parliament" as FitzPatrick and Milner envisaged. This may have been due to a desire to postpone the creation of the Uitlander Council until the pledges of Reformers expired at the end of May, or it may have resulted from Milner's opinion that there was "no hurry", in which case they may have intentionally kept the Uitlander Council scheme in reserve, to be produced at a later stage when it could help to keep the "pot boiling".(12)

Once this new movement had been initiated, Milner wrote another lengthy secret despatch to Chamberlain.(13) He explained that the

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10. Greene to Milner, 21st April 1899, "Private". Milner Papers, 13.
11. Meetings were held at the Village Main Reef, Wolhuter, Goch, Spes Bona, Jubilee, Glen Rose Deep, New Heriot, Jumpers, Nourse Deep, Roodepoort, Jumpers Deep. See C.O.879/55 Further Correspondence re S.A. Republic, pp. 401, 422, 472.
12. Ibid.
13. Milner to Chamberlain, 19th April 1899, "Secret". C.O.879/56 Secret Papers re Affairs in S. Africa, pp. 52 et seq.

Uitlanders were continuing their agitation not because they believed that they would make an impression on the Transvaal government, but because they hoped to obtain sympathy in Britain and a favourable reply from the British government to their petition. The Transvaal government, alive to the danger of Britain taking up the case of the Uitlanders, was "soft-peddling".

> "The more I see of the present trend of affairs...and the more I reflect on the future, the clearer it becomes to me that we should be making a serious and perhaps irretrievable mistake if we did not take the present opportunity of definitely ranging ourselves on the side of the Uitlander reformers".

Of course, he continued, "in offering intervention, we should be risking war". But this was a risk which Britain had run in 1897 on the Aliens Law crisis. Unlike the "risk of 1897", this was "a risk run once and for all, and, if we succeed, we shall get rid of this nightmare for ever". He followed this with a telegram on May 4th in which he declared that "the enemy" was "frightened" and "wavering all along the line". "We shall get a really substantial instalment of reform if British Government is firm".(14) On the same day he sent off his famous "helot dispatch" a strongly-worded indictment of the Transvaal, intended for publication in justification of the action which he hoped that the British government would take.(15)

At this point, developments in South Africa were held in abeyance while the British government considered its position. On April 28th Chamberlain prepared a dispatch for consideration by the Cabinet.(16) He did not accept Milner's assurance that Kruger was likely to give way to an ultimatum, but considered it "probable that we shall get an offensive reply and we shall then either have to go to war or to accept a humiliating check". A.J. Balfour was even more emphatic in rejecting Milner's arguments.(17) What was described as "reform", he observed in a perceptive document, was to the Boers a "transfer of nationality". Had any

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14. Milner to Chamberlain, 4th May 1899. Ibid., p. 51.
15. Milner to Chamberlain, 4th May 1899. Telegram. Headlam, Milner Papers, Vol. I, pp. 349 et seq.
16. C.A.B. 37/49, 28.
17. Memorandum by A.J.B., 1st May 1899. C.A.B. 37/49, 29.

nation ever forced such concessions out of another "at the point of a bayonet"?

Such disagreements in England delayed the presentation of a reply to the Uitlander petition and, when the idea of a conference between Milner and Kruger was suggested, the British government eagerly snapped up the proposal as a possible outlet from its dilemma.(18) While there was this very understandable reluctance in Britain to share the optimism of Milner that the Transvaal government would yield, if frightened, it is true nevertheless that Milner continued to hold it with surprising doggedness. He was reassured by a letter from Greene in which the British Agent reported that both Sammy Marks and Kotze were certain that Kruger would "give in all along the line, but only when a sufficient military force has been landed in the country to show the Boers that we mean business".(19) On May 8th he sent Chamberlain a secret telegram,(20) assuring him that the Transvaal government was prepared "to concede a good deal". In view of this, he suggested that the British government's reply should suggest a discussion between himself and the Transvaal government "with a view of arriving at such a programme of reforms as Uitlanders could be advised by H.M.'s representative to accept".

> "If...we can only get into negotiations with them, we can compel them either to accept specific reforms which will be effective, or else show their invincible obstinacy by refusing them and so justify us in taking stronger measures. I think, also, I can put the screw on their Cape friends, if we negotiate, to urge them to accept it, or to wash their hands of them, failing such acceptance".

This suggestion that he should meet Kruger appeared in London to coincide with the proposal, sponsored by anti-war parties in South Africa, for a Conference.(21) But Milner's proposal was substantially different in that he wished the British government to declare its policy regarding the Uitlanders before the conference

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18. See Marais, op. cit., p. 273.
19. Greene to Milner, 5th May 1899, "Private and Confidential". Milner Papers, 14.
20. Milner to Chamberlain, 8th May 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 56.
21. See Marais, op. cit., p. 273.

took place,[22] so that he would be able to negotiate from a position of strength. Nevertheless, despite the fact that he sensed that he was losing the initiative, he did not abandon hope regarding the chances of reform. On May 15th he told Chamberlain that "the issue turns entirely...on our keeping up the impression...of serious determination".[23] On the 18th he suggested that, pending his meeting with Kruger, the reply to the petition should be merely an expression of "sympathy".[24] He then explained what he intended to do at Bloemfontein. He would insist upon a six-year retrospective franchise and at least seven Volksraad members for the Rand. If this was not agreed to, he would try for a municipal government.[25]

> "We must...be reasonable in our demands, and more than reasonable so that the Bond, in opposing us, may be put as much as possible in the wrong. I am willing to accept a great deal less for the Uitlanders than they may fairly claim, but not something which is clearly illusory".[26]

Milner broke off negotiations at Bloemfontein after Kruger had refused to consider a five-year retrospective franchise without a quid pro quo.[27] In view of the fact that he had not been able to negotiate with the backing of a statement from the British government in support of the Uitlanders, he was not perturbed. In fact, he had prepared for this eventuality by urging Selborne to arrange a "strong show of material force" if he failed. This would "ensure a climbdown. It is 20 to 1". If not, it would be better to fight the Boers then than in five or ten years time.[28] This letter indicated a slight difference of tone. Earlier in it, he admitted doubt for the first time when he observed: "Now I don't want war but I begin to think it may

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22. See Milner to Chamberlain, 11th May 1899. Ibid., p. 56.
23. Milner to Chamberlain, 15th May 1899. Ibid., p. 60.
24. Milner to Chamberlain, 18th May 1899. C.O.879/55 Further Correspondence re S.A. Republic, p. 507.
25. Milner to Chamberlain, 22nd May 1899. C.O.879/56 Secret Papers, p. 61.
26. Ibid., 25th May 1899, p. 69.
27. See Marais, op. cit., p. 283.
28. Milner to Selborne, 17th May 1899. Milner Papers, 13.

be the only way out". But these doubts were soon thrust aside when he received further reassurances from Pretoria that Kruger "will climb down in the end, but not until a demonstration, a concrete demonstration, not a mere dispatch, has been delivered".(29) Thus, when on June 6th, Chamberlain (again misunderstanding Milner's point of vies altogether) suggested that, if the British government was to deliver an ultimatum to the Transvaal, the franchise complaint was unsuitable because it was unsatisfactory as a casus belli,(30) Milner urged Chamberlain not to consider an ultimatum at present. "I think that, if the President is sufficiently pushed, there is still a chance, though a small one, of his accepting my minimum". Instead of some other ultimatum, he suggested a dispatch which supported Milner's stand and urged the enfranchisement of the Uitlanders. Otherwise, Britain would be "obliged to present a demand for specific internal reforms".(31) On June 14th, after the Bloemfontein conference had ended, he wrote to Greene and told him to contact Wybergh in order to instruct him to keep "cool and moderate" and not to increase demands pending further developments.(32)

Clearly, then, at least until the middle of June 1899, Milner was thinking in terms of a peaceful solution to the South African problem which would come about as the result of Transvaal capitulation to British threats. One reason for this belief may have been that the Uitlander Council had not yet been launched. Also, he had at the outset stated his belief that he would require a few months to persuade the British government and public of the need to adopt a firm attitude towards the South African Republic. This he had not yet succeeded in doing.

FitzPatrick, as we have seen, had been closely involved in the planning of the Uitlander Council while he was in Cape Town during April 1899. At the end of April he returned to Johannesburg to play a more direct role in its organisation. Because it was

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29. Greene to Milner, 9th June 1899, "Private and Confidential". Milner Papers, 15.

30. Chamberlain to Milner, 7th June 1899. Secret Telegram. C.O.879/56 Secret Papers re S.A. Republic, p. 86.

31. Milner to Chamberlain, 9th June 1899. Ibid., p. 87.

32. Milner to Greene, 14th June 1899. Cypher telegram. Milner Papers, 15.

feared that the Transvaal government would act against him on the lightest suspicion,[33] care was taken to keep his actions secret, so that it is now difficult to reconstruct his role with accuracy. Fortunately, after his return to Johannesburg during the last week of April, he wrote several letters[34] to Walrond, Milner's Private Secretary, in which he gave some account of what he was doing.

One of the first requirements was to get "rid of the committee of five", which had made the appearance of Uitlander unity so difficulty to maintain.[35] Precisely how this was done is not clear. Presumably, FitzPatrick meant that the "Committee" had been dissolved automatically once the final reply had been drafted and the negotiations brought to a halt. Should there be a "need for further negotiating", Rouliot would "do it alone until we can come in with the Uitlander Parliament".[36] In fact, Rouliot saw Kruger a few days after FitzPatrick wrote this letter, the meeting occurring as the result of a request from Kruger.[37] Rouliot assured Greene that he would refuse to act as a representative of the Uitlanders without a specific mandate, expecting to be offered a five-year retrospective franchise without redistribution, together with a "big bribe" in the shape of economic reforms.[38] Whatever the intention, the interview between Rouliot and Kruger lasted only ten minutes and ended in "complete failure" when Kruger announced that there would be no further negotiations but that he would submit unilateral proposals to the Volksraad.[39]

Meanwhile, the Uitlander meetings along the Rand continued. FitzPatrick explained to Walrond that these had now "reached the

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33. The Republican government was suspicious but did not, apparently, possess evidence. See Bitensky, op. cit., p. 77. She states that de Wet advised Reitz, at the end of May, to "keep an eye" on FitzPatrick because he was "more closely connected" with the "petition and agitation....than one would think".

34. FitzPatrick to Walrond, 1st May 1899 (two letters), 8th May 1899, and 19th May 1899. Milner Papers, 12.

35. FitzPatrick to Walrond, 1st May 1899. Milner Papers, 12.

36. Ibid.

37. Ibid.

38. Greene to Milner, 3rd May 1899. Milner Papers, 14.

39. FitzPatrick to Stephens, 4th May 1899. Telegram. Milner Papers, 14.

point of nominating two delegates to a general conference".

> "Soon, I believe, they will suggest the calling of meetings at other centres and, when all the outside delegates - or sufficient - are appointed, there is to be a town meeting to nominate about 8 or 10 to represent the town population and then these (all together) will invite the eleven who were "selected by the Government" and signed the franchise memorandum".(40)

The emphasis which was placed on the fact that the meetings were being convened in order to consider the Government's reform proposals made it difficult for the government to stop the agitation or halt the formation of the Uitlander Council which, it was inferred, was also a response to the government overture. Fitz-Patrick suggested that Uitlander courage would be considerably bolstered if the British government were to issue a stern warning, emphasising "the present position of the suzerain" and making it clear that, "in the event of war and any unarmed non-combatants being improperly used, such action will be regarded as contrary to the rules of civilised warfare...and published in proportion to the gravity of the offence".(41) He also suggested that it might be useful for the Uitlander Council to invite representatives from the Orange Free State and the South African colonies to "meet us and hear our case". "They would not come, of course, but we could make a good plea for peace and justice and a permanent good understanding with the Imperial Government in the letter of invitation which would be the devil and all to answer...."

An indication of FitzPatrick's thinking at this time (and of its harmonisation with Milner's approach) is contained in the following extract from a letter to Walrond:

> "The point I have been rubbing in hard is: don't stipulate for retention of British citizenship, don't worry too much about proclaiming the two allegiances as inconsistent with each other, but go for the sound foundation. Get these people to go into matters fully and finally with the Imperial Government, remove <u>their</u> differences, make it practically impossible that there should ever be a war between the Transvaal and the Imperial Government and <u>then</u> we can swear allegiance, free of the haunting dread that we may ever have to foreswear ourselves or fight against our native land.
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> "I keep on rubbing in the fact that the British possessions

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40. FitzPatrick to Walrond, 1st May 1899. <u>Milner Papers</u>, 12.
41. <u>Ibid</u>.

> practically surround the Republics, with the effect (and the "options" over Portuguese territories complete the circle) that Britain is bound to protect them against outside foes. The settlement of differences then leaves this country with its independence and the best protection in the world. Under these circumstances, it would be an act of grace on the part of the Imperial Government to decree that any subject of the Z.A.R. shall, upon registration in the books of any consul or the recognised official in any British possession, be entitled to the privileges and protection accorded to British subjects (except while resident in the Z.A.R., when their status shall be governed by the relations between the Z.A.R. and the Imperial Government)...."(42)

This involved idea was based upon the same logic as Milner's argument that the way forward was to assist the Uitlanders to "cease to be our subjects", provided that this was accompanied by their enfranchisement. FitzPatrick, possibly, differed from Milner in that he placed more emphasis upon the settlement of the outstanding differences between the two governments,(43) whereas Milner saw enfranchisement as a means towards the removal of such differences in the long term.

Because FitzPatrick's and Milner's thinking was so similar, it follows that FitzPatrick shared Milner's optimism. At the beginning of May he told Wernher(44) that, with all the European journals unanimous in their condemnation, Kruger "must climb down. It would be a certainty, but for the colossal ignorance of these people and their bitter hatred". Johann Rissik had told him that, if only franchise reforms were demanded, "there will be no fighting". A week later he was less confident because he thought that Kruger would attempt to "undermine the Imperial Government's position by making very substantial concessions". But, he argued, if the British government insisted upon a "fair settlement", "the pressure on the Republic will be so universal and so strong that I cannot think they will refuse the easy alternative of a reasonable settlement".(45)

> "...Most believe that, in any war, the O.F.S. and Cape Boers will join to a man. The leaders know better, but some of them believe that any struggle would be a long one

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42. Ibid.
43. See also, FitzPatrick to Wernher, 1st May 1899. A/LC VII.
44. FitzPatrick to Wernher, 8th May 1899. A/LC VII.
45. FitzPatrick to Wernher, 15th May 1899. A/LC VII.

> and, if commenced with a victory, would mean the winning of any amount of sympathy and the wearing-out of England's resolution. There are the further complications that the Kruger clique - who won't be the fighters - know that, with reform, their day is done - pickings and billets gone".

But, despite these doubts, he still had "a strong belief that the Imperial Government will quietly but with crushing force get them cornered and stripped of every ally, faced only by the firm moderate demand of the Imperial Government and the urgent advice of all their well-wishers to be reasonable and avert national extinction".(46)

Like Milner, FitzPatrick did not see the Bloemfontein conference as a setback. On May 19th, when details of the proposal were known, he wrote a letter to Walrond which contained no hint of alarm.(47) He referred to a telegram which he had sent earlier, in which he had apparently urged that Chamberlain should make a firm statement,(48) and then went on to outline the difficulties which had been encountered in launching the "Uitlanders' Parliament". Nor did the Bloemfontein proposal apparently bring about any change of policy in Johannesburg. On May 8th, before the Conference had been mooted, he informed Wernher that "there will be no more meetings unless we have a big one in Johannesburg, so that for the next two weeks there will be a pause".(49) This indicates that there was no deliberate suspension or intensification of agitation in Johannesburg to coincide with the meeting between Milner and Kruger. Milner apparently toyed with the idea of inviting Uitlander representatives to Bloemfontein, where they could advise him, if necessary, but nothing came of it.(50) While

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46. Ibid.
47. FitzPatrick to Walrond, 19th May 1899. Milner Papers, 12.
48. The reference was: "The statement last night in The House is excellent and there can be no misunderstanding now, if the conference comes off. I wired, not because it seemed necessary, but because one cannot leave any point unguarded now..." Ibid.
49. FitzPatrick to Wernher, 8th May 1899. A/LC VII.
50. British Vice Consul to Imperial Secretary, 31st May 1899. Cypher telegram. Milner Papers, 14. Evans stated that, as public meetings were prohibited in Johannesburg, Uitlander representatives could not be elected. He suggested the selection of FitzPatrick, Hosken, Niven, Bottomley, Wybergh, Quinn and Raitt.

the Conference was in progress, FitzPatrick suggested via the vice-consul in Johannesburg that Milner should raise the question of restoring the representation of those Transvaal towns which had been disenfranchised after the war of 1880-1 because this would "improve the condition of all Uitlanders and make the reform movement more popular".(51) Otherwise, there is no evidence of liaison between the High Commissioner and the Uitlander leaders at this stage. FitzPatrick appeared to view the conference as an opportunity for Milner to define the demands which should be made upon the Transvaal government and was prepared to leave this to him. If the conference were to produce the "promise of merry sunshine", Uitlander agitation would grow prodigiously(52) and this, in turn, would increase the promise of victory.

FitzPatrick was closely involved in the organisation of the "great meeting" which was held in Johannesburg on June 10th, five days after the termination of the Bleomfontein conference. The sequence of events would suggest that the Johannesburg meeting was delayed until the results of the conference were known and that the agitation was then immediately recommenced once failure had been reported. It is possible that the meeting (which launched the Uitlander Council) was delayed for this reason but there is no evidence in the FitzPatrick or the Milner Papers to prove this. It is known that the Johannesburg meeting had been contemplated for some time. It had been seen, from the outset, as the culmination of the series of meetings which had been organised along the Reef ever since April. No meeting had been convened in Johannesburg before the end of May because the reformers were to be released on June 1st from their three-year pledge not to engage in politics.(53)

Even though their pledges had expired at the beginning of June, the leading reformers did not openly play a prominent part in the convening of the Johannesburg meeting. This may have been

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51. Vice Consul to Imperial Secretary, 5th June 1899. Milner Papers, 14.

52. FitzPatrick to Walrond, 19th May 1899. Milner Papers, 12.

53. See Greene to Milner, 10th May 1899. Cypher telegram. Milner Papers, 14. Hull informed Greene that the new association would be formed "as soon as the reformers were free".

because it was feared that the government would refuse to allow the meeting if they played too prominent a part. Another possibility was that they wished to retain an appearance of "moderation" in order to attract the maximum amount of Uitlander support.(54) Thus, the request was not signed by FitzPatrick, Hull or Hosken, who were the three reformers most active in politics. Those reformers who signed, such as van Hulsteyn, Mullins and Niven, were non-political moderates. In order to obviate government objections, the announced purpose of the meeting was merely to express views on the Bloemfontein Conference and acknowledge the efforts of the High Commissioner.(55) It was only at the end of the meeting that Mackie-Niven (who was a close friend of FitzPatrick's(56)) proposed the election of twenty-four delegates to meet those who had been elected at the earlier meetings and so form an "Uitlander Parliament".(57)

One reason why FitzPatrick's part in the organisation of this meeting has been overlooked is that he was not present, having left Johannesburg for overseas shortly before it took place. Prior to leaving, however, he left a lengthy memorandum in which he outlined plans for the meeting and for the Uitlander Council itself.(58) He stressed that the resolutions should be carefully framed "for the sake of putting ourselves amply upon record in a lucid fashion". As far as proposals for a settlement were concerned, he suggested that a resolution should point out that neither the Franchise Memorandum nor Milner's Bloemfontein proposals went "as far as one could wish", but that both propositions were praise-worthy compromises dictated by the desire to bring about a peaceful

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54. As, for example, FitzPatrick had told Walrond (May 19th, Milner Papers, 12) that success would be "assured" if "we can get a lot of 100 well-known men to convene the...meeting".

55. The Star, 10th June 1899.

56. Cartwright, The First South African, p. 113.

57. The Star, 12th June 1899. The 24 were: J.G. Auret, R. Currie, H.L. Caldecott, W. St.J. Carr, D.E. Doveton, Dr. W. Davies, T.R. Dodd, W. Dalrymple, S. Evans, J.D. Foster, H.C. Hull, W. Hosken, C. Mullins, W.A. Martin, A. Mackie-Niven, T. Mackensie, D.J. Pullinger, J.W. Quinn, H.A. Rogers, A. Raitt, R. Shanks, E.P. Solomon, C.D. Webb and W. Wybergh.

58. Memorandum. Endorsed "Private". [June 1899]. A/L X.

settlement in "the peculiar circumstances of the country". An effort should also be made to show that it was not simply a Johannesburg question but a Transvaal question, in that several urban areas had been disenfranchised after the Transvaal war and that, "although this agitation for reform has been identified with Johannesburg, it was commenced in Barberton ten or eleven years ago". That FitzPatrick did not unreservedly endorse Milner's Bloemfontein proposals is indicated by his suggestion that it might be advisable for the meeting (or for the Uitlander Council) to draw up a "declaration of rights".(59) At least, the principle of "equal rights" (by which he meant that any franchise restrictions should, in future, apply to all classes and not merely to naturalised Uitlanders) should be established. This would "perhaps be a better way of indicating that we go further than Sir A. Milner does, than anything like a general declaration to that effect".(60) Finally, he suggested that detailed statistics and diagrams should be produced which would clearly illustrate the present inbalance in Volksraad representation and the precise effect of Milner's proposals upon this.

An interesting aspect of this memorandum is that it does not appear to have been influenced by collusion with the High Commission. It was, of course, true that FitzPatrick had returned to the Transvaal at the end of April after having discussed with Milner the need for establishing a new Uitlander movement as a part of Milner's overall strategy but, once this agreement had been reached, Milner apparently left FitzPatrick to his own devices. This is rather surprising in view of the fact that, as this memorandum indicates, FitzPatrick did not unreservedly accept Milner's Bloemfontein proposals. This is the more important because Fitz-Patrick was the Uitlander leader in closest touch with the High Commissioner. The other leading Uitlanders were therefore likely to favour even more extreme demands.(61) This, in turn, was to

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59. This suggestion gave rise to the publication, on July 3rd, of the Uitlander "Reform Bill". See Bitensky, op. cit., p. 118. See below, p. 151.

60. The point regarding "equal rights" was made by J.W. Quinn at the meeting. The Star, 12th June 1899.

61. As, for example, Hosken, who FitzPatrick complained, was "always onto the language question" and could not be induced to see that the franchise should be accepted even at the cost of the surrender of British nationality. FitzPatrick to Walrond, 19th May 1899. Milner Papers, 12.

greatly complicate Milner's position. In view of the obvious importance, from Milner's point of view, of his establishing and retaining some influence over Uitlander politics such as was provided by his link with FitzPatrick, it is also surprising that it was at this stage that FitzPatrick was sent to England.

There can be no doubt that FitzPatrick's decision to leave Johannesburg at the beginning of June was at Milner's urging. It was true that he had for some time been intending to take his overseas leave and had postponed it on several occasions because of events in the Transvaal. But, because he was so closely involved in the organisation of the Uitlander Council, there were many reasons why he should wish to remain in the Transvaal after the expiry of his three-year pledge and so play an open part in Uitlander politics at this very crucial stage. FitzPatrick later explained that he was "sent by Milner" to England to bring out The Transvaal From Within.(62) There is no reason to doubt the validity of this statement. What must be explained is his sudden removal at this extremely crucial moment from Johannesburg, where his presence was so important.

The most obvious explanation is that it was at this stage, after the failure of the Bloemfontein Conference, that Milner lost faith in his policy and now no longer hoped for reform in the Transvaal. This interpretation is extremely tempting, for there are many reasons why Milner should at last have reconsidered his strategy and reassessed the prospects of success. For one thing, there was the grand fallacy itself: Milner's belief that Kruger would capitulate to a show of force was based upon an extremely superficial assessment of Boer motivation. It ignored, as Balfour had observed, their nationalism. It also overlooked or underestimated the nationalist fervour of Smuts, his reasoning regarding a resort to arms and his growing influence in the Transvaal executive.(63) Furthermore, the argument that Kruger would yield to diplomatic pressure dismissed as unimportant the numerous reports

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62. Some Dates - Family and others. Odd MSS.

63. On 25th May (Milner Papers, 14) Greene told Milner that Smuts was in daily correspondence with Hofmeyr and hoped to establish a united Republican South Africa.

which were being received to the effect that the Transvaal was importing armaments and preparing to mobilise.(64)

Greene in Pretoria became more and more doubtful. At the beginning of May he informed Milner that the "present intention" of the Transvaal government was to persevere in its "defiance"(65) and, on the eve of the Bloemfontein Conference, he gave it as his opinion that Kruger would attempt to temporize. Whatever promises he made, twelve months would be needed to secure constitutional amendments and this period could be used both in the Transvaal and abroad to "hoodwink" Her Majesty's Government.(66) Greene, in fact, perceived that the position was extremely complex in view of the fact that the Transvaal government was not completely cornered but could still hope to dodge out of its difficulties. Indeed, with his accustomed "slimness", Kruger was showing himself well able to handle the crisis. At the beginning of February, when confronted with the growing agitation of the South African League, he had inserted a notice in the Staatscourant which called for tenders for the purchase of the bewaarplaatsen mining rights(67) - an obvious bait to lure profit-seeking capitalists away from the agitation. Simultaneously, The Standard and Diggers News launched a new anti-capitalist offensive with the intention of dislodging the workers from the Uitlander front.(68) The Great Deal offer to selected mining representatives had also been a clever counter-move. When this failed to drive a wedge between the Uitlanders, Kruger then immediately responded with a personal visit to Johannesburg, where he made a most conciliatory speech.(69) His immediate intention, he said, was to reduce the period of residence for franchise qualification by five years. In future, it could be reduced still further. He would have done this sooner, he declared, had it not been for "troublemakers". Regarding the bewaarplaatsen,

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64. See, for example, Greene to Milner, 11th May 1899, Secret. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 75.
65. Greene to Milner, 11th May 1899, "Private". C.O.879/56 Secret Papers Relating to Affairs in S. Africa, p. 88.
66. Greene to Milner, 25th May 1899. Cypher telegram. Milner Papers, 14.
67. Fraser to the High Commissioner, 11th February 1899, "Confidential". C.O.879/55 Further Correspondence re S. . Republic, p. 208.
68. Jeeves, op. cit., p. 17.
69. The Star, 1st April, 1899.

he declared his belief that preference should be given to the holders of surface rights. Regarding dynamite, he stated that, although he could not cancel the monopoly, the price could be reduced further in terms of the clause which stated that the Transvaal price should be fixed according to the ruling prices in Europe. He ended by appealing for co-operation, "because then you strengthen my hands so that I can get these things passed by the Volksraad". Certainly, nothing could be hoped for, he declared, if the Uitlanders appealed to a "foreign power" by way of petitions.

Such ploys were extremely effective. The Uitlander front was more than brittle. The bewaarplaatsen offer was most tempting and Emrys Evans reported that it had practically "brought Ecksteins to their knees".(70) One result was that, as Greene again perceived,(71) the High Commissioner was being led into a situation in which he was forced to compete for the continued support of the Uitlanders. In the short term, this dictated the need for great firmness on Milner's part when dealing with Kruger in order to "impress" the Uitlanders.(72) In the long run, it was to mean that, because the High Commissioner still envisaged a settlement of the Transvaal problem via the enfranchisement of the Uitlanders, it was imperative that the imperial loyalties of the Uitlanders should not be unduly endangered. This meant that, as Uitlander demands increased (as they were to do after the breakdown of the Bloemfontein conference and the formation of the Uitlander Council), Milner's original strategy became increasingly facile. Sooner or later, he would be obliged to consider increasing his demands upon the Republican government, if only in order to satisfy the growing aspirations of the Uitlanders. The petitions had blackmailed the British government in this way. This had perhaps been obscured by the holding of the Bloemfontein conference but, once this had failed, the threat returned. Blackmailers soon realise their power and the Uitlanders were beginning to appreciate theirs. Milner's attempted build-up on the franchise question had, in fact, set in motion a new series of forces which were gathering their own momentum.

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70. E. Evans to Walrond, 19th April 1899, "Private". Milner Papers, 12.

71. Greene to Milner, 10th May 1899, "Private cypher" and 12th May 1899, Private Letter. Milner Papers, 14.

72. Ibid.

Had Milner possessed greater insight into Transvaal affairs, or had he even possessed a deeper understanding of its politics, he might have anticipated this. Even though he was unable to draw upon personal knowledge of the Transvaal and its inhabitants, he was at least able to rely upon the advice of Greene. Greene's opinion was reinforced by that of Fiddes who, early in April, submitted his report on the Uitlanders.(73) He told Milner bluntly that he did not understand the Uitlanders. He divided them into three categories. The first were the "loyalists" of 1880-1. These now had no confidence or trust in Britain. The second consisted of the Capitalists. Their loyalty was more than suspect and, if they found in three months time that "ours is not the winning side, they will make their peace with Kruger". The third category consisted of the "general body" of pro-English Uitlanders. They were then handicapped because their leaders were muzzled until the end of May. Even discounting this, Fiddes asked, how could these be expected to follow a policy of 'unrest' when they would be given no positive promise that they would not be left in the lurch?

Despite the many arguments that can be advanced as to why Milner should have lost faith in his policies immediately after Bloemfontein, the fact is that he did not. On June 6th (the day after the termination of the conference), he told Chamberlain that an "ultimatum" would then be premature. "I think that, if the President is sufficiently pushed, there is still a chance, though a small one, of his adopting my minimum".(74) He suggested that Chamberlain should draft a despatch which supported Milner's demand, with the threat that, if the Transvaal government did not agree to enfranchisement, the British government "would be obliged to present a demand for specific internal reforms". On June 14th, he wrote to Greene and instructed him to contact Wybergh and warn him that the Uitlanders must not alter their platform or increase their demands pending further developments. Any excess, at that stage, would "check public opinion which is steadily setting on our side".(75)

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73. Fiddes to Milner, 7th April 1899, "Private". Milner Papers, 12.

74. Milner to Chamberlain, 9th June 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 87. See above, p. 136.

75. Milner to Greene, 14th June 1899. Cypher telegram. Milner Papers, 15.

As this letter was written at about the exact time when FitzPatrick sailed for England and, as the decision to send him there had been made some weeks previously, one is forced to conclude that Milner's motive was not to prepare the British public for the inevitability of war in South Africa but to encourage the steady build-up of public opinion in favour of the adoption of a stronger line which, he believed could still bring about a peaceful solution.

iii) Mission to London, July - October 1899.

FitzPatrick arrived in England in July. Immediately on arrival he attended a dinner arranged by Alfred Beit in honour of Rhodes.(1) He then secured an interview with Selborne, Milner having provided a letter of introduction. He told Selborne that Kruger would not yield an effective franchise until he "looked down the cannon's mouth".(2) He reported that he was "working day and night...no theatres, no sprees, nothing but work".(3) This does not, it seems, refer to preparation of The Transvaal from Within for publication because his letter went on to give details of an interview with Moberly Bell, the editor of the Times, at which he turned the tables on Sir James Sivewright, who was attempting to promote the anti-Milner case. His energies appear to have been absorbed in making contact with newspaper editors and so influencing their views. One positive result of the approach to Bell was the appearance of a letter to the editor in which FitzPatrick took Bell to task for suggesting that the expected offer of a seven-year retrospective franchise from Pretoria would secure Britain's objectives there.(4) FitzPatrick pointed out that a seven-year franchise would exclude the great majority of Uitlanders who had arrived in the Transvaal only after the end of the 1890-2 depression. He also asked what the meaning of the phrase, "irreducible minimum" was.

> "The Uitlanders have undertaken to co-operate in assuring the success of a settlement upon the basis of the High Commissioner's minimum. They are willing to forfeit their

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1. The White Bait Dinner. A/MSS.
2. Marais, op. cit., p. 298.
3. To an unknown addressee [July, 1899]. RM FIT 1/3/3.
4. Times, 20th July 1899. Bell's leading article had been published on July 18th.

> British rights if they are admitted in such numbers and on such conditions as to be able to exercise an appreciable influence on the Transvaal Government and to become a kind of security that the anti-British policy with its everlasting risks and threats of war will be abandoned for ever. They are giving up something which they value most highly in order to find the peaceful solution and they realise very well that it means entering upon a long and weary struggle against the forces of reaction. You cannot expect them to co-operate if you vary the conditions and make the struggle a hopeless one....I suggest that, before judgement is passed, we be allowed to hear what Sir Alfred Milner and the Uitlanders' Council have to say".

FitzPatrick's mission to England was supplemented by that of T.R. Dodd, the Secretary of the Transvaal branch of the South African League and one of the honorary secretaries of the Uitlander Council at its inception.(5) He was "one of the finest orators of the sub-continent"(6) and, after July 25th, addressed a series of meetings under the auspices of the Imperial South African Association. Dodd had led an Uitlander deputation to Milner in Cape Town earlier in June,(7) and it is possible that Milner then suggested that he too should operate in Britain. There is no evidence, however, of any liaison between him and FitzPatrick at this time.(8)

It is also possible that FitzPatrick was in contact with the Imperial South African Association, which at this time produced two pamphlets(9) of an informative nature on the South African situation. The first of these was released for publication early in July.(10) The precise date of FitzPatrick's arrival in England is not known but it is doubtful whether he had arrived in time to play any part in its preparation.

Most of FitzPatrick's energies were absorbed in the preparation

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5. Greene to Milner, 21st June 1899. C.O.879/59 Further Correspondence re S.A. Republic, p. 201.
6. Bitensky, op. cit., p. 41.
7. Times, 6th September 1899.
8. In October FitzPatrick suggested that Dodd should be given financial assistance, (to Phillips, 10th October 1899. A/LC V).
9. The Case for the British Subjects in the Transvaal and The Case against the Boer Republics.
10. Times, 10th July 1899.

of The Transvaal from Within for publication. This involved a considerable amount of labour because the type of the original work, printed for private circulation in 1897, had been broken up.[11] Also, the work had to be made suitable for general distribution by means of an historical introduction and brought up to date with the addition of supplementary chapters. The book was finally published at the beginning of October.[12]

FitzPatrick later contended that he intentionally delayed the publication of The Transvaal from Within "until all hope of peace had disappeared".[13] This is a curious assertion, for it is difficult to see why he should have wished to do this.[14] It may have been said in later years that the book "caused the war",[15] but FitzPatrick would surely not have been able to anticipate the remarkable popularity of his book. In fact, after publication, he appeared genuinely surprised at the mounting sales.[16] Apart from this, one of the reasons for his visit to England was to prepare the work for publication, the intention being that this would provide an informed account of Transvaal affairs and so influence public opinion in favour of the Uitlander cause. This being so, there was no need to delay publication but an urgency to publish as soon as possible.

The statement that he "witheld publication...as long as there was at least a hope of a peaceful settlement",[17] also poses the question as to when it was that Milner's plan for a peaceful settlement by means of sabre-rattling was seen and admitted to be a failure. This topic, which demands an examination of the very

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11. Cartwright, The First South African, p. 101.
12. It was reviewed in The Times on October 6th.
13. The White Bait Dinner. A/MSS, p. 11.
14. Emden (op. cit., p. 179) suggests that it was Wernher who urged delay. This is also the view of Wallis, (op. cit., p. 78). Both these opinions appear to be based on FitzPatrick's South African Memories, p. 112.
15. The White Bait Dinner. A/MSS, p. 11.
16. See, for example, FitzPatrick to Phillips, 10th October 1899. A/LC V; FitzPatrick to Milner, 21st October 1899. Milner Papers, 17.
17. The White Bait Dinner. A/MSS, p. 11.

complex developments which took place in Pretoria, Cape Town and London during July, August, September and October, lies outside the scope of this thesis. One thing, however, is clear and this is that, as was the case with Milner's policy and aspirations up to June 1899, so it is true that, in the crucial three months that followed, he continued to have confidence in his strategy long after there was any hope of success.

At the beginning of July Milner's strategy was dealt a major blow by the publication in Johannesburg by the newly-constituted Uitlander Council of a "declaration of rights".(18) Ironically, this statement, which destroyed any real hope of a peaceful settlement which would be acceptable to the Uitlander leaders, was the direct result of the suggestion which FitzPatrick had made, prior to his departure for England.(19) Had he remained in Johannesburg, he might have tempered these demands. As it was, the declaration completely rejected Milner's Bloemfontein proposals as inadequate. The Uitlanders, who were now stated on the basis of a memorandum prepared by S. Evans,(20) to constitute two-thirds of the population, could see no reason why they should not be enfranchised after "one or two years". Furthermore, an agreement on the franchise must be guaranteed by "an understanding between the imperial government and the government of the South African Republic". In addition, "knowing by experience the ways of the Transvaal government", the declaration demanded the immediate recognition of English as an official language, the independence of the High Court, the freedom of the Press, the disbanding of the forts which had been established "to intimidate" the Uitlanders, the abolition of all monopolies. The education system must be reorganised and the civil service remodelled, while all towns with populations over one thousand persons must have municipal governments. This statement suggested that it would be virtually impossible to secure a settlement, such as Milner had envisaged, which held the prospect of future progress through the enfranchisement of the Uitlanders. Without a contact amongst the Uitlanders,

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18. Greene to Milner, 4th July 1899. C.O.879/59, p. 276.
19. See above, p. 142-3.
20. C.O.879/59 Further Correspondence re S.A. Republic, p. 259.

Milner could do little else than ask Emrys Evans to attempt to maintain "moderation".(21)

While Milner was losing the initiative among the Uitlanders and would, if he persisted in this policy, be confronted by the increasingly difficult problem of keeping pace with these demands, he had also raised the expectations of English-speaking South Africans everywhere and, during July, was beseiged with memoranda from all parts of the country.(22)

From Pretoria, Greene offered Milner very little consolation. On July 21st he warned Milner that the Uitlander Council was "extremely radical" because the workers representatives on it were "extremely difficult to control".(23) A week later, he expressed his puzzlement as to what he was expected to do in the circumstances.(24) At the beginning of August he told Milner that there were no signs of any change of heart in the Volksraad, even though it was said to be "Progressive".(25)

Milner gave some indication of reading the obvious signs. At the beginning of July, for example, after receiving news of the Uitlanders' declaration of rights, he told Chamberlain that the franchise question was diminishing in importance. "What men really want to know is whether Great Britain is going to prove herself in fact...the 'Paramount Power' in South Africa.(26) He apparently saw that, because enfranchisement of the Uitlanders was not the real objective but merely a means towards an eventual goal, in the circumstances of growing Uitlander demands, this would be more and more difficult to achieve. His response to this realisation was not, however, loss of confidence in the strategy which he had initiated. On July 10th he wrote to Sir Arthur Lawley and told him that it was "quite impossible to say yet whether we

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21. Milner to E. Evans, 21st July 1899. Milner Papers, 16.
22. See C.O.879/59 Further Correspondence, pp 125 passim.
23. Greene to Milner, 21st July 1899, "Private and Confidential". Milner Papers, 16.
24. Greene to Milner, 28th July 1899, "Confidential". Ibid.
25. Greene to Milner, 4th August 1899,"Confidential". Ibid.
26. Milner to Chamberlain, 5th July 1899. C.O.879/59 Further Correspondence re S.A. Republic, p. 226.

are going to have Armageddon" or not.[27] On the 26th he told Chamberlain that he believed that the South African Republic would "yield further" if "pressure were kept up"[28] (referring to the Transvaal government's offer of a seven-year retrospective franchise.[29]) On the following day he repeated his belief that "opinion is growing that the Transvaal Government and its sympathisers are still bluffing, and, if pressure is kept up, will yield further".[30]

At this stage, there appears to have been general agreement, both in London and in Cape Town, that Kruger was giving way under pressure as Milner had predicted. At the beginning of August, for example, there appeared in the Fortnightly Review a well-informed article by "Diplomaticus" (presumably, the editor, W.L. Courtney) in which it was argued that Milner's South African policy stood on the verge of success. Like Chamberlain, Courtney saw Kruger's offer of a seven-year retrospective franchise as a real basis for settlement.[31] Chamberlain was severely rebuked by Selborne and also by Milner, and the official reply of the British government remained that the franchise question should be the subject of a joint enquiry.[32] Initiative thus remained with Milner, who hoped, through the joint enquiry, to establish precisely what concessions the Transvaal government would make and what the effect of these would be. At the same time, the involvement of the High Commission would establish the fact of British paramouncy while providing some guarantee of good faith such as the Uitlanders were now demanding. In this way, Britain could still hope to pull off a satisfactory settlement.

It seems incredible that it was only at this stage, after the idea of a joint enquiry had been established, that Milner began to ask whether franchise reform would in fact have any appreciable

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27. Milner to Lawley, 10th July 1899, "Confidential". Milner Papers, 6b.
28. Milner to Chamberlain, 26th July 1899. Milner Papers, 16.
29. See Marais, op. cit., p. 297.
30. Milner to Chamberlain, 27th July 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 153.
31. Chamberlain to Milner, 18th July 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 143.
32. See Marais, op. cit., pp. 302 et seq.

effect upon Transvaal politics. On August 2nd, he told Greene that what was needed in view of the joint enquiry was an "accurate criticism", based upon detailed information, of the Transvaal (seven-year) proposals. "Our friends in Johannesburg ought to be collecting these". What was particularly needed was a precise survey of one or two typical mines in order to establish precisely how many persons would be enfranchised according to different proposals.(33) Greene immediately informed Samuel Evans of Milner's wishes and Evans set about obtaining the information.(34) On August 7th, even before he was able to refer to this detailed information, Milner told Chamberlain that he was becoming increasingly doubtful as to whether franchise reform would produce an Uitlander majority. In any scheme, "many Afrikaners and others", whose interests were on the side of the government would be enfranchised and, "besides, the Uitlanders are not a homogeneous body".(35) Chamberlain's response(36) was to urge Milner not to drop the franchise demands. General support had now been obtained in Britain for this policy and new demands would mean having to "fight the whole battle of public opinion over again".

Thus, when the Transvaal government made its final offer of a five-year retrospective franchise on August 19th, in return for the recognition of Transvaal independence(37) (a bargain which Milner had earlier envisaged as perfectly feasible), he had begun seriously to doubt whether an abandonment of British "suzerainty" could be traded for the enfranchisement of the Uitlanders. Greene, still believing that the objective was to obtain reform, jumped at the suggestion when it was put to him by Smuts.(38) "Personally," he wrote, "I am so bewildered by the up and down tactics of the Home Government that I hardly know whether they wish me to work for a peaceful settlement...or for the other thing".(39) But he thought

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33. Milner to Greene, 2nd August 1899. Milner Papers, 16.
34. Greene to Milner, 5th August 1899. Ibid.
35. Milner to Chamberlain, 7th August 1899. Ibid.
36. Chamberlain to Milner, 8th August 1899. Ibid.
37. See Marais, op. cit., p. 308.
38. Ibid.
39. Greene to Milner, 16th August 1899. Milner Papers, 16.

that the proposals were sincere and should be entertained as being likely to satisfy Uitlander expectations (it would give them something to "crow" about). It was, of course, possible that Britain could improve upon the offer, if she persevered. Milner, who argued that Greene had gone "much too far" in abandoning the principle of a Joint Inquiry which alone could prove whether British objectives would or would not be achieved by the new franchise offer,(40) replied that the Secretary of State was prepared to discuss the new proposal and that Chamberlain should be allowed to "play the game" from London as it was "so hard to know what they want at home".(41) Greene remained convinced of the sincerity of the Transvaal government's offer.(42) What brought about a hardening of attitudes in the Transvaal was the Lorenco Marques incident (in which munitions consigned to the Transvaal had been held up by the Portuguese(43)). This was followed by a debate in the Volkraad on the dynamite monopoly in which, for the first time, Joubert really "stood up against Kruger". Rather than allow the reference of the dynamite question to the High Court and risk "exposure", Kruger preferred war.(44) Greene's interpretation of Smuts's motives and of Kruger's reasoning may have been at fault. Whether this was so or not, the fact was that, when on August 25th the Transvaal government announced that there was absolutely no chance of its altering the terms of the offer,(45) Greene had become convinced that there was no longer any chance of anything coming from the negotiations. Kruger preferred war to yielding either to the "Joubert party" or to a "peace policy". The only question then was, he said, whether the Boers would "go for us" before an ultimatum could be prepared and imperial troops moved to South Africa.(46)

These facts lead one to the conclusion that, at the very moment

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40. Milner to Chamberlain, 15th August 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 202.
41. Milner to Greene, 17th August 1899. Milner Papers, 16.
42. See Greene to Milner, 25th August 1899, Milner Papers, 16 and Greene to Milner, 28th August 1899. Ibid., 17.
43. Marais, op. cit., p. 316.
44. Greene to Milner, 28th August 1899. Milner Papers, 17.
45. Greene to Milner, 25th August 1899. Milner Papers, 16.
46. Greene to Milner, 28th August 1899. Milner Papers, 17.

when the policy upon which Milner had embarked early in 1899 began to produce some promise of success, he began to see its weaknesses. Until August of 1899 he apparently aimed to obtain and believed that there would be reform in the Transvaal. During August, he was less confident. Was this because he perceived that his ideas had been wrong? They were unsound not because he was wrong in his belief that the Transvaal would yield under pressure. (This was what in fact occurred when the final five-year offer was produced.) They were wrong because, in the final resort, franchise reform did not really promise to secure Britain's objectives in southern Africa. This was so not only because the Uitlanders could not necessarily be relied upon to remain loyal to Britain as Milner had at first anticipated, but also because the Transvaal government could hope to retain the initiative in the face of such pressures. Smuts, in fact, advocated reform in the Transvaal for reasons which were exactly opposite to those of Milner: he wished to strengthen republican South Africa. Milner's responsibility for the outbreak of the South African war would then lie, not in his having ruthlessly steered events in this direction ever since February 1899, but in his having embarked upon a policy which contained so many imponderables.

It was, then, after the weaknesses of his position had at last become obvious, that Milner urged Chamberlain to "bring matters to a head".(47)

This analysis does not take the attitude of Chamberlain into account. Nor does it delve into the complexities of diverse opinion in the Colonial Office and in the British Cabinet. Clearly, attitudes towards the South African problem differed according to political temperament and according to the amount of knowledge which different persons possessed about the Transvaal. The position was also greatly complicated by the fact that Milner's official dispatches consistently argued the need for strong action in order to persuade the British government to deal with what he attempted to portray as a crisis situation. He was little bothered by the fact that the subtleties of his private reasoning may not have been appreciated in the Colonial Office, in the Cabinet or by the British

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47. Milner to Chamberlain, 31st August 1899. Milner Papers, 17.

public. His task, as he saw it, was to persuade Britain to bring real threats to bear on the Transvaal in order to induce reform there.

The result was an exceedingly intricate pattern. Chamberlain, for example, appears finally to have grasped the elements of Milner's strategy. His hasty message of congratulation[48] when, in July, the Transvaal's seven-year franchise offer was made, is an indication of this. Selborne, on the other hand, adopted a perceptibly different approach. At the beginning of 1898, when Milner was concerned with the idea of working towards a crisis, Selborne had missed the point when he argued that Britain would go to war only if to refuse to do so would endanger her position in southern Africa.[49] On July 27th, on the day after Milner had sent a telegram to Chamberlain informing him of his belief (after the Transvaal's seven-year franchise offer had been made) that Kruger would "yield further if pressure kept up",[50] Selborne wrote a lengthy confidential letter to Milner.[51] Again he appears to have been at cross-purposes. He told Milner that the British public would now accept a war on the franchise question and that the Cabinet was also "all right", although there were mugwumps in it. He then referred to Chamberlain's "very unnecessary telegram of premature congratulation...during the tangent period" and commented:

> "That was a ghastly telegramme Greene sent just before that about the Uitlanders being at the end of their tether etc. etc. I could not invent or sent an excuse for it. I wonder you did not put it in the fire. If Lord Salisbury had seen it I think that it would have destroyed Greene's reputation for ever, but I took care that it did not go to the Cabinet".

Selborne, in fact, intent as he was upon persuading the British Cabinet of the need for war, appears to have believed to a far greater extent than either Milner or Chamberlain, that war itself was necessary. In addition, he saw that, once opinion in England

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48. Chamberlain to Milner, 18th July 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 143.

49. Selborne to Milner, 22nd March 1898, "Confidential". Milner Papers, 4.

50. Milner to Chamberlain, 26th July 1899. Milner Papers, 16.

51. Selborne to Milner, 27th July 1899, "Confidential". Milner Papers, 16.

had laboriously been educated to the point of accepting war, an opportunity existed which was not likely to occur again.[52]

All these different views on the South African situation began to converge towards the end of August, 1899. This was brought about by the Transvaal government's "last offer". As we have seen, it forced Milner to reassess his own thinking and to arrive at the conclusion that the franchise was not the key to the problem. It forced Greene in Pretoria to conclude that there was no hope of a surrender by Kruger. In England it produced a corresponding reaction. On August 20th Landsdowne told Wolseley that Chamberlain had assured him only two days previously that the outlook in South Africa was "much improved". While he wished to "avoid relaxing the pressure, he saw no occasion for reinforcements".[53] On August 28th Chamberlain made a last appeal to Kruger, suggesting that he could still at the "eleventh hour" avert war with "moderate and reasonable reforms".[54] On August 29th Dodd asked for an interview with Chamberlain because he wished to establish whether or not there was likely to be a war. Chamberlain's comment was that Dodd's presence could be useful "in the interval which must elapse between the beginning of military preparations and the arrival of the force in South Africa" but, he added, Dodd must not be given the hint that "we expect war".[55]

This was the first admission by any of the parties concerned that there was likely to be a war in South Africa. There followed, at the beginning of September, the compilation of a memorandum on the military situation by Wolseley for presentation to the Cabinet.[56] He argued that, if hostilities were actually contemplated, the War Office should be informed. Also, if war was

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52. As, for example, in October (To Milner, 7th October 1899, "Secret". Milner Papers, 17). He then expressed his dismay at Milner's hope that Steyn could intervene and persuade Kruger to climb down further. If so, he asked, "how will we get to the war point again?"

53. Landsdowne to Wolseley, 20th August 1899. C.A.B. 37/50; 53.

54. The Times, 29th August 1899.

55. C.O.117/282. Notes by Gordon on an interview with Dodd.

56. Memorandum by Wolseley, 5th September 1899. C.A.B. 37/46; 69.

inevitable, he asked that it be staved off for five or six weeks so that military force could be assembled in Natal. On September 6th, Chamberlain presented a memorandum to the Cabinet[57] in which he gave a detailed account of the case against the South African Republic. Relations with the Transvaal had reached a "crucial stage"; the real issue in South Africa being the intention of the South African Republic to create a United States of South Africa under Dutch influence. It was vital, therefore, that Britain should now formulate precise demands.[58] A draft dispatch which was drawn up after this Cabinet meeting attempted to do this.[59] It demanded agreement to a new convention which would explicitly recognise British suzerainty, the repeal of all legislation discriminatory against aliens introduced since 1881, full municipal rights for all major towns, the removal of all religious disabilities, the dismantling of the Johannesburg fort, the establishment of a Privy Council tribunal to decide future disputes and the granting of most-favoured-nation treatment for British trade.

This last ultimatum (which was never delivered because it was overtaken by the Transvaal's ultimatum of October 10th) provides a final illustration of the shortcomings of Milner's South African strategy. In the last resort, his plan required that the British government would accept his view that British interests in South Africa could be adequately safeguarded by means of an Uitlander enfranchisement. By September, circumstances had of course altered very considerably. British expectations had increased in proportion to what were interpreted as signs of Kruger's weakness. Doubts had also arisen as to the actual likelihood of franchise reform producing the desired effect. Nevertheless, it had been shown that events in Britain possessed their own momentum and it is extremely doubtful whether - even had Milner still believed in his franchise bargain - he would have been able

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57. C.A.B. 37/46; 70.

58. Chamberlain suggested that the minimum should be: the explicit acceptance of British suzerainty, the establishment of a Judicial Committee of the Privy Council to decide future disputes; a retrospective five-year franchise; full municipal rights for the mining districts; disarmament and indemnity for expenses which would be incurred, if these demands were refused. Ibid.

59. 21st September 1899. C.A.B. 37/46; 72.

to carry the British Cabinet with him once events had entered the new phase of war expectation, both in government circles and in public opinion.

A last example of the extent to which Milner was out of touch with South African realities is provided by his opinion in late September that Steyn could be expected to persuade Kruger to yield.(60) This belief is partly excused by the fact that Milner may have been ignorant of the extent to which British demands had grown. But it reveals nonetheless an astonishing absence of insight into the minds of his opponents.

A final comment, illustrating the complexities of the situation and of Milner's mind, is provided by Milner himself. At the end of November 1899, he wrote a letter to Chamberlain in which he took exception to a report which had appeared in the Daily Chronicle, concerning a conversation which he had had with James Molteno on October 4th. "I took a very different view from Mr Molteno", Milner protested.

> "As regards war, should it come and its after-effects... he seemed to think that the war itself would be a comparatively small matter in view of the disproportion of power on the two sides. I, on the other hand, have always regarded war with the Republics as a very formidable war indeed, owing to the colossal armaments of the South African Republic. In view of these armaments, I could not but anticipate a terrible struggle, the last thing in the world which I, or any man, could look forward to otherwise than with the greatest solicitude...."(61)

These events, which culminated in the commencement of hostilities on October 11th, were not in any way influenced by FitzPatrick. He was not in direct touch with Milner, nor with the Colonial Office, although he may have been aware of Dodd's approach at the end of August. Otherwise he was a bystander, being occupied mostly with the publication of The Transvaal from Within and with family matters.(62) In September or October, he rented a house at Wimbledon, where, as he remarked, he "might as well be at the North Pole".(63)

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60. Selborne to Milner, 7th October 1899, "Secret". Milner Papers, 17.
61. Milner to Chamberlain, 30th November 1899. C.O.879/43 Further Correspondence re Affairs in S. Africa, p. 238.
62. His daughter, Cecily, was born on November 19th.
63. Cartwright, The First South African, p. 101.

He found time, however, to write two letters to the editor of the Times under the nom-de-plume, South African. The first, published on September 20th, defended Greene against insinuations of bad faith.(64) The Boers, he maintained, were adept at ambiguity and the repudiation of agreements. He then gave examples of such "bad faith" on the part of the Transvaal government, ranging from the peace negotiations of 1881 to the Great Deal negotiations of 1899. His second letter(65) replied to assertions by Sir William Harcourt. In the first place, FitzPatrick rejected Harcourt's claim that Kruger had not "persistently refused to redress grievances". To the contrary, Kruger had refused to accept the recommendations of the 1897 Industrial Commission and had not restored the High Court to its former status, despite his promises to Sir Henry de Villiers. He then dismissed Harcourt's claim that the London Convention was seen in 1881 to abandon suzerainty by claiming that Derby had refused to introduce such a definitive clause in 1884. In any event, the question of suzerainty was now purely an academic one. As General Joubert had observed in 1897, FitzPatrick insisted, the real question was: "We have got to see who is going to be the boss, the British or the Boer".

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64. The Times, 20th September 1899.

65. The Times, 5th October 1899.

CHAPTER IV

PLANNING A NEW SOUTH AFRICA, October 1899 - December 1900.

The Transvaal from Within established FitzPatrick's reputation as an authority on South African affairs. The first edition of three thousand copies was sold out in fourty-eight hours[1] and, within a fortnight, it had run into four editions.[2] Copies were distributed to Members of Parliament[3] and, by October 21st, over 10,000 copies had been sold.[4]

The immediate popularity of the work is not difficult to explain. There were at the time very few authoritative works on the Transvaal and FitzPatrick's was the first of a spate of books which were hurriedly published to meet the demand which was created by the sudden interest.[5] Of these, The Transvaal from Within was the only one which contained detailed information about conditions under the Kruger government. It thus supplemented the massive Blue Book which the government had issued in June 1899[6] as the most useful source of information. But the book was more than a dry record of facts. It was a personal record of the reform movement, the Jameson Raid, the reform trial and of the frustrations of Uitlander politics during the period 1896 - 1899. Written in a vivid, if straighforward, style, it could be read at a popular level.

It is known that FitzPatrick had already been in contact with newspaper editors such as Moberly Bell of the Times, A. Harmsworth of the Daily Mail and E.T. Cook of the Daily News.[7] His growing

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1. Cartwright, The First South African, p. 99.
2. FitzPatrick to Milner, 21st October 1899. Milner Papers, 17. Wallis, (op. cit., p. 78) states that the book first appeared in September and ran into five editions by mid-November. He presents no evidence in support of either statement.
3. FitzPatrick to Phillips, 10th October 1899. A/LC V.
4. FitzPatrick to Milner, 21st October 1899. Milner Papers, 17.
5. Among other works which appeared shortly afterwards were: J. Bryce's Impressions of South Africa, Mrs Lionel Phillips's Some South African Recollections and W.E.G. Fisher's The Transvaal and the Boers.
6. C. 9345 Papers relating to the complaints of the British Subjects in the S.A. Republic, 1897-9.
7. See FitzPatrick to Phillips, 10th October 1899. A/LC V.

reputation as an authority on the subject and as a forceful writer, would have marked him out as a person to be consulted by other editors. According to F.E. Graham, however, both FitzPatrick and Dodd went out of their way to "buttonhole" editors.(8) One such was Strachey, the editor of the Spectator.(9) Dodd had also managed to see the Liberal leaders, Rosebery and Grey, "while they were still groping". At some stage during October (presumably, immediately after the commencement of hostilities(10)), FitzPatrick moved from Wimbledon to London, where he was in closer touch with events.

Unfortunately, few of the letters which FitzPatrick wrote at this time have survived, either in originals or copies, so it is difficult to make an accurate assessment of the part which he played in moulding British public opinion after the outbreak of war. Clearly, it is easy to exaggerate. This Balfour did when he told FitzPatrick: "You have done a thing that has never been done before. You have by means of a book completely altered the opinion of a nation in a crisis".(11) This assessment reflected the Cabinet's over-anxiety during 1899 to win public opinion to the need for war. It overlooked the fact that, once the nation was at war, a good deal of opinion would tend to rally to the government, particularly when, as was the case in South Africa, the final ultimatum came from the enemy. It also underestimated the success of what had been achieved before war broke out: on September 24th, for example, a large anti-war meeting in Trafalgar Square was broken up by pro-war enthusiasts.(12) Yet, it is significant that Balfour's assessment of the influence of The Transvaal from Within was written before the events of "Black Week" put British prestige in the balance and evoked popular hysteria. Balfour's statement thus reflected the general feeling in Britain that a significant battle for public opinion had been fought and won during the last

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8. Graham to Milner, 1st November 1899. Milner Papers, 17.
9. Cartwright, The First South African, p. 102.
10. His letter dated October 10th was written at Wimbledon; one written on October 21st was written from London.
11. FitzPatrick to Evans, 20th December 1899. RM FIT L/B V.
12. Knight, op. cit., p. 465.

four months of 1899[13] and that FitzPatrick had played a prominent part in the struggle.

Apart from doing his best to assist the war effort,[14] FitzPatrick's main concern, after war had broken out, was with the post-war settlement. Before the military setbacks of "Black Week" indicated that the war would drag on for some considerable time, it seemed that this was a question which required immediate attention. Thus, on October 21st, he wrote to Milner[15] and told him he wished to be put in touch with Chamberlain. He had, he said, steered well clear of the Colonial Office, judging that Chamberlain "did not want to see any of us yet". He wished to suggest certain plans regarding immigration, irrigation and railways which Ecksteins, with their vast capital and land resources, would be able to assist. "We ought to play the game of the 1820 Settlers in both the O.F.S. and Transvaal", he contended, "and that needs explaining and pledges of assistance". He would also see Rosebery and Grey, the Liberals, in order to "be independent of the accident of Party changes". The outcome of this was a meeting between FitzPatrick and Chamberlain at some stage during November.[16]

Shortly after Milner had received this letter from FitzPatrick, he wrote and asked FitzPatrick to comment on his ideas on the post-war settlement. This letter was not provoked by FitzPatrick's letter of October 21st but resulted from the fact that, on November

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13. Ibid., p. 465 et seq. Price, (op. cit., pp. 77-8) suggests that this was largely an illusion as far as the working class was concerned.

14. FitzPatrick was mainly concerned with raising funds for the Imperial Light Horse, the formation of which he had discussed with A. Wools-Sampson in April or May, before leaving Cape Town (FitzPatrick to Evans, 20th December 1899. RM FIT L/B V). He then attempted to interest the War Office in plans for an Imperial Volunteer Reserve and in a scheme for shipping remounts to South Africa (To Milner, 23rd December 1899. Milner Papers, 17). He also assisted Lord Chesham in equipping the Imperial Yeomanry (To Evans, 20th December 1899. RM FIT L/B V).

15. FitzPatrick to Milner, 21st October 1899. Milner Papers, 17.

16. Eckstein, in a letter to FitzPatrick (20th December 1899. B/A I), referred to two letters of FitzPatrick's (one of 24th November and one of December 1st) in which he gave an account of this interview. Neither of these letters is among FitzPatrick's papers.

10th, Selborne had written and asked Milner for his views.[17] According to Selborne, neither he nor Chamberlain had crystallised their ideas on the subject but they contemplated the annexation of both republics, the introduction of responsible government in each and no immediate attempt to force federation.

In hurried fashion, Milner jotted down his thoughts.[18] One thing, he said, was self-evident: "the ultimate end is a self-governing white community, supported by well-treated and justly-governed black labour from Cape Town to the Zambesi. There must be one flag, the Union Jack, but under it equality of races and languages. Given equality all round, English must prevail, though I do not think and do not wish that Dutch should altogether die out. I think, though all South Africa should be one Dominion with a common government dealing with Customs, railways and defence, perhaps also with native policy, a considerable amount of freedom should be left to the several states".

> "But though this is the ultimate end, it would be madness to attempt it at once. There must be an interval to allow the British population of the Transvaal to return and increase and the mess to be cleared up, before we can apply the principle of self-government to the Transvaal. During that interval, call it what you will, the Transvaal and possibly the O.F.S. also, must be administered by agents of H.M.'s government with a strong mounted police, composed, I hope, of born South Africans".

He did not believe that there would be any great difficulty in financing this administration. Without the corruption of the Kruger administration and the cost of armaments which it had imposed, the Transvaal could meet it, together with the payment of interest on a loan to compensate "those who have been ruined in the struggle for freedom and prosperity". He could not foresee how long this period of unrepresentative government should last but was in favour of shortening it as much as possible.

> "As for the Boer himself, provided I am once sure of having broken his political predominance, I should be for leaving him the greatest amount of individual freedom. First beaten, then fairly treated, and not too much worried on his own 'plaats' in his own conservative habits, I think

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17. Selborne to Milner, 10th November 1899, "Secret". Milner Papers, 17.

18. Milner to FitzPatrick, 28th November 1899, "Very Confidential". B/A I.

> he will be peaceful enough. It is the interested and intriguing outsider who has stirred him up to all this mischief".

FitzPatrick was concerned with the problem from the same point of view as Milner. Like him, he saw that it was of paramount importance to make use of the opportunity which would be offered by the conquest of the Boer republics to establish the foundations of a future British South Africa. If this were not done, the war would have been fought for nothing. It was a problem which was to engage almost all his attention during the ensuing ten years. It was also one which he had thought about before Milner sought his opinion on it.

Almost immediately after hostilities had been commenced, Samuel Evans, FitzPatrick's colleague at Eckstein and Co., who had collaborated very closely in the organisation of the Uitlander Council and who shared FitzPatrick's interest in politics, wrote from Cape Town and drew his attention to the question.(19) From what he could gather at Government House, he thought that discussion would not take place in Cape Town at all but in London and that "the country would be governed by the military for some time".

> "I do not altogether like this", remarked Evans. "I agree as to a military government but I should like the formation of the new Civil Service to be started on the right lines with as little delay as possible. The tendency of the military is to do things without consulting anybody excepting their own crowd, with the result that a lot of harpies get important posts where they do a lot of harm. This happened in Egypt....That is why I am so very keen that we should think now about the staffs of the Post Office, Telegraphs and Customs, etc....The great object, I take it, in the formation of the new Civil Service should be to remove such excrescences as the Hollander and German officials. No pity should be shown in this respect. They should all go. Also, we should aim at getting as many as possible of our own people as head of Departments. I mean men like Wools Sampson, Doveton, Wybergh, Mullins, Anderson, Dodd, Emrys Evans, Forster etc. etc."

In addition to this interest in the fundamental question of the future Transvaal administration, Evans saw that one of the key points was the system of representation in a future Transvaal representative government. He was disturbed at the possibility

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19. Evans to FitzPatrick, 3rd November 1899. B/A I.

that the Africans might be enfranchised as in the Cape Colony and, in order to ensure a British majority, he argued that a system of proportional representation was "absolutely essential".[20] Also, steps should be taken to ensure that the Leader would be able to recommence publication as soon as conditions permitted, so that after the war it could present an effective counterfoil to the anticipated opposition of a revived Standard and Diggers News.[21]

Evans then convened a meeting of the members of the Uitlander Council who were in Cape Town and corresponded with those who were in Natal.[22] The result was a full discussion of the question among the Uitlander refugees. Forster drew up a memorandum which served as the basis for discussion.[23] The feelings of the Uitlander Council (or the members who were in Cape Town) were then consolidated into a statement which Dalrymple took to England for FitzPatrick's information.[24] It concentrated upon such questions as were likely to be decided in England. In particular, it urged the complete eradication of republicanism "under any shape or form" so that there would be no "rallying-point for anti-British propaganda". Federation was thought to be "absolutely premature at present". It would result "in the Cape Colony, with its large Boer population, hopelessly dominating the remainder of South Africa" and would therefore have to wait until "we know exactly how we stand with the electorate in the Transvaal", until Rhodesia had progressed sufficiently to become a "strong factor" and until the British population in the Transvaal had increased so that it had become the "recognised centre of gravity of South Africa". Until this occurred, the idea of Natal expansion must be resisted. This was particularly important because it was essential that the Transvaal obtain access to the sea through Swaziland and "control as great an extent of railway line as possible so as to make the best possible terms with the Cape Dutch when it comes to federation". Also, it was "essential

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20. Evans to FitzPatrick, 15th November 1899, "Private". B/A I.
21. Ibid. In fact, the Standard and Diggers News was not revived and, in 1902, the Leader was sold to the Cape Times.
22. Evans to FitzPatrick, 22nd November 1899, "Private". B/A I.
23. Ibid.
24. Wybergh to FitzPatrick, 13th December 1899. B/A I.

to have Natal thoroughly English". In a letter to FitzPatrick, Wybergh stressed the importance of making "a clean sweep in the Civil Service".

> "Besides its other iniquities, the Civil Service has always been utilised as a Dutch electoral committee.... We must have a proper professional class of civil servants, who are not elected and have no concern with politics. Also, we want to destroy the power of the field cornets, who will otherwise be centres of sedition in the country districts. I am anxious to see a number of local bodies formed, rather on the lines of County Councils but with, for the present, strictly limited powers. This might indeed be introduced at first as a temporary measure, which would enable us to gauge the feeling in the country and determine what amount of self-government it will be possible and safe to grant".

Evans believed that Milner was "quite healthy" on most of these points. The Uitlander leaders in Cape Town were in a very good position to influence him. Eckstein, for example, was in regular contact and assisted Milner with administration.(25) Evans himself was employed by Milner shortly after this on a secret mission to Lorenco Marques, where he investigated the extent of the Transvaal traffic.(26) Hosken was soon to join the other Uitlander leaders in Cape Town, hoping to assist in the task of designing the new Transvaal.(27)

With Milner under constant surveillance, there was no cause for anxiety. The danger, as Evans had pointed out to FitzPatrick,(28) was that hasty or uninformed decisions would be made in London. It was, therefore, essential that FitzPatrick remain there and endeavour to contact influential politicians and officials. In order to strengthen his position, he and Dodd were appointed official Uitlander Council delegates, "with full powers to act" on behalf of the organisation.(29) Milner agreed that FitzPatrick should stay where he was. Walrond wrote to Eckstein and informed

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25. See, for example, Eckstein to FitzPatrick, 12th December 1899 and 20th December 1899. B/A I.
26. See Milner to Chamberlain, 22nd December 1899. C.O.879/56 Secret Papers re Affairs in S. Africa, p. 485; Milner to Chamberlain, 24th January 1900. Milner Papers, 27.
27. Men of the Times, 1905. Biographical sketch of W. Hosken.
28. Evans to FitzPatrick, 15th November 1899. B/A I.
29. Ibid.

him of this wish.[30]

FitzPatrick needed no reminding by either Evans or Milner of the need to concentrate attention on the settlement. The activities of the "peace with dishonour" party[31] had already provoked him to write an article for the Fortnightly Review.[32] The war, he argued, had been inevitable. "It became inevitable as soon as it was clear that two ambitions, inconsistent with each other, were to be resolutely promoted". The one was British paramouncy and the other Boer dominion. Because Kruger and his government looked "to something beyond defending the independence of his country", it was never the intention to agree to real reform, which would mean the surrender of the "scheme of Boer dominion". Turning to the question of the post-war settlement, FitzPatrick observed that discussion of this topic might be left until Milner had raised it were it not for the fact that, in England, the suggestion was being made that the Republics should retain their identity, subject to a clearer definition of their relationship with Britain.

> "Knowing the hostility and the persistency of the Boer leaders," FitzPatrick asked, "is it common sense to provide them with a rallying-ground for the disaffected from which to work mischief as occasion offers, for under the best conditions occasions must occur. Is there to be another legacy of trouble to be faced in years to come and under conditions which we cannot foresee, or are we to start with the 'clean slate'? A final settlement is not only consistent with generous treatment of the vanquished, it is the only wise and merciful course".

This article is one of FitzPatrick's most clumsy pieces of prose. It lacked clarity and therefore lost impact. But it illustrates his concern with the question of the settlement. Since this article was published early in December, it must have been written in mid-November. He therefore anticipated the thinking and the wishes of Milner and Evans.

An unexpected opportunity to influence the British government occurred shortly after FitzPatrick had received the communications

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30. Ibid.

31. FitzPatrick to Milner, 23rd December 1899. Milner Papers, 17.

32. "Some Notes on the Transvaal Question". The Fortnightly Review, LXXII, December 1899.

from Cape Town which urged him to stay on in London. Strachey invited him to meet Balfour at a private dinner.(33) On this occasion a lengthy discussion took place and Balfour assured FitzPatrick that "there would not be a vestige of independence left to the two states".(34) Responsible government would be introduced "as soon as it could be done with safety, that is to say as soon as there was a certain loyal majority". In the interim, government would be conducted by "direct imperial authority". Balfour was not explicit as to whether it would be military or civil government but FitzPatrick inferred the latter.

FitzPatrick urged that, during the interim period, the Imperial government should undertake public works on a large scale on the understanding that this expenditure would be met by the future representative governments of the two territories. Balfour asked whether new mining areas were likely to be developed in order to justify such railway construction. FitzPatrick stressed that this was not the point. New lines should be built in the purely agricultural districts because, as had been the case in the Pietersburg district, there had been a marked influx of Uitlanders to the district following the construction of the railway there. "It is the invariable rule in South Africa that, as land rises in value, so it passes into the hands of the British". As far as the future representative government was concerned, FitzPatrick "impressed" upon Balfour that "a strongly-progressive policy and equal rights for all must mean the extinction of Boer dominance".

Balfour was then questioned about the British government's intentions regarding the cost of the war. FitzPatrick argued that, if an "unbearable proportion" of the cost were placed upon the Transvaal, this might effect the political situation in that people would "wish to have Kruger back as the less expensive luxury". Also, if the burden were too great, public works would be delayed and this would mean that the essential large loyal population would be delayed. Furthermore, it was a matter of important principle that the Empire as a whole should bear some of the cost. Otherwise, it would follow that imperial protection

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33. FitzPatrick afterwards wrote an account of this meeting entitled "A meeting with Mr Balfour". South African Memories, pp. 109 et seq.

34. FitzPatrick to Evans, 20th December 1899. RM FIT L/B V.

was the right solely of British subjects who were able to pay for it.

Towards the end of the evening, their conversation was interrupted by the news of Buller's repulse at Colenso.[35] This made further discussion of these political problems both impossible and irrelevant. So, when FitzPatrick replied on December 23rd[36] to Milner's enquiry as to his thoughts on the post-war settlement, he hardly mentioned the political questions but dealt with his attempts to assist in the formation and equipping of a mounted infantry corps. Similarly, when at the beginning of January he replied to Evans,[37] he observed that, "in the immortal phrase of Mrs Beaton's Cookery book", it was first necessary to catch the hare. In any event, the effect of the military disasters had been a hardening of opinion about the future settlement and there was now "no thought anywhere about anything short of complete conquest, subjugation in the most thorough sense, and absorption of the two republics". Chamberlain's assurances on this point (given at FitzPatrick's interview with him in November), were thus reinforced. Since his conversations with Chamberlain and Balfour, he had also spoken to Wyndham at the War Office and Wyndham had also assured him that there was no intention of loading the two republics with large war debts after their surrender.

FitzPatrick agreed with Evans's view regarding the surrender of territory to Natal. "That is simply rot and robbery", he wrote. "It is <u>our</u> country. We have made it, suffered for it and will pay for it. Our aim must be to keep as much of it as we can muster and only give away for our own safety...."

> "If we are firm, we shall carry a lot of weight and my idea is to keep the final settlement off until we are strong, at any rate to give nothing away....We have to run the Transvaal and it must be the premier state in the future. Given time and favourable treatment, we can make the Transvaal the security for imperial South Africa".

There are few clues as to what FitzPatrick did between January 5th (when he wrote this letter to Evans) and March 11th, when he and his family left England for a holiday on the Riviera. What is

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35. <u>South African Memories</u>, p. 123.

36. FitzPatrick to Milner, 23rd December 1899. <u>Milner Papers</u>, 17.

37. FitzPatrick to Evans, 5th January 1900. RM FIT L/B V.

known lends no support whatsoever to the claim that he was at this time the British government's "unofficial advisor" on South African affairs.(38) One likely reason for his silence was that he was suffering from recurring bouts of influenza.(39) Despite his illness, he prepared an article for the Westminster Review entitled "Was the war necessary?" It added nothing to what he had already said on the subject in the Fortnightly Review. Shortly before he left for the continent, he lunched with Chamberlain and his family and, after the meal, had a long talk alone with him in his study.(40) Chamberlain told him that he appreciated FitzPatrick's anxiety about the settlement. "It is quite natural, but you can believe me, Mr FitzPatrick, that I should not remain in my present office for one minute if there were a suggestion (or thought, or idea) of anything but out-and-out annexation of those two countries". He had not, and would not, given public expression to this because he "had been badly used in the past". He then invited FitzPatrick to contact him if, at any time, there was anything which he wished to "report or suggest".

After his return from France, he received "numberless requests to write about the settlement, the future and such things" but declined because he wished to reserve his efforts "for the time when the settlement would come under discussion and have be be decided upon".(41) He also met Conyngham Greene in London (he had been rewarded for his services in Pretoria with a K.C.B.) and was interested to learn that Greene was very emphatic in favouring the idea of removing the Capital from Pretoria to Johannesburg. As he had also heard from Evans that Milner supported the move, he suspected that there was "support in higher quarters".(42) FitzPatrick told Eckstein, however, that Wernher, Beit and Phillips were all against it. It would be considered "offensive to the old inhabitants" and would be seen as an assertion of Uitlander (or even capitalist) supremacy. They also thought it unwise that the

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38. Niven, Jock and Fitz, p. 49; Cartwright, The First South African, p.98.
39. See FitzPatrick to Evans, 20th December 1899. RM FIT L/B V and FitzPatrick to Evans, 5th January 1900, ibid.
40. FitzPatrick to Eckstein, 10th March 1900. RM FIT L/B V.
41. FitzPatrick to Eckstein, 26th May, 1900. RM FIT L/B V.
42. Ibid.

seat of government should be in the chief industrial centre, where it would be exposed to local pressures and influences.

> "For my part", FitzPatrick declared,(43) "I think we have got to do our best to get the country settled on British lines. To that end, we have to get the balance right and any measure, provided it is legitimate, which tends to that end, is deserving of the most careful consideration. If the fact of Pretoria being retained as the capital should soften the fall of the Boers, in the sense of giving them more political advantage or status than they would have if Johannesburg were the capital, or if making Johannesburg the capital would considerably increase the British element in the Transvaal, I think there is a very weighty reason for a change....It is, however, well worth considering, if the seat of government carries with it a large English population, whether Pretoria should not be preserved as the seat for the reason that two large English towns are better than one...."

As usual, FitzPatrick saw the question in broad political terms and thought about it in a fundamental way.

During the first week of June, FitzPatrick made his major effort to influence the crucial decisions which it seemed, following Roberts's occupation of Johannesburg at the end of May, were about to be made. He secured the co-operation of both the Times and the Daily News in featuring articles which urged the termination of the independence of the two republics.(44) Strachey performed a similar service in the Spectator.(45) These editors, FitzPatrick observed, were now extremely helpful because they had realised that there was no wish to be "unreasonable or vindictive....'Never again!' has caught on well and given people the right view, which was often discredited by being called 'vengeful'. But they can see that Milner really means thoroughness and not 'vengeance' and that it is the wise and merciful thing". Apart from this approach to the press, FitzPatrick also intended to make a final personal appeal to the leading politicians: Chamberlain, Balfour, Asquith, Rosebery, Grey and Buxton.(46) He left no record as to whether the approach to the Liberals met with any success. Balfour, however, agreed to see him again and so

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43. Ibid.
44. FitzPatrick to Eckstein, 1st June 1900. RM FIT L/B V.
45. Ibid.
46. Ibid.

also did Chamberlain.

At his interview with Chamberlain, FitzPatrick again found the Colonial Secretary most helpful.[47] He promised that military rule would be terminated as soon as possible and that Milner, health permitting, would be given the power. But when the discussion then turned to the question of war debt, it was revealed that Chamberlain's attitude of lenience had altered considerably over the past few months. FitzPatrick had already admitted that the ex-republics should make some contribution to the cost of the war[48] but was concerned that this should not be crippling. A condition should be that the British government guarantee the Transvaal government's loans which would be needed to meet this payment, together with the cost of reconstruction and development. Chamberlain told FitzPatrick that nothing had been decided and that, while he wished to get as much as he could out of the Transvaal, he did not wish to hamper development there. He suggested a figure of £25,000,000 under imperial guarantee, extending over a period of fifty years. "I look at it this way", Chamberlain said. "You paid £3,500,000 to four million to Kruger and you could do it pretty comfortably and would have continued all right had the money been well-expended and had the administration been good. Now, I am not going to take less from you than Kruger did but I do propose to give you the benefits of good administration. If we are worth our salt, we ought to save a million a year, and that can go in payment of interest".[49] In reply to FitzPatrick's questioning, Chamberlain agreed that these payments should be suspended during the period of military occupation. He held out no hope at all of the British government's agreeing to guarantee further loans, such as FitzPatrick had envisaged for the purpose of undertaking public works. Clearly acting upon Beit's instructions, FitzPatrick then urged upon Chamberlain the need to cheapen labour and mining costs, "so as to get a really permanent settlement", and particularly argued that dynamite should not be taxed.

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47. FitzPatrick to Beit, 8th June 1900. RM FIT L/B V.
48. See FitzPatrick to Evans, 5th January 1900. RM FIT L/B V.
49. FitzPatrick to Beit, 8th June 1900. RM FIT L/B V.

If necessary, a tax on mining profits would be preferable.[50]

Following this discussion with Chamberlain, FitzPatrick discussed the question of the war debt with the newspaper editors with whom he was in contact. Here, as had been the case with Chamberlain, he found little by way of encouragement. Bell of the Times was "reasonable"; Cook of the Daily News was "all right"; Strachey of the Spectator could be "relied upon", but the Harmsworths of the Daily Mail, who had during the war been most consistent in their support of firmness against the Boer, now argued that "at least £40,000,000 should be borne by the Transvaal".[51] The disagreement of the proprietors of the Daily Mail, together with Chamberlain's attitude, suggested that it was going to be extremely difficult to win support in England for leniency towards the capitalists of the Transvaal. Already the war was being popularly interpreted as having been unjustly undertaken for the benefit of the mining capitalists[52] and the argument which FitzPatrick relied upon ("that overloading will prevent the progress of the country and indefinitely postpone the real settle-

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50. FitzPatrick's account of this meeting tallies very closely with Chamberlain's account (to Milner, 18th June 1900, Milner Papers, 27). Chamberlain wrote: "I had a long conversation with Fitz-Patrick who is just returning to South Africa and found him very interesting. He is naturally anxious that we should not kill the goose that lays the eggs by imposing too heavy taxation on the Transvaal and the mining industry in the first instance. Without committing myself in any way, I told him, first, that although we might be willing to arrange taxation so as to make it more fair and above all to secure the highest contribution from the most profitable undertakings, yet I did not think it likely that there would be in the first instance any reduction whatever in the aggregate revenue to be derived from the Transvaal. We should have to provide for the army of occupation and also for a substantial indemnity to cover the claims for compensation and some kind of return towards the expenses of the war.

"In relation to the latter point, he said that everything must depend on the other expenses, and especially on the cost of the army of occupation, but I let him know that the smallest sum that would satisfy me would be £25 million for the Transvaal and 5 or 10 million -probably the former - for the O.F.S.

"Public opinion in Britain will not be satisfied unless the mines made a considerable contribution towards the cost of the war".

51. Ibid.

52. See Knight, op. cit., pp. 450 et seq. Price, op. cit., pp. 46 et seq.

ment"[53]) had no obvious counter-appeal. There is no indication in FitzPatrick's letters that he foresaw this difficulty through an understanding of British politics.

At the beginning of June, FitzPatrick received a cable from Eckstein in which he was suddenly summoned to Cape Town.[54] The precise contents of this cable are not known but there can be little doubt that Eckstein sent it on Milner's behalf, in the same way as he had, in November 1899, instructed FitzPatrick to remain in England at Milner's request.[55] This decision to recall him to South Africa was clearly not in consequence of a belief that he had now successfully accomplished his task in England: that of influencing the British government's decisions regarding the future of South Africa. Although it is true that he had established contacts with Balfour and Chamberlain, Chamberlain at least had indicated in his discussion on the war debt that he was not to be relied upon. Even had it been true that the unqualified support of these two members of the Cabinet had been obtained, it would not have followed that their views would have automatically swayed the Conservative-Unionist government which was now, with the first stage of the war nearing completion, exposed to the increasingly effective opposition of the Liberals under Campbell-Bannerman.

The reason for FitzPatrick's sudden departure from London is to be found in South Africa. There, Milner was finding himself the object of growing political unrest. Some of this was the result of his difficulties in dealing with the Uitlander refugees who, in Natal and the Cape Colony, had watched with rising expectations the military advance into the republics during the first half of 1900. Most were understandably anxious to return to the north as soon as possible and the inconveniences which they had suffered had shortened their tempers. As we have seen in relation to FitzPatrick's exertions in England with regard to the settlement, the Uitlander Council's organisation continued in these refuge communities. In Cape Town, Samuel Evans, Dalrymple and Forster claimed to act as members of the Uitlander Council.[56]

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53. FitzPatrick to Beit, 8th June 1900. RM FIT L/B V.
54. FitzPatrick to Eckstein, 1st June 1900. RM FIT L/B V.
55. See above, pp. 168-9.
56. See above, p. 167.

In Natal, Hosken (before he travelled to Cape Town), Naph Cohen, Mackie-Niven and Caldecott formed a similar coterie.[57] Even before the war, Milner and Greene had experienced difficulty in controlling the Uitlander politicians. Now, they were getting out of hand once more.

One reason for the unrest of the Uitlander refugees was the complaint that they were being needlessly prevented from returning to their homes on the Reef.[58] This produced resolutions not only from Uitlander Committees in Cape Town and Pietermaritzburg but also from Port Elizabeth, East London and Grahamstown.[59] This agitation was accompanied by the prodigious growth of the Vigilance movement. Like the South African League, which it resembled and in many ways replaced, the South African Vigilance Association was established to "secure British supremacy throughout South Africa" and to "make it certain that there shall be no doubt whatever in the future that the whole of South Africa shall be a portion of the dominions of the Queen".[60] Like the League the Association grew (in mid-1900) through the formation of local branches throughout the Cape and Natal. In all probablility, in most areas, it inherited the local organisation of the League. The Association began by publishing a series of "Vigilance Papers" which attacked the Kruger administration[61] and championed the cause of annexation.[62] Its activities then culminated in a Vigilance Conference in Cape Town on August 30th. One object was to arrange for delegates to be sent to England, where they could hope to influence public opinion during the approaching general

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57. See, for example, N.H. Cohen to Hely Hutchinson, 16th March 1900. C.O.879/66, p. 127. Cohen enclosed a memorandum, outlining franchise and other proposals which would secure "British supremacy in South Africa". This memorandum, doubtless the result of correspondence with Evans in Cape Town, had been seen by Niven and Caldecott.

58. See Mawby, op. cit., p. 38.

59. C.O.879/70 Furter correspondence re S.A. war, p. 270.

60. Speech by Sir Gordon Sprigg; report of proceedings of the Vigilance Conference, 1900.

61. As, for example, Paul Kruger and the Transvaal judiciary, The anti-British crusade in South Africa and President Kruger's Retrogressive Policy.

62. For example, Speech by the Hon. J. Rose-Innes; "Never Again", Sir Alfred Milner's reply to Ministers' address; and Speech by Mr Advocate Wessels.

election.[63] From one point of view, this movement posed no threat to Milner. It was allied to his determination to bring about a new British South Africa. But it would be inadmissable to assume that it - any more than the South African League or the Uitlander Council - was directly influenced by him. Its leading members were Cape and Natal Loyalists such as Sprigg, Crewe, Garrett, Jagger and J.L. Hulett. Not one of the politicians who were closely associated with Milner - such as Samuel Evans, Wybergh or Forster - was publicly associated with it. The three Uitlander Council members who attended the conference[64] were not known Milner sympathisers and one, in fact T.R. Dodd, was now associated with the creation of Workers' organisations.[65] So far from Milner being comforted by the emergence of this new organisation, therefore, it is likely that he viewed it with some anxiety.

This growth of political activity among the Uitlanders and the British loyalists was accompanied by the emergence of new rifts which were even more alarming. In Cape Town, for example, an Uitlander Refugee Committee had been established. This organisation provided a foretaste of what was shortly to occur in the Transvaal when it took its stand as the champion of labour against exploitative capital. Supported by the Cape Town newspaper, the South African News, it protested vigorously that the capitalists were about to seize the spoils of war. This, it argued,[66] was clearly demonstrated in the appointment of Samuel Evans as the new civil commissioner in Johannesburg,[67] despite his association with Eckstein and Co.; by the selection of Wybergh as Mining Commissioner (his connection with the capitalists supposedly being "proved" by the fact that he had been employed by the Consolidated Gold Fields); and by the fact that F.G. Hamilton (of Barnatos) was the military administration's "financial advisor". The result of this capitalist hold over the Transvaal administration, according to the Committee, was the "freezing out" of holders of claims who did not possess the same vast capital resources. They complained

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63. Report of Proceedings of the Vigilance Conference, 1900.
64. T.R. Dodd, J. Hall and J. Strong.
65. Mawby, op. cit., p. 237.
66. Memorandum by M.J. Farrelly, 10th October 1900. Milner Papers, 34.
67. Cartwright, The Corner House, p. 176.

further that the Rents and Interest Commission was packed with capitalists[68] and that the proclamation of August 25th which declared that licence moneys which had fallen into arrears during the war were to be paid. The Transvaal Gold Law made no distinction according to whether claims were being worked or not and the result was that the "small man" would bear a greater burden than the large capitalist concerns and many would have to sell out as a result. This unrest was to lead to the convening of a rowdy protest meeting in Cape Town in September.[69]

From Milner's point of view, the most disturbing development during this period was his loss of support from some of the Transvaal leaders upon whom he most relied. No sooner had Samuel Evans, Wybergh and Monypenny (the editor of the Star who had been imported in the pre-war period to give the newspaper more punch) returned to the Transvaal than they began to adopt an independent line. They demanded, for example, the removal of the seat of government from Pretoria to Johannesburg. Milner was not opposed to the idea in principle but was alarmed at the way in which Evans and Monypenny declared their determination of forcing the removal "even if every member of the Cabinet were against it". Milner could "govern without the Dutch" but he could not hope to "govern without Johannesburg".[70]

To these difficulties which resulted from the agitation of Transvalers must be added the problems of the Cape Colony. There, political tempers had also been shortened by the events of the war, the counter-measures which had been undertaken against Cape rebels and by the resignation of Schreiner on June 13th.[71] By mid-October, the position was to deteriorate further to the extent

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68. Its members were Major Cochrane, a military representative, Major Goodwin (accused of representing Ecksteins), F.G. Hamilton (of Barnatos), Brakhan (of Goerz & Co.), W. Smart (of the Banking Corporation) and de Jongh (of Lewis and Marks).

69. Mawby, op. cit., p. 40.

70. FitzPatrick to Milner, 4th July 1900. RM FIT L/B V. See also Milner to Chamberlain, 7th July 1900. C.O.879/63, p. 294. Milner explained that he was afraid that this would create "the worst possible impression" that "an extreme Uitlander clique was controlling our policy".

71. See Walker, W.P. Schreiner, p. 118.

that Milner took the drastic step of proroguing Parliament and then governing without it.

In view of the fact that most of the difficulties which were encountered from the returning Uitlanders occurred during and after July, the decision to summon FitzPatrick from London at the beginning of June does not appear to have been prompted by these so much as by difficulties in the Cape. Shortly after FitzPatrick arrived in Cape Town, Milner made this explicit when he told him that he wished him to remain in Cape Town "for some time". When he went to the Transvaal, he said, he wanted a "good man" in Cape Town because, "although the Transvaal will be the real centre of British power and it is our business to make it so, we must by no means neglect the Cape".(72)

While it may have been Milner's main intention to use FitzPatrick in the Cape Colony, he arrived at the very time that Monypenny was causing anxiety in the Transvaal. His close friendship with Evans and earlier association with Monypenny, made him the obvious person to intercede. As Milner put it: "Look here; your work is to get these people in hand and sit on them".(73)

FitzPatrick reluctantly agreed with Milner that "reasons of policy and expediency" made it unwise to contemplate moving the administrative capital to Johannesburg at that stage. He knew that his business superiors were opposed to the move. While in England, he had considered the matter from the point of view of creating "two English towns instead of one".(74) Now he conceded that, as the move would provoke "any amount of criticism" and showed "no clear advantage", it would be unwise to provoke unnecessary opposition. He also argued, somewhat unconvincingly, that if the inconvenience and cost of maintaining Pretoria as the capital were too great, "it will be possible to remedy matters in whole or in part", but it would be impossible to reverse a decision in favour of Johannesburg "because the remedy would be as bad as the complaint, i.e. defeat!"(75)

FitzPatrick met Monypenny in Cape Town and a heated "discussion"

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72. FitzPatrick to Wernher, 4th July 1900. RM FIT L/B V.

73. Ibid.

74. See above, p. 173.

75. FitzPatrick to Wernher, 4th July 1900. RM FIT L/B V.

took place.[76] He then wrote at length to both Evans and Monypenny. In his letter to Evans,[77] he argued that, at all costs, no obstacles must be placed in the path of Milner. "His purpose is our purpose, i.e. to settle South Africa on hopes of abiding peace and security by anglicising it". It was wise to apply the maxim: "Where mistakes are possible, make the one that can be remedied rather than the one that can't". Essentially, he argued, it was a question of politics. Here was a chance to anglicise or "neutralise" Pretoria. This might be essential in the future, if the "British party" did not succeed in becoming strong enough to ignore such opposition. And, if it were then found to be a mistake, the reversal of the decision would be an admission of defeat and would "give the malcontents the strength and prestige of a win without in any way conciliating them". "It would be a bad business", he added, "if the job of anglicising Pretoria had to be taken in hand only at the last moment when we felt that the impending grant of responsible government or elections showed us that we had taken a risk which we could not afford". To this argument regarding the future internal politics of the Transvaal must be added two others. The one was that the removal to Johannesburg would create the impression (unwise in view of anticipated concern in England) that the "capitalist" wished to control the new government. The other was that it might prove necessary to unite the two new colonies, in which case the problems of anglicisation would be much bigger and the Capital question all the more important.

FitzPatrick's letter to Monypenny[78] added little by way of fresh argument. He rejected Monypenny's argument that it would be preferable to concentrate the British population in the Transvaal rather than divide it into two or more major British section. "I am very positive that our defect is concentration, our remedy diffusion", he wrote. He was not opposed to moving the capital because it was "altogether wrong". But to press for

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76. FitzPatrick referred to this meeting in his letter to Wernher (ibid.), explaining that he had moderated his letter to Evans, "hoping to avoid anything like that discussion with Monypenny".

77. FitzPatrick to Evans, 10th July 1900. RM FIT L/B V.

78. FitzPatrick to Monypenny, 16th July 1900. RN FIT L/B V.

it at this moment would be to waste "effort and powder" because neither Roberts nor Chamberlain would agree to it. Milner would do nothing either, until he had looked into things on the spot.

These letters were followed by another to Evans.(79) He disagreed with Evans's assertion that both he and Milner were overestimating the significance of the anti-capitalist cry. "The danger is in England, not in Cape Town", he observed, referring to the opposition of the South African News. If Evans was right in his estimate that Johannesburg would soon contain 500,000 people, then nothing could prevent the change being made in the future. If he were wrong, then the move would have been a mistake.

Due to FitzPatrick's intervention, this first political movement among the British Transvalers was dampened.(80) It was a foretaste of things to come in that, after he had taken over the administration of the Transvaal, Milner was to call upon Fitz-Patrick to play a similar role when confronted by a renewed agitation.(81) The decision to retain Pretoria as the administrative centre of the Transvaal was also to have an interesting political sequel as far as FitzPatrick was concerned for, before the introduction of responsible government in 1906, he was to take upon himself the responsibility of uniting the Transvaal English-speakers by means of an appeal to Pretoria.(82)

On July 19th Milner stated that, "at immense pains, I think we have at last succeeded in getting representative bodies of Uitlanders...to work together in framing a list from which we can work when the time comes to let people return to the Transvaal".(83) This was no mean achievement, considering the degree of excitement and ill-feeling which this question had aroused. FitzPatrick's standing in Uitlander circles would suggest that he would have been the obvious person to assist in containing this unrest in

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79. FitzPatrick to Evans, 18th July RM FIT L/B V.

80. On July 18th (to Wernher, RM FIT L/B V), FitzPatrick informed Wernher that Evans, Monypenny and Davies had agreed to halt their agitation.

81. See below, p. 200.

82. See below, p. 275.

83. Milner to the Military Governor, 19th July 1900. C.O.879/70, p. 125.

the same way as he had been called upon to intervene with his friends in the Transvaal. There is, however, no suggestion in his letters that he did this, nor did Milner give any details as to how the Uitlander committees had been brought under control.

After the question of moving the capital to Johannesburg had been reluctantly shelved, FitzPatrick's main concern was with the war debt. There was, he said, a "ring of jackals waiting to feed on the carcass" of the Transvaal. In addition, there were many who - either through ignorance or foolishness - were "violently prejudiced against 'capitalistic Johannesburg'". In a letter to Evans[84] he detailed the forces which were at work in England. In the Cape Colony there was also both ignorance and hostility. Hely-Hutchinson had told him that, as the mines had paid the Kruger government four millions "quite comfortably", at least two millions would now be available for interest on debt. Recent arrivals from England were now suggesting that the Transvaal could easily carry a debt of between sixty and one hundred million pounds! To make matters worse, Hosken, carried away with loyalist enthusiasm, was suggesting that Britain should not be allowed "to pay one penny" towards the cost of the war.

FitzPatrick was understandably convinced that the Transvaal would be obliged to make some contribution towards the cost of the war. He was concerned that this should be reduced to a reasonable minimum. While in England, as we have seen, he had added the proviso that Britain should, in return, assist the Transvaal in raising the loans which would be necessary for undertaking public works and assisting immigration. He now wrote to Harmsworth[85] and outlined his thoughts once more. The Transvaal, he said, would not shirk its responsibilities but must not be crippled because this would "make it impossible for us to bring about the real settlement, i.e. anglicising the country". He then wrote to Evans, enclosing a copy of his letter to Harmsworth, and asked him to try to control Hosken.[86]

FitzPatrick then approached Milner. He knew that Milner

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84. FitzPatrick to Evans, 20th July 1900. RM FIT L/B V.

85. He refers to this in his letter to Evans, 20th July 1900. RM FIT L/B V.

86. Ibid.

believed that the Transvaal could "bear" a debt of thirty millions. Although he himself thought this reasonable, he argued that the appearance of reasonableness would immediately be lost "if we accept it gladly or even silently". He therefore suggested less, "so as to leave margin for compromise".(87) If, he argued, the Transvaal's war debt was fixed as 20 millions and, if the Transvaal and the Orange River Colony required a further twenty millions for public works, then the amount needed to undertake public works should be raised under imperial guarantee. The interest would be paid out of Transvaal revenue. In addition, the British government would receive all revenue obtained from the public works which were undertaken (railways, roads, irrigation works and land settlements) until such time as this amounted to 4% on 20 millions.(88) In this way, the new colonies would be certain of raising the capital which they required for development and Britain would also be assured of such annual repayments as could be afforded by them. Milner appeared to "like" this idea. For the moment, however, there was nothing further that could be done about it.

During this period, before Milner travelled north to take up the task of reconstructing the conquered territories, FitzPatrick met Milner on several occasions for discussions. Apart from the meetings which took place shortly after FitzPatrick's arrival, he was summoned by Milner on July 21st. A lengthy discussion ensued on Chamberlain's suggestion that commissions of inquiry should be appointed to make recommendations regarding the Transvaal concessions policy, possible amendments to the Transvaal's laws, native affairs and immigration and land settlement.(89) FitzPatrick argued that the Transvaal legal system should, as far as possible, be retained. "Our complaint was always against the system of administration more than the laws". It would be preferable to discover unworkable laws in practice rather than from "men unacquainted with the local wants and experience". With regard to native affairs he was even more emphatic: "meddling from outside would be a calamity".(90)

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87. Ibid.

88. FitzPatrick to Evans, 8th August 1900. RM FIT L/B V. He enlarged upon this idea in a letter to Karri Davies, 5th September 1900. RM FIT L/B V.

89. FitzPatrick to Wernher, 25th July 1900. RM FIT L/B V.

90. Ibid.

Milner agreed. The result was that no commission was appointed to investigate the laws of the Transvaal. Likewise, the proposal for an inquiry into native affairs was shelved until 1903 when, as Milner had suggested at this meeting, the Commission was composed of local men and chaired by Sir Godfrey Lagden.(91)

As far as land settlement was concerned, here FitzPatrick and Milner were agreed on the need for urgency. As a result, the South African Lands Settlement Commission was appointed, under the chairmanship of H.O. Arnold Forster, a Conservative M.P. It was specifically instructed to inquire into the possibility of settling soldiers in South Africa, should they desire to remain. It submitted its report at the end of November 1900.(92) After arguing that such settlement was vital in the interest of British rule in Southern Africa, it contended that the problem of "redressing the balance" and so swamping an estimated Boer population of about 200,000 should not be difficult. It recommended that surveys be undertaken to examine irrigation possibilities so that concentrated settlements of ex-servicemen could be established. It also recommended the establishment of a Land Board. FitzPatrick was singled out as having given the Commission valuable assistance and evidence. This referred in particular to the fact that he had outlined to the Commission a scheme whereby lands belonging to the Transvaal Consolidated Land Company (a subsidiary of Ecksteins) should be used for settlement.(93) He suggested that there need be no payment for this land if it were selected on a "block and block system", because the Company would retain the mineral rights and would benefit from the enhanced value of the unsettled blocks.(94)

Chamberlain's other suggestion was the appointment of a Commission to investigate the Kruger government's concessions policy.

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91. On July 22nd he wrote to Chamberlain (C.O.879/63, Secret Correspondence re Affairs in S. Africa, p. 369) and told him that he did not think that the British government should appoint Commissions to investigate Transvaal Laws and native affairs. The latter would "stir a hornets nest".

92. Cd. 626 and 627. Report of the Land Settlement Commission.

93. Ibid., pp. 49-50 and 260.

94. Chamberlain, on learning of this proposal, argued against it because it would involve a "moral responsibility" to the Land Company. Chamberlain to Milner, 19th October 1900. C.O.879/63, p. 358.

FitzPatrick also gave evidence before this commission,[95] which was chaired by Alfred Lyttelton. His evidence concentrated on the contention that the railway and dybamite concessions needlessly inflated mining costs. The Commission's report was submitted in April, 1901. It recommended the total abolition of all the concessions.

At the beginning of August, FitzPatrick approached Milner at Samuel Evans's instigation and raised the question of the personnel of the future civil administration.[96] Milner told him that he was experiencing great difficulty with the Colonial Office and, with certain "notable exceptions", preferred to reply upon known material which was available in South Africa. The High Commissioner's position, FitzPatrick argued (once again defending Milner against the growing criticism of Johannesburg) was very difficult in that he had to deal with the military and also with Chamberlain. There is no indication as to whether this pressure, exerted through FitzPatrick by the British Transvalers who had returned to the Transvaal, had any direct influence upon Milner's selection of senior administrators. The emphasis which is commonly placed upon his imported kindergarten[97] obscures the fact that he appeared to go out of his way to appoint local persons to key posts. Thus, Richard Solomon became Attorney General, Godfrey Lagden became Commissioner of Native Affairs, Rose-Innes became Chief Justice and Wybergh became Mining Commissioner. It was ironical that the appointment of such persons - a concession to local pressures - was to contribute greatly to Milner's political difficulties in the period that followed, for several of them were to let him down badly.

One of the most significant developments during this period was the organisation of the Witwatersrand Labour Association. FitzPatrick's connection with the mining industry and also his close association with Milner in Cape Town would suggest that he was involved. This is not, however, true. The proposal to establish a central recruiting organisation which would eliminate competition

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95. Cd. 623, 4 and 5. Report of the Transvaal Concessions Commission, pp. 22-6.

96. FitzPatrick to Evans, 8th August 1900. RM FIT L/B V.

97. As, for example, Nimocks, Milner's Young Men.

between the various mines and so enable a reduction in wages to take place, was first made in March 1900.[98] Later, after Fiddes had moved to Johannesburg and a Chamber of Mines had been re-established there, the Association was formed in Johannesburg.[99] With Wybergh's approval, it was to control all recruitment while the government would exercise a degree of control by means of issuing licences and registering contracts. Simultaneously and independently, the Native Labour Guarantee Fund was established in Cape Town. For this, FitzPatrick on behalf of Ecksteins, provided a guarantee of £1,400.[100] The purpose of this fund was to enable preliminary work to be undertaken. That FitzPatrick was not further implicated than this is indicated by a letter which he wrote to Evans at this time.[101] Referring to what had been done in Cape Town, he remarked: "I hope that there is no sense of rivalry.... I have not been able to touch the Native Labour question yet, so that I don't offer my own opinions at all". He was raising the subject with Evans, he explained, merely because he was anxious that Milner should not be confronted by two, possibly conflicting, sets of proposals.

It was at this stage in his career, when he was poised to play a major role in the organisation of the new British South Africa, that his health began to deteriorate. In England he had suffered from a series of illnesses. By October, after he had been three months in Cape Town, he found that his health and tremendous vitality had not returned. He was, in fact, suffering from diabetes. The decision to tear himself away from South Africa at this crucial moment must have been a very difficult one for him to make. There seemed no alternative but to take a complete rest at Grindelwald in Switzerland, followed by a visit to Egypt, accompanied by H.C. Hull and Dr "Billy" Davies his physician and

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98. Memorandum by Fiddes, 17th November 1900. C.O.879/70/663 War in S. Africa, correspondence, p. 159.

99. A.N. Golding (Secretary, Chamber of Mines) to Milner, 5th September 1900. Ibid., p. 157.

100. Ibid. Similar amounts were guaranteed by Rand Mines and by the Consolidated Gold Fields. Smaller guarantees were promised by all the other major finance houses.

101. FitzPatrick to Evans, 8th August 1900. RM FIT L/B V.

friend who, like Hull, had belonged to the same "kraal" as FitzPatrick when the Reformers were imprisoned in Pretoria.

Before leaving for Europe, he performed one more task for Milner. Towards the end of October, Milner wrote from Johannesburg,[102] explaining that he was perturbed at the growing unrest among the Uitlanders in Cape Town, who were champing at delays over their return to the Transvaal. This was "giving a wretched class of agitator, to say nothing of the pro-Boer press, a hold...which may give us trouble afterwards". A major obstacle to the immediate return of these refugees, Milner explained, was that the members of the irregular forces, who were still in arms, regarded it as their right to receive preferential treatment. He asked FitzPatrick to use his influence with the officers of the irregular corps whom he knew,[103] and to induce them to explain the position to their men. The outcome of this appeal was that FitzPatrick visited the Transvaal and, having learnt of the complaints of the irregulars, discussed them with both Roberts and Kitchener.[104]

In December, his health having failed again during his visit to the Transvaal, he sailed for Europe from Cape Town.

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102. Milner to FitzPatrick, 25th October 1900. B/A II.

103. Among FitzPatrick's many close friends who served with the colonial forces were A. Wools-Sampson, "Karrie" Davies, C. Mullins and H.A. Rogers.

104. FitzPatrick to Beit, 7th November 1900, "Private and Confidential". A/LC I. See also, Cartwright, The First South African, p. 106 et seq.

CHAPTER V

TRANSVAAL POLITICS

i) Chamber of Mines President, March 1902 - February 1903.

FitzPatrick remained overseas during the whole of 1901. Few of the letters which he wrote during this period have survived and those that have provide no insight into his political thoughts. Nor is there any suggestion that he was in any way involved in politics either through his being consulted by his colleagues in South Africa or through writing for publication. In view of his earlier involvement and great interest in the subject, this is surprising. It is presumed that, instructed by his doctors, he enjoyed a complete break.

As it happened, 1901 was a year during which South African politics hung fire. The vital work of reconstruction following Milner's assumption of duties in Johannesburg at the end of November 1899 was held up by the protraction of the war during its guerilla phase. In such circumstances, it was impossible to proceed with the settlement of a large British population in the rural areas, the scheme which FitzPatrick had urged upon Milner, the British government and the Forster Commission. Even the question of the siting of the Transvaal's capital which had produced the minor political flare-up of 1899 was postponed because it was not until June 1902 that Milner took over the civil administration of Pretoria from the military. Frustrated in his reconstruction plans, a great deal of Milner's considerable energies were taken up in organising his civil service, preparing a municipal government for Johannesburg and in bringing the mines back into production. All three tasks proved tricky enough. The mines experienced unforeseen difficulty in obtaining African labour. Many of his new administrators proved incompetent. Some proved dishonest. Others provoked criticism because of their zeal and efficiency.[1] The new Johannesburg municipality, although nominated by himself, proved to be no rubber stamp and soon became the mouthpiece for popular criticism of the administration.[*] Furthermore, it was not long before the municipal council was at loggerheads

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1. See Mawby, op. cit., pp. 50 et seq.

*. The political role of the Johannesburg Town Council, composed of nominees, after its establishment in May 1901 and elective after 1903, invites investigation.

with the Chamber of Mines over the demand that the mines should be included in the municipal area and their properties rated.

Because Milner was faced with these many difficulties during 1901, it was clear that the real work of reconstruction could not begin before 1902. FitzPatrick's return to Johannesburg in February thus coincided with the belated return of a certain amount of pre-war normality along the Reef. Indicative of this is the fact that the Star recommenced publication on January 2nd. Similarly, the Johannesburg Chamber of Commerce met for the first time later in the month.(2)

It was to be expected that FitzPatrick should see Milner immediately after arriving in Johannesburg. Several lengthy discussions took place. At their first meeting, Milner told him that he did not think that it would be possible to proceed with either representative government or federation for at least five years. This was because pre-war estimates of the Boer population had been proved faulty by the discovery that about 70,000 persons were then being held in concentration camps. To this number had to be added the Boers who were still in arms, the families who were hiding in the northern districts, the Dutch in the towns and the refugees in the Cape, Portuguese territories and Europe.(3) This meant that the total Boer population was well in excess of 70,000 (the pre-war estimate). Although this discovery affected the political outlook for the Transvaal and for Southern Africa, Milner did not appear in the least perturbed.

After dealing with such practical matters as land settlement and the appointments which Milner had made in the civil service and the Johannesburg Municipal Council, Milner went out of his way to explain his decision to include the mines in the Johannesburg municipal area. He had done this despite the opposition of the Chamber of Mines and of "the very people whose co-operation had been most valuable heretofore". He was clearly anxious lest this decision should earn him the enmity of the capitalists. FitzPatrick observed that, as Milner's attitude would be welcomed almost everywhere outside the Chamber of Mines, the position should be accepted because better terms would not be obtained if they tried to oppose Milner

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2. Mawby, op. cit., p. 44.

3. FitzPatrick to Beit, 15th February 1902. Q2 A/LB XVII.

and then appealed to the public.

FitzPatrick, in fact, was being singled out as the person best able to manage the capitalists. Milner became more explicit when he then went on to suggest that FitzPatrick, in spite of his health, should take over the presidency of the Chamber of Mines. It was important, he said, that there "should be a man in the chair who would 'wash well with the government'".(4) FitzPatrick told Milner that he favoured Farrar for the position but Milner brushed the suggestion aside. Farrar had no intention of settling in South Africa and could not be relied upon "to remain the whole time". Rouliot, who had occupied the presidency ever since 1898 could not be re-elected because the Chamber's constitution imposed a limit of two successive terms. In Rouliot's case this proviso had been waived during the war but would now have to be re-enforced. Although FitzPatrick then agreed to accept the presidency, he insisted that he would do so only if there was support for his candidature in the Chamber: Eckstein's would not use "brute strength" to ensure his election. Milner replied: "Well...it is not my affair but you can understand now that I am making my arrangements on the assumption that you are to be the President of the Chamber".

It would be incorrect to conclude that it was because of this intervention from Milner that FitzPatrick became President of the Chamber of Mines. As Milner himself pointed out, he had no influence at all over the Chamber. If Farrar were ruled out (apart from the feeling that he was an "absentee landlord", Farrar's election would also have meant that Dalrymple would be obliged to relinquish his position on the Executive) then FitzPatrick was surely an obvious choice. Milner therefore did little more than persuade FitzPatrick to agree to accept nomination. Nor is it necessary to look for any sinister motive: Milner's wish to have FitzPatrick in this key position was the logical outcome of their close understanding and trust. Before the war, this had made FitzPatrick the obvious choice as the Uitlander leader who could be relied upon to mould Uitlander opinion and direct agitation towards the franchise rather than towards the attainment of more selfish goals; during the war it had marked him out as the obvious person to

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4. FitzPatrick to Eckstein, 15th February 1902. Q2 A/LB XVII.

intercede with Milner's critics in Johannesburg. Now, when it was essential to maintain the unity of British people in the Transvaal, he was the obvious person to influence the capitalists. A fearless administrator, Milner would not allow his administration to be dictated by the interests of the Randlords. Hobson-type criticism in England made him even more sensitive to the insinuation that he showed undue favour to the mineowners. He was, in fact, determined to impose new taxes on mining profits, together with new controls over their labour. FitzPatrick must persuade the "gold bugs" to take a "larger view".

Shortly before FitzPatrick's election to the Chamber of Mines Presidency in March, Milner paid eloquent public tribute to FitzPatrick, whom he referred to as "my friend Fitz". Doubtless, one of his intentions was to support FitzPatrick's candidature but he also spoke about the need to maintain British unity. The occasion was the Imperial Light Horse dinner which was held to commemorate the relief of Ladysmith. To FitzPatrick's embarrassment, Milner related how he had met FitzPatrick at Newlands in February 1898. He had then been convinced, he said, of the selfless imperial loyalties of the Uitlanders. He did not doubt that this would continue. "If we should ever have differences of opinion in the future", he declared, "you will always remember that we are labouring in the same cause and to the same end and that our differences will be from honest convictions. But they must not go to the length of dividing us and I am sure they never will".(5) This was a direct appeal to the Municipal Council and the Chamber of Mines to settle their differences. It was also more than an indication of the reliance which he placed upon FitzPatrick to control the Transvaal "Britishers".

Immediately after his election as president of the Chamber of Mines, FitzPatrick had "another long talk" with Milner.(6) Milner repeated his determination to include the mines in the municipal area and to rate their property. He expected opposition from some but expected the support of "the great bulk of the community, including the wealthy firms who have some sense of public duty and who follow a broader and wiser policy". His

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5. FitzPatrick to Wernher, 2nd March 1902. A/LB I.
6. FitzPatrick to Wernher, 7th March 1902. Q2 A/LB XVII.

attitude was merely one of "benevolent neutrality" and he wished to "maintain the government in the position of arbiter". If the capitalists were uneasy about the hostility of the Municipal Council, they should themselves play a more active part in municipal affairs.

The result of this appeal to FitzPatrick was that the Chamber of Mines merely passed a "formal resolution of regret"(7) and, at the beginning of March, Milner could inform Chamberlain that the Chamber had completely abandoned its opposition to the Municipal Council. "It is an important success for the government to have carried the principle without a fight", he observed.(8) Thereafter, Milner appointed a joint commission under the chairmanship of Duncan. FitzPatrick was one of the two Chamber of Mines representatives on the commission which in its report, submitted in November, accepted the compromise that rates would be paid on residential land. The principle of incorporation in the municipality had not been an issue before the commission, thus it merely made recommendations concerning special provisions to safeguard the interests of the mines.(9)

Although FitzPatrick had managed to manipulate the Chamber of Mines on this municipality question, the capitalists were becoming increasingly uneasy about Milner's apparent hostility (or, at best, indifference) towards them. Wybergh's mismanagement of the department of Mines, together with his "knack of antagonising people",(10) appeared to confirm this view. By July, FitzPatrick was complaining that Wybergh was "mulish, obstinate and hostile".(11) Despite a direct appeal, he refused to consult the Chamber before plunging into provocative action. Milner, though concerned about Wybergh's conduct, continued to tolerate him and it was not until the end of 1903 that the Commissioner of Mines was "retired".(12)

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7. On 12th February, see Star, 13th February 1902.
8. Milner to Chamberlain, 7th March 1902, "Confidential". C.O.879/74 Affairs in S. Africa - Secret, p. 60.
9. C.O.879/76, 693. War in S. Africa..., p. 109.
10. FitzPatrick to Wernher, 7th March 1902. Q2 A/LB XVII. Wybergh had introduced a new system of claim transfers and insisted on the vigorous enforcement of the old law which required government approval of all buildings, dumps, etc. on the mines.
11. FitzPatrick to Wernher, 16th July 1902. Q2 A/LB XVII.
12. See Mawby, op. cit., p. 108.

A further illustration of Milner's attitude and of the difficulty in which it placed FitzPatrick is provided by Milner's decision to impose a tax of 10% on mining profits. Although Milner had contemplated the measure for some time,(13) there is no suggestion that he discussed it with FitzPatrick before it was announced on June 15th. In fact, in writing to Wernher, Fitz-Patrick referred to the "unexpectedness" of the tax.(14) The announcement came at a time when the sharemarket had slumped and the mines were complaining about labour shortages. Wybergh's new proclamation regarding the registration of mining rights was also creating excitement.(15) Hardly surprising, therefore, that the proclamation was greeted with an outburst of indignation. Even the Leader "screamed hysterically" while "would-be politicians saw an opening for demagogue work".(16)

Faced with the almost impossible task of persuading the capitalists to agree to this tax, FitzPatrick could only argue that it was hopeless to oppose it. Opposition would be "useless and merely irritating", he said.(17) He urged the Chamber of Mines to bow to the inevitable but to insist that the Transvaal government provide an immediate indication of how it proposed to provide the mines with relief. The result was a Chamber of Mines deputation to the Governor, at which Milner offered conciliation in the form of the repeal of Wybergh's mining regulations(18) and promised relief in the form of a substantial reduction in the price of dynamite.(19) This concession, FitzPatrick believed, would more than compensate for the profits tax.(20) Fastening on an issue which he could hope to use as a popular counterfoil to the tax, he then deliberately raised the dynamite question in the Chamber of Mines, without warning Milner beforehand.(21) He then discussed

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13. See Milner to Chamberlain, 21st April 1902. Cd. 1163 Further Correspondence re Affairs in S. Africa, p. 122.
14. FitzPatrick to Wernher, 5th July 1902. Q2 A/LB XVII.
15. Mawby, op. cit., p. 52.
16. FitzPatrick to Wernher, 5th July 1902. Q2 A/LB XVII.
17. Ibid.
18. Mawby, op. cit., p. 53.
19. The Star, 18th June 1902.
20. FitzPatrick to Wernher, 5th July 1902. Q2 A/LB XVII.
21. Ibid.

the question with Milner on two occasions and exacted the promise from him that he would consult the Industry in good time before taking any action.

It required considerable skill to survive in so precarious a situation. The imposition of the tax on profits rekindled protests against Milner's insistence that arrears on claim licences had to be paid. FitzPatrick was particularly alarmed at this government measure and pointed out to Milner that the mines had suffered considerable losses during the war and that they would not be compensated for them. "Is it not a fact", he asked, "that you have ruled the companies out of all compensation for the simple reason that the amount will be so big that you simply cannot pay it and you do not at all dispute the strength of their claims?" Milner replied that this was true but the companies "must look for their compensation to the improved conditions and better government of the country".(22) It was absolutely essential to balance the budget and this could not be done without the revenue from licence arears. FitzPatrick argued that, in the circumstances, it was unwise to resort to such a device to balance the budget because it gave a false impression of the Transvaal's resources. This, in turn, would increase expectations regarding the Transvaal's ability to bear the burden of a war debt. Again Milner would not budge. If only the Johannesburgers would "keep quiet and not arouse hostility or attract attention", he said, it might be possible for him to continue to divert attention in England from the war debt. The hint was thinly-veiled: if the capitalists refused to co-operate, they would be saddled with additional burdens.

Milner's intransigence placed a great strain upon FitzPatrick, caught as he was between the Governor and his critics. To the complaints about arrear licences were added fears regarding a new Gold Law which would provide for the sale of mining rights in future.(23) This, in turn, produced concern about the bewaarplaatsen: would the new administration agree that the holders of surface-rights possessed a claim to preferential treatment?(24) By December, FitzPatrick's good humour had worn thin. He spoke his mind in what

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22. FitzPatrick to Wernher, 16th July 1902. Q2 A/LB XVII.
23. Ibid.
24. Ibid.

Milner described as "a rather excited way for him".[25] It was only then that Milner agreed to allow certain concessions in the application of the new profits tax, allowing the mining companies to claim a rebate on the amount which had been spent on the protection of their properties during the war.[26]

The mounting unease of the Johannesburg capitalists must be seen against the backdrop of the political agitation which occurred in mid-1902. In part, this was the result of a feeling that, as the administration was expanded, Milner was favouring imported officials at the expense of the Transvaal Britons.[27] In view of the experience with Wybergh and Forster, this bias was understandable but Milner's critics gave him no quarter. Apart from filling positions which local men coveted, many imported civil servants gave further offence by their overbearing attitudes. Another reason for Johannesburg feeling against Milner was that he continued to stall on the question of whether Johannesburg or Pretoria should be the future capital. Although Loveday announced in February that the decision had gone in favour of Pretoria,[28] it was not until September that Milner finally overcame his doubts and even then he hesitated about making the decision public.[29] Furthermore, the eagerly-awaited post-war boom which would enable businessmen to recoup the losses which they had suffered during the war years, had not materialised.[30]

During June, these criticisms found expression in the biting editorials of Pakeman. Although the Leader, of which he was the editor, was owned by a company in which Ecksteins retained an interest[31] and although this newspaper had been revived in June

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25. Milner to Duncan, 29th December 1902. Milner Papers, 34.
26. FitzPatrick to Wernher, 16th July 1902. Q2 A/LB XVII.
27. Mawby, op. cit., p. 50 et seq.
28. Ibid., p. 48.
29. Milner to Chamberlain, 27th September 1902. C.O.879/76. War in S. Africa, p. 390.
30. Mawby, op. cit., p. 54.
31. FitzPatrick to Cook, 18th July 1902. Q2 A/LB XVII. The Transvaal Leader was started by Ecksteins at the beginning of 1899 but was sold to the Cape Times in 1902, Ecksteins losing central control but retaining an interest.

because of the need for a "reliable" morning paper, Pakeman displayed a rugged independence. His refusal to dampen his criticisms of the government was to cost him the editorship later in the year.(32) One of Pakeman's suggestions was the formation of a political association and, at the beginning of July, this suggestion was taken up by J. Dale Lace, who convened a meeting in Johannesburg for this purpose. By mid-July, another organisation with similar objectives - the South African Association - had been proposed(33) by Harry Solomon, the Johannesburg stockbroker who harboured a grudge against the Corner House.(34)

It was in these circumstances that two other issues began to engage attention. The one was the proposal which was now canvassed for the introduction of Chinese labour to ease the shortage on the mines and so enable them to achieve maximum output.(35) The other was the question of the war debt.(36) Shortly after the signing of the Peace of Vereeniging, Chamberlain announced that the Transvaal would be required to raise a loan of thirty-five millions to extinguish outstanding republican debts and to undertake new public works. In addition, the two ex-Republics would be required to make a contribution towards the cost of the war. He did not specify the amount of this contribution but on July 29th he announced that he expected a "large contribution", and he told Beit in private that he thought £100,000,000 would not be unreasonable.(37)

FitzPatrick had, during 1900, devoted a good deal of thought to the problem of the war debt. When news of Chamberlain's statement reached him, he took the opportunity, when responding to the toast to the mining industry at a banquet on June 7th, to repeat his proposal that, if the war debt were fixed at £35 million, the two colonies should jointly raise a loan of this amount. Any surplus after the interest had been met from revenue derived from the public works would then be reckoned as interest on a war debt.(38)

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32. Mawby, op. cit., p. 256.
33. Ibid., p. 59.
34. See FitzPatrick to Wernher Beit & Co., 26th April 1902. Q2 A/LB XVIII.
35. See below, p. 227 et seq.
36. Mawby, op. cit., p. 75 et seq.
37. FitzPatrick to Wernher, 16th July 1902. Q2 A/LB XVII.
38. The Star, 9th June 1902.

He added, however, the additional proviso that the war debt itself should "be regarded as a trust to us...and be used...for the settlement of all South Africa".(39) When he learnt from Beit of the £100,000,000 proposal, FitzPatrick immediately raised the question with both Milner and Duncan, the Transvaal Treasurer. They were both "astonished and dismayed".(40)

Milner dealt with the situation very deftly. When the Chamber of Mines deputation, headed by FitzPatrick, met him on June 16th to protest against the 10% tax on profits, he seized upon the opportunity to make a policy statement. He assured the deputation of his regret that certain decisions had been made hurriedly and without consultation and assured them that this would not occur again.(41) He would proceed towards representative government as soon as circumstances allowed. FitzPatrick, before reporting this to the Chamber of Mines on June 19th, showed Milner a copy of the statement which he had prepared, reporting Milner's views. Milner made several corrections and added the comment:

> "I think the most important thing is to convey to the people that they will be consulted and not have things sprung upon them and that, if this has happened in one or two instances in the past, it has been due to <u>hurry</u> and our extreme anxiety to have the house ready for the inmates, not to any <u>desire</u> to act without consulting people".(42)

According to Dr Mawby, this note indicates that Milner intended the statement "for a much wider audience than the Chamber".(43) This is not self-evident, for Milner may have been anxious about the accuracy of the statement even if it were intended primarily for the Chamber of Mines. His real intention is irrelevant, the fact being that the statement did receive maximum newspaper publicity. It was seized upon by both the <u>Star</u> and the <u>Leader</u> as being the first clear statement of policy which Milner had made.(44)

Milner's second move to allay public opinion was to announce

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39. FitzPatrick to Beit, 15th June 1902. A/LB I.
40. <u>Ibid</u>.
41. Mawby, <u>op. cit.</u>, p. 53.
42. Milner to FitzPatrick, 19th June 1902. B/A II.
43. Mawby, <u>op. cit.</u>, p. 53.
44. <u>Ibid</u>.

at the end of July that he was to introduce a Legislative Council.(45) Although he did not release details of the new constitution or reveal whom he intended appointing until September, he told the Chamber of Mines deputation on June 19th that he intended to have four Dutch representatives and four British in a Legislative Council of seventeen. The Dutch representatives would be Botha, de la Rey, Cronje and Johann Rissik. FitzPatrick and Farrar would represent the British, together with "a suitable man from outside Johannesburg" and another who would "represent the same element as the municipal bodies represent".(46) In this way, Milner hoped to give substance to his promises regarding consultation.

The third move which Milner made to counter the political agitation was to invite Chamberlain to visit South Africa.(47) There can be no doubt that one of Milner's motives in doing this was to convince Chamberlain that his expectations regarding the war debt were too high. Milner had with some difficulty persuaded the Colonial Secretary that a 10% tax on profits was the maximum that the mines could bear.(48) He was equally convinced that an exorbitant war debt would delay, if not inhibit, the recovery of the Transvaal economy and therefore delay the influx of British settlers. But, apart from this obvious reason for inviting Chamberlain to view the position for himself, there was the additional advantage that the invitation put the whole question of the war debt into cold storage until Chamberlain arrived in January of the following year.

These moves had the effect of considerably lessening the momentum of the political agitation which was becoming crystallised in the formation of the Transvaal Political Association and the

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45. Milner to Chamberlain, 24th July 1902. C.O.879/74. Telegrams, p. 327.

46. FitzPatrick to Wernher, 5th July 1902. Q2 A/LB XVII. It is not clear whether this conversation took place at the meeting with the deputation or during a private discussion.

47. Milner to Chamberlain, 10th June 1902, "Private and Personal". C.A.B. 37/61, 109.

48. See, for example, Milner to Chamberlain, 28th February 1902. C.O.879/74 Affairs in S. Africa, Secret, p. 57.

South African Association.[49] Thus, when the Transvaal Political Association's provisional committee announced that it intended to convene the first public meeting of the Association on August 23rd, several of the Committee members had second thoughts. FitzPatrick was active in persuading his acquaintances to wash their hands of the movement. He had been elected to the provisional committee of the Transvaal Political Association during his absence in Lorenco Marques early in July but had resigned immediately on hearing of it.[50] Now, when the Association was attempting to launch itself, he was probably instrumental in persuading six of the provisional committee members to resign.[51] He then mustered "the great bulk" of the colonial ex-servicemen, who threatened in a public statement to swamp the meeting.[52] Armed with this threat, he managed to persuade the organisers to cancel the meeting at the last minute.[53] "It would probably have ended in a complete smash for Lace and his crowd", he told Wernher, "but it could not have done other than bring the place into disrepute. Such a spectacle would have done us infinite harm and have brought joy to the heart of the Bond and the Boers....The lesson to Lace and his crowd and to Pakeman is a pretty severe one, as they are covered with ridicule and perhaps the experience will do them and others good...."[54] A new committee was then elected to control the Association and FitzPatrick was the first to be elected - a recognition of the extent to which he had been responsible for the defeat of Milner's critics.[55]

While FitzPatrick was anxious to stop this "manufactured agitation" against Milner, he was not willing to drop the matter of the war debt, in which the Home government and not Milner was the object of criticism. At the beginning of September, Milner provided FitzPatrick with a copy of his estimates for the years 1903 - 5.[56] These provided for the payment of interest on a

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49. See above, p. 197.
50. The Star, 20th August 1902.
51. Mawby, op. cit., p. 61.
52. The Star, 20th and 21st August 1902.
53. FitzPatrick to Wernher, 23rd August 1902. Q2 A/LB XVII.
54. Ibid.
55. Mawby, op. cit., p. 62.
56. Milner to FitzPatrick, 5th September 1902. B/A II.

loan of £30 million and forecast annual surpluses of between £100,000 and £850,000.[57] It is not clear what Milner's motive was in doing this. It may have been to reassure FitzPatrick that no additional taxation was contemplated, or it may have been that he was anxious to be assured of the backing of "reasonable men" for his proposals. FitzPatrick, however, was clearly concerned lest the estimated surpluses should be interpreted to mean that the Transvaal could afford a sizable war debt. As a result, the Chamber of Mines approved a detailed statement on the subject which had, presumably, been drawn up by FitzPatrick.[58] It stated that, quite apart from the Transvaal's inability to increase its revenue at present, the suggestion that it should make a contribution towards the cost of the war involved important "constitutional principles". The mines were particularly concerned because, in terms of the peace treaty, farms were to be exempted from any taxation to meet a war debt. The Chamber of Mines therefore called upon the British government to make a definite announcement of its intentions and to fix upon a "reasonable sum". Whatever the amount fixed upon, the Transvaal should not be required to make any payment for at least five years. Two weeks later, the Johannesburg Chamber of Trade made very similar demands.[59]

On November 17th the Times devoted a full page to an article by FitzPatrick.[60] It was republished as a pamphlet by the Imperial South African Association.[61] Allowing for postal delays, this article must have been written at about the same time as the Chamber of Mines' statement. FitzPatrick urged that the question should now be finalised so as to end the uncertainties which had

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57. FitzPatrick to Wernher, 15th September 1902. Q2 A/LB VII.

58. Secretary, Chamber of Mines to Milner, 1st October 1902. C.O.879/78 Affairs in S. Africa, pp. 127 et seq.

59. Johannesburg Chamber of Trade to Milner, 16th October 1902. Ibid., p. 227. A connection between this organisation and FitzPatrick is suggested by the fact that its Chairman, W.D. Daniels was to play a prominent part in the public meeting of 17th January 1903.

60. The Times, 17th November 1902.

61. Taxation and the War Debt in the Transvaal by Sir J.P. FitzPatrick. The pamphlet included two other letters, the one by "B", reprinted from the Westminster Gazette and the other by "Africanus", reprinted from the Times. There is no evidence to suggest that FitzPatrick was the author of these additions.

such adverse effect upon the share market. He then questioned whether it was right to ask the two ex-republics to contribute towards the cost of the war. Essentially, it had been fought because Britain had been determined to uphold her treaty rights and protect her subjects. Therefore, the war had been an imperial affair and, as such, the Empire as a whole should bear the cost of it. The Transvaal should not be expected to make more than a pro rata contribution: "We agree to pay as much as we can afford to pay...and in this spirit we seek to secure a calm, sympathetic, wise and far-sighted judgement of the position". The precise amount should be fixed so that it admitted this principle while not arresting the development of the country and arousing such hostility as would force the postponement of the "day when self-government can safely be given". A sense of grievance would be eagerly exploited by those who "still cherished Mr Kruger's policy and aspirations", FitzPatrick warned, and it would then be "idle to rely for prolonged delay" upon responsible leaders of opinion, for "their places would quickly be taken by others who would share the more popular view".

FitzPatrick then went on to examine the Transvaal's revenue and pointed out that the tax of 10% on mining profits was double that levied by the Kruger government. The mines also bore a disproportionate share of the tax burden through the payment of high import duties on capital equipment. The only other possible source of revenue was the sale of mining rights, a measure which would be very unpopular. It must also be remembered that the Transvaal's White population was small and that a public debt of £25 millions would amount to more than £100 per person (as compared with £64 per head in New Zealand and £13 in Canada).

The mission of the British community in the Transvaal, declared FitzPatrick, was to make it absolutely impossible for the Boers to evade co-operation or dodge the authority of the High Commissioner. It was perfectly "natural" that there should be a political division between the British and the Dutch. This was so because this racial division was also the division between Liberal and Conservative, between progressive and reactionary, between the industrial and the farming communities and between town and country. The fact that these divisions coincided in South Africa with the racial division created "endless opportunities for mischief-makers and

schemers". The only way in which the situation could be remedied was through the establishment of the political ascendancy of the British elements in Southern Africa. This, in turn, required a concerted plan to promote British settlement through the purchasing of land and the construction of irrigation works and railways. If the Transvaal's war debt were used for this purpose, the demand for a contribution would be satisfied, while resentments in the Transvaal would be minimised and the British community there would be assisted in its mission.

Having made these statements, FitzPatrick prepared for Chamberlain's visit. On January 17th a meeting was convened in the Town Council Chamber by W. St John Carr, the deputy chairman of the Council. It was attended by representatives of the Town Council, the Chamber of Mines, the Chamber of Commerce, the Chamber of Trade, the Stock Exchange, the Law Society, the Witwatersrand United Trades Council, the Mine Managers' Association and the Transvaal Miners' Association.(62) As a gathering representative of all shades of opinion among the Transvaal Britons, it was impressive. Carr explained that he had convened the meeting at the request of several persons. That FitzPatrick was the moving spirit behind it is indicated by the fact that he was the first to speak.

A prepared statement was then approved by the meeting (proposed by W.L. Daniels and Albu). It expressed approval of the principle that the colony should make a voluntary contribution of thirty million pounds to the cost of the war. This was to be paid in three annual instalments of ten millions. The first instalment was to be paid in January 1904 and the necessary loan would be guaranteed jointly by a comprehensive list of companies which included Ecksteins, S. Neumann, Barnatos, the Consolidated Gold Fields, Albus, Goerz and Co., Farrar Brothers and Bailey.(63) In addition to offering this war loan, the meeting declared its approval of an additional loan of forty million pounds, under Imperial

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62. Cd. 1552 Papers re Finances of the Transvaal and O.R.C., pp. 19 et seq.

63. The others were Dunkelsbuhler, Lewis and Marks, F. Cohen Consolidated, The Bank of Africa, Transvaal Goldfields, J. Friedlander, Symons and Moses, the Compagnie Francaise, The National Bank, the Natal Bank and the Johannesburg Consolidated Investment Company.

guarantee, which amount would be used to extinguish the liabilities of the Colony and to undertake new capital works.(64) A deputation, consisting of the chairman or president of each of the bodies represented at the meeting, together with another representative from each, was then deputed to convey these decisions to Chamberlain. FitzPatrick, as president of the Chamber of Mines, was a member of the deputation.

The deputation, chaired by Carr, met Chamberlain on the 19th. Carr began by handing Chamberlain a copy of the resolution which, he explained, had received the unanimous support of the representative meeting.(65) FitzPatrick then explained that the figure of forty millions for the first loan under imperial guarantee should not be taken as final and Chamberlain replied to the effect that, after discussions with Milner, he believed that £35,000,000 would be sufficient.(66) Chamberlain then expressed his satisfaction that the additional offer of the £30,000,000 war contribution had been made and his belief that it would "produce the best possible feeling in the mother country". On January 21st FitzPatrick then wrote a formal letter to Milner on behalf of H. Eckstein and Co.(67) In it, he detailed the agreement which had been reached.

It is not possible to piece together an exact record of the informal negotiations and behind-the-scene manoeuvrings which produced this agreement. This is unfortunate because it is obvious that FitzPatrick played a large part in the proceedings. He addressed the meeting on the 17th as the spokesman for the guarantors of the first ten-million-pound instalment of the war contribution. This would suggest that he had himself canvassed the proposal and obtained the guarantees, thus succeeding once more in inducing the leading capitalists (with the exception of Robinson) to act in unison. If this is so, it must be explained why he then adopted

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64. Cd. 1552 Papers re Finances of the Transvaal and O.R.C., p. 21.

65. Four had voted against the proposal but had subsequently been instructed by their organisations to support it. Ibid., p. 22.

66. FitzPatrick afterwards claimed (to Evans, 19th June 1904. A/LB IV) that Chamberlain had agreed to £40,000,000. He blamed Milner for allowing Chamberlain to "cut it down".

67. H. Eckstein & Co. to Milner, 21st January 1903. Cd. 1895 Further Correspondence re Transvaal and O.R.C., pp. 1-3.

a different approach to that which he had followed since 1900 and which he had publicised in the Times article in November 1902. Instead of arguing, as he had done previously, that Britain should receive war debt payments in the form of the revenue which would be derived from public works, he now accepted the principle of a £30 million war debt. Instead of insisting, as he had done in his Times article, that the money should be spent on settlement schemes, he now accepted that there should be no strings attached.

The likeliest explanation for this change is that FitzPatrick had become convinced that Chamberlain would insist upon the payment of a war contribution and that he would demand a considerable sum. In an account of these negotiations which he wrote in the following year,(68) he stated that "he [Chamberlain] produced and relied upon his own strong point, i.e. England believes you can do it. If you refuse, it will be the death-blow to Imperialism. It will make such action as England took in coming to your assistance, impossible in the future, for they will all say - every man of every party - that you could pay your share but you wouldn't". In the face of such intransigence, the offer of £30,000,000 may be seen as an attempt to tempt Chamberlain to accept what was freely offered rather than press for more. It is significant that FitzPatrick afterwards claimed that he "alone fought the sum down to thirty million".(69) This would suggest that there was general agreement that a larger sum might be paid (he mentioned Farrar and Beit as being prepared to pay fifty million). In this case, FitzPatrick's acceptance of the principle of a definite war contribution might have been a response to a proposal to make an over-generous demonstration of imperial loyalty. Another possibility is that the offer was made with the intention of postponement and even of repudiation. Indeed, the first instalment was put off in the offer itself, until the beginning of 1904. By the end of 1903 Milner was arguing that the first payment would have to be postponed; at the end of 1904 a further delay was sanctioned and, in July 1905, Lyttelton announced that the matter would be left over until representative government had been introduced. The war debt was, of course, finally cancelled by the Liberals in 1906.(70)

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68. FitzPatrick to Evans, 19th June 1904. A/LB IV.

69. Ibid.

70. Memorandum on the War Contribution by Mr Just, 19th February 1906. C.O.879/92, 819.

Milner made the point to FitzPatrick when he said: "If we can't pay they would never force us, but we must not make the tragic mistake of refusing to try".(71) A further possibility is that the offer was made with the intent of repudiating it. Only four months after agreeing to the war debt during Chamberlain's visit, Farrar was proposing to protest against it in the Legislative Council.(72) FitzPatrick's reaction to Farrar's proposal,(73) however, discounts the possibility that he contemplated a breach of faith.

The accusation was soon made that Chamberlain, during his visit to Johannesburg, had struck a bargain with the Capitalists. In return for the proffered war contribution, he is supposed to have agreed to the mineowners' demand for Chinese labour. This accusation is so obviously devoid of foundation that it hardly needs to be noticed. For one thing, Chamberlain stated explicitly in public on January 17th that he was not prepared to agree to the proposal which, he said, had not been put to him by a representative body. He recognised that "the majority of opinion was opposed to it". The proposal would not even be considered unless Britain received a clear indication that it was the wish of the majority in the Transvaal.(74) Furthermore, it is quite incorrect to view the war debt offer as an unqualified victory for Chamberlain. To the contrary, it was FitzPatrick and the Johannesburg leaders who succeeded in lowering Chamberlain's demands. If further proof regarding Chamberlain's disinterestedness is needed, it may be found in the fact that FitzPatrick, as president of the Chamber of Mines, was still opposed to the introduction of Chinese labour.(75) No deal with Chamberlain could have been arranged without his knowledge or support.

FitzPatrick's term of office expired at the end of February 1903, when he was succeeded by Farrar. As the first post-war president of the Chamber, he had taken on a most exacting task as

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71. See FitzPatrick to Evans, 19th June 1904. A/LB IV.

72. Ibid.

73. Ibid.

74. C.O.879/82 (734) Chinese Labour in the Transvaal.

75. Mawby, op. cit., p. 93. The Chinese labour question, and FitzPatrick's part in the debate, is discussed more fully below, pp.229 et seq.

far as the mining industry was concerned. It is, however, fair to say that to him the problems of the mines were subordinate to the greater political issues which were at stake. It was often impossible to distinguish between the interests of the gold industry and those of the colony as a whole: the recovery of the Transvaal obviously depended absolutely on the recovery of the mines. However, there were certain issues (such as Chinese labour) where the coincidence of interests was not so obvious. In such cases, FitzPatrick did not respond with the reflexes of a mining magnate. In fact, he had assumed the presidency with the intention of ensuring that Milner would not be subjected to undue opposition. His success in controlling the capitalists and in uniting the British Transvalers was demonstrated on three occasions: the resolution of the municipality dispute, the frustration of the Political Association and the war debt negotiations.

This success is testimony to FitzPatrick's abilities and to the fact of his leadership. The award of a knighthood in November 1903 was merely a recognition of this. One reason why the Transvaal British were to fall into disarray in the years that followed was that FitzPatrick was to find himself, for reasons of health, unable to continue to play this role.

This is not to suggest that FitzPatrick was a blind and trusting Milnerphile. There were times when he could and did disagree with Milner's policies - as, for example, when he contended that Milner was overburdening the goldmining industry with taxes. The reason for the close association between them was that they shared the same overall view of the South African problem. Their concern about British unity was one aspect of this. But Transvaal British politics was only one factor in Transvaal politics and, taking a wider view which embraced the further objective of a British South African federation, this was merely part of the pattern of South African politics. Like Milner, FitzPatrick never lost sight of this and, despite his many commitments as president of the Chamber of Mines, he devoted a great deal of time to matters of general policy.

For example, when the Boer leaders were discussing peace terms at Vereeniging during April and May 1902, he was concerned lest there should be a sell-out by Kitchener. He immediately asked Sam Marks in Pretoria to urge the Boer leaders to deal with Milner and

not Kitchener. Marks should suggest that Milner would, in future, be on the spot to fulfil any promises, while Kitchener would not.[76] He then wrote to Rosebery[77] and also to E.T. Cook[78] (the editor of the Liberal Daily News with whom he had struck up an acquaintance when, during 1899 and 1900, he had been in England attempting to influence the British Press). He was, he wrote, completely in the dark about the peace negotiation but had heard rumours to the effect that the Boers would fight hard for three conditions: a definite date for the restoration of self-government, equality of languages and an amnesty for Cape rebels.

> "...it is the same old fight, the same old points, the same old 'Kaffir bargain' again...once more we have to put our backs into it if we don't want that short-sighted obstinacy of the Boers to preserve...the foundations upon which they hope to uprear the structure [of their great scheme] in the future. Reitz's letter a year ago, advising surrender lest they forfeit their influence and ruin the national idea, should be a warning. It is not sentiment but dogged pursuit of a practical policy that moves them".

FitzPatrick then drew up a statement[79] which protested vigorously against any peace settlement which included a guarantee of self-government within a definite period, equality of the two languages or an amnesty for the Cape rebels. He obtained the signatures of "a fair number of those who took an interest in the future",[80] and presented it to Milner. The High Commissioner, with whom FitzPatrick had had no contact at all during these proceedings,[81] said that the letter was "most welcome", particularly because it was unsolicited,[82] and cabled it to the Colonial Office in London. This exercise was of no real importance because it did not in any way affect the Peace terms, except that FitzPatrick's

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76. FitzPatrick to Wernher, 5th June 1902. A/LC VII, Wernher, 15.
77. FitzPatrick refers to this in his letter to Cook. No copy of the letter is among his papers.
78. See FitzPatrick to Cook, 24th April 1902. A/LB I.
79. FitzPatrick et al to Milner, 5th May 1902. A/LB I.
80. FitzPatrick to Wernher, 10th May 1902. A/LB I. Among the party who signed were Hull, E.P. Solomon, Carr, Hosken, Monypenny, Greenlees and Dale Lace.
81. Milner had been away in Cape Town.
82. FitzPatrick to Wernher, 10th May 1902. A/LB I.

representations supported the efforts which Milner was making to prevent the concessions which Kitchener seemed prepared to make.

In view of FitzPatrick's concern about the self-government, language and amnesty questions, it is interesting that he thought the final settlement "excellent".(83) Although he still had reservations about Kitchener's "reckless promises", he was relieved that no definite date was set for the restoration of self-government (it was to be granted "as soon as circumstances permitted"). Similarly, although Dutch was to be used in Courts and could be taught in schools, if parents wished, there was no recognition of language equality. The Cape rebels received no amnesty in the Treaty. FitzPatrick's concern about these items had been the result of the realisation that they were of the utmost political importance. The stipulation of a precise date for self-government in the Transvaal could mean disaster if this were done before a British majority was assured. The disenfranchisement of the Cape rebels could swing the political balance away from the Afrikaner Bond. The language question was important because, as he saw it:

> "Language was the first rallying-point of the Bond and the greatest pull they had....Moreover, when responsible government comes, there would be a fight on the language question and the British party would certainly be for one language. Would the Dutch submit to the change without charging...us with perfidy?"(84)

The explanation for FitzPatrick's satisfaction with the final peace terms was, therefore, his belief that the points of fundamental political importance had been gained.

Another interesting sidelight was his meeting in June with the Boer leaders, Botha, de la Rey and Lucas Meyer.(85) This arose from a suggestion of Sam Marks that these three, who had been responsible for the "preservation of the Mines", should be rewarded. He proposed to lend them each from five to seven thousand pounds, interest free, and enquired of FitzPatrick whether the leading firms in Johannesburg would like to contribute. FitzPatrick immediately informed Milner, who saw the possibilities of using such a proposal to dissuade the Boer leaders from going to Europe,

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83. FitzPatrick to Cook, 12th July 1902. A/LB I.

84. FitzPatrick to Cook, 24th April 1902. A/LB I.

85. For FitzPatrick's account of these proceedings, see FitzPatrick to Wernher, 5th June 1902. A/LC VII, Wernher, 15.

where they hoped to raise funds. "They would be sure to raise up a lot of feeling and be made the excuse for anti-British demonstration on the Continent", said Milner.(86) He asked FitzPatrick to do what he could to dissuade them.

FitzPatrick and Marks spent over three hours attempting to steer the conversation in the direction of their proposal, not wishing to make a direct appeal - "that would have aroused suspicion and simply confirmed them in their intentions". Fitz-Patrick urged them, if they required more funds, to look to the tax-payers of the Transvaal. Botha replied that their main concern was to honour commandeering notes, which amounted to about £1,500,000. De la Rey added that, if war losses were considered, then one hundred million pounds would be "merely a drop in the bucket". When FitzPatrick pointed out that, in terms of the settlement which they had agreed to, they would be treated as British subjects for purposes of compensation, Botha replied: "What could we do? We had to accept what they put before us". Hardly a promising beginning. Botha then produced another argument which was even more difficult to counter: the delegates at Vereeniging, he said, had been persuaded to agree to the terms only on condition that Botha, de la Rey and de Wet should go to Europe and raise funds. Kitchener, when told of this, had agreed that they were quite free to do this "if they liked".

Marks, more in hope than with conviction, suggested that the Boers would never "raise anything worth mentioning" on the Continent: they would do better if they were to approach England again, should they find themselves in need of more help. Fitz-Patrick felt obliged to disagree with Marks's contention that such an appeal to England might be successful: "The Home public are fully-taxed", he said. "They know that the burghers are not at all taxed". There ensued what FitzPatrick described as "a very heavy silence". "Do you mean", asked Botha, "that there is no prospect of further help and that our people must starve?" No, FitzPatrick replied, but help must be sought from the Transvaal taxpayers (and principally from the mines) and even then Botha must "give up the idea of talking in millions".

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86. Ibid.

> "What you have got to do is bring the two people together, make them interested in each other and gradually get them to be friends. Then you will be able to convince them of the needs of your people and, if we all go together as one man to the British government and say, "some of our people are starving, let us tax ourselves for half a million to help them", no Government would refuse it or could refuse it and, if that is not enough, we shall go again for another half-million and so on...."

(FitzPatrick explained to Wernher that he envisaged such amounts as being deducted from the war contribution.)[87]

On the following day, FitzPatrick explained his attitude to Marks, who contended that "it would be cheap and wise for England to find even £20,000,000 to restore prosperity and render [the Boers] contented subjects".[88] Stressing that this was his personal view and that he had not discussed it with Milner, FitzPatrick contended that "this would merely teach the Boer that he could have war with limited liability".

> "They have to learn the lesson that the war which they made, like all wars, brings with it a fearful punishment. They must remember for ever that they deliberately went into it and their leaders equally deliberately refused to accept the advice given to them in 1900, preferring the ruination of the people and that these leaders should be made to feel, as far as constant reminders and the attitude of their people towards them can make them feel, that they are responsible for the continuance of the war...and that their duty is to give all their endeavours to the salvation of their people in the settlement of the country and that any help that they may get from England or from the British population of the Transvaal is something to be devoutly thankful for...."

According to FitzPatrick, the three Boer leaders took his straight-talking "very seriously and, on the whole, very well". But, the truth of the matter was that, although he was at this time so confident that he was operating from a position of strength, he had very few cards to play. This was well illustrated by Botha's concluding remark (which, FitzPatrick admitted, made him feel "very uneasy"). Kitchener, Botha said, had promised them many things, not realising that it would not be possible for Milner to "do everything just as he said". But the promises had been made and this meant that, as "our people are not very clever and

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87. Ibid.

88. Ibid.

educated...it is not easy to get them to make allowances".

The threat which underlay this remark suggests that Botha sensed that he had at least shared the honours with FitzPatrick at this first encounter between the two politicians whose rivalry was so crucial because they represented opposing ambitions for South Africa.

ii) The Transvaal Legislative Council and the Inter-Colonial Council, March - November 1903.

During his visit to the Transvaal and Orange River colonies at the beginning of 1903, Chamberlain did more than bring about an agreement with the capitalist leaders on the war debt: he worked out with Milner a comprehensive plan to provide for the government of the two colonies during the period which would precede the introduction of self-government and the creation of a British South African federation. Their objective was to provide for the maximum degree of popular involvement in government as the maintenance of British authority would allow. One result was the decision to establish elected municipal councils in the major urban centres.(1) Another was the finalisation of the details of the new Legislative Council. Milner had announced his intention of creating such a body in the previous September.(2) At that time he had envisaged eight nominated members in a council of seventeen.(3) This was now altered to a Legislative Council of thirty members, fourteen of whom would be nominated. Chamberlain also agreed to Milner's proposals regarding the actual persons who would be nominated. These included FitzPatrick and Farrar (to represent the mines), Harry Solomon (who would represent the "discontented"), de la Rey, Botha and Smuts (to represent the "bitterenders"), A. Cronje and another, to be named by him (to represent the "handsuppers"), T. Everard (a Transvaal British

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1. Chamberlain's notes of Conversations with Milner during January 1903. C.0.879/90 Affairs in S. Africa, pp. 21 et seq. According to Cox (to FitzPatrick, 6th May 1904. RM FIT L/B VI), Chamberlain had insisted on the introduction of an elected Johannesburg municipality "without delay"; Milner had favoured elections over a period of three years.
2. Government Notice, 23rd September 1902.
3. See above, p. 199.

farmer "of the best class") and Hosken (to represent the shop-keepers). The additional vacancies would be filled from a list which included Loveday, Wools-Sampson, van Hulsteyn, J.W.S. Langermann, Strange, S. Marks, E.F. Bourke and a representative of the "working men".(4)

There can be no doubt that Chamberlain and Milner were anxious to obtain a Legislative Council which would be as representative as was possible of all shades of opinion, relying on their official majority when it came to questions which Milner regarded as crucial. This intention was to some extent defeated by the refusal of Botha, Smuts and de la Rey to associate themselves with the new Council but Milner was not at the time particularly perturbed, for he substituted four other prominent Boers: J.C. Brink (a landdrost from the north-western Transvaal), Z.J. de Villiers (a former burghermaster of Johannesburg), P. Roux (a former field-cornet and among the last Boers to surrender) and H.P.F. Janse van Rensburg (a former member of the Volksraad and a member of a "rich and influential" Boer family). As Milner pointed out to Chamberlain,(5) this meant that, of the five Boer representatives, only Cronje was a National Scout; the others were of a "neutral type". The final list of members also included A.S. Raitt as representative of the working class and H.C. Hull, who had not been on Milner's original list. Hull was considered suitable because he was "quite independent". Also, although "very intimate with the Boers" and fluent in Dutch, he was "thoroughly loyal".(6)

The new constitution, supported by this impressive list of popular representatives, would it was hoped, give Milner the respite during which British political supremacy could be established in the Transvaal. Although federation would have to wait until this had been accomplished, Milner was anxious to lay the foundations. During 1902 he had toyed with and discussed with FitzPatrick the idea of establishing the nucleus of a federation by means of uniting the two ex-republics with the Eastern Province of the Cape

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4. Chamberlain's notes. C.O.879/90 Affairs in S. Africa, pp. 21 et seq.

5. Milner to Chamberlain, 12th April 1903. C.O.879/81 Further Correspondence re Affairs in S. Africa, p. 63.

6. Ibid.

Colony and Kimberley.[7] A part of the scheme was the expropriation of the B.S.A. Company and it was for this reason that Beit visited the Transvaal in August/September.[8] Milner also seems to have envisaged the acquisition of Delagoa Bay.[9] (FitzPatrick's visit to Lorenco Marques in July appears to have been in this connection.)[10] Such an arrangement, Milner pointed out, would force Natal's hand and the result would be that the Transvaal would enjoy a dominant position and control three ports.[11] This rather complex plan came to nothing - hardly surprising in view of the fact that it involved altering the status of Rhodesia, the Eastern Province and Lorenco Marques.

During his discussions with Chamberlain, Milner proposed that a preliminary move towards federation should be the pooling of the railway systems of the two ex-republics, together with the immediate establishment of a council on which the two colonies would be represented. This would mean that the Transvaal and Orange River colonies would be, in effect, federated at once and that they would speak "with one voice" when the whole of southern Africa was federated in the future.[12] The fact that the two colonies would jointly raise the loan of £35,000,000 was an argument in favour of such an arrangement.[13] The establishment of the Inter-Colonial Council was not at once proceeded with, however. Instead, in March, a Railway Extension Conference was held in Johannesburg, to consider what new railways should receive priority in the two Colonies. The government representatives were Milner, Girouard (the Commissioner of Railways), the Lieutenant-Governors of the Transvaal and the Orange River colonies. Duncan represented

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7. FitzPatrick to Beit, 5th April 1902. A/LB I.
8. Ibid.
9. In his letter to Beit (ibid.), FitzPatrick merely referred to the inclusion of "the port Mr Rhodes proposed". It is presumed that this refers to Delagoa Bay.
10. See Wallis, op. cit., p. 98.
11. FitzPatrick to Beit, 5th April 1902. A/LB I.
12. Chamberlain's notes, January 1903. C.O.879/90, pp. 21 et seq.
13. Memorandum by Milner, 16th February 1903. C.O.879/79. South African Affairs, pp. 161 et seq.

the Transvaal Railway Board and H. Wilson that of the Orange Free State. In addition, there were four nominated members from each of the colonies, those representing the Transvaal being FitzPatrick, S. Marks, Johann Rissik and P. Roux.(14)

Immediately after the Railway conference, a further conference was held at Bloemfontein, the intention being to lay other foundations for a future South African federation. Although the main purpose was to bring about a customs union, it was agreed that the native question and alien immigration would also be discussed by the representatives of the four South African colonies and Rhodesia, the Protectorates being represented by the High Commissioner in the Chair.(15) The Transvaal, like the other colonies, was represented by two officials (Lagden and Duncan) and three nominees, Farrar, Hosken and N.J. Breytenbach. Farrar, as we shall see,(16) was to use the occasion to promote the importation of Chinese labour to the Transvaal.

Milner was convinced that the Inter-Colonial Council must be established as soon as possible after the Railway Conference. At the end of April he told Chamberlain that the conference had been successful, particularly because the two colonies had displayed a willingness to work together for the first time. It was vital that the next step should be taken while there was no public opposition to the move and before the new legislatures of the two colonies began to regard such matters as their business.(17) The result was the establishment of the Inter-Colonial Council by Order-in-Council on May 20th. It consisted of the High Commissioner as President, the Lieutenant-Governors of the two colonies, the Inspector-General of the South African Constabulary, two further officials nominated by each of the colonies, two nominees of the Secretary of State and two representatives elected by each of the colonial Legislative Councils. After the Transvaal Legislative Council had met, Fitz-Patrick and Loveday were elected to represent the Transvaal.(18)

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14. Cd. 1552 Papers re Finance of the Transvaal and O.R.C., p. 49.
15. Milner to Onslow, 13th March 1903. C.O.879/79 South African Affairs, p. 159.
16. See below, p. 231.
17. Milner to Chamberlain, 25th April 1903, "Confidential". C.O.879/81 Further Correspondence re Affairs in S. Africa, p. 121.
18. L.C. Minutes, 17th June 1903.

It can be seen that, with the exception of the Bloemfontein Customs Conference, FitzPatrick was associated with every one of these institutions which, during 1903, launched the Transvaal into its next political phase. This chapter seeks to determine the exact role which he played at the Railway Extension Conference and subsequently as member of the Transvaal Legislative Council and of the Inter-Colonial Council.

It is easier to explain FitzPatrick's selection as a Transvaal representative at the Railway Extension Conference held in Johannesburg between March 3rd and 6th, than is the selection of Sam Marks.[19] As early as December 1899 FitzPatrick had argued that railway construction was a key to South Africa's future.[20] New lines should not be built simply in order to link new mining areas to the existing systems; they should be used to open up agricultural districts and so promote the infiltration of British elements into the rural areas. Understandably, in March 1903, FitzPatrick still viewed the matter in the same broader perspective.

There were certain railway lines about which there was little disagreement. During the war, for example, the military had begun the construction of a new link between Springs and the Machadodorp-Ermelo line at a point near Ermelo in order to relieve pressure on the main line between the Reef and Delagoa Bay.[21] Similarly, there was agreement that the work which had been commenced in the Free State on the "Grain Line" which would link Bloemfontein with Ficksburg and, via Bethlehem, with Harrismith should be proceeded with as fast as possible. The "Coal Line" linking Johannesburg and Vereeniging was another priority (although FitzPatrick thought it an extravagance.[22]) The conference also recognised the need for a new line which would link Pretoria or Krugersdorp with Rustenburg, with the possibility of further extending this to reach the Marico district in the north-eastern Transvaal. The

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19. Marks's selection is probably accounted for by his interest in coal, particularly the Vereeniging deposits.

20. See above, p. 170.

21. Minutes of a Conference...to discuss new Railway Extension, Cd. 1552 Papers Relating to the Finances of the Transvaal and O.R.C., pp. 49 et seq.

22. FitzPatrick to Evans, 19th June 1904. A/LB IV.

proposal which produced the greatest amount of disagreement and discussion concerned the construction of a line between Harrismith and Johannesburg, to create a new link with the Natal system and Durban. There were two possibilities: either the line could be constructed via Bethlehem and Heilbron or via the Wilge River valley. FitzPatrick, in particular, championed the Wilge River route because, he argued, it was not only more suitable because the gradient was easier; as important, the Wilge River valley was well-watered and suited to intensive irrigation farming.(23) The construction of this railway would, therefore, lead to a politically-important British settlement there.(24)

One of the interesting features of the Railway Extension Conference was the leading part which FitzPatrick played in its proceedings. When, for example, the conference met for the second time on March 4th, it was FitzPatrick who attempted to crystallise the discussion by proposing that the proceedure should be adopted of grading the different proposals according to whether the expense of construction should be met by the government or by private enterprise or whether they could be deferred.(25) On the last day of the conference, he proposed a motion to the effect that, when lines were constructed by private enterprise, the government should retain control of the construction costs and tariffs, and that it should also have the right of expropriation.(26) He then placed a statement on record which, he said, would "give the public a fair idea of the whole position". This statement explained that, in view of the inadequacy of the available funds, there was no alternative but to encourage the construction of nonpriority lines by private enterprise. There was also a limit to what could be expected from private enterprise and this would mean that, in respect of railway development, the two colonies would remain "in a position inferior to that of Rhodesia, Cape Colony and Natal".(27) FitzPatrick also

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23. It was also of interest that at the end of 1902, he had bought the farm "Buckland Downs" in the Harrismith area, which meant that he had a personal interest in the development of the area.

24. See FitzPatrick to Farrar, 29th May 1904, "Strictly Private". A/LB III.

25. Minutes, Cd. 1552, p. 59.

26. Ibid., p. 65.

27. Ibid., p. 66.

drew attention to the danger of the Railways competing for unskilled native labour with the Mines and urged that recruitment should be confined to tribes such as the Swazis and the Zulus, so that there would be no competition among the Shangaans and other Low Veld tribes.(28) At the close of the conference, it was FitzPatrick who acted as spokesman for the members in moving a vote of appreciation of the way in which Milner had handled it.

A likely explanation for the prominent role which FitzPatrick played is that, as a close confidant of Milner, he may have been deputed by the High Commissioner to make these proposals. While this is probably true, his prominence is also an indication of his genuine interest in the subjects under discussion, of his ability to keep to the point and counteract the tendency which such discussions have to wander, and of the general consensus that his opinion was important.

The Inter-Colonial Council was the sequel to the Railway conference. FitzPatrick's part in its proceedings will be considered before an examination is made of his role on the Transvaal Legislative Council. This means that the chronological sequence is lost: The Legislative Council met for the first time in Pretoria on May 20th, FitzPatrick was elected a member of the Inter-Colonial Council on June 17th, and the latter Council then met in Johannesburg on July 2nd. This rearrangement however is done in the interests of continuity, because a great deal of the discussion in the Inter-Colonial Council concerned Railways.

Milner opened the proceedings of the first session by outlining the constitution and duties of the Inter-Colonial Council.(29) In particular, the Council would have to approve the Railway Budget. He then announced that, although the members were nominees, they were "the servants of the Public" and the press should therefore be admitted. When business began on the following day, Lawley (Lieutenant-Governor of the Transvaal), dealt at length with complaints that had been made about Girouard's management of the Railways. The other Transvaal representatives, FitzPatrick, Rissik and Loveday, then launched a vigorous attack.

Mawby suggests that this criticism originated in the

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28. Ibid., p. 55.

29. I.C.C. Minutes of Public Sessions, 2nd July 1903.

"unpopularity" of the Inter-Colonial Council, in the feeling that the Council "seemed to be another barrier set between the population and the railway administration", and in the abnormally high rates which were being charged.(30) As far as FitzPatrick was concerned, he was not motivated by any hostility towards the Council itself but was gravely concerned about three things. The first was that the Railway Budget showed a drop of over £300,000 in net earnings.(31) The second was that he regarded the Johannesburg-Vereeniging line, which had been three-quarters completed by the time the Railway Extension Conference had been asked to approve it (and which Girouard particularly favoured), as unnecessary.(32) The third was that he believed that Girouard's office had been guilty of gross "blunders" and mismanagement and suspected that Girouard himself was guilty of "worse things". Certain suggestions had been made to Karri Davies in connection with his tender to supply sleepers; he was believed to have taken bribes when awarding the Middelburg coal contracts and Pauling, the railway contractor, "made no bones about it at all".(33)

On July 7th, the Council elected a new Railway Committee to manage the C.S.A.R. system. It consisted of Girouard, H.F. Wilson (the acting-lieutenant-governor of the Free State), Duncan, T. Brain (one of the unofficial O.R.C. representatives) and Loveday. Both Rissik and FitzPatrick were proposed as members, but both declined - FitzPatrick because he intended leaving for overseas shortly.(34) FitzPatrick and Loveday then moved that this Committee be instructed to investigate the Accounting Department of the C.S.A.R. "in public session". Duncan added that it should also enquire into the statistics of Girouard's department. As a counter-move, Girouard proposed that the Railway Committee should merely consider the various complaints that had been made. This was then put to the vote and, after an equal division, Milner used his casting vote in favour of Girouard's proposal.(35) The Commissioner of Railways had been reprieved but only because Milner was afraid

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30. Mawby, op. cit., pp. 143-4.

31. For FitzPatrick's speech on the Railway Estimates, see Leader, 8th July 1903.

32. FitzPatrick to Evans, 19th June 1904. A/LB IV.

33. FitzPatrick to Beit, 1st June 1904. A/LB IV.

34. I.C.C. Minutes, 7th July 1903.

35. Ibid.

that exposures about him would damage the entire administration.

Apart from attending what were described as the "public meetings" of the Inter-Colonial Council, FitzPatrick was also present at its confidential executive sessions. One question which engaged a considerable amount of attention at these was the shortage of unskilled labour. On July 7th Sir Richard Solomon, the Attorney-General of the Transvaal, proposed that, as it was "undesirable" to introduce legislation to provide for the importation of coloured labour during the present session of the Legislative Council, every effort must be made to recruit labour in South Africa but that this must not interfere with the activities of the Witwatersrand Native Labour Association.(36) FitzPatrick moved that this matter should be discussed at the Council's public session and this was carried by eight votes to six, the division providing no clue as to why there should have been a difference of opinion.(37) At the public session, Fitz-Patrick then moved an amendment to the effect that the Railway Committee be instructed to accept tenders for construction subject to the conditions that White labour should be used as far as was possible, that not more than 10,000 natives should be employed on railway construction at any time, that further supplies must be drawn from outside South Africa under contracts which prevented such labourers from remaining in South Africa, and that no contracts for the importation of labour should be entered into until the colonial governments had passed the legislation necessary to enforce their conditions.(38) After a lengthy discussion, Solomon agreed to withdraw his motion in favour of FitzPatrick's, as amended by the omission of the last provision. The implications of this debate will be discussed when Fitz-Patrick's attitude towards the Chinese Labour question is discussed.(39)

While the Inter-Colonial Council was meeting in Johannesburg, the Transvaal Legislative Council was in session in Pretoria. The proceedings had been opened on May 20th by Lawley, who stressed

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36. I.C.C. Minutes of Confidential Sessions, 7th July 1903.

37. Lawley, Duncan, Nicholson, Blackwood, MacFarlane, Brain and van Rensburg supported FitzPatrick. Wilson, Browne, Girouard, Rissik and Loveday supported Solomon.

38. I.C.C. Minutes, Confidential, 7th July 1903.

39. See below, p. 233.

that the Legislative Council was a "temporary expedient, adapted to meet the peculiar exigencies of the time". It was intended to pave the way towards a democratic system which could not be introduced at once because popular elections would at that time give rise to bitterness and racial strife.(40) One of the most important and contentious items dealt with by the Council was the Municipal Corporations Ordinance, which provided for the creation of new municipal bodies. It was accompanied by the Municipal Elections Draft Ordinance which proposed to enfranchise both Whites and "every coloured person being a British subject" who was over the age of twenty-one who owned ratable property valued at more than £100 or who occupied property, valued at more than £300. This measure was introduced by the Attorney-General, Sir Richard Solomon, despite the fact that the recent Municipal Conference in Johannesburg had summarily rejected a plea from Milner to agree to the enfranchisement of Non-whites.(41) Another measure of importance was the Precious Stones Ordinance, which proposed to alter the Transvaal mining law so as to give the state a direct share in diamond-mining profits. As far as the labour question was concerned, Lawley made it clear that, although the government was concerned at the shortage, it wished to remain outside the controversy and would therefore sponsor no legislation, but would give expression to "the will of the citizens".

The Municipal Elections Draft Ordinance was one of the first matters to come before the Legislative Council. The outcome was extremely discomforting for Milner, for there was virtually a complete split between the officials on the one hand, who voted for the non-racial franchise, and the nominated members, on the other, who ranged themselves against it.(42) (Only Hosken supported the officials). One by one, the nominated members declared their opposition to the proposal. Some, like Farrar, said that they favoured a qualified colour-blind franchise (but he felt himself obliged to bow to popular opinion).(43) Others skirted around the principle by arguing that their hands were tied by

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40. Star, 20th May 1903.

41. For Milner's speech at the Municipal Conference, see the Star, 19th May 1903.

42. L.C. Votes and Proceedings, 3rd June 1903.

43. L.C. Debates, pp. 37-8.

Clause 8 of the Peace of Vereeniging. FitzPatrick was more honest. While, he said, he felt "humiliation in having to base a distinction on the ground of colour", the future of the White man depended upon it. He had no choice but to oppose the coloured franchise.(44)

The first reading was carried, after a division had been called, by fifteen votes to thirteen. To have proceeded in the teeth of such a solid demonstration of public opinion would have been very difficult for Milner, intent as he was on seeking popular support. Any remaining hope of his being able to establish the principle of the coloured vote was swept aside by the newspaper tirade which greeted the draft ordinance.(45) Even without the opposition of the Boer population, which threatened to be even more vigorously expressed at Botha's Heidelberg meeting at the beginning of July, here was evidence enough that Transvalers were united in opposing the measure. Accordingly, on June 8th, when the Bill was read for the third time, Solomon announced that the government had reconsidered its position.(46) An amendment restricted the franchise to White persons, whereupon unanimous agreement was reached. Apart from his ealier speech, FitzPatrick played no part of any importance(47) in these proceedings.

FitzPatrick's main interest lay in the Precious Stones Ordinance. This question arose because Milner was determined that the old mining law should be amended so that the State could benefit. The increased income was of crucial importance in balancing a budget, greatly complicated, as it was, by the need to raise loans. By 1903, there was a particular need for urgency in view of the discovery of the Premier Mine near Pretoria. The proposal was to scrap the old system whereby the owner of a farm was entitled to a mynpacht (which gave him full mining rights on about one-eighth of his land), and to substitute an arrangement whereby the owner should possess the mineral rights on all his land but should forfeit a share of the mining profits to the State. Opinions differed greatly as to how large the state's share should

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44. Ibid., pp. 34-6.

45. See, for example, the Star, 3rd and 4th June; the Leader, 4th June 1903.

46. L.C. Minutes, 8th June 1903.

47. He proposed an amendment of minor importance, relating to election procedures. Ibid., 17th June 1903.

be and Milner asked FitzPatrick for his opinion.

In his reminiscences, FitzPatrick claimed that Milner had consulted him while he was President of the Chamber of Mines and, at that time he had suggested the scheme of profit-participation.[48] It was on the basis of these proposals (and subsequent discussions with Milner) that Solomon prepared the draft Ordinance. The proposal regarding profit-sharing which was actually incorporated in this draft Ordinance was that the owner should receive four-tenths (sic) (instead of one-eighth as had been the case of the mynpacht), and the State six-tenths.[49] Another provision of Solomon's draft Ordinance was that the major part of the State's income from this source should not be paid into current revenue but should be utilised for the redemption of public debt and a specific amount earmarked for the construction of permanent public works. This, FitzPatrick claimed,[50] was also the result of his urging. He had argued that the mineral assets of the country "were part of" it and, as they were "irreplacable assets", there should be some form of "replacement".

Even before details of the proposed ordinance had become known, the measure aroused considerable opposition. It was, of course, a matter of material interest to the mining industry and particularly to those who held shares in the Premier Mine. Despite this opposition and the fact of his "personal friendship and keen sympathy with" Cullinan (the owner of the land on which the mine had been discovered), and despite, also, his own direct association with the mining industry as a partner in Ecksteins, FitzPatrick vigorously defended the principle involved and pressed for the State acquiring an even greater share in mining profits than was provided for in Solomon's draft. When the matter came before the Legislative Council for the first time on June 29th, a Select Committee was appointed to enquire into Clause 25 and Chapter 5 of the draft ordinance (these defined the owner's share of a mine and made provision for operating a mine by the owner for the benefit of himself and of the Crown). This Committee consisted of the Attorney-General (Solomon), the Commissioner of Mines

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48. South African Memories, p. 103.

49. Ibid., p. 104.

50. Ibid., p. 107.

(Wybergh), two representatives of the mining industry, FitzPatrick and Farrar (who was the President of the Chamber of Mines), and three additional members (Loveday, van Rensburg and Weldon), who were appointed because they were independent.

FitzPatrick played a leading part on the Select Committee, both in the examination of witnesses and during discussions, during which he urged that the State's share of profits be increased from six-tenths to three quarters. It soon became obvious that agreement would be impossible, despite seven meetings between July 1st and 18th. Finally, a minority (Solomon, Farrar and Weldon) recommended that the four-tenths provision be retained, while the majority supported FitzPatrick's one-quarter proposal.(51) The report was then laid upon the table by Solomon on July 18th and the matter was debated on July 22nd. In a lengthy speech,(52) FitzPatrick proposed a reduction of the owner's share in profits to one-quarter. After a division had been called, this amendment was defeated,(53) even though it had been supported by a majority in the Select Committee. Wybergh (who had supported FitzPatrick's stand, both in the Select Committee and in the Legislative Council), then proposed that the owner's share of profits be fixed at one-third and this was then approved. According to FitzPatrick, Wybergh's last-minute proposal was not an attempt at compromise;(54) it was the result of the unintentional deletion of the entire original clause due to ignorance of parliamentary procedure which necessitated "the deletion of certain words in order to substitute others".(55) In his later account, FitzPatrick also inferred that Wybergh's one-third proposal followed upon the general acceptance of the one-quarter proposal and had merely been substituted as the "next best" once the error regarding procedure had been discovered. Precisely how the figure of one-third was finally arrived at is not of great importance; what is important is that the original four-tenths owner's share had been reduced and that FitzPatrick had

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51. Report of Select Committee, Precious Stones Draft Ordinance, 1903.
52. Leader, 23rd July 1903.
53. L.C. Votes and Proceedings, 22nd July 1903.
54. Mathematically $\frac{1}{3}$ is almost the precise mean of $\frac{4}{10}$ and $\frac{1}{4}$.
55. South African Memories, p. 104.

been the leading advocate of this alteration.

While FitzPatrick might have been able, in later years, to look upon this measure as a personal achievement, his satisfaction was marred by the fact that the other provision in the draft ordinance, which he regarded as being of particular importance, was abandoned. FitzPatrick blamed Solomon for not providing a lead by offering official support for the provision which would have ensured that a part of the revenue derived from this source would have been devoted to public works. Solomon, he wrote, showed that "tendency to vacillation...and marked sensitiveness to what he regarded as the opinion of the public"(56) which made him so unreliable a political ally. When it was protested that the proposed arrangement would tie the hands of the legislature in the future, FitzPatrick immediately pointed out that it would not, but Solomon meekly gave way and the clause was removed.(57) The result was that, during the ensuing years, the Transvaal government's current revenue account was artificially inflated and this "incited enormous extravagance and expenditure upon unwise and unnecessary purposes".(58) This point is, however, rather obscure. If, as FitzPatrick himself admitted, no decision could be binding upon the legislature, then Solomon's half-heartedness might merely have been the result of his belief that the clause was superfluous.

It has been said of FitzPatrick that he was bored by the humdrum aspects of politics; that he relished the excitement of contest but found no interest in day-to-day parliamentary and committee work.(59) This is not borne out by his behaviour as a member of the Transvaal Legislative Council and of the Inter-Colonial Council. At the Railway Extension Conference and subsequently at the first session of the Inter-Colonial Council, he displayed a keen interest in the subject of railway planning and administration and revealed knowledge of a sort which comes only from careful study. Similarly, in the Legislative Council, he interested himself in the proposed revision of the mining law; once again a technical subject which required careful preparation.

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56. Ibid., p. 107.

57. L.C. Votes and Proceedings, 22nd July 1903.

58. Ibid.

59. See, for example, Cartwright The First South Africa

A matter of less importance in which he displayed an interest was horse-sickness. He proposed that the Transvaal should co-operate with the other governments in order to tackle the problem on a sub-continental scale.(60) Another was the Public Holidays Ordinance. As a member of the Select Committee which was appointed to make recommendations regarding public holidays in the Transvaal, he proposed the inclusion of December 16th as "Dingaan's Day" because, he insisted, the anniversary of the battle of Blood River was sacred to the Boers. The recommendation was accepted in the Transvaal and, after Union, was continued.(61) In fact, Fitz-Patrick was interested in matters that appeared to him to be of fundamental importance. It was on questions such as the coloured franchise and Chinese labour, which aroused passion in others, that he displayed relative disinterest. In this, as also in the attention which he devoted to such matters as interested him, he revealed a political professionalism which was lacking in almost all his colleagues.

One reason why the impression might be gained that FitzPatrick was bored with the business of the Legislative Council is that he was forced to curb his activities because his health had begun to fail once more. By July 1903, he had, on the advice of his Johannesburg doctors, decided to place himself in the care of a Harley Street specialist, for it was feared that he had developed a duodenal ulcer which, on top of his diabetes, made him a very sick man. By July 14th, following his exertions on the Inter-Colonial Council, he found himself unable to attend the Legislative Council debates. On July 22nd, in order to make his speech on the Precious Stones Ordinance, he had to stagger out of his sick-bed (a fact which may account for his confused recollection of the debate). Thereafter, he was absent until the Legislative Council was prorogued on July 30th. Interrupting his last-minute preparations for his departure, he gave evidence before the Transvaal Labour Commission on August 6th and then left immediately for England, where he was to spend two months under intensive care in a London nursing home.(62)

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60. L.C. Minutes, 17th June 1903.

61. Now the Day of the Covenant.

62. Cartwright, The First South African, pp. 126-8.

iii) Chinese Labour, January 1903 - February 1904.

The issue which began to dominate Transvaal politics during 1903 was Chinese labour. Chamberlain invited this public debate when, in his Johannesburg speech of January 17th,(1) he stated that he recognised that the "majority of opinion was opposed" to the suggestion and that, before Britain agreed to it, there must be a clear demonstration of public opinion. On March 19th, following his return to England, he stated in the House of Commons that no Chinese labour proposal had been made, "nor as far as I know is likely to be made", because "colonial feeling throughout South Africa is by a very large majority against any such proposal".(2)

The first to respond to this invitation to provide a demonstration of popular opinion were, understandably, those who favoured the measure. Their advocacy of the use of imported indentured coolie labour was not simply the result of a desire to increase profits; it arose from genuine difficulties which had been experienced in the recruitment of native labour in the post-war period. This shortage was in many ways an extension of a major pre-war problem, which the mineowners had attempted to eradicate through the organisation of the Witwatersrand Native Labour Association. The war had, however, disrupted supply routes and disrupted recruiting.(3) It has been argued that the reduction in wages was of paramount importance.(4) However, contemporary opinion was largely that this was not true and that wages had been inflated in the pre-war years through unnecessary competition between the different mines. Perhaps the most cogent argument against this assertion of blatant self-interest is that Chinese labour advocates continued their insistence in the face of the instinctive opposition of the British government and of the emphatic disapproval of almost all leaders of opinion in South

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1. Leader, 18th January 1903.
2. C.O.879/82, 734.
3. A major difficulty encountered by the W.N.L.A. was that it was prohibited from operating in the Rhodesias, Somaliland, and Barotseland. In addition, the Foreign Office would not permit its operation in Angola, the Congo, Uganda or British East and Central Africa (see Foreign Office to Colonial Office, 29th August 1902, C.O.879/80, 721, p. 28).
4. Denoon, The Transvaal Labour Crisis. (Wages were reduced from an average of 53s. to 30s. per month, see C.O.879/82, 734).

Africa. If the answer to the labour shortage lay in raising native wages, it has to be shown why there was no appreciable improvement when, in 1903, monthly wages were raised to 60s per month (as compared with an average of 52s before the war.[5] That the mineowners were not blindly obsessed with working profits is also suggested by the fact that White labour (which was more expensive) was frequently considered as a possible way out of the labour shortage.

During 1902, the number of Africans employed on the mines dwindled from 90,000 to less than 50,000[6] and additional requirements were estimated at 150,000.[7] By July 1902, there was thus general agreement that the industry faced a major crisis. As President of the Chamber of Mines, FitzPatrick was more than closely involved: he was in a position to sway public opinion and, particularly, to give a lead to the Industry.

One possible solution to the problem was the employment of unskilled White labour - the proposal which was put forward by F.H.P. Cresswell, the manager of the Village Main Reef (one of the mines controlled by the Corner House). FitzPatrick was sympathetic towards the idea and asked Kitchener to put the labour unionists "out of court" by "providing a strong lead".[8] If this were done, it would be possible to respond to the accusation that the attempt was being made to pull White wages down with the retort: "You want us to refuse work to the men who have fought your battles and now only ask for a chance to live...you want a monopoly and refuse them that chance!" On June 16th, FitzPatrick headed a Chamber of Mines deputation to Milner. After the proposed tax on mining profits[9] had been dealt with, the White labour proposal was put to Milner. In replying to Wernher's expression of disapproval of the scheme, FitzPatrick emphasised that there was more to it than the "economic experiment".

> "I have for a long time felt certain that the war would produce some striking change in our ideas and that that good mother, Necessity, will produce a fine family of Inventions.

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5. Cd. 1897 Report of the Transvaal Labour Commission, p. 120.
6. C.A.B. 37/64, 14 Memorandum on the recruitment of native labour; 18th February 1903.
7. Mawby, op. cit., p. 88.
8. FitzPatrick to Beit, 15th June 1902. A/LB I.
9. See above, p. 194.

> There is evidence of this throughout the country. There is more evidence of it in the Mines, where managers have learnt to do with less, much less, than what was formerly thought the irreducible proportion of labour. Whether these developments will be confined to the reduction in the number of natives or whether it will extend to the substitution of White for Black on a large scale, one cannot say, but that the war will have a permanent effect upon this question as a whole, I have no doubt".(10)

His attitude, in fact, was pragmatic. Either the White labour scheme would prove itself in practice, or its weaknesses would be exposed. At this stage, he hoped that it might be possible to buy out the prazos on the East coast or follow up a suggestion which Rhodes had made to buy out the coffee planters in Nyasaland.(11)

When, in July, the proposal to introduce Chinese labour was first pushed forward in the Chamber of Mines, FitzPatrick was suspicious and hesitant. He would agree only to institute enquiries and insisted that "the settlement of the question itself" must be "a matter for the general community".(12) "Whatever may come of this labour difficulty", he wrote to Wernher,(13) "one thing is quite certain and that is that, if Chinese immigration should be advocated by the Chamber of Mines before it is convincingly shown to be essential, there will be a frightful row here". At this stage, he believed that there were still possibilities of recruiting further native labourers or of using cheap White labour.

At the end of August, after Wernher had expounded on the dangers of employing White labour, FitzPatrick replied(14) that he was well aware of these. "I know...the appalling position that we should be in if we were to...have this industry throttled by labour unions". The efforts that had been made to use white labour were to meet the particular crisis which the industry faced and should not be seen as implying that "white labour can be made to displace black" altogether.(15) "Personally", he wrote, "I do

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10. FitzPatrick to Wernher, 5th July 1902. Q2 A/LB XVII.
11. Ibid.
12. FitzPatrick to Wernher, 25th July 1902. Q2 A/LB XVII.
13. Ibid.
14. FitzPatrick to Wernher, 23rd August 1902. Q2 A/LB XVII.
15. On 8th September (to Wernher, Q2 A/LB XVII), FitzPatrick explained his attitude further: "How can one run two diametrically opposed policies at the same time? i.e. How can we, whilst stopping native wars, disease and doing all that must inevitably tend

not worry about whether it is going to be permanent or not; circumstances will settle that question. If we succeed in getting a big supply of native labour, the unskilled White will be gradually and inevitably pushed out and absorbed in the general community. If we fail to get sufficient native labour, those who will have control when that day comes will be able to choose between the White unskilled [labourer] and shutting down the mines, or such other alternative as may present itself".

By the end of 1902 it had become more difficult for FitzPatrick to maintain this noncommittal attitude. It had become clear that the increased efforts at recruitment would not produce a marked increase in native labourers. Furthermore, the White labour experiment had (as FitzPatrick feared) aroused the opposition of the Labour unions. During October, there was a strike at the Village Main Reef and this led to the activation of workers' politics throughout the Reef.(16) This produced an immediate effect at the Corner House. Schumacher made a public denunciation of the White labour policy and Creswell's transfer to another mine was contemplated.(17) Mawby observes(18) that this rapid response to the labour agitation was not the result of "any long term fear of Labour political domination". This is not altogether true, for FitzPatrick was very conscious of the danger of a White labour policy producing a strongly-unionised White labour force. In the circumstances of late 1902, he was additionally sensitive to this display of working-class power because popular politics was at that time a thing to be avoided. He had in August only with difficulty succeeded in stamping out the Transvaal Political Association.(19)

With supplies of native labour unforthcoming and White labour discredited, the only alternative was Chinese labour. By October 1902, most of the mineowners regarded it as inevitable. Thus,

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towards an enormous increase in black population, (1) shut the nigger out of the labour market and (2) do all in our power by taxation etc. to compel him to work?...On such ground, I feel the "all white" idea to be out of the region of practical business".

16. Mawby, op. cit., pp. 92 and 239-40.

17. Ibid., p. 92.

18. Ibid.

19. See above, p. 200.

when Chamberlain visited Johannesburg in January 1903, he was confronted by an influential body of opinion which urged the introduction of Chinese labour. Only FitzPatrick held out against it and it is presumably for this reason that the Chamber of Mines did not make a formal approach to Chamberlain on the subject. Instead, he was given a statement which had been compiled by the Chamber's consulting engineers and which, after examining the problems, merely suggested that Chinese could be resorted to as a "last resource".(20) Doubtless, it was also FitzPatrick's opposition which helped to convince Chamberlain that opposition to the proposal was "overwhelming".(21) In order to provide immediate relief, Chamberlain offered to cable the Foreign Office, urging that recruitment be allowed in Nyasaland, Uganda and Central Africa.(22) Similarly, Chamberlain's emphatic statement, that no approval could then be given to the importation of Chinese labour, coincided with FitzPatrick's view that it would cause a "frightful row" if it were not seen to be absolutely essential.

After Chamberlain's visit, the initiative was taken by Farrar, who in March proposed a motion at the Bloemfontein Customs Conference to the effect that the introduction of "Asiatic or other coloured labour under indenture of service should be allowed, provided that the persons so introduced be, if possible, repatriated".(23) Immediately after his return to the Reef, he organised a meeting at the East Rand Proprietory Mines at which he argued that the Mines must be run on a system of skilled White labour and unskilled Black labour. The only way in which this could be done at that time was through the importation of indentured coloured labour.(24) Having made this cunning appeal, which was directed at the self-interest of both Capital and Labour, Farrar faded into the background. Mawby suggests that this was because he was alarmed at the reaction of Labour (as evidenced by the formation of the White League on the following day) and saw that

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20. C.O.879/91, 810. Memorandum re Chinese Labour, February 1906.
21. Chamberlain to Onslow, 20th January 1903. C.O.879/90, 716. Transvaal Affairs, telegrams, p. 24.
22. C.O.879/80. Correspondence re Labour in the Transvaal, p. 40.
23. Cd. 1640 Minutes of Proceedings, March 1903, p. 11.
24. Rand Daily Mail, 1st April 1903.

it would be unwise for the mining leaders to associate themselves too closely with the advocacy of the measure.[25] A more likely explanation of Farrar's silence is that, at the beginning of March, he succeeded FitzPatrick as President of the Chamber of Mines. In this position, it was difficult for him to adopt so partisan an attitude.

When FitzPatrick made his final speech as retiring President of the Chamber, he went out of his way to declare that he was opposed to Chinese labour. "The resources of South Africa have to be exhausted before we shall look elsewhere for unskilled coloured labour", he said. Only when Africa had been proved not to contain adequate supplies would alternatives be considered. It was still his "hope and belief" that sufficient supplies could be recruited in Africa, north of the Zambesi. "You may think me an optimist", he added. "Well, the optimist has been right every time!"[26]

Although FitzPatrick professed this optimism, it had in fact already begun to wane. During his visit to Johannesburg, Chamberlain had assured the mining leaders that there was a severe shortage of unskilled labour in British Central Africa, which region he had visited en route to South Africa.[27] The most that Chamberlain could do was to cable the Foreign Office and urge it to allow recruitment in other African British territories. The outcome was extremely disappointing because all that was allowed was the recruitment of an experimental batch of 1,000 in Nyasaland.[28] Despite this setback, however, FitzPatrick firmly resisted Farrar's insistence that he should oppose all railway construction work at the Railway Extension Conference in order to release these labourers for work in the mines.[29]

The next reason for doubting that labour requirements could be met in Africa was the discussion of this subject at the Bloemfontein Customs Conference in March. Although FitzPatrick did

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25. Mawby, op. cit., p. 95.
26. Star, 26th February 1903.
27. Cd. 1897 Report of Transvaal Labour Commission, p. 124.
28. C.O.879/80 Correspondence re Labour in the Transvaal, p. 40.
29. FitzPatrick to Evans, 19th June 1904. A/LB IV.

not attend this, he was impressed by reports of the opinions which were there expressed by Lagden, Stanford and Moor to the effect that there were labour shortages throughout southern Africa.(30)

On May 22nd, FitzPatrick threw out a last suggestion. It was that greater use could be made of White labour in railway construction. In the prevailing crisis, he argued, the requirements of the railways should take second place to those of the mines, for, unless the mines were able to achieve maximum production and meet their programme of expansion, the entire economy would be affected and, with it, the colony's ability to raise loans and so undertake public works.(31) It is significant that this suggestion was made at about the same time as Milner requested permission to employ 12,000 imported Indian coolies on railway construction so as to release native labourers for employment in the mines.(32) This suggests that FitzPatrick was again in close touch with the High Commissioner. This is further indicated by the fact that, at the meeting of the Inter-Colonial Council in July, FitzPatrick raised the possibility of utilising imported labour "under such conditions as would prevent them from remaining in South Africa afterwards".(33) This proposal was rejected after Sir Richard Solomon had explained that it was at that time "undesirable" to introduce legislation to provide for the importation of coloured labour.(34) This attitude of the Transvaal government was in part the consequence of continued anxiety in Britain as to whether there was a distinct balance of opinion in favour of Chinese indentured labour. As for Milner's suggested use of Indian coolies, the reply was clear-cut: this would be allowed only if the Transvaal's discriminatory laws were altered.(35)

The concern of the British government regarding public opinion was fully justified by the excitement which the Chinese labour

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30. Cd. 1897 Report of Transvaal Labour Commission, p. 125.
31. Leader, 23rd May 1903.
32. Milner to Chamberlain, 12th May 1903. C.O.879/90, 716 S.A. Affairs, telegrams, p. 123.
33. I.C.C. Minutes, 8th July 1903. For a report of FitzPatrick's speech in support of this proposal, see Leader, 9th July 1903.
34. Leader, 9th July 1903.
35. Chamberlain to Milner, 23rd May 1903. Cd. 1683 Correspondence re proposed employment of Indian Coolies.

question aroused in the Transvaal. By June, the White League was joined in vigorous opposition by the African Labour League.[36] Milner toyed with the idea of organising a referendum,[37] being fully alive to the British government's wish not to be implicated in a decision of this sort, except as a response to popular demand. Chamberlain, in fact, re-emphasised this when on July 27th, he declared that, in this connection, he would treat the Transvaal as a self-governing colony.[38] Milner rejected the referendum idea because he feared the consequence of such a direct invitation to political agitation. Instead, Lawley appointed a Commission of Enquiry to investigate the whole question. Even then, the terms of reference were carefully worded so as to make no specific mention of Chinese labour:[39] the Commission was instructed to enquire into the amount of labour which was needed by the Mines, industry and agriculture in the Transvaal and to ascertain whether this demand could be met in central and southern Africa.

The absence of FitzPatrick's private letter book for this period makes it impossible to establish with certainty the part which he played. It may be observed, however, that, while the appointment of a Commission may have appealed to Milner on political grounds, it also satisfied FitzPatrick's constant demand that every conceivable aspect of the problem should be examined before decisions regarding Chinese labour were made. It is also of possible significance that the Chairman of the Commission was FitzPatrick's close friend, A. Mackie-Niven. This suggests that FitzPatrick may have been consulted when the members of the Commission were selected.

FitzPatrick appeared before the Transvaal Labour Commission on August 6th.[40] He began by reading a prepared statement in which he explained that there was a shortage of labour throughout southern Africa. Up to the time of Chamberlain's visit, he had been convinced that there were sources in Africa which could still

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36. Mawby, op. cit., p. 120.
37. Memorandum by Mr Just. C.O.879/82, 734.
38. Memorandum on Chinese Labour. C.O.879/91, 810.
39. Cd. 1896 Report of Transvaal Labour Commission.
40. For his evidence see Cd. 1897 Report of the Transvaal Labour Commission, pp. 119-136.

be tapped; he now thought that "the other alternative" would have to be considered. Chamberlain's statement regarding the position in Central Africa was "the first cause of doubt" he explained. The testimony of Lagden and the other experts on native affairs at the Bloemfontein Customs conference had strengthened these doubts. The Witwatersrand Native Labour Association's attempts to increase the supply had confirmed them. It was greatly to be regretted that the native labour supply of Africa was inadequate, he said, for African labour would be "more easily obtained and managed and possibly cheaper than any other, and the money paid in wages would have remained in the country". The use of local labour would also "have had the great advantage of solving two problems": the "native question" as well as the "labour question". He then went on to contend that the answer did not lie in increased wages. In concluding, he stressed that industrial expansion had to be provided for; otherwise municipal projects, the Rand water scheme, railway construction and other public works would have to be abandoned.

> "Cheap labour...has been the basis of South African calculation. It fixes the limit of development and determines the pace. We must either supplement the present supply or stagnate till conditions change so much that white labour will become the cheap labour. I do not believe that anybody will be content or even able to submit to the latter course. Shareholders can wait for dividends, but men cannot wait for bread".

He was questioned on points of detail and asked to explain why his opinion had changed since his statements in May. His replies dealt with the problem in greater detail but did not affect the substance of his written statement. One interesting point was raised towards the end of the cross-examination. He was asked (by J.W. Quinn, the Chairman of the African Labour League) whether he did not believe that imported coloured labour would "displace not only Kaffir labour, but White labour also?" Fitz-Patrick replied that he assumed that coloured labour would be confined to unskilled work. There was such a shortage of unskilled labour that he doubted whether even this could be met; it was therefore extremely unlikely that it would prove possible to import Asian workers in sufficient numbers to create a threat to White skilled workers.(41)

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41. Ibid., p. 136.

Because of FitzPatrick's standing in the mining industry and because he had been the only prominent mining leader to hold out against Chinese labour, his evidence was regarded as being of particular importance. This was pointed out in a Colonial Office memorandum which was prepared on the subject, anticipating the "foregone conclusion" that the Commission would find that imported labour was necessary.(42) It pointed out that FitzPatrick was the leading spokesman for the mining industry. His estimate that 145,000 workers were immediately required and that, by 1908, 240,000 would be needed could therefore be taken as being reliable, particularly as these estimates were made by one who had adopted an extremely cautious attitude in early 1903. In considering the possible courses which Britain could follow, the memorandum suggested that, after the report had been published, the question should be referred to the Legislative Council (which might possibly be augmented for the occasion with additional nominated members) and that the official members should abstain from taking any part in the proceedings or the voting. Depending on the outcome of this, the decision would then be made as to whether a referendum (the only "safe" method) should be held.

The Transvaal Labour Commission can hardly be described as being broadly representative of all shades of opinion. Of its thirteen members, only two (Quinn and Whiteside) had declared their opposition to Chinese labour. The only Boer representative was J.C. Brink. Its findings, that there was an immediate shortage of 129,000 labourers in the Transvaal and that this could not be met in central or south Africa,(43) took no-one by surprise. Immediately after the report's publication on November 18th, agitation became sharply focussed once more on Chinese labour. On December 2nd, the Chamber of Mines adopted a resolution urging immediate legislation to provide for it.(44) Two days later, the Johannesburg Chamber of Trade supported this demand(45) and, on December 14th, a mammoth public meeting, convened at the Wanderers skating rink by the opposition African Labour League was swamped

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42. Memorandum by Mr Just, November 1903. C.O.879/82, 734.

43. Cd. 1897 Report of Transvaal Labour Commission.

44. Cd. 1895 Further Correspondence re Affairs of the Transvaal, p. 143.

45. Ibid., p. 156.

by pro-Chinese supporters.[46] This agitation coincided with the convening of the second session of the Legislative Council on December 7th.

FitzPatrick was, of course, prevented from playing any part in the events which occurred while the Labour Commission was sitting because he was ill in England, having left Johannesburg in mid-August. In the autobiographical notes which he compiled at a later stage,[47] he stated that he returned to the Transvaal in early December because he had been "cabled for by Farrar and others to return" and assist in securing the passing of the Chinese labour proposal. Considering the state of his health (the exertion during the eight weeks that followed his return were to cause a complete breakdown), it may be supposed that, had it not been for this request, he would have remained overseas for longer.

Either because he had not yet returned to Johannesburg or because his poor health prevented it, FitzPatrick did not attend the meeting of the Chamber of Mines on December 2nd at which the resolution urging the importation of Chinese labourers was adopted.[48] Nor was he present at Legislative Council meetings until December 21st.[49] He was reported to have "put in an appearance" at the Wanderers meeting in Johannesburg on the 14th,[50] but did not speak. A week later, when the African Labour League, undaunted by the fiasco of the week before, organised another meeting, FitzPatrick made his first public defence of Chinese labour when he replied to Quinn.[51] His main energies were, however, being conserved for the crucial debate in the Legislative Council on December 28th.

It was Farrar who proposed the motion which called upon the government to provide for the importation of "indentured unskilled coloured labourers".[52] In a speech which lasted several hours,

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46. Star, 15th December 1903.
47. AM/I.
48. Leader, 3rd December 1903.
49. L.C. Minutes, 21st December 1903.
50. Star, 15th December 1903.
51. Leader, 23rd December 1903.
52. L.C. Minutes, 28th December 1903.

he dealt exhaustively with the problems confronting the mining industry, once again courting Labour support by maintaining that one reason why Chinese labourers were needed was that the system of high White wages had to be continued.(53) Despite this, the Labour member (Raitt) opposed the proposal, as Whiteside had done on the Commission itself. The two Pretoria members (Bourke and Loveday) joined Raitt in opposition. But the most formidable opponent was Hull, who had been one of Milner's last selections for membership of the Council and who, despite his close friendship with FitzPatrick, now for the first time chose the independent path which was to lead to their being political opponents in the years that followed.(54)

FitzPatrick merely seconded the motion formally on the 28th. When he spoke on the 30th,(55) he was thus able to reply to the points which had been raised by the opposition. In particular, he dealt with Hull's contention that the Mines were themselves "entirely responsible for the shortage"; that they were paying the inevitable price for having lowered wages from 50s to 30s per month. He also had to deal with the accusation that he had, without reason, abandoned the stand which he had made while he was President of the Chamber of Mines. Quoting extensively from his earlier speeches, FitzPatrick showed that he had never opposed the introduction of Chines labour on principle. What he had done was to argue that the importation of labour should not be considered except as a last resort. He was now satisfied that the Transvaal's labour requirements could not be met in Africa. The measure which he proposed was, furthermore, a temporary measure. It was sometimes necessary, he said, to take "what may appear a backward step

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53. Star, 28th December 1903.

54. There is no clue in the FitzPatrick Papers as to why this split developed. Mawby argues (p. 49) that this originated in Fiddes determination in 1900 to prevent Hull from using a law which he (Hull) had drafted for Roberts as an "instrument for personal revenge" against S. Marks and others. By August Wybergh told FitzPatrick that Hull was "hopelessly bitter and much too flighty" (Wybergh to FitzPatrick, 14th August 1900. B/A II). Shortly after the war, Hull had a "serious disagreement" with Ecksteins, involving a Court action (Mawby, p. 257).

55. Star, 30th December 1903. Cd. 1895 Further Correspondence re Affairs of the Transvaal, pp. 300-310.

in order to go forward on better lines and go forward continuously. We can make no start as we are now. We are hand tied and foot tied". The alternative to supplementing the supply of African labour with imported Asiatic labour was, therefore, "ruin and starvation". It was his belief, he declared in conclusion, that their aim should be a "White man's country". The Chinese labour question should not, however, be confused with the "native question". The labour problem was a temporary thing, whereas the native question "is one that will be with us, and with our children's children". The only basis upon which "White man's Africa" could be built was the prosperity of the mining industry.

If FitzPatrick's health was troubling him, he gave no indication of it in his speech, which was one of the most forceful of his career. It is, of course, not true that his speech was of any particular significance as far as the vote was concerned (in the division, only Loveday, Burke, Raitt and Hull voted against Farrar's motion). Of far more importance in determining attitudes to the proposal was the known fact of FitzPatrick's support. His return from England may therefore be said to have served some purpose as far as overcoming last-minute qualms was concerned. It may, for example, have been one of the factors influencing the decision of the official members to vote in favour of the measure, even though they took no significant part in the debates, because they wished (as Sir Richard Solomon explained) to have the matter "settled by the representatives of the people".(56)

The British government anticipated the decision of the Legislative Council without difficulty. Guided by a memorandum of Fiddes, in which he stated bluntly that it was "a race between Asiatic and bankrupcy",(57) Lyttelton put the matter before the Cabinet.(58) In mid-November, Lawley forwarded a draft ordinance for Colonial Office approval.(59) But still the Home government hesitated to take a step which it knew would arouse opposition in England and in the Empire.(60) The idea of a referendum - the only conclusive

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56. Ibid.
57. Memorandum by Fiddes, 9th November 1903. C.O.879/84, 744.
58. Memorandum, 14th November 1903. C.A.B. 37/67, 75.
59. Lawley to Lyttelton, 16th November 1903. Cd. 1895 Further Correspondence, p. 119.
60. Memorandum by Just, November 1903. C.O.879/82, 734.

proof of popular opinion - was still entertained, even though Fiddes argued that this would be "an abdication of the duties of government".(61) Milner, fearing that a referendum would provide an irresistable temptation for political exploitation by the Boer leaders, who were then about to meet at Pietersburg,(62) assured Lyttelton that the Boers in general were "not opposed" to Chinese labour.(63) Milner also contended that, with the exception of certain trade societies, "there is no one left to oppose Asiatic labour".(64)

While the British government prevaricated, events did not mark time in the Transvaal. On January 25th, Farrar presented (and FitzPatrick seconded) a petition signed by 45,078 persons, praying for the introduction of imported coloured labour. It was an obvious attempt to create an impression of popular support and Farrar admitted that, like all petitions, it was the result of skilful organisation.(65) On the following day, Solomon introduced the Labour Importation Draft Ordinance.(66)

The debates in the Legislative Council on the Labour Importation Ordinance were tame in comparison to those which occurred in December. The ground had been fully covered as far as the principle of the measure was concerned and discussion centred upon matters of detail. FitzPatrick made only one significant contribution to the proceedings. He took the opportunity to reply to objections which had been raised by the Prime Ministers of Australia and New Zealand. Their intervention, he said, was inadmissable in that they were not entitled to

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61. C.O.879/84, 744.

62. Leader, 23rd January 1904.

63. Milner to Lyttleton, 12th January 1904. C.O.879/90, 747. Secret Papers, p. 2. According to FitzPatrick (Lord Milner and his Work, pp. 15-16), he consulted Botha at Milner's request. Botha told him that the Boers were not opposed to Chinese labour, necessary as it was to provide new employment opportunities for the Boers and markets for their produce, while ending the situation in which the mines were enticing the farm labourers away. However, the Boers would not accept responsibility because they had no power.

64. Campbell, op. cit., p. 178.

65. Ibid.

66. L.C. Minutes, 26th January 1904.

interfere with the "internal affairs of the Transvaal", nor were they sufficiently well informed about conditions in the Transvaal to pass comment. As for objections from the Cape government, FitzPatrick reminded them that the Transvaal was not dependent upon the Cape. "If the people of the Cape Colony did not see a little bit straighter, they were going to be left out. They did not realise it yet, but if this thing dragged on, they would have to take what they could get and do whatever they were told".(67)

This short speech was to be FitzPatrick's last public political pronouncement for almost a year. He attended no further meetings of the Legislative Council during the remainder of the session, although, at Milner's insistence,(68) he did not resign his seat. Once again his health had let him down, this time to the extent that he was completely bed-ridden. Bailey offered him the use of the house at Muizenberg which he had purchased out of Rhodes's estate and, after convalescing there during April and May, his condition appeared to improve. At the end of May, however, he suffered another severe setback, following which he reluctantly acknowledged that he would have to take a complete rest for an indefinite period. He travelled to Europe in June. After staying at Margate under medical care, he wintered on the Continent at Cour, Grindelwald and Mentone. Thereafter, he entered the sanatorium of Dr C. Dapper at Bad Kissingen in Bavaria.(69)

Because he was forced to retire, FitzPatrick played no part in the last phase of the movement towards the introduction of Chinese labour. Following the passing of the Labour Importation Ordinance by the Transvaal Legislative Council, the British government still withheld its consent until the actual regulations had been drafted. It was thus not until March 11th that Lyttelton telegraphed Milner that the Ordinance would not be disallowed.(70) But, although FitzPatrick had been prevented from playing his now-accustomed leading part in these proceedings, his reputation was undiminished. On May 9th, commenting on a report that his health had improved, the Leader referred to him as "a natural political

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67. Cd. 1941 Further Correspondence re Transvaal Labour, pp. 58-9.
68. See FitzPatrick to Beit, 12th April 1904. A/LB II.
69. Cartwright, The First South African, pp. 132 et seq.
70. Campbell, op. cit., p. 182.

leader of the Rand".[71] His determination that the state should obtain a 75% share in diamond-mining profits had, the editor contended, been proved justified by the profits which the Premier mine was already declaring. (The Leader had, in fact, been amongst FitzPatrick's critics when he had championed this cause in 1903). FitzPatrick's absence, the editorial continued, had been particularly felt at the Inter-Colonial Council, where members "missed that searching and sustained criticism...that several months previously focussed attention upon the methods of railway finance and management and prepared the way for the reforms that have since been set in progress".

There was a "dangerous tendency", the Leader concluded, towards "mugwumps" among British South Africans. Jameson controlled them in the Cape. FitzPatrick was needed to play this role in the Transvaal.

There was some substance in this. The need for a capable leader who could unite the Transvaal British was to be felt many times during FitzPatrick's enforced absence.

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71. Leader, 9th May 1904.

CHAPTER VI

A NEW CONSTITUTION

i) Enforced Absence, June 1904 - August 1905.

While FitzPatrick was recuperating in Europe, political events moved swiftly in the Transvaal. Milner, engaged in a struggle to keep ahead of political developments, began to lose the initiative once more. During 1902 he had survived the emergence of the Transvaal Political Association primarily by means of announcing the introduction of a nominated Legislative Council, supplemented by the exertions which FitzPatrick made to bring his Johannesburg critics into line.(1) This move had succeeded in winning him more time and, during 1903, the Chinese labour agitation had helped to divert attention from the shortcomings of the Milner administration. But, while the Chinese labour issue had done this, it had left a lasting legacy of division between the British Transvalers. The Labour organisations had fought it to the end. Although the use of Chinese labour was to aid the recovery of the mining industry during the second half of 1904, by mid-1905 depression set in once more. When this happened, the Chinese question re-entered politics, with Labour now complaining that the Chinese were displacing White workers.(2)

The Chinese labour agitation, furthermore, had created the impression of an alliance between the Milner administration and the Rand Capitalists: an impression which dissidents such as Hull, Pakeman, Cresswell and Wybergh did their utmost to strengthen. These formed a small but impressive group. Together with disgruntled capitalists such as Lace and Cullinan, who were upset at the loss of two-thirds of their Premier Mine profits, they were poised to exploit any chance which presented itself. In May 1904 E.P. Solomon launched a representative government campaign,(3) a proposal which possessed considerable popular appeal because it combined opposition to particular flaws in the administration or grievances about its policies, with opposition to a system of

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1. See above, p. 243.
2. Mawby, op. cit., p. 284.
3. Ibid., pp. 171-3.

government which was widely admitted to be temporary and abnormal.

Behind this English-speaking political movement there lurked that of the Boers, who, with increasing confidence, began to organise. Following their meetings at various platteland centres, Botha and Smuts convened a Volkskongres in Pretoria in May.(4) This organisation provided Botha, Smuts and de la Rey (who had all declined Milner's invitation to serve on the 1903 Legislative Council) with the opportunity to claim that they (and not Milner's lackeys) were the accredited spokesmen for the Boers. The Boers found gathering support in England, where "Chinese labour" gave the Liberals a cause, doubly effective because it closed their ranks while it embarrassed the Government. They also received encouragement from the spectacle of British division in the Transvaal itself. By the beginning of 1905, they had formed Het Volk,(5) a solid and formidable political monster which, so it seemed, stood ready to avenge the military defeat and so destroy the dream of a British South Africa.

As the Leader had pointed out in its article on FitzPatrick in May, without leadership, there was a danger that the British population would respond haphazardly.(6) They were, indeed, placed in a most unusual and difficult position. Their instincts were to oppose Milner and to demand control of government. The plea with which Milner responded and which FitzPatrick had conveyed in 1902 - that toleration of the political system was essential until the British population had increased sufficiently to make it safe to proceed - was one which did not have lasting appeal. This was so because few Transvaal British possessed any insight into what FitzPatrick described as the "Boer character" (in the case of the average town-dweller, who probably never set eyes on a rural Dutchman, whose language he could not understand, this is not surprising). Farrar and Bailey, for example, apparently believed at one stage that Botha could be bought.(7) During the Chinese

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4. Garson, op. cit.
5. Ibid.
6. Leader, 9th May 1904.
7. Meintjies, Louis Botha, p. 140. FitzPatrick to Phillips, 4th December 1904. A/LB V. (According to FitzPatrick, Farrar and Bailey believed that they had Botha "in their pockets" on the Chinese labour question).

labour agitation, Farrar then tried to bargain for their support with education concessions.[8] Others saw no reason why the Boers should not be "trusted", particularly as Smuts, with his rare political instinct, perceived that a pose of moderation would confuse his opponents.[9]

Perhaps the most disturbing aspect, from Milner's point of view, was that he seemed likely to lose the support of many persons whom he knew socially and to whom he naturally looked for support. In February, for example, a meeting took place at Samuel Evans's house at which the question of responsible government was discussed at length.[10] Those present (besides Evans) were van Hulsteyn, Wools-Sampson, Dalrymple, Mackie Niven, Duncan and Curtis. Despite the fact that two leading members of his administration were involved, Milner declared his emphatic unwillingness to proceed with representative government until the Chinese labour issue had been settled.[11] Evans, now a co-partner in Eckstein & Co., was also a close friend of FitzPatrick's. Ever since their first meeting in 1897, they had shared the same political views (apart from their mild disagreement over the Capital question during 1900[12]). Now, Evans's patience began to wear thin once more, particularly as he disagreed with Milner's economic policies,[13] and he persisted in maintaining that a greater measure of popular control over the Transvaal government was essential.[14]

More serious perhaps than the dissatisfaction of these leading Johannesburgers and Kindergarten members, was the attitude of Farrar, who, with FitzPatrick invalided, was now the person to whom Milner turned for assistance. At the beginning of March, Farrar told Milner that he would no longer tolerate Girouard's mismanagement of the Railways.[15] Milner insisted that Girouard's

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8. See FitzPatrick to Phillips, 17th April 1902. A/LB II.
9. See Mawby, op. cit., p. 182.
10. Cox to FitzPatrick, 6th May 1904. RM FIT L/B VI.
11. Ibid.
12. See above, p. 181.
13. See Evans to FitzPatrick, 30th September 1904. RM FIT 1/3/1.
14. Evans to FitzPatrick, 10th October 1904. RM FIT 1/3/1.
15. Milner to Lyttelton, 21st March 1904. Cd. 2102 Correspondence re Finances, p. 18.

faults were not as bad as was generally made out. When Farrar pressed for a Commission of Inquiry, Milner argued that Girouard should be given a chance to re-establish his credit and suggested that the remedy was to strengthen the Inter-Colonial Council with the addition of competent persons, so that a "stronger" Railway Committee could be appointed.(16) Farrar responded to this by proposing the enlargement of the Council. There was "no doubt", Milner assured Lyttelton, that Farrar's "principal reason" was "not to cause trouble but to prevent it" but, however much he might attempt to explain it away, the enlargement of the Inter-Colonial Council in April illustrated the fact that Milner was losing the initiative.

At the beginning of May, Milner worte a lengthy secret dispatch to Lyttelton.(17) In it he set down his thoughts on the political situation. He was well aware of the danger of deferring responsible government for too long, he wrote, for in that case a large number of British would throw themselves into the arms of the Boers. There was already a "strong undercurrent" in the "more influential British quarters" and, unless something was done, the bulk of the British population would welcome this movement. The expected publication of the Census in a few months time could be used as a temporary excuse, but something would have to be done thereafter. He suggested that Lyttelton write a public dispatch to him, inviting suggestions. By July, Milner was convinced that the representative government agitation would "assume a troublesome aspect" unless he was able to make an announcement soon.(18) As a result, Lyttelton authorised the announcement(19) but it was not until December that Milner produced details of a proposed constitution.(20)

Although FitzPatrick was extremely ill (in mid-April he was still not able to manage the steps in front of Bailey's house more than twice a day(21)) and, although he was removed from the scene

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16. Milner to Farrar, 3rd March 1904. Milner Papers, 34.
17. Milner to Lyttelton, 2nd May 1904, "Secret". C.O.879/90, 744 Secret Papers, pp. 37 et seq.
18. Milner to Lyttelton, 4th July 1904. C.O.879/90, 747 Secret Papers, p. 48.
19. Lyttelton to Milner, 8th July 1904. Ibid., p. 49.
20. Milner to Lyttelton, 5th December 1904. Ibid., pp. 70 et seq.
21. FitzPatrick to Eckstein, 13th April 1904. A/LB II.

of activity, he remained involved. As soon as he had recovered some of his strength, he wrote to J.H. Cox, his secretary at the Corner House, and instructed him to keep his "Black Book" up to date. He wanted records kept not only of the doings of the Boer leaders but also of the Cape politicians such as Sauer, Merriman, Freemantle, Malan and Burton. "Also", he wrote, "do not forget H. Solomon, Hull, Raitt, Pakeman, Wybergh - I don't want it exclusively for those who are at present opposed. You can include Farrar, Strange, Loveday, Bourke and anyone else you think may [bob up serenely?] later on....Watch the Farmers' Conference for me. It is only history repeating itself. It is the Afrikaner Bond all over again: absolutely political, hopelessly irreconcilable! The game is to make Milner's administration a failure and get rid of him before he lays the foundations of a British South Africa throughout".(22)

A few days later, in a letter to Phillips, FitzPatrick amplified his thoughts on the Boer political revival:

> "They are very reasonable and loyal to begin with", he observed, "but that is all a blind. They are as irreconcilable as ever and only the day I left Johannesburg, George Farrar told me he had had them (de la Rey and Botha) staying with him and he found them hopeless to deal with. Their first condition is the removal of Milner. That is exactly what I told Farrar many months ago and again when the Chinese debate first came on. It is a waste of time trying to square them or compromise with them as long as they think they can do a vital injury to the British cause. They will only be squared while they know they are not strong enough to wreck us.
>
> The solution is for us to be strong enough to vote them under the table and then they will split (when we no longer need them or fear them) and a big number, who will look for the loaves and fishes, will be willing to work with us and will have the courage to defy the terrorists of the extreme party.
>
> I believe in treating them fairly and even generously when one can with safety but I do not believe in bargaining for consideration in return because we know how that bargain works: when we really want consideration, i.e. when they are strong enough to trip us up and beat us, we won't get it. So write it off now, I say, and lay our plans on a sound basis, even if it be one that does not <u>look</u> so easy and promising. It will be the better and quicker in the end".(23)

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22. FitzPatrick to Cox, 13th April 1904. A/LB II.

23. FitzPatrick to Phillips, 17th April 1904. A/LB II.

Because he viewed Transvaal politics against the background of Boer ambitions, FitzPatrick was alarmed at Johannesburg talk about responsible government. From Cox he heard of the meeting which had taken place at Evans's house.(24) He also learnt that Adamson (the Director of Education and a "crony" of Dawson, the editor of the Transvaal Leader) had "imbibed" similar views from van Hulsteyn and had been "sounding some of the leading Boers".(25) FitzPatrick immediately wrote a lengthy letter to Cox, setting out his arguments against responsible government.(26) In the first place, he wrote, the census details had not yet been released. Without these, they did not know whether the "British party" had sufficient members or not, nor could details concerning the franchise and constituency delimitation be discussed. In addition, it was not known whether the British in the Transvaal would have to dominate the Orange River Colony as well - either through the Inter-Colonial Council or in a fusion. A further period of Milner's administration would also give British leaders a chance to establish themselves, so that it would then be known "who our best men are who could form a government". Above all, it was necessary to delay in order to organise politically in order to counteract the "very powerful, silent solid and organised party against us". Faced with this, "it is sticking out a mile that we (British) will have all the cranks and mugwumps" who would "give way to any extent, kidded on by slim Boers". The only way in which this could be avoided was to wait until the Boers were "completely and permanently" outnumbered. "We have to win first in the political field, just as in the field of war, before we can come to terms. There is only one cure: vote them under the table! Then they will give up their race ambitions and settle down as others have done and divide upon recognised principles of policy or personal interests".

A lengthy correspondence ensued between FitzPatrick and Evans. To some extent, there was a misunderstanding between them, for Evans construed FitzPatrick's letter to Cox as being a defence

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24. Cox to FitzPatrick, 6th May 1904. RM FIT L/B VI.
25. Cox to FitzPatrick, 26th and 28th April 1904. RM FIT L/B VI.
26. FitzPatrick to Cox, 3rd May 1904. A/LB III.

of the present system of government and total opposition to making it more representative.[27] He denied, furthermore, that anyone was at that stage contemplating responsible government. FitzPatrick replied with a brusqueness that must have been due to his illness.[28] There was a great deal of talk about responsible government, he wrote. Lace and H. Solomon and "scores and scores of unthinking asses or impatient fools" had done so. So also had the "Pretoria crowd". "Go outside the Club circle...and you will find enough to make you realise that many want it at once and many only look on representative government as an immediate precursor of the other and the year which you think too long for a nominated assembly will be far too long for its successor". In these circumstances, the main concern should be to "taboo the idea resolutely and uncompromisingly up to the very moment when we feel it safe. We can always raise or add to the popular cry. Until it becomes safe, surely it is wise to keep the uncontrollable thing in the background?" In the meantime, the administration of Milner was the wiser alternative, particularly as Milner's sole interest was the good of the country.

Details of the 1903 census were released in April.[29] In FitzPatrick's view,[30] these did not provide proof that it was safe to proceed with constitutional reform. He had overestimated the population of Johannesburg, believing it to be nearer 100,000 than 84,000.[31] The census also showed that the urban and rural populations were about the same, and this was "not very satisfactory, considering the predominance of Dutch in many of the villages and the large proportion in Pretoria". There were, however, a few compensations. One was that he believed that there were likely to be more omissions among the non-Boers than the Boers, who were "permanently domiciled and get-atable". Many of the British, according to Curtis, had not bothered to complete a return. In addition, many British who had left the Transvaal during the depression were now likely to return, following the expected post-

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27. FitzPatrick to Evans, 11th May 1904. A/LB III.
28. Ibid.
29. Mawby, op. cit., p. 183.
30. FitzPatrick to Beit, 1st June 1904. A/LB IV.
31. Cd. 2103, Census returns of British S.A.

Chinese boom. It was also of political importance that there were more adult males among the British, a fact which suggested that an adult male franchise would throw the balance in their favour (particularly as property or education requirements would "weed out a big proportion of Boer adult males"). If constituencies were carefully arranged, it might be possible to make minorities as small as possible, so as not to waste number. Here there was a danger, FitzPatrick foresaw, that, if constituencies were arranged on a voters' basis, then Labour might secure control in the Transvaal. He did not believe that this was likely, however, because there was never likely to be an all-White labour force. These observations, written in June 1904, anticipated the reasoning upon which the "Lyttelton Constitution" of March 1905 was based.

The next matter to arouse FitzPatrick's interest and concern was the Inter-Colonial Council meeting in June. Here, the Railways were the focus of interest, an all-out campaign having been launched against Girouard's administration. Farrar and Hosken even went so far as to urge that all railways construction and other public works should be suspended.(32) Hosken thought it "legitimate opposition tactics" to force remission of railway rates and customs dues. Before the Council met, FitzPatrick had prepared a lengthy memorandum(33) in which he gave his reasons for urging the construction of the Wilge River line, a project which Girouard had shelved. The memorandum was intended primarily for Farrar's guidance, but FitzPatrick asked Evans to have copies made for the other unofficial Transvaal members as well.(34) In it he urged that a long-term view should be taken. "For God's sake look to the future", he wrote in a note to Evans.(35) We are laying foundation stones. Don't lay them to suit local interests or temporary purposes....Mining is the best of land settlement agents but Railways, well laid out, are second best".

On June 19th, shortly before he sailed for England, FitzPatrick was provoked by the continued criticism of Milner by Evans, Hosken and Farrar to write a stongly-worded letter to Evans.(36) Hosken,

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32. Mawby, op. cit., p. 144.

33. FitzPatrick to Farrar, 29th May 1904, "Strictly Private". A/LB III.

34. FitzPatrick to Evans, 29th May 1904, "Private". A/LB III.

35. Ibid.

36. FitzPatrick to Evans, 19th June 1904. A/LB IV.

he complained, was "quite hopeless" and Farrar was so "narrow and so unreasoning and unreasonable and so ready to play to a gallery" that he would not see that "a very considerable amount of public work has to be done to make the British rule quite secure and allow sufficient margin for British splits and factions". As important, there was the war debt: if the programme of public works was curtailed, the impression might be created that the Transvaal could afford the war debt. It was therefore essential to retain these commitments in order to claim inability to pay. Outright repudiation, he insisted, would be "unwise and unnecessary": it would "put the Radicals in power tomorrow and properly make our names stink for ever". The sensible alternative was to make public works commitments, even if the actual work were delayed, so that it would be possible to claim that they had tried but could not manage the war debt. Even though he had put this to Farrar for "the hundredth time" in his Wilge River memorandum, Farrar refused to take "the longer view". "Great heavens", FitzPatrick commented in disgust: "and this is a foretaste of responsible government!"

In a further letter written two days later, FitzPatrick appealed to Evans to do his utmost to keep the Johannesburg leaders in check while he was away.(37) Evans should also use his influence with Dawson of the Leader. Milner was now "getting into the last stages of his work...stages at which he is bound to suffer waning popularity, to bear the blame for everything that happens", Fitz-Patrick wrote. He felt particularly involved because he had in 1903 urged Milner to return to South Africa and not to accept the offer of the Colonial Secretaryship in succession to Chamberlain. "It will be quite practicable, quite easy, to get a party of our chaps whom H.E. trusts to meet him, collectively or separately, and put things to him straight before it is necessary to get up an agitation". FitzPatrick was, in fact, asking Evans to play the part which he had played: that of go-between and peacemaker.

After he had reached England and spent six weeks hospitalised at Margate, FitzPatrick learnt that Evans had not responded to this appeal. He had in fact written another letter, highly critical of Milner, to Wernher and Beit in London. Exasperated,

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37. FitzPatrick to Evans, 21st June 1904. A/LB IV.

FitzPatrick wrote to Schumacher, the only other partner of Eckstein and Co. then in Johannesburg.[38] "There is a strong feeling that H.E. and Co....are not helping as we used to do; not friendly but veiledly antagonistic to H.E. and the government", he wrote. He knew that Schumacher was a "convinced and sound supporter" of Milner and therefore asked him to approach Evans. Even if Evans's criticisms[39] were well-intentioned, they might give the impression that the firm, as a whole, was in agreement with his views.

At the beginning of December Milner presented detailed proposals for the new constitution to Lyttelton.[40] There is no evidence that FitzPatrick was in any way consulted about these. He obtained details of the suggestions which had been made while he was at Cour, in France. In passing these on to Phillips in London,[41] he observed that he favoured single-member constituencies (and not a cumulative vote - a proposal which Milner had canvassed). He feared that Milner may have underestimated the loyalty and the strength of Labour, and questioned whether it was wise to retain the old Boer electoral divisions.

> "One cannot choose war and then claim the privileges of peace", he wrote. "Moreover, whatever is done will be yelled against and we <u>have seen</u> that it is impossible to get a word of gratitude or of decent acknowledgement and we <u>shall</u> see that, as long as they have a chance of outvoting us, they will vote solid, so there is really no-one to conciliate or square. Besides, to share your arms with your prisoner in order to stop his grumbling is not an act of conciliation, but of downright suicidal folly. I would "chessboard" the country or divide it any other way (provided, of course, it were done on one defensible system or principle and not jerrymandered in each part on different lines) that would secure the British policy for the future as well as for tomorrow and today; and I would do it perfectly remoreselessly as one has to do things when dealing with factors and conditions which are in the nature of foundations and will endure in themselves or their results for generations".

As FitzPatrick saw it, Milner could be relied upon absolutely.

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38. FitzPatrick to Schumacher, 2nd September 1904. A/LB V.

39. For Evans's criticisms, see Evans to FitzPatrick, 30th September 1904. RM FIT 1/3/1.

40. Milner to Lyttelton, 5th December 1904, "Confidential". C.O.879/90, 747 <u>Secret Papers</u>, pp. 70 <u>et seq</u>.

41. FitzPatrick to Phillips, 4th December 1904. A/LB V.

Danger lay in the fact that the British leaders in the Transvaal - "some through sentiment, some from foolishness, some from vanity and some from want of principle" - were always ready to "wobble". Even Farrar and Bailey had not "erected and set apart in their minds...the essential things; a structure which is sacred and not to be touched or tampered with...." "When George and Bailey get into the room with Botha and Company, the atmosphere of slimness, with its sweet reasonableness, good fellowship, bygones-be-bygones, one hand wash the other, our common country and general spoof, it is too much for them and they begin to weaken and get fascinated by the slim game and they want to meet the Boer on his own ground.

> "Now, as a Party, we are no match for that at their own game on their own ground. They say that the most dangerous of enemies is the one that can run away without becoming demoralised or losing its head at all. In history we read of the almost invariable success of those who could feign retreat and then unexpectedly rally and ambush the enemy. The Boers did it in politics and war. We can't do it in our party. We have no instinct for it and are not well enough organised or well enough led....That's why I think we ought to fight hard for the essentials and have as simple and straightforwards a policy as we can devise and allow the verneuking and finessing to stand over".

Another danger lay in England, for it was obvious that Milner's policies were conditioned by the response of the British Cabinet which, in turn, was then highly sensitive to opposition criticism. Although removed from both scenes of activity, FitzPatrick did what he could. He wrote to Phillips and told him to urge the Wernher Beit partners not to be "modest or reserved" when it came to appointing a Political Agent who would inherit the task which FitzPatrick had managed before his illness.(42) In mid-January, he surmised from reports in the Times that Milner's difficulties lay with the Colonial Office and he told Wernher(43) that he was contemplating writing to the Times, pointing out that it was absurd to expect either that the Boer party would disband or that the Boers could be conciliated. If people would only see that the Boer leaders were acting in a perfectly predictable and politically-valid fashion, then they would also see that politics would have to begin on "the old party lines again and not talk

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42. Ibid.

43. FitzPatrick to Wernher, 14th January 1905. A/LB VI.

rubbish about conciliating votes and working together and not offending the Dutch etc. etc., and they would admit the reasonableness of doing everything that can in fairness be done to secure British policy".

The immediate outcome of this urge to write to the Times was not a letter on the constitution question, but a reply to F.C. Mackarness (at this time professor of Roman-Dutch Law at London University; in 1906 a successful Liberal Party candidate), who had raised the question of Chinese morality[44] on the grounds that only two Chinese women had been imported to the Transvaal, whereas there were 25,000 Chinese males. Writing under the pseudonym Transvaal, because he wished to avoid implicating Ecksteins and because he did not wish to "scare" his opponents into caution by revealing that he possessed local knowledge,[45] Fitz-Patrick challenged Mackarness to show why he considered Chinese morality to be "lower than that of native Africans who, numbering 70,000, bring no women with them". "We get rather sick of these meddlesome gentlemen", he concluded, "who do not know, or will not know, the facts".[46] When Mackarness responded,[47] Fitz-Patrick wrote a long letter, amplifying his case, but it was held up by Eckstein, who was then in London, and was not published.[48]

FitzPatrick's letter on the Transvaal Constitution appeared in the Times (over his own name) on February 23rd. In it, he insisted that there were two provisions which were of paramount importance: delimitation of constituencies so as to obtain, as nearly as possible, an equal number of voters in each, and automatic redistribution. The impression prevailed, he wrote, that the principle of "one vote, one value" was about to be jettisoned. In order to counteract this, he explained that the old electoral divisions had been "laid out with the deliberate intention...of vesting all power in the hands of the country Boer as against the industrial or town population". There was every reason, therefore, why they should be scrapped. There should be

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44. The Times, 25th January 1905.
45. See FitzPatrick to Eckstein, 10th February 1905. A/LB VI.
46. The Times, 1st February 1905.
47. The Times, 3rd February 1905.
48. FitzPatrick to Eckstein, 10th February 1905. A/LB VI.

no question of "conciliating" the Boers, he insisted. They were behaving in a perfectly normal way, their goals being the same as those of pre-war days, except that "the establishment of the United States or Republic of South Africa under the Dutch flag has necessarily dropped out of the scheme of very practical politics". These ambitions would be abandoned only when it became perfectly obvious to them that there was nothing to be gained from their policies. The Transvaal British asked for no particular advantages. They merely insisted that they should not be handicapped in their attempts to deal with the situation. To "give an unfair advantage to the Boer is to make the race division profitable to him". When the "British party" declared its determination to "remove this race cleavage", it did not do so out of arrogance; but from an "invincible belief that the system which has made the British Empire can make South Africa".(49)

While FitzPatrick could feel that he was at least doing something constructive in England, he must have found it extremely frustrating to have been reduced to the role of mere spectator of events in the Transvaal. There, the anticipated introduction of a system of representative government, led to the establishment of political parties. The formation of the Transvaal Responsible Government Association was proposed in November and, after a manifesto setting out its objectives had been published at the end of the month and a public meeting had been held at the Wanderers, the inaugural dinner was held in January 1905.(50) The leaders of the organisation included E.P. Solomon, Hull, Cullinan, Quinn, Langermann, Dawson (the editor of the Leader), Wybergh, Lace and C. Rissik.(51) Not the least remarkable thing about the organisation was that so many of its leaders were FitzPatrick's personal friends. He must surely have felt that, had he been in Johannesburg, he could have done something to moderate this opposition to Milner.

The formation of the Transvaal Progressive Association again made FitzPatrick conscious of his frustration. The organisational work, which FitzPatrick would have relished, was done by Evans,

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49. Times, 23rd February 1905.

50. Mawby, op. cit., pp. 196 et seq; 261.

51. Leader, 16th January 1905.

van Hulsteyn, Mackie Niven and H. O'K. Webber, Farrar's personal advisor.(52) When the election of the central Executive took place, Farrar was elected president, Webber became Treasurer and the Johannesburg members were F.D.P. Chaplin, R. Currie, G.H. Goch, A. Wools-Sampson and FitzPatrick. The eclipse of FitzPatrick's close associates (particularly Carr, S. Evans and Mackie-Niven) suggests that Farrar's election to the Party's leadership was the aftermath of a power-struggle in the Progressive ranks. Had FitzPatrick been in Johannesburg, he would certainly have been able to assert his claims.

FitzPatrick's absence was also felt in the weeks that followed the formation of these rival political organisations, for concerted efforts were made to heal the breach between them. Despite these, by the end of February the split had become final(53) and, by mid-April, the responsibles had concluded a pact with Het Volk.(54) The Transvaal British were at sixes and sevens and FitzPatrick, confident that he could have steadied them, had to stand by helplessly.

FitzPatrick learnt of these developments largely from Evans.(55) On January 23rd Evans wrote and told him that Phillips had forwarded a copy of FitzPatrick's letter(56) and that it had been shown to Milner. As a result, Milner had agreed to drop the idea of a cumulative vote in favour of single-member constituencies. He had now also decided to accept FitzPatrick's idea of creating altogether new constituencies with an equal number of voters in each and automatic redistribution every four years.(57) Evans told FitzPatrick that he had also used portions of this letter when he drew up the Progressive Association's manifesto on the new constitution. But, although he was able to report these successes, no progress had been made in persuading the responsibles - Solomon, Quinn, Wybergh and Cullinan - to accept the principle of one vote, one value. There was some chance that a compromise might be reached with "the more moderate section of the responsible

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52. Webber, op. cit., p. 141.
53. Mawby, op. cit., p. 205.
54. Ibid., p. 220.
55. Evans to FitzPatrick, 23rd January 1905. RM FIT 1/3/1.
56. See above, pp. 249-50. (To Beit, 1st June 1904).
57. Evans to FitzPatrick, 23rd January 1905. RM FIT 1/3/1.

government party" to the effect that, after two years, an election would be held and, if a majority of three-fifths of the newly-elected members favoured it, responsible government would automatically be established. This arrangement, it was hoped, would disarm the responsible government party and mean that the first election could be fought on other issues.

This compromise proposal did not appeal to FitzPatrick. "It does not really kill the responsible question and lay it to rest", he wrote in reply to Evans's letter.(58) "The effect would be that, even if the first election ignored that issue (which is doubtful, for you cannot control aspirants) the elected members would begin at once to play to the gallery with an eye to the next elections and I fear we should be still divided. As to the result of the next elections in two years time, there can be no shadow of doubt. With the Boer members solid for responsible government, the $\frac{2}{3}$rds majority is the surest thing in politics". In a last-minute attempt to influence the course of events in the Transvaal, he sent a cable to Evans,(59) urging that, although the responsibles then appeared "negligible...in numbers and quality", no risks should be taken. A permanent split could not be chanced in view of the likelihood that a Liberal government would "jump at responsible government to extricate themselves from pledges re Chinese". He suggested that, "at any reasonable cost", the Progressives should "steal the responsible government plank" by means of a proposal which would fix a definite date for the introduction of responsible government. Cullinan's scheme, as published in the Leader,(60) to the effect that responsible government should be introduced by means of a series of steps over a period of three years, should also be considered.

In his letter to Evans, FitzPatrick explained his reasons for making this proposal.

> "You know", he wrote, "that I always looked at this question as putting us on an incline plane once we began to agitate for representative government. There is no stopping and mighty little braking possible. Responsible government is certainty in two or three years. No one who wants to take a hand will

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58. FitzPatrick to Evans, Grindelwald, 16th February 1905. A/LB VI.
59. FitzPatrick to Evans [16th February 1905?]. Cable. A/LB VI.
60. Leader, 18th January 1905.

> be able to stand against it. As I wrote to Friddie, "the only virtue in giving up what is going to be taken from you is the virtue of wisdom. It would be wise to fix the period and, if possible, automatic transition". After all, if we get in your points of 'one vote, one value', etc., even a Boer majority could not do much harm, much permanent harm!"

This letter reveals that, in the post-war period, FitzPatrick was beginning to adopt an attitude which was very similar to that of pre-war days. Then he had reasoned that real franchise reform, together with "redistribution" would establish a base upon which a future British South Africa could grow. Now, when the possibility of a new Boer government was reappearing, he placed his faith in the same formula. In the years ahead, and particularly when, after 1907, he worked for South African unification, he was to do the same.

Apart from this advice on the general question of responsible government, FitzPatrick expressed his concern about the "Premier crowd" and the danger that they would fall in with the responsibles.(61) He suggested that Evans should impress upon the Star and the Leader and "also the Daily Mail if you can" that they should take every opportunity to expose the truth regarding Premier Mine profits. A.J. Wright (who had succeeded to Cox's position at the Corner House in charge of FitzPatrick's affairs) should have released articles for publication, giving details of FitzPatrick's support of the new diamond-mining law and pointing out that the mine was purchased for a mere £260,000. It should also be pointed out that the new mining law had made it "forever impossible" for de Beers to acquire the Premier Mine. A further possibility was that it might be written into the new constitution that a two-thirds majority would be needed to repeal or alter the new Precious Stones Ordinance. This last proposal, however, involved the complication that, if such a principle were admitted or if items in the constitution were alterable only by order-in-council, "the first to go in would be native and Asiatic questions". "I want this question so settled in the public mind and so accepted as finally settled", FitzPatrick concluded, "that it will not be worthwhile to try it on and make a split in our party by which some will vote for the Boers".(62)

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61. FitzPatrick to Evans, 16th February 1905. A/LB VI.
62. Ibid.

Clearly as FitzPatrick saw the dangers, his advice was too late to have any effect. Evans proposed a compromise with the responsibles, similar to Cullinan's, but it was rejected by the Transvaal Responsible Government Association.(63) By the time FitzPatrick's cable of mid-February was received, the final break had already occurred.(64) By then, furthermore, the Premier "crowd" - Lace Cullinan and even Hull(65) - had thrown in their lot with the responsibles, and it was too late for the Progressives to contemplate "stealing the responsible government plank" (as FitzPatrick had suggested) for, by then, the price was too high. The most that could be done at that stage was for Evans to suggest to Milner that, before his departure, he should speak to Bailey and so get him and the Daily Mail committed to FitzPatrick's policy.(66)

FitzPatrick gave vent to his feelings in a letter which he wrote to Milner on the occasion of Milner's retirement from the High Commissionership.(67) He had done his utmost, he said, after his enforced departure. But, even though he had warned repeatedly of "the inevitable outcome" of the agitation for representative government, at the end of 1904, both Bailey and Farrar "came over full of maudlin sentiment and gallery claptrap": they were proposing a policy based upon trusting the Boer. Fortunately, FitzPatrick observed, the behaviour of the Boers themselves had prevented this tendency from growing. In Kruger's time, the Uitlanders had been at a disadvantage because of "old Kruger's screen of simple peasant ignorance". The Transvaal British would not be as easily deceived by Smuts's "instinct and desire to score cleverly in writing". There was also something to hope for in the fact that the Boers had not yet produced a leader who could induce the rugged Boer individualists to work together. He ended by thrusting aside any further doubts and assuring Milner that he had "triumphed".

> "...no public man has ever had so difficult a task and so often to do unpopular things and maintain a reasoned

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63. Mawby, op. cit., p. 203.

64. Ibid., p. 205.

65. FitzPatrick told Evans that Hull "was deeply in the deal through Neumann". (16th February 1905. A/LB VI).

66. Evans to FitzPatrick, 27th March 1905, "Private". RM FIT 1/3/1.

67. FitzPatrick to Milner, Grindelwald, 22nd February 1905. A/LB VI.

> resistance to unreasoning sentiment; to defend the actions of higher authority and the failure of subordinates in bad and trying times and still preserved such an immense hold upon the loyalty, confidence and affectionate regard of such a community...."

"Of course the Boers and Bond hate you. It is the certificate of your success".

The optimism which FitzPatrick displayed in this letter was to some extent derived from his belief that significant points had been gained in the new Transvaal constitution. The draft constitution which Milner forwarded to Lyttelton at the end of 1904 had been prepared by Sir Richard Solomon and, in an accompanying memorandum, Solomon gave his reasons for supporting the delimitation of constituencies on a population basis.(68) Solomon also declared his belief that responsible government should be proceeded with immediately.(69) At the end of January, Milner told Lyttelton(70) that he no longer supported the Solomon franchise proposal. He had hoped that this would make the constitution "acceptable" to the Boers, but he now believed that there was nothing to hope for in that direction. As the Boer leaders now wanted responsible government and nothing less, there was no sense in giving them more than "absolute equalisation of voting power". As a result of this representation, the new constitution included the principle of "one vote, one value".(71)

FitzPatrick believed that his letter to the Times on the new constitution had very little affect on this change of policy.(72) In this respect, his assessment was accurate. So also was his statement that it was the attitude of the Boer leaders which had been of most significance. But, as Evans pointed out,(73) Milner had been considerably impressed by the arguments which FitzPatrick had advanced to Phillips, so that it is not true to say that FitzPatrick's efforts had been entirely wasted.

The new constitution was approved by the British government

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68. Milner to Lyttelton, 24th December 1904, "Confidential". C.O.879/90, 760, p. 6.
69. Solomon to Milner, 19th December 1904. Ibid., p. 25.
70. Milner to Lyttelton, 30th January 1905, "Confidential". Ibid., p. 35.
71. Lyttelton to Milner, 13th February 1905, "Secret". Ibid., p. 38.
72. FitzPatrick to Evans, Mentone, 23rd March 1905. A/LB VI.
73. See above, p. 256.

on March 31st and was published in the Transvaal on April 23rd. Work then began on the preparation of a voters roll which was needed before constituencies could be delimited and the election held. FitzPatrick again commented on items of news as they reached him in France and, after April, in Bavaria. While his comments and advice did not materially affect the course of events in the Transvaal, some provide insight into his own political thoughts and illuminate subsequent events.

At the end of March, for example, he met Farrar, who was then holidaying in Europe and they had a long discussion. Farrar insisted that his election as President of the Progressive Association was "only a temporary arrangement" but FitzPatrick assured Eckstein that the choice had been an "excellent" one.(74) He was surprised to find that Farrar was no longer "wobbling" as he had done when they had last met in Johannesburg, prior to FitzPatrick's departure in February 1904. He also now admitted that FitzPatrick had been right in pressing for the large share of diamond mining profits.

> "It was almost startling to hear him say that compromise on the vital points was madness and not consiliation and that we must realise that the Boer party will never co-operate with us except against the Imperial government or British policy, until we have permanently beaten and outvoted them", FitzPatrick wrote.

As he talked, FitzPatrick wondered how it was possible, when Farrar could put this case so clearly and forcibly, that he was ever so prone to "wobble and change his views". "He can't help it", FitzPatrick observed. "He will always compromise on a vital point if it is not of <u>immediate</u> urgency, to enable him to get out of a difficulty that is immediate...in the hope of getting out of the compromise after the immediate difficulty is solved".(75)

Farrar then went on to discuss his political opponents among the Transvaal British and here again FitzPatrick found that there was a vast chasm between them. Farrar considered that the opposition of persons such as Hull, Pullinger and E.P. Solomon was derived from self-interest. "I have not a very high opinion of many of the chaps he dealt with", observed FitzPatrick, "but there

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74. FitzPatrick to Eckstein, 30th March 1905. A/LB VI.
75. <u>Ibid</u>.

was a steady persistent allegation of the commonest mercenary aims against everyone who disagrees...which was not very convincing". They also differed in their assessment of Sir Richard Solomon (who had, despite his official position, begun to emerge as the leader of the responsibles and who was to be FitzPatrick's opponent in the 1907 election). Farrar believed that "a sqaure talk, very straight, would fix him". It was only necessary to warn Solomon that he was "cutting his throat" by "going with the Boers" because the British party would be the stronger and that, even if the Boers won the election, they would "only chuck him". FitzPatrick's comment was: "If he were simply a clever scoundrel, I would agree, but he is not a scoundrel at all. He is a much more difficult person to understand...."(76)

FitzPatrick heard of the agreement between the Transvaal Responsible Government Association and Het Volk by cable when he was at Dapper's sanatorium at Bad Kissingen. In terms of this agreement,(77) Dutch education was to be allowed in schools up to standard three and its use was to be permitted in the Legislative Council, while it was recognised that officials should be bilingual. On the native question, special agreement was expressed "on the principle of representation for White men only". As far as the constitution was concerned, they agreed to support responsible government, with Het Volk favouring delimitation according to population and the T.R.G.A. delimitation according to the number of voters in each constituency. On Indian trading they agreed "in no harsh racial spirit but as an urgent need of public policy to keep the country white" and on Chinese, while Het Volk declared its total opposition, the T.R.G.A. would allow it only for a period of five years.

Removed as he was from the area of activity, FitzPatrick misjudged some of the signs. He believed that, "with ordinary luck", the agreement would "kill" the T.R.G.A. or its leaders. "The thing as a deal is childish and even such a simpleton as Pakeman might have seen that Het Volk were only giving us what we already had".(78) He was most concerned over the Chinese labour

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76. Ibid.

77. Statement by R.J. Pakeman, Star, 20th April 1905.

78. FitzPatrick to Evans, Kissingen, 27th April 1905. RM FIT 1/3/1.

agreement where he displayed greater insight. This agreement, he observed, implied that the Boers were against Chinese labour. This was a false impression, he believed, because even had they the opportunity, they would not revoke the measure. As important, the agreement on Chinese labour "undermines the whole position of Milner and the Imperial government" through suggesting that Chinese labour favoured a particular class and was opposed to the will of the majority. In this way, the Responsibles had committed a "criminal" and "foolish" act. They had made the Boer "a present of a weapon or lever which he can use for Lord knows how long in the future". The only remedy, he urged, was to "smash" those who had done this "traitorous thing". He urged Evans[79] to do this. "Smash E.P. and Hull and H. Solomon politically, just as we burst the Political Association crowd. Show what sort of leaders they are".

As far as the basic policy of the Progressives was concerned, FitzPatrick stressed that their attitude should be that which he had adopted in his letter to the Times. The "solidarity" of the Boers should be acknowledged as "natural and inevitable".[80] If this were done, then attention would not be everlastingly focussed upon their suspect loyalty and upon race but could be focussed on matters of policy, development and administration. "A lot of sentimental people are always to be caught by adroit appeals and, if our only bond is race or loyalty, we may find it burst any day by some unforeseen incident which will sweep the sentimentalists off their feet. If we get it firmly fixed in our party that we stand on different and even opposite ideals in practical politics, there is not one who will be able to recall what the Boer did when he had the power and contrast it with what we are doing and want to do".

As an afterthought, FitzPatrick suggested that one possible means of combating responsible government pressures might be to point out that it was not then known "who will rule and how they will rule". This should be pointed out in the "'we must admit' style" on every possible occasion. In the meantime, Transvaal British leaders should be asked to suggest persons whom they would like to see in the first Cabinet and these nominees should then

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79. Ibid.

80. Ibid.

be approached "to find out if they are free to chuck their private business and are also fit for the trust". If they declared themselves unwilling to assume public office, the question should be put to them as to whether they would, in that case, not prefer to see what happened during the trial period of representative government.(81)

By mid-May FitzPatrick was able to report that his doctors had pronounced his completely fit once more.(82) By then, the Progressives were considering candidates for the forthcoming elections (which were expected in March or April of the following year).(83) Evans told FitzPatrick that he should try to return to the Transvaal by August so as to complete the six-months residence requirement before the election was held. FitzPatrick had, in fact, already decided to return and left Bavaria for London at the end of May.(84)

FitzPatrick took advantage of a short stay in London, en route for South Africa, to call upon Balfour and Lyttelton. His main concern was the long-standing question of the war debt, which had been one of his particular interests ever since 1899. As we have seen, FitzPatrick had, early in 1903, played the leading part in the negotiations which had led to the offer of a £30,000,000 war debt, to be paid in three instalments, the first of which was to be guaranteed by the mining houses but would not be paid until 1904.(85) By the end of 1903, Milner argued that, in view of the economic conditions, this first instalment should be postponed.(86) The British government yielded.(87) By mid-1904, when it was decided to introduce representative government to the Transvaal, the question arose as to whether the war debt should not again be postponed until the new legislature had been elected, particularly as it was likely to become a contentious political issue. Thus, in January 1905, Lyttelton referred the matter to the Cabinet(88)

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81. Ibid.
82. FitzPatrick to Evans, 17th May 1905. RM 920 FIT 1/3/1.
83. Evans to FitzPatrick, 12th June 1905. RM 920 FIT 1/3/1.
84. FitzPatrick to Evans, 17th May 1905. RM 920 FIT 1/3/1.
85. See above, pp. 204 et seq.
86. C.O.879/92, 819, p. 6.
87. Lyttelton to Milner, 18th January 1904. C.O.879/90. Secret Papers, p. 2.
88. C.A.B. 37/74, 13 Memorandum by Lyttelton, 30th January 1905.

and he then reported to Milner that there was a "strong feeling" in the Cabinet that the new constitution should be granted with the proviso that a part of the revenue derived from the new Precious Stones Ordinance should go towards the war debt.(89) Milner had already pointed out the danger that insistence upon war debt payment would have dire political consequences - no less than the defeat of the Progressive or "British" party.(90) He now rejected Lyttelton's suggestion with the argument that Britain's best chance of obtaining a war contribution was to wait until there was an elected legislature in the Transvaal and then to "appeal to their honour".(91) The result was thus that, when FitzPatrick returned to South Africa in mid-1905, the war debt question had not yet been finally settled.

FitzPatrick left no record of his discussions with Balfour and Lyttelton. What is known is that he wrote to Milner (who had just returned from South Africa) asking his advice. Milner's reply(92) was that, while he felt that it would be "a bad blow for the cause of Imperial unity" if the war contribution was abandoned, he appreciated that the Transvaal's financial position was insecure and unpredictable. All things considered, he thought that the Transvaal could easily afford half-a-million a year. Milner's comments appear to have been in response to a suggestion of FitzPatrick's that the war debt question could be permanently settled by means of an annual contribution by the Transvaal to the cost of Imperial defence amounting to £500,000 or, 10% of the Transvaal's revenue, if this exceeded five millions. After seeing Lyttelton, FitzPatrick heard that the Colonial Secretary was keen on coupling this with a lump-sum payment of ten millions and so "wiping out the whole matter". FitzPatrick would not consider this because he thought that it would mean that the war debt grievance would remain. He suggested, as a compromise, that the imperial government earmark £350,000 to redeem a ten-million pound consolidated fund and credit the balance to the Imperial Defence

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89. Lyttelton to Milner, 8th March 1905, "Secret". C.O.879/90, 760, p. 45.

90. Milner to Lyttelton, 18th January 1905, "Secret". Ibid., p. 28.

91. Milner to Lyttelton, 13th March 1905, "Secret". Ibid. p. 46.

92. Milner to FitzPatrick, 5th August 1905. B/A III.

Fund. Such an arrangement, FitzPatrick observed, would be "terribly crude", but it would enable the British government "to brag about getting 10 million towards the cost of the war", while it did not force the Transvaal to vote an amount specifically as a war indemnity.(93)

FitzPatrick's concern about the war debt does not have to be explained. Apart from the need to harness all the Transvaal's resources, the political implications were obvious enough. He was therefore anxious to find an alternative to outright repudiation (which he considered to be "unjust, dishonest, unwise and unnecessary"(94)) and outright acceptance, which as Milner had emphasised,(95) was likely to do great harm to the Progressive and British cause. Shortly before FitzPatrick sailed from England, Lyttelton informed him that he had written to Selborne, who had by then succeeded Milner, and had made a suggestion which he believed would be "highly satisfactory" and that Selborne would discuss it with him after he had arrived back in the Transvaal.

One of FitzPatrick's biographers states that, following these discussions on the war debt in London and FitzPatrick's subsequent discussion with Selborne, in Johannesburg, he prepared a secret dispatch for Selborne in which the Transvaal reaffirmed its "determination to meet all obligations".(96) It is not clear what secret dispatch is referred to, nor what the foundation of this statement is. What is known is that on September 9th, Selborne wrote a confidential note to FitzPatrick(97) in which a scheme for settling the question was outlined. According to this, the Imperial government would agree to accept a "cash down" payment of ten million pounds as an "honourable discharge of...obligations". This sum could be paid as a contribution to the imperial navy or to "any other agreed imperial purpose". If this proposal were put to him in a "secret dispatch", Selborne wrote, he would forward it to the Cabinet. If this were done, and the formal approval

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93. FitzPatrick to Milner, 12th August 1905. A/LC IV.

94. FitzPatrick to Evans, 19th June 1904. A/LB IV.

95. Milner to Lyttelton, 18th January 1905, "Secret". C.O.879/90, 760, p. 28.

96. Wallis, op. cit., p. 110.

97. Selborne to FitzPatrick, 9th September 1905. B/A III.

of the Cabinet and Treasury were obtained, "sufficient would then remain on record" to make it difficult for a succeeding Liberal government to "disturb the settlement".

Selborne's last point regarding a change of government revealed the weakness of his position. He was anxious to obtain a settlement to Britain's advantage. It was possible for this reason that the formal proposal does not appear to have been put to him by FitzPatrick. It would, of course, have been difficult for any group of persons to make such an offer, when this was clearly the function of the new representative government which was about to be elected. A clue to FitzPatrick's thoughts is provided by his assurance to Wernher[98] that he was "not for committing the country" but wished to reveal that the Transvaal could not afford payment. Selborne appears, therefore, to have proceeded on his own when, in December, he submitted a memorandum to the Cabinet which included the submission that it would be a mistake for the British government to set the war debt aside. The British leaders in the Transvaal, he contended, felt "honour bound" to make some payment but favoured a contribution to imperial defence rather than a contribution towards the cost of the war.[99]

The war debt question was to drag on through 1906 and was not settled until after the election of 1907. After considering a scheme, advanced by Smuts, that the war contribution be compounded into a loan of £5,000,000 which could be used to put land settlement on a firm basis and to compensate persons whose war losses had been particularly crippling,[100] the British government finally agreed to guarantee a loan of £5,000,000 which would be used to establish a Land Bank and to finance the construction of new railways.[101]

Because the defeat of the Conservative government intervened at the end of 1905, so disrupting continuity, and because the election of 1907 was to produce yet another upheaval in the victory of Het Volk, FitzPatrick's contribution towards the whittling away

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98. FitzPatrick to Wernher, 9th November 1905. A/LB VII.

99. C.O.879/91, 813 Memorandum by Selborne, 14th December 1905.

100. See C.O.879/93, 863 Memorandum by Churchill, 24th July 1906.

101. Selborne to Elgin, 17th June 1906, "Confidential". C.O.879/94, 866, p. 158.

of the war debt has been obscured. Yet, he had been almost solely responsible for the several steps whereby the war debt had been reduced from Chamberlin's £100,000,000 at the beginning of 1903 to a mere contribution of £10,000,000 to imperial defence at the end of 1905. He then appears to have contemplated, through demonstrating the Transvaal's inability to pay, either further postponement or cancellation. It is noteworthy, too, that the final scheme which was agreed to in 1907 was essentially a revival of the idea which he had unsuccessfully advanced as early as 1899: that the Transvaal's contribution to the cost of the war should be used for the development of southern Africa.

ii) The new Liberal Government, September 1905 - March 1906.

When FitzPatrick returned to the Transvaal in September 1905, he found a very different situation from that which he had left some eighteen months previously. Following a new mining depression, there were growing grumblings of popular discontent. Chinese labour, which had confounded its opponents by producing temporary prosperity, now became the focus of attention once more, particularly as semi-skilled White labourers felt that their positions were endangered.(1) Most spectacular, to one who had been absent for so long, was the political advance which had been made by the Boers. At the beginning of 1904 they had operated on a small scale, organising congresses in the country areas; now they were beginning to feel their strength. In January 1905, Het Volk had been established and by mid-April a working agreement had been reached with the Responsibles.(2) Apart from these successes locally, the rising confidence and expectations of the Boer leaders was fostered by developments in Britain. There the Liberals had discovered a formula in Chinese "slavery" and domestic reform which dramatically swung public opinion in their favour. By mid-1905 the fall of the Conservative ministry was seen as being a certainty.

In the second half of 1905, the political position had also been altered by the replacement of Milner as Governor and High Commissioner by Selborne. One reason why Milner had relinquished his position was that he wished to remove himself from the scene,

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1. See Mawby, op. cit., pp.249 et seq.; 284 et seq.
2. Ibid., pp. 220, 139.

fearing that his continued association with the Transvaal administration would be prejudicial in the event of a Liberal take-over in England.(3) It soon became apparent, however, that, although Selborne possessed a socializing warmth which Milner did not, he lacked some of the qualities which had helped Milner win the support of many of the Transvaal British. Milner had gone out of his way to consult the British leaders (his close association with FitzPatrick after 1902 is an example) and had viewed his role as being that of arbiter between conflicting interests. Selborne, on the other hand, did not establish these links and, as a result, forfeited the confidence of his natural allies. FitzPatrick soon complained to Wernher that "Lord Selborne has given people a shake here and they think he is going to give some trouble as he is trying things 'on his own' in a way that Milner never did. Milner got his way but did not ignore or go back on his friends and was always wary in preparing the ground...."(4)

This lack of contact encouraged the impression that Selborne differed from Milner in his attitude towards the Boers, particularly as, during his familiarisation tour of the Transvaal country districts, he went out of his way to cultivate their friendship.(5) The worst fears of the Transvaal British appeared to be realised when, after completing his tour, Selborne announced that the government had decided to take over the Christian National Education schools.(6) Selborne believed that this was a relatively unimportant matter, particularly as the take-over was subject to the conditions that English would be taught in these schools and that the government would control the appointment of teachers.(7) What he did not appreciate was that the Transvaal British, very sensitive about the lack of consultation, were particularly sensitive on the matter of education. Shortly before leaving London, FitzPatrick had, in fact, sought Milner's advice on the question as to whether Dutch should be allowed as the medium of instruction beyond standard

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3. Nimocks, op. cit.

4. FitzPatrick to Wernher, 9th November 1905. A/LB VII.

5. According to R. Jones (to de Reuter, 16th January 1906, C.O.879/92, 826), Selborne would "sit and smoke and talk with Boers" and "could quote scripture by the yard". The Boers were also impressed by his "plainness of manner and simplicity of living".

6. C.A.B. 37/81, 180. Memorandum by Selborne, 16th December 1905.

7. Ibid.

three. Milner's reply had been emphatic:

> "It is quite true that in country schools Dutch might be used to help along the quite young children", he wrote.[8] "I have no objection, indeed I have always urged that, wherever the teacher knew Dutch, he should be allowed to use it freely, wherever necessary, till the children could follow in English. But I hold that this can be done...as an administrative (discretionary) relaxation and that it is a very long way from that to laying it down as a rule that Dutch should be the medium in the lower standards. That at once gives it a locus standi as of right, to which I utterly object...."

It is not known why FitzPatrick should have raised this matter with Milner. It might have been simply the outcome of FitzPatrick's own interest in the language question. Milner's letter must, however, have reached him at almost the precise moment that Selborne's announcement was made. This would have heightened the contrast between the two High Commissioners and aroused the fear that Selborne was about to make important concessions on an important principle. As FitzPatrick told Milner, Selborne had "carted" them with his "education bombshell".[9]

The result was that Selborne's education announcement was seized upon to promote a trial of strength with the new High Commissioner. On November 14th a Progressive Association deputation met Selborne. FitzPatrick was not present, because he had left on the previous evening for Buckland Downs, and Farrar acted as spokesman. He pointed out that, when the Legislative Council was opened in July 1905, Lawley had specifically stated that all educational questions would be postponed until the new Assembly had been elected. Why, then, had Selborne acted in such a high-handed fashion and hinted that he planned to decentralise through the establishment of School Boards?[10] Following this interview, the Progressive Association issued a statement on November 21st, signed by Farrar, FitzPatrick (who had just returned from his farm), Chaplin, van Hulsteyn, Goch, Currie, G. Mitchell, J. Roy and Kenyon Kelty. It protested particularly against the fact that Selborne had acted after having consulted "only one section of the population".[11]

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8. Milner to FitzPatrick, 19th August 1905. B/A III.
9. FitzPatrick to Milner, 26th November 1905. A/LB VII.
10. Star, 11th November 1905.
11. Star, 21st November 1905.

Obviously shaken by this unexpected agitation, Selborne agreed to a private meeting with Farrar and FitzPatrick on November 21st. On this occasion, Selborne's view[12] that the Progressives were not so much bothered by the education notice as by his failure to consult them, was borne out by the fact that Farrar and FitzPatrick did not devote much attention to the education question. Their main concern was with a scheme "to provide effective means of carrying on the government of the Transvaal in the near future".[13] They told Selborne that they were now confident of obtaining a majority in the new Legislative Assembly and that the "rank and file" of the Progressive Party, therefore, "no longer had any cause to fear the advent of full self-government". Should the British government not agree to take an immediate step in the direction of responsible government, it would require only the "slightest inducement" to lead the Progressives into "an immediate agitation" for it. This agitation, Farrar and FitzPatrick declared, they would be obliged to lead because the alternative would be that they would lose all influence over their party. In such an event, they urged, the government would be able to put up only feeble resistance, particularly if Sir Richard Solomon were to be removed from the debates through his being appointed to replace Lawley as Governor.[14]

These suggestions possess all the hallmarks of FitzPatrick's political ingenuity, although, with the Balfour government then on its last legs, the scheme was scarcely plausible. Quite clearly, the assertion of Progressive confidence was a bluff. Earlier in the month, FitzPatrick had told Wernher[15] that the voters' registration figures suggested that the Party would be able to "protect itself" and that there was a "fair prospect" if they could win one or two seats in Pretoria. Shortly after the interview with Selborne, FitzPatrick was still of the opinion that the Party had experienced a "bad shake" (he was welcoming the fact

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12. Selborne told Lyttelton (27th November 1905, C.O.879/88, 779 Affairs in S. Africa, p. 328) that it was "clear that what the Progressive leaders object to...is not so much the administrative changes themselves as the fact that these changes were introduced without their having been previously consulted".

13. Ibid.

14. Lawley had been appointed governor of Madras.

15. FitzPatrick to Wernher, 9th November 1905. A/LB VII.

that Phillips had returned to the Transvaal after his ten-year absence).[16] These private statements reveal that FitzPatrick, at least, was far from confident.

The reason for the suggestion which was made to Selborne must therefore be found elsewhere. In part it may have been derived from a mistrust of Selborne, but its main origin was certainly the fear that the Liberals would introduce a new constitution once they had come into power and that this would be less favourable to the Progressives than the Lyttelton constitution. Earlier in November, FitzPatrick had told Wernher that a priority was to increase the size of the Legislative Assembly, a scheme which, interestingly enough (in view of his association with the T.R.G.A.) was also supported by Sir Richard Solomon.[17] The Liberals, FitzPatrick and Solomon agreed, meant to use responsible government to "solve their Chinese difficulty".[18] In the event of responsible government, a House of 35 members was obviously too small in relation to the Transvaal's population (Natal had 43 members with an electorate one-fifth of the size). A new constitution would therefore mean "another splitting-up of constituencies, another voters' roll and another election". Fitz-Patrick also genuinely feared (as Selborne was told) that, if the Transvaal were not committed to responsible government before the Liberals came into power, the first provocative act by a Liberal government would produce such intense feeling in the Transvaal that a "unanimous vote for responsible government" would be obtained in the Transvaal. In such circumstances, he would himself be unable to oppose it or to stand aloof. He was, in other words, not prepared to continue to play the difficult and unpopular role of imperial apologist as he had done during the Milner administration, once the Liberal government held power.

FitzPatrick and Farrar saw Selborne again on December 27th and again urged this scheme, promising that, "if the Home Government fear the precedent of changing Letters Patent, or have other reasons for refusing, we will do all that's in us to

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16. FitzPatrick to Wernher, 26th November 1905. A/LB VII.
17. FitzPatrick to Wernher, 9th November 1905. A/LB VII.
18. A view which is substantiated by modern research. See Hyam, op. cit., pp. 55 et seq.

back them".[19]

There is unfortunately no indication in FitzPatrick's letters of what precise request was made to Selborne. It is not, therefore, known to what extent Selborne modified these in his subsequent acts. What is known is that, following these representations by the Transvaal Progressives, he drew up a series of memoranda for the Cabinet. One concerned education and presented his case for having provided for taking over the C.N.O. schools.[20] Another put forward a scheme for increasing the number of seats in the Legislative Council to sixty. But it did not recommend the introduction of responsible government at once. Before doing this, he argued, Britain should known where the balance of power lay. What was needed, he argued, was not the predomination of either the Boer or the British (because if either was too powerful, the other would complain). The ideal was a "balance", in which case both races would agree to allow representative government to work.[21]

These memoranda were accompanied by a third, which reviewed the position in southern Africa generally.[22] In it he contended that there was a move afoot to link all the Boer political organisations and so form a united front. His personal observations convinced him that no other people in the world possessed "such strong parliamentary instincts".

> "These men had an ideal before the war and they have got it still, and it is an ideal which is never absent from their thoughts and which governs all their policy. It is to form a united republic of South Africa, to which British colonials will be gladly admitted but only on condition that it is a Republic and that the predominant influence is Boer, not British".

In the Transvaal, the Boers wanted responsible government "to use it remorselessly to diminish British influences in every way, to diminish the number of British in the country, to oust British officials in every department for Boer officials, to replace

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19. FitzPatrick to Milner, 26th November 1905. A/LB VII.
20. C.O.879/91, 814 Memorandum by Selborne, 16th December 1905.
21. C.O.879/91, 813 Memorandum by Selborne, 14th December 1905.
22. There is a strong possibility (suggested by the style and contents of this memorandum) that it was drawn up by FitzPatrick. Proof, however, is wanting.

British officers and men in the South African Constabulary by Boer officers and men, to fill the staff of the Railways and everywhere else with Boers". Given the opportunity, the Transvaal British could prevent Het Volk from doing too much mischief, but without "one vote, one value", they could do nothing.(23)

This attempt by Selborne to influence the incoming Liberal administration was too timid and too late. Even at the end of November the Progressive move came perilously late. Selborne delayed another three weeks, by which time he was addressing the new Liberal Cabinet, Balfour having resigned on December 4th.

Immediately on assuming office, the Liberals reviewed Transvaal policy. In doing so, some consideration was given to Selborne's proposal that the Legislative Assembly should be enlarged. Elgin wrote to Selborne and asked why it was that he favoured an interim period of representative government.(24) Selborne then consulted the three Transvaal parties and asked their opinion on the proposal to enlarge the Legislative Council. The replies were predictable. Het Volk considered the entire constitution "unworkable...and utterly unsuited to the existing circumstances of the country".(25) The T.R.G.A. emphasised that, without responsible government, the arrangement was unacceptable.(26) The Progressive Association supported the suggestion, but stressed that it was essential to retain "one vote, one value", single-member constituencies, biennial registration of voters and automatic redistribution.(27) Selborne then referred the matter to his Executive Council and obtained its support for a proposal which included the Progressive demands but allowed the use of Dutch in debates.(28) But, while this apparent interest was being shown by the Liberals in the enlargement proposals, other factors (the most important of which, as Fitz-Patrick and others had foreseen, was the desire to get out of their "Chinese difficulty") were swinging the Liberal government to favour a more drastic break with the policy of its predecessor.(29)

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23. C.O.879/91, 812 Memorandum by Selborne, 14th December 1905.
24. Elgin to Selborne, 11th January 1906. C.O.879/106, 809, p. 12.
25. Botha to Selborne, 16th January 1906. C.O.879/89, 800, p. 37.
26. C.W. Welman to Selborne, 6th January 1906. Ibid., p. 36.
27. Farrar to Selborne, 12th January 1906. Ibid., p. 35.
28. Selborne to Elgin, 30th January 1906. C.O.879/106, 809, p. 27.
29. Hyam, op. cit., pp. 132 et seq.

The Transvaal Progressives did their best, in the circumstances, to create a popular demand in support of their proposals, particularly as they did not have confidence in Selborne.[30] They were also afraid that, if agitation were directed at the Liberals themselves, their case would be prejudiced and not aided.[31] Their campaign opened on January 26th with a meeting in the Empress theatre in Pretoria at which the main speakers were FitzPatrick and J.W. Leonard. This was obviously timed to coincide with the end of the British election. It was the advice of both Milner[32] and S. Evans (who was then in England)[33] that the Liberals would not make firm decisions before this. All energies had therefore been conserved for a concerted effort at the crucial moment.

Pretoria was selected as the venue for the first meeting for a number of reasons. One was that the Pretorians had proved themselves politically unreliable, either because they distrusted the Johannesburg leaders, representative as they were of a mining centre, or because leading Pretoria politicians, such as R.K. Loveday, E.F. Bourke or M.R. Greenlees were ambitious to play an independent role.[34] Whatever the cause, the result was that during 1905 separate Pretoria political organisations were formed and, despite the efforts of the Progressives, Transvaal British solidarity had not been achieved by the beginning of 1906. With characteristic candour, Milner had chided the Pretorians for this in his farewell address in March 1905.[35] It was, he said, "positively comic" to think of Johannesburg as a united community, determined to dominate the rest of the Transvaal. The Transvaal British should unite - and would be forced to do so - in order to

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30. See, for example, FitzPatrick to Evans, 15th January 1906 (RM FIT 1/3/2) regarding Selborne's suggestion that, instead of 60 single-member constituencies, a smaller number of multi-member constituencies should be created. FitzPatrick believed that the proposal had emanated from Botha, who had received a tip-off from Smuts in London regarding "the line of least resistance".

31. See Evans to FitzPatrick, 8th February 1906, London. RM FIT 1/3/2. (Evans told FitzPatrick that he and Beit believed that agitation would be useful, provided it was "of a defensive character").

32. See, for example, Milner to FitzPatrick, 6th January 1906, "Very confidential". B/A III.

33. Evans to FitzPatrick, 27th January 1906. RM FIT 1/3/2.

34. For a discussion of this, see Mawby, op. cit., pp. 334 et seq.

35. The Star, 22nd March 1905.

keep the Transvaal a British colony, in fact as well as in name. FitzPatrick had himself, during 1900, argued the advisability of establishing Pretoria as a second concentrated British community, when the capital question had arisen.(36) The spectacle of disunity was therefore particularly disturbing to him and he could feel a personal responsibility to attempt a reconciliation.

A second reason for the interest that was shown in Pretoria at this time was that, as the registration of voters proceeded, it became obvious that there would be a delicate political balance between Boer and Briton and that this could be swung either way by Pretoria. In November 1905, FitzPatrick had told Wernher that it was essential for the Progressives to "get one or two seats in Pretoria in alliance".(37) As early as October 1905 the suggestion had been made that FitzPatrick should contest a Pretoria constituency.(38) It was an idea which possessed considerable appeal. "Just imagine it", he wrote to Milner. "Reformer, Britisher, author of The Transvaal from Within and 'Milner's man'! Oh! I would call that a score for the cause!"(39) The rumour that FitzPatrick was contemplating standing for election in Pretoria itself produced significant results. Afraid of being ousted, the Pretoria leaders showed a new willingness to talk terms with the Progressive Association.(40) To further strengthen his position, FitzPatrick arranged that he would not receive a requisition until after he had addressed the Pretoria meeting. If he received one thereafter, there would be proof that there was indeed a popular demand for his candidature.(41) In the meantime, he would receive only a letter, asking whether he was prepared to accept nomination.(42)

FitzPatrick's Pretoria speech was his first real public oration after his long backroom and boardroom political apprentice-

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36. See above, pp. 173 and 181.

37. FitzPatrick to Wernher, 9th November 1905. A/LB VII.

38. FitzPatrick to Beit, 23rd October 1905. A/LB VIII. FitzPatrick stated that the suggestion had come from "four difference channels". He did not specify what they were.

39. FitzPatrick to Milner, 26th November 1905. A/LB VII.

40. FitzPatrick to Stent, 11th January 1906. A/LC VI.

41. Ibid.

42. Ibid.

ship.[43] The Progressives, he declared, were not opposed to responsible government. In fact, he had fought for this ever since he had first become involved in politics in Barberton. The Progressives demanded self-government with equal rights and it was this that was now being threatened. He then dealt with four suggestions which had been made and which would destroy Progressive hopes. The first was the proposal to retain the old republican electoral districts, an arrangement which would obviously artificially handicap the Rand. The second was a proposal to postpone the introduction of representative government and to substitute a nominated Legislative Council with equal representation for the Progressive Association, Het Volk and the T.R.G.A. (a suggestion of Hull's[44]). This suggestion Fitz-Patrick dismissed with scorn for, he said, the T.R.G.A. had only five hundred members and had no claim to being treated as an equal of the two large parties. The third proposal was one which had been advanced by the T.R.G.A. (in suspected collusion with Smuts)[45] to the effect that there should be multi-member constituencies, an arrangement which, FitzPatrick contended, would mean snapping-off outlying urban areas and swamping them in rural districts. The fourth proposal was Het Volk's. It was that constituencies should be delimited according to population and not to voters - another blatant device to handicap the "industrial population".[46]

The people of the Transvaal, FitzPatrick then went on to say, must choose between the Progressive Association and Het Volk, organisations which stood for opposing interests and opposite ideals. There was no room for "moderates" or "independents". He regarded it as his personal duty to "rattle the fence so that no-one could sit on it". They had now commenced a "brief and bitter struggle" which would not be over until the objectives of self-government and "political rights" had been reached. He then moved

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43. He had made a short speech earlier in the month at the official opening of the Glen Deep Recreation Hall. (Leader, 12th January 1906). This was not, of course, on a political platform.

44. Leader, 18th August 1905.

45. FitzPatrick to Evans, 15th January 1906. RM FIT 1/3/2.

46. Leader, 27th January 1906.

a resolution in support of the principles of one vote, one value.

FitzPatrick's first appearance in Pretoria was a personal triumph. According to the Leader, his speech was received with "great enthusiasm".(47) One result was that, two days later, he was called on to give an impromptu speech on the same subject at the I.L.H.'s annual banquet in Johannesburg.(48)

The Pretoria meeting was followed by meetings all along the Reef, the main speakers being FitzPatrick, Chaplin and Bailey. (Not for the last time, Farrar was absent when his support and leadership was most needed.(49)). At Springs on February 2nd, FitzPatrick was again the main speaker. On this occasion, he particularly urged newcomers to the Transvaal to "stand up for the country of their adoption".(50) A proposal to create large constituencies, he said, embodied the principle of "one vote, no value". Delimitation according to population meant "one vote, two values". Only the Progressive formula was completely sound. If this meant (as Loveday complained) that the "country would be handed over to the mining section", Johannesburg asked for no more than it was entitled to. What grounds were there for handicapping Johannesburg artificially? If "one vote, one value" was going to place power in the hands of the Transvaal British, this was precisely the point and there was no valid reason why they should be deprived of their rights.

FitzPatrick was again the main speaker at Heidelberg on February 11th.(51) On this occasion, he was forced to adopt a more defensive position because, since speaking at Springs, he had been "fiercely" attacked by Hull, who had resented FitzPatrick's remarks on his nominated Legislative Council suggestion(52) and had emphasised the T.R.G.A.'s unequivocal support for responsible government. He had also attacked FitzPatrick's "rattle the fence" speech as "intolerant and dictatorial" - an attempt to divide the population into two extremist camps.(53) Simultaneously with

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47. Ibid.
48. Leader, 28th January 1906.
49. See Mawby, op. cit., p. 381.
50. Leader, 3rd February 1906.
51. Leader, 12th February 1906.
52. For the FitzPatrick-Hull controversy, see Leader, 8th February 1906 (editorial) and 9th February 1906 (letter from Hull).
53. Star, 6th February 1906.

Hull's reaction, T.M.C. Nourse had reacted vigorously in the Rand Daily Mail[54] and E.P. Solomon and Nourse launched a T.R.G.A. attack upon "capitalists" and their alleged control of the Progressive Association.[55] In an attempt to counter these, FitzPatrick protested that emphasis upon the responsible government issue was a red herring. The Progressives did not oppose it but insisted upon one vote, one value and were reluctant to "leap in the dark". Nor was there any intention of promoting "capitalist" interests - the principle of one vote, one value would give equal opportunity to all sections of the population. What was at stake was not the interests of one class but of British South Africa as a whole. Too late, perhaps, it would be realised in England that plans were being made in South Africa with "ability and foresight" by Afrikaners and these would "determine the basis of the future federation of South Africa on lines permanently crippling both to them and us".

The last speech which FitzPatrick made in this series was at the I.L.H. dinner on March 3rd, the annual celebration of the relief of Ladysmith.[56] Speaking after the main toast, FitzPatrick proposed the toast, "the old I.L.H." He used this occasion to answer the charge that he and the Progressives were promoting division between the races. It was natural, he said, that men should show devotion to their race, their religion, their flag and their language. If Steyn, Botha and Smuts showed such devotion, there was therefore nothing improper in it and one could differ from them without this disagreement implying disapproval of their basic attitudes. Conversely, if the Transvaal (or South African) British took a similar stand, then "they were not raising racial feeling. They might be told they were provoking old controversies and re-opening old sores and promoting division in South Africa which would make union impossible", but this was not so. The only way in which unity could be achieved was through mutual respect and tolerance - or, to use the phrase which FitzPatrick began to use more and more frequently: "equal rights".

The meetings which were organised directly by the Progressive Association were supplemented by others of a non-party nature. One

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54. Daily Mail, 30th January 1906.
55. Mawby, op. cit., pp. 259, 321.
56. Leader, 5th March 1906.

such was that which was organised by Wools-Sampson. He first wrote to Selborne, aksing whether it was the intention of the British government to tamper with the principles of one vote, one value.(57) When Selborne replied that the matter was still under consideration, Wools-Sampson convened a meeting of ex-officers of the irregular corps on January 29th, following which a deputation presented a formal protest to Selborne.(58) At the beginning of March, Quinn, whose defection from the T.R.G.A.(59) was one of the major successes of the agitation, led a deputation of "public bodies"(60) in his official capacity as Mayor of Johannesburg. It urged Selborne to end the uncertainty. The tameness of this protest, in merely demanding a speedy settlement, was doubtless owing to the fact that it was desired to make it non-political; but by adding to the agitation it supported the demands which FitzPatrick and the Progressives were making.

A major objective at this time was the formation of a united front by means of finding a basis of agreement between the Progressives, Het Volk and the T.R.G.A. It is not known how closely FitzPatrick was involved in these negotiations. It might be assumed that he would have supported them because he perceived the political value of such an agreement, but his only reference to inter-party negotiations of any kind was in his speech at Springs, when he referred to an approach which had been made to him by E.P. Solomon.(61) On that occasion, he expressed the opinion that any agreement with the T.R.G.A. was impossible in view of the latter's "bargain" with Het Volk. Because of this, FitzPatrick contended, Solomon could not support one vote, one value, "the real crux of Transvaal politics". This suggests that FitzPatrick foresaw that the approach to Het Volk would be hopeless. Selborne informed Elgin that it was only after "stormy opposition" had been overcome that the Progressives reached agreement to take part in the discussions and this also suggests that

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57. Selborne to Elgin, 28th January 1906. C.O.879/106, 820. Secret Correspondence, p. 24.

58. Selborne to Elgin, 5th February 1906. Ibid., p. 34.

59. Leader, 8th February 1906.

60. As, for example, the Caledonian Society, the Canadian Association and the Catholic Society.

61. Leader, 3rd February 1906.

FitzPatrick was opposed to them. A further indication is that he did not take part in the negotiations themselves, which were held in Botha's Pretoria house between March 3rd and 6th.[62] Also, FitzPatrick was almost certainly the writer of a letter which was shortly afterwards published in the Star[63] under the nom-de-plume "Progressive Pioneer".[64] According to this letter, the motive of Het Volk was not to seek a compromise but "to fish for information, to find out if there were any weak-kneed among us whom they could wheedle or frighten, and to get us committed to the suggestion of a compromise or the discussion of a bargain in which principles would have been whittled down for the sake of material gain". The fact that FitzPatrick did not sign this letter would suggest that, having been outvoted in his Party, he could not openly oppose the negotiations.

During the negotiations themselves, there was, as Selborne reported to Elgin,[65] total disagreement between Het Volk's representatives, who supported delimitation on a population basis, and the Progressives, who would not consider anything but delimitation on a voters basis. Although E.P. Solomon suggested a compromise,[66] the fact was that the two parties were championing different proposals for the precise reason that they believed that their election prospects (and, ultimately, the future of South Africa) depended upon them.

Following the breakdown of the negotiation, there was an attempt to get up a petition to the King in support of "one vote, one value". The executive, of what was described as a "non-political" committee,[67] consisted of H. Currie, Quinn, H. Pim, Shanks and Tucker. Of these, the last four were members of the Johannesburg Municipal Council and only Currie was associated with the Progressive Association. FitzPatrick does not appear to have been associated with this petition in any way. He was, in fact,

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62. Mawby, op. cit., p. 322.

63. Star, 26th March 1906. A typescript copy of this letter is among the FitzPatrick Papers. A/LC VI.

64. This was suspected by Mawby, see op. cit., p. 322.

65. Selborne to Elgin, 17th March 1906. C.O.879/89, 800 Further Correspondence, p. 140.

66. Mawby, op. cit., p. 322.

67. Selborne to Elgin, 17th March 1906. C.O.879/89, 800 Further Correspondence, p. 140.

at this time in the eastern Transvaal with his family and E. Caldwell, the illustrator of Jock of the Bushveld.(68)

During February, every effort was made to press upon the new British government the idea that the British Transvalers were in a state of genuine unrest and that this was the result of their anxiety about anticipated alterations to the principles upon which the Lyttelton constitution was based. Selborne, despite the distrust of the Progressives, made a genuine attempt to assist them and provided Elgin with a detailed account of the protest meetings. After Wools-Sampson's ex-serviceman's meeting, he warned Elgin that, if Britain rejected the "unanimous opinion of the British of the Transvaal", this would lead to "an agitation of the kind which only occurs when men are desperately moved".(69) Lawley, who had been invited by Elgin to express his views before leaving for Madras, gave it as his opinion that "sentiment had reached its breaking point" and that British loyalty was therefore in jeopardy.(70) But, despite these exertions, events in Britain worked their course and on March 8th the Liberal government announced its intention to institute an inquiry into the many aspects of the problem on the spot.(71)

The announcement of the Liberals' intention and the consequent appointment of the West Ridgeway Committee later in the month,(72) had the immediate effect of damping down (at least temporarily) the excitement which the constitution issue was arousing in the Transvaal. Instead of continuing with strategies which were directed at influencing policy-makers in London, forces had now to be remustered and redirected.

While he was away in the bushveld, FitzPatrick must have pondered a great deal over the several sudden changes which had occurred since his return to South Africa, just over six months previously. The most dramatic of these was undoubtedly the fall of the Balfour government in December, followed by the spectacular Liberal landslide in the January election. The fall of the

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68. Niven, Jock and Fitz, p. 44.

69. Selborne to Elgin, 1st February 1906. C.O.879/106, 820 Secret Correspondence, p. 29.

70. Lawley to Elgin, 12th January 1906. C.O.879/91, 811.

71. Hyam, op. cit., p. 137.

72. C. 2823 Letter of Instruction..., 1906.

Unionists had been expected but the extent of the Liberal victory took most people by surprise. Because the Liberals now commanded such an impressive majority, there seemed to be little hope of meaningful support from the Conservatives in opposition. As far as the Liberals themselves were concerned, even the "Liberal imperialists" and E.T. Cook, who had offered support before and during the war, were now unapproachable.(73)

More disastrous, perhaps, was the fact that, in this crisis, FitzPatrick had found himself unable to prevent the Transvaal British from falling further into disunity. Some of this was to be expected. The opposition of Hull, for example, could not have taken him by surprise although the manner of it must have dismayed him. The continued ratting of certain labour elements - re-emphasied in the formation of the Transvaal Political Labour League in February 1906(74) - was also a continuation of an earlier trend. But there were now more ominous signs of disintegration. Farrar, for example, had not thought the occasion urgent enough to take part in the February protest meetings. At the beginning of the following month, FitzPatrick had suffered a major personal setback when he had failed to convince the Progressives that they should not respond to Het Volk's invitation to seek a compromise.

While these distressing developments were occurring in the Transvaal, further disturbing reports reached him from London. On February 6th Wernher wrote and told him that Smuts had called to discuss politics.(75) Professing to be very frank, Smuts told Wernher and Beit that, "instead of forming and leading a political party", they should use the votes which they commanded to elect representatives of the mining interest and so "hold the balance" in the Transvaal. When Smuts was told that this would be both "impossible and despicable", conversation turned to the franchise question. Here Wernher and Beit defended their support of "one vote, one value", which, they said, provided the best chance of providing an "English majority from the start". Smuts protested

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73. See Evans to FitzPatrick, 2nd February 1906 (writing from London). RM FIT 1/3/2.

74. Selborne to Elgin, 17th March 1906. C.O.879/89 Further Correspondence, p. 116.

75. Wernher to FitzPatrick, 6th February 1906. B/A III.

that the Boers did not expect a majority under either form of election but that "one man, one value" was "not fair to their people". It would, furthermore, be much more to the interest of Wernher Beit and Co. "to go more with the Boers, the conservative element in the country". Wernher's impression was that it was Smuts's intention to "drive a little wedge" and he was told "distinctly" that they would not "prevent some of our partners who lived and meant to die in the country from interesting themselves in its political concerns which are bound up with the commercial side".

Later in February, Engelenburg "Smuts's close associate and editor of Die Volkstem) made a similar approach to Wernher.(76) Engelenburg was less subtle than Smuts had been. He expressed a "keen anxiety to come to an understanding with the mineowners, hinting very strongly what support they could give on labour and Chinese, but he made it quite clear that it was a question of bargaining and, if possible, before the election". When Wernher asked what Het Volk's programme was, Engelenburg replied that "they wanted more money - the ten millions ought to be given to the Boers". In addition, Engelenburg favoured protection for the Transvaal agricultural produce although, "after some long hesitation", he agreed that "colonial produce should be free".

What must have been most disturbing to FitzPatrick was not the response of the London partners, but the gall which Smuts and Engelenburg displayed in making such suggestions. Furthermore, although Wernher and Beit treated Smuts with healthy suspicion, Beit for the first time questioned the soundness of FitzPatrick's politics in the following month. Beit argued that, with the Liberals in power, the best interests of the firm would be served by a responsible government with Sir Richard Solomon at its head.(77) This was because, if the Progressives were in power, there was an increased danger that the Liberals would veto any legislation "as to Chinese which is not strictly in accordance with their sense of morality and liberty; but, if such legislation should be passed by the joint vote of Boers and British, no government would

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76. Wernher to FitzPatrick, 23rd February 1906. B/A III.

77. Beit to FitzPatrick, 16th March 1906, "Strictly Private and confidential". B/A III.

dare to veto such a measure". A further danger, according to Beit, was that, if the Progressives gained a majority, the Boers were bound to oppose Chinese labour and, in the event of a major clash between the Progressives and Het Volk, the Progressives were likely to split, with "the result that we should have Mr Smuts as the first Prime Minister".

In writing this letter, Beit specifically ruled out the possibility of a government headed by FitzPatrick himself. "Apart from the contingency of your having to leave the firm if you accepted such a position", he wrote, "we think that even then people will always associate your name with our firm's interests, and that you will not carry the same weight as would attach to a man who was absolutely independent of the mining houses".

This directive, personally signed by Beit and ending in the expressed wish that FitzPatrick should seek some rapprochment with Solomon, must have been a very shattering one for FitzPatrick to receive. It not only meant that his own political ambitions would have to be set aside; it required him to throw in his lot with a man whom he did not trust. Sir Richard Solomon "is a charming fellow when you are quite right", he had once observed to Eckstein,(78) but was "really worse than a Boer: He is an A.1. mugwump - a mixture of emotion and law. Ye Gods! I would not trust him to make a spoon - not for fear of 'spoiling a horn' as much because, in the end, he would split the spoon on the grounds that forks are also entitled to consideration".

If these developments were not sufficient grounds for pessimism, FitzPatrick, with his almost unerring political instinct, had obviously sensed in February of 1906 that he - and the Progressives - suffered politically from a number of weaknesses which it was very difficult to overcome. This was reflected in the changing tone of FitzPatrick's speeches between January 26th and February 11th. In his first speech he had confidently asserted the rights of the Transvaal British; a week later at Springs, he was attempting to counter the accusation that he was promoting the sectional interests of the mining industry. At Heidelberg on February 11th, he was forced to do the same. The accusation that the Progressives represented "capital" or at least the "mining

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78. FitzPatrick to Eckstein, 23rd February 1905. A/LB VI.

section" was a very difficult one to counter, for it was a fact that the great bulk of Progressive support came from the Reef and it was also a fact that most of the Progressive leaders - and particularly Farrar and FitzPatrick - were associated with capital and the mines.

Another serious weakness in the Progressive position was their ambiguous attitude towards responsible government. Apart from forcing them into a position in which they could be portrayed as defending the Milner and Selborne administrations, their continued advocacy of caution in the face of the slogan, "trust the Boer", led them into further difficulties. One consequence was the accusation that it was they - and not the Boer leaders (who were publicly committed to "moderation") - who were prolonging racial dissention in South Africa. In fact, FitzPatrick's prescription of "voting the Boers into the ground" was becoming self-defeating.

Insight into FitzPatrick's thoughts at this time is provided by his letter to the Star, written under the pseudonym "Progressive Pioneer".(79) In this letter he attempted (it would, he wrote, afford "us a little grim satisfaction") to review the position as it then stood. There were three things which must be "noted and never forgotten by every man in this country who sincerely desires Equal Rights". The first was that it was impossible to come to terms with Het Volk. This was proved by the speech which Smuts had made in Pretoria after his return from Britain.(80) Smuts had insisted upon delimitation upon a population basis in order to ensure an "overwhelming and unassailable majority". Once in power, Het Volk intended to provide the Boers with additional compensation for their war losses, reorganise the Education system, provide the Transvaal farmers with protection for their products and, having cleared out "unnecessary imported officials", restore the republican officials to their jobs. What particularly shocked FitzPatrick about this speech was its blatant confidence. "It was", he observed, "the speech of a man who feels that he has overwhelming forces behind him and is bound to win and, therefore, that frankness, brutal frankness, is a luxury that he can safely indulge in".

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79. Star, 26th March 1906.

80. Star, 24th March 1906.

The second thing that had to be noted was that the West Ridgeway Committee's instructions specifically requested an investigation into the effects of a system of "manhood suffrage" and "any proposals for representation other than single-member divisions" and "especially the effect...of a marginal discretion larger than has hitherto been proposed".(81) It seemed that the question had been prejudiced, at least as far as the principles of one vote, one value were concerned.

The third thing to be noted was the attitude of the Responsibles. They (who had not been prepared to trust Milner's government) now called upon the Transvaal British "to trust for ever another party who for six and twenty years have been the curse of South Africa, who have done us nothing but injury and have steadily and consistently avowed their bitter hostility to British subjects and British interests in the country". Furthermore, they were now also asked to trust the Liberal government and to allow them control, through the veto, of "our native policy", together with the regulation of the Transvaal's treatment of Indians and use of Chinese labour.

FitzPatrick ended his letter by expressing the hope that British Transvalers had learnt their lesson. "Let us have no more attempts, either weak and foolish, or slim and malevolent, to reconcile the irreconcilable. We stand to lose everything and gain nothing by participating in or even countenancing them. Let people understand here that the man who is not willing to come out as an unqualified supporter of Equal Rights, willing to work vigorously, heart and soul for it and oppose all compromises, stands self-confessed as a sympathiser with Het Volk".

iii) The West Ridgeway Committee, May - June 1906.

The West Ridgeway Committee was instructed to enquire into and report on the likely results of the different voting systems which had been suggested. Specifically it was to examine the proposal to divide the Transvaal into sixty constituencies and establish what effect this would have ("according to different bases of representation") upon the representation of the Witwatersrand, the towns outside this district and the rural areas. It was

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81. C. 2823 Letter of Instruction...

also asked to examine the effect of abandoning the moderate franchise qualifications which had been specified in the Lyttelton constitution in favour of "manhood suffrage". Any other proposals (other than single-member constituencies) should also be considered and "especially the effect of a marginal discretion larger than has hitherto been proposed in their delimitation". Because a great deal of debate was likely to be based upon the 1904 census, the Committee was also instructed to report on its reliability.(1)

In addition to these formal instructions, it was suggested privately that the Committee might attempt to negotiate a compromise between the different Transvaal parties.(2)

After his return to Johannesburg from the eastern Transvaal towards the end of April, FitzPatrick was the main speaker at a Progressive Association meeting in Johannesburg. The fact that it was held on April 28th, the day on which the West Ridgeway Committee arrived in Pretoria, suggests that the meeting was intended to be a show of strength. Indeed, Farrar (who was in the Chair) opened the proceedings by claiming that the Johannesburg branch of the Association had increased its membership from 2,417 to 10,000 in the past year.(3) At the start of his speech, FitzPatrick laid similar stress on numbers. There were, he said, now fifty-five branches of the Association and 43,000 members in the Transvaal, and, during the past few months, an additional 9,000 names had been added to the voters roll.

FitzPatrick's speech(4) lacked sparkle. This may have been due to his deliberate intention to avoid contentious issues such as might arouse the ire of the visiting Committee, or it may have been the result of his own pessimism, combined with the feeling that there was nothing more he could add to what had already been said on the subject. Dealing with the prevailing distress and unemployment, he stressed the need for the workers to remain on the "British" side. There were only two possible policies in the Transvaal: Het Volk's or the British policy. Britishers must not

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1. C. 2823 Letter of Instructions to the Chairman of the Committee...
2. Hyam, op. cit., p. 139.
3. Leader, 28th April 1906.
4. Ibid.

be flustered into using the words "Briton and Boer", for they were not used "offensively". Having attempted to define the constitution issue in these terms, FitzPatrick referred to the recent crisis which had occurred between the new Liberal Government and Natal. At the beginning of April, Elgin had ordered a stay of execution in the case of twenty-four tribesmen who had been sentenced to death for their part in the Bambata rebellion.(5) This act raised the question of colonial autonomy, or rather, the precise constitutional status of a self-governing colony such as Natal then was. It had therefore aroused interest throughout the Empire, as the result of which the British government gave way.(6) FitzPatrick drew attention to this because, he said, Natal was defending the same principle as the Transvalers were attempting to establish: the "right to non-interference".(7)

The effect of this show of strength was spoilt by the spectacle of British disunity in the Transvaal. The T.R.G.A. had, despite its flirtation with Het Volk during 1905, maintained a stand on one vote, one value.(8) During the February 1906 agitation, their resolution had begun to falter and, although the T.R.G.A. representatives at the inter-party discussions in March had not officially abandoned their position, it was significant that it was E.P. Solomon who had suggested a compromise formula. Now that attention had been focussed upon the system of representation and delimitation and Het Volk and the Progressives stood opposed to each other, it seemed likely that this splinter-group would again seek a compromise. From FitzPatrick's point of view, a more distressing development was the attitude of the leading Pretorians. Rejecting the plea which he had made to them in January, they now struck out on their own. On March 30th, the Star published a report of a private meeting in Pretoria at which the Pretoria Political Association, led by Loveday, declared in favour of eighty constituencies, 31 of which would be on the Reef, 31 to the rural

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5. Brookes & Webb, op. cit., p. 224.

6. Ibid.

7. FitzPatrick had made a similar statement to this effect three days previously at a public meeting summoned by Quinn to support the action of the acting-Governor (Sir Richard Solomon) to send 500 Transvaal volunteers to Natal. See Leader, 25th April 1906.

8. Mawby, op. cit., p. 321.

districts and 18 to the other urban centres (with 8 Pretoria seats).[9]

The problem of how the Progressives should attempt to influence the West Ridgeway Committee was a very considerable one, particularly in view of the fact that FitzPatrick had been instructed by his superiors in London to attempt some form of compromise.[10] The position was not made any easier by the opinion of Samuel Evans (who was then in London, but who had played a leading part in the 1904 constitution discussions with Milner) that, if manhood suffrage were conceded, 60 single-member constituencies would then produce a Boer majority. He suggested that the idea of proportional representation should be raised once more.[11]

The Progressives gained no advantage from the fact that their opponents were the first to give evidence before the Committee, for the attitude of Het Volk was predictable. Making every protestation of loyalty and moderation, the Het Volk leaders claimed that it was not their ambition to secure a majority under a new constitution; they were merely anxious to avoid being at the mercy of the Rand capitalists.[12] The Progressive Association, they claimed, was financed and controlled by the London headquarters of the mining houses. This approach was extremely effective in disarming and discrediting the Progressive Association.

There was some doubt as to whether FitzPatrick would be asked to give evidence before the Committee. D.O. Malcolm, Selborne's private secretary, informed him that invitations had been extended to the various political organisations and that the Progressive Association had named J. Roy and Mitchell as its representatives.[13] If the Committee did not specifically invite FitzPatrick, he should demand to be heard on his "own account", for "it would be nothing short of a national calamity" if Fitz-Patrick's evidence was not placed before the Committee. Malcolm also suggested that the local branches of the various political organisations should make a similar approach and that individual

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9. Star, March 30th 1906.
10. See above, p. 285.
11. Evans to FitzPatrick, 28th February 1906. RM FIT 1/3/2.
12. Mawby, op. cit., p. 3.
13. Malcolm to FitzPatrick, 4th May 1906 (two letters), "Private". B/AS V.

members of the Pretoria Political Association who disagreed with Loveday's plan could do the same.(14) On the following day, Malcolm told FitzPatrick that it was Selborne's opinion that, while the leaders of the mining industry should not volunteer to give evidence, this did not apply to Farrar and FitzPatrick who had a "well known political position quite apart from" their "position in the mining industry".(15) Malcolm also suggested that FitzPatrick should obtain the "authority" of his "friends in the outlying districts to represent their views for them".(16)

Malcolm's information was not reliable.(17) The Committee showed itself willing to accept evidence from all interested persons. His information regarding the Progressive Association also appears to have been inaccurate for, when the Committee opened its proceedings in Johannesburg on May 9th, it was represented, not by Roy and Mitchell, but by a deputation of eighteen leading Progressives.(18)

There are two sets of rough notes in FitzPatrick's handwriting amonst his papers which provide insight into his thoughts at this time. In the first,(19) he analysed the effect which the different voting systems would have. According to these figures, the Lyttelton constitution and voters roll would provide a balance between about 44,000 voters on the Rand and the same number in the rest of the Transvaal. A manhood suffrage would result in about 44,000 voters on the Rand and 56,000 in the rest of the country. According to these calculations, taking the most optimistic view, if the Rand and the rural areas were each given 33 members (allowing about 1,500 voters per constituency), then Pretoria (with a population of about 16,000) would be entitled to 6 members. The conclusions which he drew from this analysis were that "if there is to be domination by one section or interest it can only be by

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14. Ibid.
15. Malcolm to FitzPatrick, 5th May 1906, "Private". B/AS V.
16. Malcolm to FitzPatrick, 7th May 1906, "Private". B/AS V.
17. Possibly due to the Committee's mistrust of Selborne. See Hyam, op. cit., p. 144.
18. C.O.879/106 Report of the Committee..., p. 44. They were Farrar, Carr, van Hulsteyn, FitzPatrick, Bailey, Lindsay, Strong, Soulter, Piercy, N. Cohen, Forsyth, Roy, W.A. Martin, J.N. Sellar, Col. E. Hutchinson, W. Polt, M. Dodd and Kelty.
19. Undated MSS. Q5 A MSS XVI.

Het Volk, which is twice as strong numerically as any other acknowledged political group". The only chance of outvoting Het Volk was through a combination of all the British in one party, pledged to British supremacy. The question was whether, assuming that such a British coalition could be formed, a 33 - 6 - 33 arrangement would make a majority possible? FitzPatrick was convinced that it would not and that the only hope therefore lay in obtaining an increased proportion of seats for the Witwatersrand. The only case that could be made out for this was the contention that both the 1904 census and the 1905 voters roll were inaccurate in view of immigration which had occurred since then.

The second set of notes[20] was probably compiled after the Johannesburg negotiations had taken place (presumably during FitzPatrick's journey to London[21]) but they illustrate the fact that FitzPatrick was acutely aware of the political difficulties which were involved in putting this case to the West Ridgeway Committee and, ultimately, to the British government. There were, he noted, several criticisms which were likely to be made of the Progressives' attempt to obtain this predominance for the Witwatersrand. One was the obvious accusation that this would result in the domination of the Johannesburg capitalists, or at least of the mining industry. Another possible accusation could be that the Progressive Association was not the "British party" and was not, therefore, entitled to urge consideration of a scheme which was so obviously to its own advantage as a political party. He did not apparently see (or, if he did, he did not jot it down) that, even if he did succeed in establishing the fact that the Progressive Association was the "British party", it did not necessarily follow that this would be of assistance. Such emphasis upon racial exclusiveness laid the Progressives open to the charge that they were perpetuating the race-cleavage and so reducing the chances of a lasting settlement in South Africa. But, if FitzPatrick refused to consider this fact, it must be admitted that he had reached the conclusion that the only possible means of preventing Boer domination was through the attempt to establish such a British party - as the only chance, it had to be pursued, regardless of its drawbacks.

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20. Also catalogued as Q5 A MSS XVI.

21. See below, pp. 307 et seq.

When the Progressive deputation met the Ridgeway Committee on May 9th, the Progressives laid emphasis upon one vote, one value and defended the single-member constituencies of the Lyttelton constitution. They also asked for redistribution every four years, for a House of not less than sixty members and for a nominated upper chamber.(22)

On the following day, Farrar was first interviewed alone and, later in the day, a Progressive Association sub-committee consisting of Farrar, Dumat, Roy Soutter and Kelty.(23) On this occasion, the Committee enquired whether the Progressives were willing to accept a compromise to the effect that existing magisterial districts would receive at least one representative each, that delimitation would otherwise be based upon voters as reflected in the 1904 cencus and that there would be manhood suffrage.(24) The Committee estimated that this scheme would allow the Witwatersrand 29 seats, Pretoria 5 and the platteland 29. It was also expected that the arrangement would produce a British majority of from 3 to 6 and possibly 8.(25) Ridgeway afterwards maintained that a settlement on this basis would have meant a "valuable concession" for the British party. He did not believe that any reliance could be placed upon the Progressives' claim that the Rand was entitled to more because he believed that the Rand's population had actually decreased during the recent depression.(26) He pointed out, also, that Botha had told the Committee that Het Volk would "prefer a British majority", provided that it was not a Rand or Capitalists majority.(27)

On May 10th, the Progressives declared their formal acceptance of this compromise. No sooner had they done so, however, than information was obtained from the census office in Pretoria which

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22. C.O.879/106 Report, p. 15.

23. Ibid., p. 44.

24. C.O.879/106, 820 Secret Papers, pp. 95 et seq. Memorandum by W. Ridgeway.

25. Ridgeway to Elgin, 12th May 1906. C.A.B. 37/83, 49. This estimate was based upon the belief that Krugersdorp would be divided and would therefore produce one British representative and also the official recorded undertaking by Het Volk that it would not oppose T.R.G.A. candidates at Vrededorp and Fordsburg. (See C.O.897/106, 820, Memorandum by Ridgeway).

26. C.O.879/106, 820. Memorandum by Ridgeway.

27. Ibid.

suggested that the Committee's "date and calculations" were incorrect.(28) This was put to the Committee on the following morning by Roy and Kelty,(29) by which time Ridgeway had informed Elgin of the Progressive Association's acceptance.(30)

Selborne had been deliberately excluded from these proceedings. This was because Ridgeway believed that he would not favour the proposed compromise. "Owing to his not unnatural distrust of Boers and his intense desire absolutely to ensure a preponderance of a British majority", Ridgeway believed that Selborne would "possibly demand more than the Progressives themselves".(31) The High Commissioner had contrived to be distrusted by both parties. Selborne was thus merely informed officially on May 12th of the fact that the 29 - 5 - 29 proposal had been accepted by both the Progressives and the T.R.G.A. and that it would now be put to Het Volk.(32) It was at this point that Selborne intervened. It does not seem, however, that this was the result of pique at his having been cold-shouldered by the Committee. Nor does it necessarily follow that he went out of his way to offer his advice, although it was Ridgeway's opinion that the Progressives acted "in obedience to a summons from the High Commissioner".(33) His own account of events was that on May 14th, "certain representatives" of the Progressives (headed by FitzPatrick) called on him and asked his opinion. This tallies with FitzPatrick's statement that he "raced over to Pretoria" to "break up" the compromise.(34) Selborne told them that he disapproved of the proposal because he believed that the 1904 census did not provide a reliable basis for delimitation. In his opinion, the 1905 voters roll should be used.(35) He told Ridgeway the same thing when, following his return to Pretoria from Johannesburg, Ridgeway called on the following day.(36)

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28. FitzPatrick and others to the Committee, 31st May 1906. A/LC II.
29. C.O.879/106, 853 Report..., p. 44.
30. Ridgeway to Elgin, 12th May 1906. C.A.B. 37/83, 49. Secret Telegrams.
31. Ridgeway to Elgin, 13th May 1906. C.A.B. 37/83, 51. Secret Telegrams.
32. Selborne to Elgin, 16th July 1906. C.O.879/106, 820 Secret Papers, p. 6.
33. C.O.879/106 820 Memorandum by Ridgeway.
34. FitzPatrick to his wife, 3rd August 1906. A/L I.
35. Ibid.
36. Ridgeway to Elgin, 15th May 1906. C.A.B. 37/83, 51.

The effect of Selborne's expression of opinion was that it encouraged a Progressive deputation (consisting of FitzPatrick, Roy, Dumat, Soutter, Kelty and Bailey) to repudiate the agreement which had been reached on May 11th. The view that Selborne merely encouraged and did not initiate the repudiation is further suggested by the fact that it was at this stage that FitzPatrick thrust himself forward. Although a member of the Progressive Association's deputation which was interviewed by the West Ridgeway Committee on May 9th, he had not been a member of the Associations's sub-committee which met the Committee on the following day. This unusual obscurity may have been the result of his deliberate choice to allow events to run their course - the outcome of a possible belief that he was powerless to act or that he wished to have nothing to do with a compromise such as Beit had suggested. Another possible explanation is that Farrar had kept him in ignorance of what was happening: the fact that it was not until May 14th that steps were taken to repudiate an agreement which had been reached three days previously strongly suggests that the Progressive die-hards had not been informed. If this was so, it may have been Selborne's role to have informed FitzPatrick and the other Progressive leaders who were known to fear a compromise, of the dangers which then existed.

Whatever the precise details of events during these few days, the picture becomes clearer after May 14th. At the request of the Committee, FitzPatrick drew up a detailed statement[37] which attempted to show that the 1904 census was unreliable. The effect of immigration and of more persons reaching the age of twenty-one was that the total population must now be estimated at 98,453 and not 91,406. Furthermore, the census gave the number of British as 57,713, but this should now be 62, 162, which meant that adult British males "exceed the Dutch by about 5 to 3". If members of the future legislature were allocated in accordance with the formula, one member for every 1,500 voters, then the British section would be entitled to 41 members, to 24 for the Dutch. There was no desire to "perpetuate the division on race lines". However, "the gauntlet having been thrown down" by Het Volk's emphasis upon "representation of our people", the Progressives were prepared, if necessary, to show that "the case for the British people is clear and unassailable".

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37. To the Chairman, Constitution Committee, 15th May 1906. A/LC XIII.

Clearly, however, since it was a fact that the great bulk of the British population was concentrated in certain areas, any system of representation must take the race factor into account. Clearly, too, there was no justification for arguing that a preponderance of British on the Reef should disqualify that region from obtaining its rightful proportion of power. A compromise was therefore suggested, which would have "the merit of being not entirely upon race lines". It was that the voting population of the Witwatersrand be taken as 56,000 and the rest of the country 52,000, giving the Rand 37 seats and the rest of the Transvaal 35. A separate, accompanying letter[38] argued that the existing voters roll should be retained - re-registration would handicap the British section because the delay would encourage further emigration and impose a hardship on men who were "daily workers and wage-earners". The accompanying letter also restated the need for taking 1,500 voters as the quota for each electoral area and that there be single-member constituencies with automatic redistribution every four years.

These letters were first shown to Selborne through Malcolm (who made certain suggestions[39]) and were then dispatched to the Ridgeway Committee as containing the official views of the Progressive Association. This means that they were also approved by the party's Central Executive, which consisted of the President, four vice-presidents and twelve other members. This body must have met on May 14th or 15th to endorse FitzPatrick's scheme and so repudiate the agreement which had been made by Farrar and his sub-committee. That this in effect meant a vote of no confidence in Farrar's leadership is indicated by the fact that Farrar had told the Ridgeway Committee that he was satisfied with the compromise. "You have got for us all that we ever hoped to get and now we must fight for ourselves", he had told them. "We know that there is a risk in having a new voters list, but we are all prepared to take that risk...."[40] There is, unfortunately, no record of what must have been an extremely stormy meeting, the proceedings of which proved conclusively that, although Farrar was the official

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38. To the Chairman, 15th May 1906, "Confidential". A/LC XIII.
39. Malcolm to FitzPatrick, 15th May 1906. B/A III.
40. C.O.879/106, 820. Memorandum by Ridgeway.

President of the Progressive Association, FitzPatrick was its effective leader.

On May 16th FitzPatrick saw Sir Francis Hopwood, one of the members of the Ridgeway Committee, and told him in confidence what the attitude of the Progressive Association was. If forced, he said, they would accept a new voters roll because they believed that this might, in fact, produce a "considerable improvement" as far as the number of British voters was concerned. But, whatever population figures were used in delimiting seats, they would accept no compromise which did not give the Witwatersrand at least one half of the seats in the first parliament (excluding Krugersdorp rural).(41) If this were allowed, they would be willing to allow magisterial districts to be retained in the rural areas, provided that there were single-member constituencies. The one "important and incontrovertible fact", he pointed out, which stood out "in a bewildering maze" was that the census of 1904 showed 57,713 British males and 33,693 Boers. Nothing that the Progressives had claimed "adequately recognised this fact", while "everything claimed by Het Volk" was designed to "reverse the position".

On the following day, FitzPatrick and Farrar were again interviewed by the Ridgeway Committee.(42) This may have been in connection with these new Progressive representations or it may have concerned proposals for an Upper House, which subject the Committee was then considering. A final interview with FitzPatrick alone took place on May 28th, on which occasion he seems to have been asked to provide information about the goldmining industry and the effect which Chinese labour was having upon the influx of White labourers.(43)

FitzPatrick expected very little from the Committee. It had, it seemed to him, revealed its unreliability when it had put forward the compromise proposal of May 10th. In doing so, it "succumbed completely to Boer slimness", particularly as it then accepted the Boer assurace that a majority was on no account desired by Het Volk because this would oblige them "to assume the responsibility of government". "They thought it was rude of us to smile broadly when they said this", wrote FitzPatrick, "and

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41. FitzPatrick to Hopwood, 17th May 1906. A/LC III.
42. C.O.879/106, 853 Report..., p. 46.
43. FitzPatrick to Hopwood, 28th May 1906. Q5 A MSS XVI.

considered it unreasonable that we should not accept the settlement which they had arrived at before hearing a single witness on our side....It is very like fighting Kruger still! Sometimes I think the old man's spook has a private telephone to the Chairman".(44)

The Ridgeway Committee's official reply to the representations which the Progressive Association had made on the 15th, was dated May 30th.(45) It informed the Progressives that the Committee could not "accept as accurate the data and conclusions" which had been presented to it.(46) A new approach had, however, been made to the Het Volk leaders with the result that they had now agreed, "in order to obtain a prompt settlement of this vexed question", to accept 32 members for the Rand, 6 for Pretoria and 30 for the rest of the country. This was, in the Committee's opinion, "the utmost which the Boer delegates would concede" and it therefore asked whether this would be acceptable to the Progressives.

The Progressive Association's reply was again written by FitzPatrick.(47) These new proposals, it declared, did not constitute a concession by the Boer leaders but were "nicely calculated to hand over to the Boers the control of the government of this colony". "The only consideration that weighs with us is the maintenance of British authority and policy in this country and, with this in mind, we must again unhesitatingly decline to enter into any agreement upon the terms suggested". The Progressives denied that they had gone back on an agreement to accept the compromise of May 10th, claiming that they had endeavoured to explain their concern immediately they had learnt that, in the light of their subsequent discoveries, this proposal would not, in fact, ensure the all-important British majority. This the

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44. FitzPatrick to Monypenny, 26th May 1906. A/LC IV.

45. W.A. Barnett to FitzPatrick and others, 30th May 1906, "Strictly Confidential". B/A III.

46. As Ridgeway afterwards pointed out, the Progressive case contained obvious flaws. One was that, whereas persons who had come of age since 1904 had been taken into account in estimating the British population in 1906, this had not been done in the case of the Boers. Nor had the Progressives allowed for the "alarming exodus" of Britons from the Transvaal during 1905.

47. To the Chairman, Constitution Committee, 31st May 1906. A/LC II. The signatories were FitzPatrick, Roy, Soutter, Dumat and Bailey.

Committee had itself "repeatedly admitted". Nor could they accept the Committee's opinion that the present offer, based upon the 1904 census, was more favourable to the British section than a settlement based upon an entirely new voters roll, which would prove that the British element had not increased in proportion to the Dutch. "We utterly repudiate this", the reply stated, "as out of date, obviously and admittedly incorrect and utterly unjust to the British section". If, however, the British government continued to delay, then the prophecy would be fulfilled because many more Britons would leave the Transvaal.

Why was it, the Progressives' reply then went on to ask, that "every effort" had been made "to evade the only reliable and up-to-date record available as a guide, viz. the present voters roll"? The Committee had "repeatedly indicated" that the Imperial government had committed itself to some alteration but, even admitting that, for "undisclosed reasons", the British government wished to do this, why was it that every proposal that had been "designed to defeat that condition which you as much as we regard as essential: British supremacy"? It was to be regretted that the Committee's proceedings had been private, for the British case could "bear publicity" and "gain greatly by it".

> "Privacy tells in ways entirely beyond the Committee's control, against the British cause and that justice which we claim. Individuals representing no one but themselves assume an importance and an authority which they dare not claim in public. Statements are made which, if known, would evoke instant and indignant repudiation; proposals are submitted with all the appearance of simplicity and justice which would be quite otherwise regarded and promptly exposed by those who know the status and aspirations of the witnesses. We suggest, for instance, that the proposals made by the Boer leaders, and simultaneous admission that they do not expect and are not entitled to a majority in Parliament, would provoke comment less restrained than that which we have ventured to make".

This strongly-worded letter verged on impertinence. It indicates clearly that FitzPatrick had abandoned all attempts at restraint in the interests of not offending the Liberal government. He had, in fact, decided to release details of the negotiations to the public and so influence the Committee by means of a show of public outrage. Before doing this, he informed Selborne, through Malsolm, of his intention.[48] Selborne's reply was not encouraging.

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48. The letter itself is missing. Malcolm's reply is dated 2nd June 1906. A/L X.

While his advice to the Progressives that they should "stick to their principles" still held good, it was his opinion that no "blunder would be commited" by accepting the 32 - 6 - 30 proposal. If it were agreed to by all the parties, he "would not oppose it in any way".(49)

FitzPatrick made his public statement at a dinner of Mechanical Engineers on June 2nd.(50) Speaking after Quinn and Phillips, who confined themselves to more mundane matters, he gave what must have been a sensational account of the activities of the West Ridgeway Committee, considering that the public had, up to this point, merely been able to speculate about what was happening.

Without wishing to divulge confidential information, declared FitzPatrick, it was his duty to make certain things known. This was particularly necessary because the secrecy which had surrounded the proceedings of the Committee had made it impossible for the opposition to be exposed. For example, it was a fact that a "Boer spy" had posed as a "representative of the British working man".(51) In the absence of information, it was also impossible to know with certainty what precisely their opponents' proposals were. What was known was that, while protesting that they did "not desire a majority", they put forward proposals which were calculated to give them one! The Boers were not to be blamed for seeking power, FitzPatrick stressed. They should be respected for it because - unlike "some of our people" - their leaders were being "faithful to their trust and to their people". They were thus correct in maintaining that there were only two "sides" and two alternatives.

British "mugwumps" were quite wrong in believing that placating and trusting the Boer would moderate the race struggle. It would perpetuate it. "To compromise on principles, to give away all your rights, to arm a vanquished foe and to put him in a position

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49. Malcolm to FitzPatrick, 2nd June 1906. A/L X.

50. Leader, 4th June 1906.

51. A reference to J.T. Bain, who had given evidence on behalf of the Transvaal Independent Labour Party. Bain was believed to have been in the pay of the Kruger government before the war, when he was active in stirring up labour unrest. During the war, he was employed in the Boer Secret Service. See Selborne to Elgin, 21st June 1906. C.O.879/106, 807 Telegrams, p. 170.

equal to yourself - that is not magnanimity, that is not moderation: that is absolute folly". Having been given power, the Boers would use it "to remove the civil servants and put back the old ones, to re-man the railways with their own staffs, to take control of the whole Education Department, allowing us the privilege of paying for it, to raise £10,000,000 at our expense in order to give it to the poor burghers, to establish protection in a form which will be most onerous to us, and to effect a Bond-Het Volk domination throughout South Africa".

Regarding the constitution proposals which the Committee was considering, FitzPatrick pointed out that the Lyttelton constitution had given the Witwatersrand 31 seats in a legislature of 60. They were now likely to get four or give less, despite the fact that the British population had increased and that the 1904 census was itself incorrect in that 4,000 Britishers on the Witwatersrand had not been shown in it. In any event, the argument regarding population growth or decline was irrelevant. What was important was that British control should be established. If this were done, within four years any "errors or injustices" would have been retrieved.

The Transvaal British were now obliged to fight for their rights, FitzPatrick concluded. He had himself devoted all his time to the question for many months, sacrificing his interests and his health, but he would continue to fight. One of the first steps should be an appeal to the colonies who had fought in South Africa during the war and, after that, it was their duty to appeal to the "national feeling of England".

It was to be expected that this speech, following as it did upon the Progressives' reply of May 31st, did nothing to sway the Ridgeway Committee towards altering its views on the constitution in favour of the Progressives. In a curt letter, Ridgeway explained this.(52) The compromise of May 10th, he said, had contained important concessions, including the provision that "voters" and not "population" should be the basis of delimitation. In addition, the Boer leaders had, "by this important concession" given evidence "of the sincerity of their professed desire that there should be a British, not a Rand, majority". The only Progressive demand which

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52. Ridgeway to FitzPatrick and other, 6th June 1906. B/A III.

was not met was in regard to the franchise, where manhood suffrage was included. Here the Committee had pointed out to them that the number of male adults outside the Rand, according to the 1904 census, did not materially exceed the number of voters registered during 1905. The only "data", "calculations" and "figures" available to the Committee were the census returns of 1904 and these were accessable to all. The information which was subsequently obtained and which suggested that there had been a subsequent increase in the British population were "highly speculative and therefore misleading". The weakness of the Progressives' position was illustrated in the fact that, they had also rejected the second compromise which would give the Rand 33 seats (including Krugersdorp rural) as opposed to 6 for Pretoria and 30 for the rest of Transvaal.

The correspondence between the Progressives and the Ridgeway Committee was then brought to a close by the Associations' reply.(53) This began by denying that there was anything intentionally provocative in the letter of May 31st. If there was anything in it to which the Committee took exception, it should be remembered that it had been written by persons who "earnestly believed that the whole future of their country was at stake". The Progressives then restated their position and their belief that concessions had not been made to the Progressives but to Het Volk. An immediate settlement should be made by basing the division of constituencies upon the 1905 voters roll. Whereas the 1904 census put the Rand population at 41,000, the voters roll showed a total of 44,000. If this increase had taken place during the pre-Chinese labour depression, it could safely be assumed that a further substantial increase had taken place since then.

> "The duty of the imperial government to do substantial justice to all parties in the immediate settlement is one thing; the condition that the Boers (Het Volk) shall approve of what is to be done, thus making them the arbiters of the settlement, is another; and is essentially destructive of the first. It is not just to us and, in the circumstances of this country, it does not appear to be consistent with Imperial responsibility".

On the same day as this letter was written to the Ridgeway Committee (which was then in Bloemfontein) Farrar, as president

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53. To the Chairman, Committee of Enquiry, 9th June 1906. A/LC XIII.

of the Progressive Association, made an official public representation to Selborne.(54) On behalf of the fifty-five branches of the Association and its 43,000 members ("practically the whole of the British section of the population"), Farrar requested Selborne cable the British government to the effect that any alteration to the franchise or the re-establishment of old magisterial constituencies should not be allowed. If it were decided to concede the demands of Het Volk, then one consideration for the British section should at least be allowed. This was that an immediate settlement should be made "and that it should fairly reflect the conditions obtaining when the late constitution was withdrawn". The 1905 voters roll, and not the 1904 census, would alone provide an indication as to what the reletive strength of the parties had been at that time. If this were not done, the Boers would secure complete control of the government and this would "result in grave injustice to the British section".

Once the Progressives had made their attitude known to the West Ridgeway Committee, to the Transvaal public and to the British government, there appeared to be very little further that could be done. One possibility was to make a personal appeal to leading British politicians, but here independent action by FitzPatrick appeared futile in view of the fact that he was adopting an attitude in which he was not sure of the support of Wernher and Beit. He sent copies of his speech at the public meeting of April 28th to Chamberlain and Winston Churchill, now Under-Secretary of State for the Colonies in the Liberal government. Chamberlain, now campaigning for the Tariff Reform League and about to retire from active politics, was able to offer little by way of support.(55) Churchill assured FitzPatrick that it was his concern to ensure that the "thousands of good Englishmen on the Rand" secured "fair representation". He trusted that the "basis of voters" would be assured(56) - assurances that were perfectly meaningless. Another possibility was that FitzPatrick go to England himself in order to be there when the final decisions were made. This was a suggestion that was made by his superiors in London,(57) but it appears to

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54. Farrar to Selborne, 9th June 1906. Q3.
55. Chamberlain to FitzPatrick, 22nd May 1906. B/A III.
56. Churchill to FitzPatrick, 24th May 1906. B/A III.
57. Cable to "Nelphips", 13th June 1906. RM FIT 1/3/2.

have been rejected or, at least put aside for the time being.

The state of suspense and inactivity was ended on June 23rd, when the Committee (with Het Volk's agreement) made a new attempt at compromise. This was that the Witwatersrand should be allocated 33 seats, Pretoria 6 and the rest of the Transvaal (including Krugersdorp rural) 30.(58) The new offer produced complete disagreement in the Progressive Association. Farrar favoured immediate acceptance: FitzPatrick opposed it. If, he argued, the Progressives accepted a compromise which did not produce a British majority, they would be charged with "treachery".(59) In the end, it was agreed that a deputation consisting of FitzPatrick, van Hulsteyn, Bailey and Kelty should go to Cape Town in order to establish what other recommendations the Committee was to make and, in particular, what other "safeguards" were envisaged.(60)

While FitzPatrick and the other members of the deputation were en route to Cape Town, the advice of both Milner and Selborne was sought. Selborne was unequivocal. He feared that "possible serious recrudescence outrages" might "cause actual expulsion" (presumably of the Chinese) and that this would result in a further "serious exodus". It was not worth risking a long delay for a doubtful gain.(61) When Phillips informed FitzPatrick of this, he added his own opinion that he also favoured acceptance, provided that the other details and safeguards were satisfactory.(62)

FitzPatrick did not reject this advice out of blind obstinacy. On arrival in Cape Town, he received a cable from Wernher to the effect that it had not been possible to obtain Milner's opinion. Drummond Chaplin, however, had seen Elgin and Wernher now believed that, since the Committee had committed itself to a minimum of 33 seats for the Rand, there was no risk in holding out for better terms.(63) Nor would this cause greater delay than would otherwise be the case. Jameson was consulted in Cape Town and he considered the compromise "most disastrous".(64) These opinions must

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58. Phillips to "Equnox", 23rd June 1906. RM FIT 1/3/2.
59. Phillips to FitzPatrick, 23rd June 1906. RM FIT 1/3/2.
60. Ibid.
61. Phillips to FitzPatrick, 23rd June 1906. RM FIT 1/3/2.
62. Ibid. Also telegram of same date. RM FIT 1/3/2.
63. FitzPatrick to Phillips, 26th June 1906. A/LB VII.
64. FitzPatrick to Phillips, 25th June 1906 (Telegram). RM FIT 1/3/2.

have done much to counteract the views of Selborne and FitzPatrick's knowledge that he did not enjoy support in the Progressive Association itself. But a more cogent reason for FitzPatrick's decision to continue the fight and to carry it to England was that, whatever the Committee's recommendations, the final details of the constitution would have to be settled in London.(65) Furthermore, if a compromise was reached in South Africa, this could only be with the approval of Het Volk. This meant that more favourable terms could be expected once the Committee was "out of the country", for then, argued FitzPatrick, the Liberals would not "dare" to give the Boers a majority.(66) Phillips immediately saw the logic of this and undertook to attempt to keep the Johannesburgers in check while FitzPatrick and the other delegates were away.(67)

This decision was reached before the Progressive deputation met the Ridgeway Committee on June 25th. This meeting, to FitzPatrick's surprise,(68) showed that the Committee was itself now adopting a radically different attitude. According to FitzPatrick, it "absolutely surrendered - horse, foot and artillery".(69) By this he meant that the Committee admitted that its latest proposal would not provide a solution and "explicitly disclaimed any endorsement of it". The Committee also requested that no publicity be given to the offer because this would "discredit them". The committee members also "cordially accepted" the suggestion that the Progressive deputation should negotiate direct with the British government and undertook to provide the necessary introductions.(70)

> "...we are not out of the wood and may have to face any sort of change of mind and change of tactics in England", FitzPatrick wrote to his wife, "but as it stands at this moment, it is a personal triumph far greater than I expected. I did expect to win in the last ditch in England, but I did not expect the Committee to admit I was right, to promise to do their best for us: to practically adopt my offer made

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65. Ibid.

66. Memorandum for Carpenter, 23rd June 1906. A/LC II.

67. Phillips to FitzPatrick, 25th June 1906 (Telegram). RM FIT 1/3/2. Phillips subsequently saw Farrar and Roy and attended a Progressive Association meeting at which he managed to secure "complete unanimity" in favour of FitzPatrick's plan. See Phillips to FitzPatrick, 26th June (4 telegrams). RM FIT 1/3/2.

68. FitzPatrick to his wife, 26th June 1906. A/L I.

69. Ibid.

70. FitzPatrick to Phillips, 20th June 1906 (Telegram). RM FIT 1/3/2.

in Pretoria; and finally to agree to introduce us to the Liberal Government and ask them to hear our case as we ourselves see it!"[71]

In FitzPatrick's opinion, this sudden change of mind by the Committee was the result of Jameson having "shown them the desperateness of the situation".[72] Also, Hopwood had been disillusioned by his experience of the Free Staters; E.P. Solomon's speech at Braamfontein on June 20th,[73] in which he had divulged evidence which had been presented to the Committee, had kindled further doubts.[74]

The events which followed the consideration of the Committee's last compromise offer by the Progressive Association, brought relations between FitzPatrick and Farrar to breaking point. Farrar had "sent down" two persons as members of the deputation (presumably Bailey and van Hulsteyn) because they were supporters of his view and not FitzPatrick's.[75] No sooner had the deputation left for the Cape than Farrar sent a telegram to Jameson, urging him to "moderate" FitzPatrick,[76] and sent Bailey a telegram, so "nasty" that Bailey would not show it to the others. When Kelty sent the first report back to the Transvaal, informing the Progressive Association executive of the deputation's decision to make representations in England, Farrar's reply was: "Tennis balls! I am disappointed in you. I thought you were stronger". On learning of this, FitzPatrick wrote Farrar a terse note.[77]

FitzPatrick was also annoyed at the way in which H. O'K. Webber had been acting on Farrar's behalf. Webber had, for example, sent a telegram to West Ridgeway which the Committee regarded as a "clear invitation to reopen negotiations".[78] FitzPatrick appealed to Roy,[79] urging him to speak to Farrar and have the "evil genius" removed.

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71. FitzPatrick to his wife, 26th June 1906. A/L I.
72. FitzPatrick to Farrar, 26th June 1906. RM FIT 1/3/2.
73. Leader, 21st June 1906.
74. FitzPatrick to Farrar, 26th June 1906. RM FIT 1/3/2.
75. Ibid.
76. FitzPatrick to Roy, 27th June 1906. RM FIT 1/3/2.
77. FitzPatrick to Farrar, 26th June 1906. RM FIT 1/3/2.
78. FitzPatrick to Roy, 27th June 1906. RM FIT 1/3/2.
79. Ibid.

> "We are not the organisation of an individual - a department of his office under the arbitrary rule of his alternate and nothing but disaster can result if it is not stopped....I want Farrar to be a success and have shown that often enough, but I want much more the success of our cause and the confidence and mutual trust of our own people".

FitzPatrick sent these letters to Phillips in Johannesburg, asking him to pass them on, but Phillips refused. He thought it inadvisable to arouse Farrar's ire while FitzPatrick was away. If the deputation was successful, then FitzPatrick would return the "idol" of the Party. If nothing was achieved, he would be blamed and it would be unwise to give Farrar and Webber the advantage of being able to scheme while FitzPatrick was away.(80)

iv) The Last Ditch, July - August 1906.

FitzPatrick and the other members of the Progressive deputation sailed for England on June 27th. Fellow-passengers on board the Briton were the members of the West Ridgeway Committee. This provided an obvious opportunity to attempt to influence them during the voyage. At the start, FitzPatrick made a "compact" not to "talk shop", suspecting that the Committee members would not keep it.(1) After a few days, they began to ask questions, FitzPatrick told his wife,(2) and the impression was confirmed that their views had been considerably altered during the latter stages of their South African visit. "West Ridgeway is the enemy", FitzPatrick reported. He was particularly peeved because he thought that Farrar had misled them. The other members were more amenable and FitzPatrick was encouraged to learn that they thought that he was "the only one" they had "ever understood and had been sure of" because he had been "consistent throughout".(3)

FitzPatrick was considerably disturbed by the fact that, shortly before the ship had sailed from Cape Town, a cable arrived from Milner, strongly urging acceptance of the 33 - 6 - 30 proposal.(4)

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80. Phillips to FitzPatrick, 30th June 1906. B/A III.
1. FitzPatrick to his wife, 7th July 1906. A/L I.
2. Ibid.
3. Ibid.
4. Milner repeated this advice in a letter to FitzPatrick, shortly after the latter's arrival in England. Milner to FitzPatrick, 19th July 1906. B/A III.

FitzPatrick showed the cable to Jameson but concealed its contents from his colleagues because he did not wish to upset them. He then arranged for the cable to be posted on to him, so that he could claim, on arrival in England, that he did not know of Milner's opinion. He was personally upset because Milner was "the only man alive whose advice - if he knew everything - would have turned me".(5)

By the time he reached England, FitzPatrick had prepared a lengthy memorandum,(6) a copy of which was handed to West Ridgeway because, said FitzPatrick, the Progressive deputation did not wish to do anything "unacceptable to them or behind their backs".(7) This memorandum provided a precise statement of the Progressive case. It began by postulating that it must be Britain's aim to maintain her supremacy in South Africa and that this depended upon placing power in the hands of the British section. This was, furthermore, no more than what the Transvaal British were entitled to in view of the fact that they outnumbered the Dutch by six to four. The Progressives, in championing this, were not operating purely for party gain, for any future British majority in the Transvaal was "likely to be the most heterogeneous combination ever seen in one Parliament". This division made it all the more necessary that the British sector should not be handicapped in any way.

All the settlement proposals which had been made in South Africa had been advanced by Het Volk. They came "from the same Mr Smuts who, as President Kruger's Attorney General and mouthpiece at the Bloemfontein Conference, after admitting that the Uitlanders were in a majority, refused to give them one quarter representation in the Volksraad....After failing in war, he now demands on behalf of a minority, more than half of the House". The latest proposal (33 - 6 - 30), like the earlier ones, would not provide a British majority. The Lyttelton constitution's safeguards in the form of seven to nine nominated members of the Executive and of delimitation to provide an equal number of voters in each constituency had been scrapped. In a House of between 60 and 70 members, the Lyttelton constitution could be expected to

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5. Ibid.
6. Uncatalogued MSS in the FitzPatrick Papers.
7. FitzPatrick to Kelty, 13th July 1906. A/LB VII.

produce 41 British members (including 9 nominated members of the Executive) and 28 Dutch. The "latest Het Volk proposal could be expected to produce 35 British members and 34 Dutch (assuming that Het Volk would win four or five seats on the Rand).

The memorandum then urged the acceptance of the 1905 voters roll as the basis for calculation, particularly if manhood suffrage was to be introduced. Allowance must also be made for the fact that there were scattered British settlements in predominantly-Dutch areas, whereas the Dutch would not be penalised in the same was through wasted votes in urban constituencies. At the very minimum, therefore, the British were entitled to 36 seats out of 69 (which would provide a mere majority of one, after the election of a Speaker). Allowing compensation for the scattered British settlements, it was therefore reasonable to demand a 35 - 6 - 29 arrangement.

FitzPatrick then anticipated the major criticisms which were likely to be made: that this would establish the domination of the Rand, that it would put power in the hands of the capitalists and that it was the case of the Progressive Association and not of the British population as a whole. Here it was pointed out that capitalists were associated with the other parties as well. Cullinan, for example, sponsored the T.R.G.A.; S. Marks the Pretoria Political Association, while Het Volk enjoyed the support of D.P. Graaff and Langermann and N.J. Scholtz (of Robinson's). The Progressive Association, furthermore, was supported by the great majority of labourers. "The idea of all concerned in the mining industry forming a solid party is too ridiculous to conceive". A list of likely candidates whom the Progressive Association would support showed that some (like Raitt) were representatives of Labour, while others (like Graumann and Quinn) were Independents. In contrast to this, the T.R.G.A. "consisted of half a dozen men", some of whom (like Quinn, W.K. Tucker, W.T.H. Frost and E. Hancock) had left it because they would not accept the compact with Het Volk.

On arrival in England, FitzPatrick was interviewed by the Times.[8] He stressed that no compromise with Het Volk was possible. The very fact of a compromise would mean that Het Volk were the arbiters and would be a British sell-out. In taking this

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8. Times, 16th July 1906.

stand, the Progressive deputation was not promoting "race-prejudice" but was merely insisting upon the rights of British South Africans. In this connection, it was significant that the deputation consisted of two (himself and Bailey) who had been born in South Africa and one Hollander (van Hulsteyn). All three had lived in the Transvaal for over eighteen years.

Having established a link with Drummond Chaplin, who had already been in touch with Elgin,[9] the first step was to approach the Conservatives with the request that they would not attempt to make "party capital" out of the issue such as might antagonise the Liberals.[10] An approach was then made to the Liberal leaders. Asquith, Lloyd George and Haldane refused to meet the deputation by simply ignoring their request for a hearing.[11] Sir Edward Grey curteously declined. Campbell-Bannerman, J. Burns and Sir J.L. Walton did the same.[12] The only contact that was made was with Elgin and Churchill at the Colonial Office. It was obvious that it was going to be very difficult to make any progress at all. FitzPatrick was sustained by little more than a residue of energy and excitement. "There is a glorious feeling", he confided in his wife,[13] "in being the only one to see it right out. I take the enemy on here at all times of day and beat them flat every time...but they are paralytic with funk of their radicals and one does not know what they will do. The Ridgeway Committee have sold us badly. We may go under but here we stand like a single rock in the ebbing tide. I lie at night and wonder if I am an obstinate fool or simply inspired! It must come right!"

On July 20th two memoranda were formally presented to Elgin.[14] The first was a shortened version of the memorandum which he had presented West Ridgeway on the ship. The second considered the Transvaal question in the broader context of a British South Africa. "The sole issue", it declared, "is British supremacy - that is, whether or not it is intended to restore, after the war and all its

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9. See above, p. 304.
10. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
11. FitzPatrick's Chronology. A/MSS I.
12. FitzPatrick to his wife, 3rd August 1906. A/L I.
13. FitzPatrick to his wife, 21st July 1906. A/L I.
14. C.O.879/93, 851.

cost, the forces, policy and ideals which led to the war". The present Boer leaders were the same individuals who had supported Kruger. This being so, their protestations of loyalty were ludicrous. Once they had obtained control of government, they would use it for their own sectional purposes. Steyn, Smuts, Botha and de la Rey had made public speeches in which they had made no secret of their intentions. The consequences were "easy to foresee". They would control the defence forces "precisely as in Mr Kruger's time" and, like the republican government, would be in a position to pursue nationalistic commercial policies. Furthermore, the two Boer-controlled colonies were likely to resume the scheme of close union which had been interrupted by the war.

> "It will not be possible for the Imperial Government to prevent two self-governing colonies from making terms together. Then the Dutch majority would be overwhelming. They could then withdraw from the South African customs and railways by notice. They could, by tariffs and rates, shut off Natal and the Cape Colony until such time as the Cape Colony was reduced to a more amenable frame of mind. Some 10,000 Cape Rebels will be restored to the voters lists next year and a General Election in the Cape, fought under such conditions, would probably result in a Bond majority. Federation or unification of the three Colonies - the Cape, Orange River Colony and Transvaal - could then be effected under Boer terms, with Natal and Rhodesia left out, and South Africa will be finally lost. It need not take more than a couple of years".

Two days after these memoranda had been submitted, Elgin agreed to meet the deputation. According to FitzPatrick, the meeting was "very unsatisfactory". Elgin was "hostile throughout and evidently angry". The first half-hour of the interview was "most unpleasant", with the Colonial Secretary not allowing them to speak and giving the impression that he regarded them as "a discontented and insatiable lot". The atmosphere improved somewhat after that, but Elgin was unmoved by the arguments that had been put before him. He also disarmed the Progressives by producing new facts, such as that it was Selborne's and Sir Richard Solomon's opinion that the 1905 voters roll was completely unreliable and that the compilation of a new one was essential.(15)

Churchill proved more co-operative. He spoke to the Progressives

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15. Undated report (presumably for the Executive of the Progressive Association). Q3 A/LC XIII.

on three or four occasions. "He was hard, frank and cynical but business-like" and was prepared to discuss the British government's difficulties. He also offered his advice. "Not what you call friendly hints", FitzPatrick observed, "but frank as to the weak points in the case and the kind of difficulty we might have to tackle".(16)

Churchill also told the Progressives to make further representations to Elgin, assuring them that they were mistaken about the Colonial Secretary's hostility. Acting on this hint, FitzPatrick wrote to Elgin,(17) concentrating upon the statement which Ridgeway had made to the effect that the Het Volk leaders had undertaken - as proof of their disinterest in acquiring power - not to oppose the T.R.G.A. in certain constituencies. FitzPatrick pointed out that, even if such a statement were made, it would not be binding. These localities were already represented in the Johannesburg Municipal Council by Dutchmen and, even if British representatives were forced upon them, they would still be responsible to their constituents "or make way for those who would". Enclosing copies of the letters which the Progressive Association had written to the Ridgeway Committee while it was in South Africa, FitzPatrick assured Elgin that the Progressives had gone as far as they could towards seeking a compromise, "without sacrificing the rightful British majority".

A major opportunity of influencing the Liberals occurred on July 24th when a meeting with the Liberal Colonial Club was arranged in a committee room of the House of Commons. About 100 Liberal M.P.s were present.(18) FitzPatrick, who was the main spokesman for the Progressives, had been advised by Churchill to "be persuasive, not aggressive" and "not to lose his temper".(19) This advice must have been difficult to follow in view of the fact that he was subjected to constant heckling. However, FitzPatrick was surprised at his success in turning the tables on his questioners. He afterwards recalled that "it was the easiest work in the world".(20) "I did well that day", he told his wife. "I

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16. Ibid.
17. FitzPatrick to Elgin, 26th July 1906. Q3 A/LC XIII.
18. Times, 25th July 1906.
19. Undated report. Q3 A/LC XIII.
20. Ibid.

know - and meant to do so".[21]

FitzPatrick gained a tactical advantage when a questioner asked about Indians and the "coloured races" in the Transvaal. Suspecting that he did not know the difference between "ordinary asiatics, British Indians, Natal Indian coolies and the Coloured people of the Cape", FitzPatrick asked the questioner to elucidate. "Really, I was vicious and wanted only to show the ass up",[22] he recalled. After his ignorance had been exposed, FitzPatrick made "a polite and deferential little speech", offering to meet the questioner afterwards, should he then be able to explain what it was that he wanted to know.

The leading Liberal spokesman was P.A. Molteno, the Cape politician. He began by asking what grounds there were for believing that, if the mining interest were now again given control of the Transvaal, the result would be any different to that which had occurred during the past seven years, when, having "complete control", they had "driven out the Whites, filled it with Chinese and brought it now to bankruptcy".[23] FitzPatrick was particularly annoyed at this attack from a fellow-South African. He pointed out that seven years previously, Kruger had been in power. Then there were the war years, when Roberts and Kitchener were in control. Then came Crown Colony government and, even when a nominated Legislative Council was introduced, only six came from the Witwatersrand (in a Council of 30). This could hardly be described as the "control" of the Transvaal government by the mining industry over seven years. However, to that extent, he was prepared to "accept responsibility" for the policy which had greatly increased the White population and led to the expansion of industry.

On the following day, the Progressives addressed a less explosive meeting of the South African and Colonial Parliamentary Committee, a Conservative organisation. Lyttelton and Milner were also present and played a prominent part in the proceedings. Fitz-Patrick was the spokesman for the Progressives.[24]

On July 26th the Times published the memoranda which the

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21. FitzPatrick to his wife, 28th July 1906. A/L I.

22. Ibid.

23. Ibid.

24. Times, 26th July 1906.

Progressive deputation had submitted to the Colonial Office.[25] The obvious inference is that this was done to strengthen the position of the Progressives by means of an appeal to the British public. There is no indication in FitzPatrick's letters as to what his motivation was. The fact that it was on this same day that the second (written) approach was made to Elgin[26] would suggest that the publication was not the result of a conviction that all hope had evaporated.

The exertions of the Progressive deputation reached their peak at the end of July, for it was known that the British government's decision would be announced in Parliament on July 31st. By then, approaches had been made to Rosebery,[27] to the Duke of Marlborough[28] and to a group of Liberal intellectuals which included A. Bryce, A.E.W. Mason and Beveridge.[29] Rudyard Kipling agreed to write a poem.[30] In addition, they achieved some success in inducing bankers to make representations and in arousing the interest of the diplomatic representatives of other colonial governments.[31] But their main effort was concentrated on the Press. Here E.T. Cook (of the Daily News) proved "a real hero as before".[32] The editor of the Liberal Westminster Gazette allowed FitzPatrick a column and a half.[33] The Times, as we have seen, published on July 26th the statement which had been submitted to the government and it was with some satisfaction that FitzPatrick was able to report that this, together with his speech to the Liberal parliamentarians on the 24th was favourably commented upon in several London newspapers.[34]

The final effort was made on the 30th, when the Times

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25. Ibid.
26. FitzPatrick to Elgin, 26th July 1906. Q3 A/LC XIII.
27. FitzPatrick to Rosebery, n.d. RM FIT L/B VII. Rosebery was told that Rhodes had mentioned his name as one who could be appealed to "in case of imperial emergency". Rosebery's reply is not known.
28. FitzPatrick to his wife, 28th July 1906. A/L I.
29. Undated report. Q3 A/LC XIII.
30. FitzPatrick to his wife, 3rd August 1906. A/L I.
31. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
32. Undated report. Q3 A/LC XIII.
33. Westminster Gazette, 26th July 1906.
34. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.

published an article by FitzPatrick, summarising the position.[35] The fate of South Africa was to be decided on the following day, FitzPatrick declared. While he had faith in the Liberal government's sincerity, he was afraid that the facts and the issues had not been sufficiently clarified. He had dealt with the constitutional questions in detail in the statements which had been published on the 26th. A less well-known problem was that of "apportionment of representation in the first Parliament". It was of considerable importance that this should be done on the basis of the 1905 voters roll and not the 1904 census. The Boers favoured the latter because they knew that the former excluded many younger persons and squatters. The Transvaal British demanded that the voters roll be used because it showed an increase in the number of Britons. Two proposals had been made for a settlement, the most favourable being the 33 - 6 - 30 arrangement. What the British section were entitled to was 37 - 7 - 27 (by far the most ambitious apportionment which FitzPatrick had so far suggested).

The report of the West Ridgeway Committee was completed towards the end of July. Prior to its formal submission, the recommendations were considered by a sub-committee of the Cabinet, which Ridgeway attended.[36] The West Ridgeway Committee's formal recommendation was an allocation of 34 seats to the Rand, 6 to Pretoria and 29 to the rest of the Transvaal (compared with the Cape Town settlement proposal, this meant an increase of one seat to the Rand to allow for the Speakership).[37] On July 27th, the Progressives were asked whether, if the government agreed to accept a compromise 35 - 6 - 30 distribution, they would "enter into an agreement in writing expressing satisfaction with the terms and giving an undertaking to co-operate".[38] It was also suggested that it might be possible to allow one more Pretoria seat. Not certain whether this offer would mean another British seat, FitzPatrick cabled Johannesburg.[39] The offer was misunderstood by the

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35. Times, 30th July 1906.
36. Memorandum by Elgin. C.A.B. 37/83, 69.
37. Report of the Committee. C.0.879/106, 853, p. 20.
38. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
39. FitzPatrick to [Phillips?], 27th July 1906. RM FIT 1/3/2.

Johannesburg Progressives because FitzPatrick had not made it clear that it was coupled with the 35 - 6 - 30 proposal.(40) and, as a result, the offer was not pursued.(41) FitzPatrick was doubtful as to whether this would have made any difference, for the decision which was finally reached overrode the representations which the Progressives had made and also the final recommendation of the Ridgeway Committee. It was an allocation of 34 seats to the Rand, 6 to Pretoria and 29 to the rest of the Transvaal. As Krugersdorp rural was at this stage included in the Rand seats (it had been included with the rural constituencies in all the previous proposals), this final allocation was identical to that which the Progressives had refused to accept in Cape Town.

FitzPatrick blamed the failure of the Progressive deputation to make any headway in England upon four things. The first was that the Progressive case was weakened by the accusation that they had accepted the 29 - 5 - 29 proposal and that the "majority of the Progressives" did not support the stand which FitzPatrick had made, subsequent to the 33 - 6 - 30 offer. In an attempt to counter this, the Progressives produced copies of the letters which had been exchanged with the Committee but they were "threatened" that if they published them, "the Committee would publish all they had". "We were not in a position to face an ultimatum", FitzPatrick observed, "and, skating on the thinnest of ice, got all we could out of our documents, without actually breaking with the Government. They held the cards and could afford to bluff".(42)

The second explanation for failure, as FitzPatrick saw it, was that they had been let down by persons such as Selborne and Sir Richard Solomon. This was, perhaps, unfair because Selborne had consistently urged upon the Ridgeway Committee and the British government the danger of a handover to the Boers. He appears to have genuinely believed that the 33 - 6 - 30 offer was a fair one and (as the Progressive deputation knew before leaving South Africa),

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40. Cable from Johannesburg, 28th July 1906. B/A III.

41. After the misunderstanding had been resolved, Phillips informed FitzPatrick that Farrar and Roy were not in favour of the proposal because it gave Pretoria another seat and, therefore, weakened the position of the Witwatersrand. Phillips to FitzPatrick, 28th July 1906. Telegram. B/A III.

42. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.

urged acceptance. But FitzPatrick's complaint about Selborne went further than this: it was that the British government was given to understand that the High Commissioner had said that he (and the bulk of the Progressives) would be prepared to settle for as little as 32 seats for the Rand.(43) In addition, the final decision, which did not even give the Rand the extra seat which the Ridgeway Committee had recommended, was approved by Selborne before it was announced.(44)

FitzPatrick's third complaint was that credibility had been undermined by the fact that "various allegations" had been made against the 1905 voters roll. In particular, the evidence which E.P. Solomon had made was "printed and circulated confidentially in Government circles". Solomon had contended that the voters roll was itself unreliable, due to 9,000 fraudulent registrations.(45) In this way, FitzPatrick complained, "those swine, E.P. Solomon, Hull, Loveday and others...gave the enemy every chance against us".(46) (In fact, the reregistration of voters which now took place prior to the 1907 election, proved that the British sector in the Transvaal had increased and that, on the basis of "one vote, one value", was entitled to a greater number of seats than allocated to it in the 1906 Constitution).

The fourth reason which FitzPatrick discerned for failure was that Farrar had ruined their case. He told Phillips confidentially that the real reason why better terms had not been obtained was that Farrar had "deeply compromised" the Progressives. The British government hinted that it had in its possession "certain letters and arrangements with George Farrar" and these were among the documents which would be released if the Progressives attempted to publish their correspondence with the Ridgeway Committee.(47)

> "Suffering under the deliberate injustice of the cutting down of the British party's rights, it is not easy to do justice to the motives of those who provided the excuse for doing it and no doubt, in time, it will be shown that they too - or some of them - had their difficulties. At present it is difficult to see anything but the fact that it is a

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43. Ibid.

44. Hyam, op. cit., p. 145.

45. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.

46. FitzPatrick to his wife, 3rd August 1906. A/L I.

47. FitzPatrick to Phillips, 2nd August 1906. RM FIT 1/3/2.

British government here who have cut down British rights and that British people out there have in varying degrees, and with intentions bad and good, urged, aided or enabled them to do it".(48)

One consolation was that the position had not deteriorated since the Ridgeway Committee's offer in Cape Town. Had the Progressive deputation not gone to England, FitzPatrick argued, the offer might have been tampered with, to the detriment of the Rand. More important, this position had now been obtained without the Progressives incurring any responsibility through a formal acceptance.(49) There were, also, compensatory factors, for, although the Progressives had failed to obtain an improvement on the Cape Town offer, the new Transvaal constitution did in fact contain other provisions upon which the Progressives had insisted. For example, it included delimitation according to the number of voters in each constituency. Although existing magisterial districts were to be retained, they were to be divided up, where necessary, into single-member constituencies, there was to be automatic redistribution and, in addition, a nominated Second Chamber for the specific purpose of safeguarding British interests.(50)

Another compensation, FitzPatrick observed, was that "we are now on much better terms, having won something like respect and consideration by the firmness and moderation shown - shown by all our people and Press out there. We have brought home to the Government the gravity of issues and [of the] position and have forced them to deal with these in such a way as to give undertakings as to the effect of their settlement and thus compel them to help us in order to justify their own position and predictions. Had we agreed to terms, they would have washed their hands of us; now they want to know how they can come out! We remain on to show them, as far as we are able".(51)

Thus, when FitzPatrick was interviewed by the Times, immediately after the details of the new constitution had been announced,(52)

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48. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
49. Cable from Bailey, van Hulsteyn, Chaplin and FitzPatrick, 1st August 1906. RM FIT 1/3/2.
50. C. 3250 Transvaal Constitution. Letters Patent.
51. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
52. Times, 1st August 1906.

he was able to point to positive achievements. If the allocation of constituencies had been done according to population (as originally proposed by Het Volk) or, if the population figures given by the 1904 census had been strictly adhered to, the British section would have fared considerably worse. The Progressives would have obtained what they demanded had they not been confronted, at a stage when it was too late for them to react, with allegations against the 1905 voters roll. "We have stuck to the principle of one vote, one value", he declared, "and, having got that, it is for the people themselves to say how they will use it".

Too energetic to remain inactive and too concerned to relinquish the struggle for a British South Africa in which he had been engaged almost continuously for the past eleven years, he saw that the battle must now be waged in South Africa and, particularly, in the Transvaal. The policy of the Progressives must be to "make the best of the settlement and leave the Boers to initiate agitation against those portions to which they will obviously object".(53) At the same time, every effort must be made to register British voters in the marginal constituencies such as Fordsburg, Vrededorp, South Germiston, Krugersdorp Urban, Pretoria District and Heidelberg.(54) A detailed study must also be made to establish the precise position "in all the uncertain parts", so that the Progressive Association would know where to make their "best effort".(55)

"We are going to get a British majority", FitzPatrick declared when interviewed by the Times on his return to South Africa to resume his mission there. "It will be small, no doubt, but it all depends on whether the British allow themselves to be split into factions by local or personal considerations".(56)

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53. Cable from FitzPatrick and others, 1st August 1906. RM FIT 1/3/2.
54. Cable from FitzPatrick and others, 8th August 1906. RM FIT 1/3/2.
55. FitzPatrick to an unknown addressee, 3rd August 1906. A/L IX.
56. Times, 12th October 1906.

CHAPTER VII

CONCLUSION

FitzPatrick's most recent biographer considers that "it is all too easy...to overstress the part he played in South African politics".

> "The truth is he was never a politician in the sense that it was the be-all and end-all of his existence. He really liked politics only when there was excitement to be had and the argument added spice to life. In Parliament he spent a great deal of time being bored to tears. He was not a good committee man and was inclined to leave details to other people. For him enjoyment lay first in political battles, particularly at election time, when he would fling himself into the cut and thrust of argument, and after that in sponsoring some big far-reaching plan that would require idealism and cash in equal quantities. He was, of course an egoist, who liked to lead rather than follow, with the result that he could rise to great heights of eloquence, and carry his audience with him, when he was speaking of some project that he had originated. His imagination was always hard at work and it was in this quality of mind that he outrivalled all his contemporaries".(1)

This impression of a man who appeared only briefly on the sidelines of South African politics is basically similar to that which has been presented by other historians of the period. Sir Keith Hancock, for example, dismisses FitzPatrick as "a pugnacious, romantic, lovable Irishman who always saw everything in black and white and had a great gift for fluent and vivid prose literature, or caricature".(2) In Professor le May's opinion, FitzPatrick was little more than Farrar's alter ego(3) and Dr Jeeves refers to his "blustering imperialism".(4)

This study, which concentrates on the period 1895 - 1906, argues that none of these judgements is correct and that none of these writers has appreciated his qualities as a politician. Nor have they perceived the real nature of his ideas or the significance of his role in politics.

So far from being "bored with politics", FitzPatrick was

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1. Cartwright, The First South African, pp. 144-5.
2. Hancock, Smuts: The Sanguine Years, p. 272.
3. le May, op. cit., p. 182.
4. A. Jeeves, The Rand Capitalists and the Coming of the South African War, p. 14.

obsessed with it. So far from being "inclined to leave details to other people", his careful attention to detail is illustrated in the care which he devoted to such matters as the preparation of evidence for the Transvaal government's Industrial Commission in 1897, the planning of railways in the post-war period, the framing of the new Transvaal Precious Stones Ordinance in 1903 or the representations which the Progressives made to the West Ridgeway Commission in 1906. Another example of his concern with organisational detail is found in his interest in education. Before the war, he was a leading pleader for funds for the Witwatersrand Council of Education.(5) In 1905, he pioneered the establishment of a public school at Frankenwald (the land was donated for this purpose by Alfred Beit) and he was closely involved in the establishment of a Technical Institute which was seen as (and became) the basis of a University on the Witwatersrand.(6) He found it essential, he told Wernher, that he should serve on commissions and Progressive Association sub-committees "to see that we are not landed in difficulties".(7) He was, in fact, almost alone among the English-speaking Transvaal politicians, closely involved in the minutiae of politics. This professionalism is again in evidence in his careful collection of information which could be of use to him.(8)

A part of the interpretation of FitzPatrick's personality which has obtained acceptance is that he was a follower and not a leader. Cartwright is emphatic about this, at least as far as Milner was concerned.

> "A man like FitzPatrick", he writes, "needs someone he can look up to and admire and Milner was such a man....On that unforgettable evening beneath the oaks at Newlands House Milner acquired a loyal friend whose admiration never wavered. Thereafter FitzPatrick tried to model his political thinking on Milner's principles".(9)

le May implies that FitzPatrick's relationship with Farrar was similarly unequal.

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5. See above, p. 119.
6. FitzPatrick to Wernher, 9th November 1905. A/LB VII. See Horton, op. cit., pp. 36 et seq.
7. Ibid.
8. See above, p. 247.
9. Cartwright, The First South African, p. 93.

To some extent, FitzPatrick was himself responsible for the misconception about his relationship with Milner. After his first meeting with Milner in Cape Town at the beginning of 1898 he never ceased to enthuse. Returning to the Transvaal, he must have tried to convince many people that the new High Commissioner was not as weak-kneed as his predecessor had proved during the Raid crisis. After the outbreak of war (when FitzPatrick was in England), he again found himself playing the role of Milner's apologist. In the post-war period, following his return to the Transvaal at the beginning of 1902, his close association with Milner led to his being singled out to play the very difficult part of persuading the British Transvalers to support the Milner administration. As criticism mounted, so FitzPatrick's defence of Milner became more emphatic and, with it, the impression that he was a hero-worshipper.

This impression would have been strengthened by FitzPatrick's private utterances. In 1904, for example, when he was forced to go overseas to recover his health, he told his wife that his main anxiety was that Milner would soon leave South Africa. "...I shall be very sad the day he goes", he wrote, "and never expect to have the same chance of working with, or for, his like. Great, really great! That's what he is!"[10] The fear that Milner would leave before he could return proved justified and, in February 1905, when FitzPatrick learnt of Milner's impending retirement from the High Commissionership, he wrote an effusive tribute.[11]

> "...it would be a graceless and miserable thing to say anything so selfish as 'regret'...there are two things that one feels infinitely more strongly and more unselfishly too: first, that you have given us more, far more, than we had any right or reason to expect. How you have lasted, I don't know! Second, that you have triumphed....When I think of it all, the stupendousness of the task, the ignorance, conceit, bogus magnanimity and unpreparedness in England; the disloyalty, obstruction, folly and weakness of allies, the exposure of concrete foundations as sand and sawdust; the trickery, jealousy and lying intrigue and abuse; the folly and ingratitude, stupidity and impatience of many whose best interests and very existence as a people you were fighting hard to secure; when I think of the decision in November last[12] to hold on to the very end in the face of inevitable unpopularity, discontent and misrepresentation -

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10. Wallis, op. cit., p. 107.

11. FitzPatrick to Milner, 22nd February 1905. A/LB VI.

12. i.e. Milner's decision to return to South Africa when offered the Colonial Secretaryship on Chamberlain's retirement.

all foreseen and frankly faced - well, the splendid triumph over all makes my head swim. It seems too wonderful now that it is done! Of course the Boers and Bond hate you. It is their certificate of your success".

In 1925, when Milner revisited South Africa, FitzPatrick marked the occasion with another eulogy.(13) After giving an account of Milner's career, he reminisced about his first meeting with Milner and their conversation at Newlands. On that occasion, Milner had told him that, although a Liberal in Britain's domestic politics, he believed that the Liberals were "hopeless" on Empire policy. Because he could not rely on any political Party in England, he knew that he ran enormous risks in South Africa. He was, however, determined to try, even at the risk of being "broken". "It was a revelation", observed FitzPatrick, "of what seemed to be the inhuman methods of the political machine....Never was a judgement more dispassionate, nor one more amply vindicated".(14) FitzPatrick then recalled how Milner had urged him to agitate for franchise rights in the Transvaal (seeking a peaceful settlement to the South African problem) and how, during the Great Deal negotiations, he had done so. He recalled, further, how he had consulted Botha on Milner's behalf before Milner agreed to Chinese labour and the extent to which Milner was responsible for the Transvaal Precious Stones Ordinance. He revealed these facts, he wrote, in order to counteract the "unjust judgement" which Milner had received in South Africa. He also wished to "make grateful acknowledgement to one who, in the minds and hearts of those who worked for him and with him, holds a place which is all his own. Kind, wise, patient and helpful to those about him; ever inspiring by lofty purpose, high principle and indomitable courage; selfless in the service of his country; and surely the most generously loyal of chiefs".(15)

Such panegyrics helped to create the impression that Fitz-Patrick was Milner's faithful follower. But, although it is true that FitzPatrick admired Milner to the point that he would allow no criticism, this was not the result of Milner's dominance over

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13. Lord Milner and his Work, Cape Town, [1925].
14. Ibid., p. 11.
15. Ibid., p. 18.

him. Rather, it was the outcome of a rare meeting of minds. Long before FitzPatrick met Milner, he had worked out for himself that there was a need to consolidate the forces of British South Africa. In the situation of the South African Republic's independence and the powerlessness of the Uitlander population there, he believed that no progress could be made without the initial assistance of the paramount power. In Johannesburg, furthermore, FitzPatrick had met few persons who shared his passion for politics. His excitement on meeting Milner was, therefore, that of one who had at last discovered someone with whom he could communicate. Once this contact was made, it was sustained and further stimulated by the fact that, in the same way as they had reached very similar conclusions about the South African problem before the war, they held similar thoughts about the post-war settlement. Time and again, they discovered that, acting independently, the same conclusions were reached. FitzPatrick admired in Milner the dispassionate "methods of the political machine"(16) precisely because this was a quality which he himself possessed. It enabled them both to see to the core of political problems and, having done so, to reach conclusions from which they could not be swayed by considerations of expediency. And, because their conclusions were based upon clear analysis, neither was thrown out of step by revelations which they had not foreseen. Both were exasperated by persons who did not share this unusual quality and who, adopting a pragmatic approach to politics, did not similarly define their objectives and then plot their course. Both, therefore, were stimulated and encouraged by contact with the other, particularly because such persons are condemned, by the very unusual qualities which they possess, to loneliness. In South Africa during this time of crisis, when others continually lost sight of the goals and of the path that had to be followed to these goals, they found each other's company and conversation all the more valuable.

This does not mean that FitzPatrick should join Milner in his position as the supposed autocrat who attempted to master-mind South Africa's future through the destruction of the Afrikaner volk. Such an extremely simplistic view is no more true of Fitz-Patrick than it is of Milner. What they both saw was that South Africa was then at the crossroads. Administratively, Britain had

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16. Lord Milner and his Work, p. 11.

controlled both the Cape Colony and Natal throughout the major part of the nineteenth century and, through these colonies, she had managed an effective control of the interior. But, by the end of the century, the position seemed extremely insecure. This was so particularly in the Cape Colony, where the British population, always outnumbered by the Dutch, could be swamped and so lose political control. The fall of Rhodes and the post-Raid excitement merely underscored this danger. In these circumstances, the Transvaal became of particular importance, for it was obvious that it was there that the future of Southern Africa would be decided (a fact which was also appreciated and understood by Smuts who, for this reason, went north in 1898). As the Transvaal with its immense resources and markets, was in a position to dominate the rest of South Africa, the key question was: who would control the Transvaal?

This was not a question of the "imperial factor" or the "domination of Downing Street" vs the Afrikaner nation. True, there were schemes afoot to forge some kind of imperial federation but neither FitzPatrick nor Milner envisaged South Africa as belonging to an imperial scheme as anything but a willing participant or a self-governing dominion. Note, for example, FitzPatrick's immediate reaction to the Natal crisis of 1906[17] or his response to the interference of the Dominions in the Chinese labour debate in 1903.[18] From that point of view, FitzPatrick was as concerned as was Smuts about Downing Street interference and, like Smuts, probably saw that the old idea of Empire (involving British rule) had, by 1902, already received a blow from which it was not likely to recover. Milner was fully aware of the fact that, during his Transvaal administration, he was attempting to move against the stream of history. He introduced and persevered in the anachronistic system of "autocratic" or Crown Colony government only because he saw this as being essential in order that the ascendancy of British Transvalers in a self-governing Transvaal would be assured. To interpret this as a struggle between "imperialism" and Afrikanerdom confuses the issue; it was a struggle for power between the British or English-speaking elements in South Africa and their Dutch or

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17. See above, p. 289.
18. See above, p. 241.

"Afrikaner" or Boer counterparts.

It was one of the paradoxes of the situation that the objective required a period of Colonial Office rule during which the British population of the Transvaal could achieve a numerical predominance. This need, which was so keenly appreciated by FitzPatrick did not make him an "imperialist". Action by the imperial power was needed only in order to end the impasse created by Kruger's "minority" government. Nor did this recognition necessarily make Milner an autocrat by inclination. In fact, a study of the relationship between him and the leading British South African politicians reveals that there was no inclination to override advice or opposition. On the contrary, he revealed a willingness to consult and to give way to pressures. Towards the end of 1899, for example, when the question of the peace settlement first cropped up, Milner had no set ideas as to precisely what policies he would follow or what personnel he would employ[19] (apart from ensuring the establishment of a British South Africa). It was the Uitlanders who, lurking like jackals in Cape Town and London, were eagerly planning a peace which would include the spoils of office for themselves, the domination of Johannesburg in the Transvaal and the domination of the Transvaal over the rest of Southern Africa.

After returning to South Africa in July 1900, FitzPatrick played a prominent part in these proceedings. Milner asked him to keep an eye on things in Cape Town and also to "sit on" returned Uitlanders such as Samuel Evans and Monypenny whose impatience was running away with them,[20] but FitzPatrick's role was not simply a negative one. Indeed, he took the lead in urging certain policies upon Milner. One, for example, was that in the peace settlement the Transvaal's interests should not be threatened by any mistaken generosity to Natal and particularly that Kosi Bay should be obtained as a lever against Portugal.[21] Another example was his insistence in July 1900 that there should be no imperial commission of inquiry into the South African native problem.[22]

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19. See above, p. 165.
20. See above, p. 180.
21. FitzPatrick to Wernher, 7th March 1902. Q2 A/LB XVII.
22. See above, p. 184.

After the establishment of his administration in the Transvaal, Milner showed a similar approachability. FitzPatrick returned to Johannesburg in January 1902 and again was closely associated with him. And again, while it is true that a great deal of FitzPatrick's energies were drained in pleading the case of the Transvaal government, this did not mean that he was blind to its faults. He accepted that there was a temporary need for a nominated government and he had no doubt that Milner was the ideal person to head it. But, while he advanced the argument that it was necessary - in the interests of a British South Africa - to tolerate this situation, he was acutely conscious of the need to criticise the officials and to influence them. "Our general point", he explained to Beit, "is that we must,in the interests of all and of harmony, have previous publication so as to make departmental heads careful and subject them to criticism and the fear of it, to avoid blunders and injustice and unworkable provisions and (privately) to postpone the alternatives which are (a) responsible government which would be suicide now, or (b) advisory council which would be made up of men already crushed with work or of men who have leisure and therefore cannot be the men who are wanted".(23) A striking example of FitzPatrick's attitude and proof of his independence from Milner is provided by his relentless pursuit of Girouard, despite Milner's attempts to shelter him.(24)

The accusation was often made that Milner's administration was unduly influenced by the mining capitalists.(25) If it were true, this would itself completely negate the view that it was FitzPatrick who was dominated by Milner. However - like the oversimplified view that FitzPatrick was Milner's lackey - this accusation regarding Milner's government is shallow. There were obvious reasons why the idea should have obtained credence at the time. It was a fact that FitzPatrick was closely associated with Milner. They consulted on numerous occasions. In addition, Milner's circle of social contacts in Johannesburg obviously consisted almost exclusively of wealthy "capitalists", who formed

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23. FitzPatrick to Beit, 15th June 1902. A/LB I.

24. See above, pp. 218 et seq.

25. See, for example, R.J. Pakeman, Political Letters from the Transvaal; R.L. Outhwaite, Lord Milner's Record (he stated specifically that the Transvaal was "controlled by Wernher Beit and Co.).

a small exclusive set. It could also be argued, at an uninformed level, that certain acts of the Milner government appeared to be dictated by the interests of the mines. The most obvious examples were the negotiation of the modus vivendi agreement in December 1901 and the decision to allow the importation of Chinese indentured labour in 1904. In the popular mind, these appeared to prove that Milner was favouring the capitalists, particularly as, during 1906, the returning depression caused unemployed White workers to blame Chinese labour for their condition. By mid-1904, furthermore, the Boer leaders had re-entered politics, one of their accusations against Milner being that he was controlled by the "capitalists" and meant to hand the country over to them. The complaints of the Boer leaders regarding capitalist influence were soon repeated by the leaders of the T.R.G.A., following its establishment at the end of 1904. By early 1906, when FitzPatrick led the Progressives into their massive last-minute agitation in favour of the principles which were incorporated in the Lyttelton constitution, the T.R.G.A. launched a calculated campaign against the capitalists and their supposed political ambitions.

Such accusations were clearly of political origin. The anti-capitalist cry could be used (and was used) to great effect in the Transvaal. It helped to unite the Boers and enabled their leaders to claim that they were not opposed to British influence but to foreign exploitation. It was one of the few reasons which the T.R.G.A. could advance for its existence and was particularly handy to persons such as Lace and Cullinan who complained that the Precious Stones Ordinance of 1903 deprived them of an undue proportion of their immense profits. But, while there were many reasons why it was profitable to use the anti-capitalist cry for political reasons, and while it can be seen why the accusation was so readily believed by many who seized upon it as a convenient stick with which to belabour the Milner administration, there was little justification for it.

For the few examples which can be produced of Milner having given way to the requests of the capitalists, there are many which prove the opposite. With the exception of Chinese labour, in fact (to which Milner gave his extremely reluctant approval), Milner treated the mining capitalists with anything but favour. He had a healthy suspicion of what he called the "gold bugs". In

1900 he did not give way to the demand for the removal of the capital to Johannesburg for the precise reason that this would create a situation in which the Johannesburg financiers might exert an undue influence on government or might be popularly thought to do so. Despite the determined opposition of the mines (and of FitzPatrick, who was then President of the Chamber of Mines), he refused to budge in his determination to include the mines in the Johannesburg municipal area, to collect mining licence arrears and to impose a tax of 10% on mining profits.

It is, furthermore, almost impossible to talk about a "capitalist" influence, convenient and enticing as this may be as a political interpretation.(26) The capitalists never formed a united group for any length of time. Even in pre-war times, when it was generally accepted that Kruger's policies inflated mining costs (as the 1897 Industrial Commission of Inquiry itself concluded), it was difficult to keep the capitalists together. In the post-war period, this was equally true. When the Chamber of Mines displayed unanimity, it was most likely to be, negatively, in opposition to a particular government measure and not, constructively, in favour of a particular line of policy. Even the pro-Chinese demand, for example, did not enjoy the total support of all the mining leaders. FitzPatrick's refusal to support it until mid-1903 makes it impossible, in this case, to speak of a united capitalist front. Even the Witwatersrand Native Labour Association - formed in 1900 to deal with the labour problem on a co-operative basis - did not for long retain its unity: by the end of 1906, J.B. Robinson had broken away from the Association and in 1907(27) he withdrew from the Chamber of Mines itself.(28) Such dissidents tended to support the rivals of the Progressive Association if only because the Progressives (committed as they were, after the formation of the Association at the end of 1904, to opposing the demand for responsible government) found themselves defending the Milner administration at least insofar as it was opposed to the

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26. See D.J. Denoon, "Capitalist influence" and the Transvaal government during the Crown Colony period, 1900-6. Historical Journal, 1968.

27. Selborne to Elgin, 29th October 1906. C.O.879/89, 801 Labour question correspondence, p. 227.

28. Selborne to Elgin, 27th May 1907. C.O.879/94 Affairs of the Transvaal, p. 127.

immediate granting of responsible government. Thus, Robinson supported the T.R.G.A.[29] and, by 1906, Scholtz and Langermann (who were both associated with Robinson), were supporting Het Volk.[30]

If it is conceded that most of the capitalists were not politically active and that those who were, were not united, then the contention that Milner was influenced by the capitalists boils down to his relationship with FitzPatrick and Farrar, who were merely two of the capitalists. Here it should be pointed out that in no way can the two be said to have been the acknowledged spokesmen for the industry as a whole. Farrar headed one of the smaller mining groups, the main interests of which were on the East Rand, where it managed the East Rand Proprietory Mines. According to Creswell, however, Farrar "could not muster 25% of the votes" in this group[31] and he was not one of the supermagnates. In 1897, for example, it was reported that, unlike the other magnates, his interests were still in the Transvaal because he had still to make his fortune there.[32] There were few opportunities for him to have rapidly increased his wealth before the short Chinese labour boom. Thus, although he was obviously a very wealthy man, Farrar did not represent a major mining house, nor was he representative of the very wealthy "gold-bugs".

FitzPatrick was even less representative of the capitalists. Although a partner in Ecksteins, he was junior to Rouliot and Phillips and he possessed no personal wealth. Furthermore, he cannot be said to have engaged in politics at the wish of his firm or of Wernher and Beit in London. Both Wernher and Beit showed extreme caution in politics and, although they allowed FitzPatrick a fairly loose reign, he certainly did not act under their instructions. Thus, before the outbreak of war in 1899, when FitzPatrick was closely involved with Milner's strategy of concentrating upon a settlement of the franchise question,

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29. Mawby, op. cit., p. 278.

30. See above, p. 309.

31. Selborne to Lyttelton, 23rd October 1905. C. 2819 Further Correspondence re Labour, p. 6.

32. Major E.A. Altham to the Director of Military Intelligence, 8th February 1897, C.O.879/56 Secret Papers re S.A. Republic, p. 24.

33. See Cartwright, The First South African, p. 121.

FitzPatrick's superiors in London (and Rouliot in Johannesburg) were arguing that they would have to come to terms with the Kruger government.(34) Furthermore, as Dr Mawby has pointed out,(35) although the Eckstein partners agreed to follow Fitz-Patrick's lead in supporting the Milner administration during 1902, by the end of 1903, FitzPatrick had been deserted by his partners. By 1905 Beit had done so as well and pointed out to FitzPatrick that his political activities could be an embarrassment to the firm.(36)

In the same way as it is ridiculous to portray Milner as being controlled or even influenced by the capitalists, it is equally facile to portray the Progressive Association as the "capitalist" party. In the nature of things - and particularly because the Pretoria politicians ruggedly persued an independent path, the Progressive Association's membership was predominently on the Rand. Thus, it was immediately in danger of being portrayed as the "Rand party". When the Party was established at the end of 1904, most of the members of its committee were associated in one way or another with the mining industry (either as stock-brokers, mining engineers, lawyers who held mining-house retainers, or as employees of the mining houses or of the mines which they managed). That this was so is understandable and, indeed, was unavoidable in view of the fact that the Witwatersrand population was in the Transvaal precisely because the mines were there. It was also understandable that the Johannesburg community should find its political leaders among persons who had achieved prominence in business. But this did not mean that the Progressive Association was dominated by the capitalists. Indeed, one of the surprising things about the Association's committee was that there were so few capitalists who openly identified themselves with it. When, for example, the Association's Johannesburg committee was elected in October 1904, the only persons who were directly associated with mining houses, either as employees or as partners, were Dalrymple and Webber (of Farrar Brothers), Samuel Evans of Ecksteins, Chaplin of the Consolidated Gold Fields, and G. Goch of the

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34. See above, p. 146.

35. Mawby, op. cit., p. 418.

36. See above, p. 285.

Metropolitan group.[37] In a committee of thirty-five, this could hardly be said to have given the mining houses an undue proportion of influence. Furthermore, although two of the major mining houses were represented (Ecksteins and Consolidated Gold Fields), the other large concerns were not. Neumanns, Barnatos, Albus and Goerz and Co. held aloof. Bailey associated himself with the formation of the Transvaal Responsible Government Association when it was formed in January 1905.[38] Although Bailey susequently joined the Progressive Association, played a prominent part in the 1906 agitation over the constitution and was (with FitzPatrick and van Hulsteyn) a member of the Progressive deputation to England, he resigned from the Association in December.[39] Robinson identified himself openly with the T.R.G.A. through Langermann.[40]

Small as the representation of the capitalists was on the Progressive Association's executive, it is also remarkable that, during this period, there was considerable disagreement between them. Particularly, there was a growing tension between Farrar, the President and FitzPatrick as Vice-President. FitzPatrick recognised that Farrar possessed impressive qualities and, when he heard that Farrar had been elected to the presidency, he accepted this with good grace.[41] However, the rift, which dated back to their first association on the Reform Committee in 1895,[42] became wider and wider. One cause of their disagreement was Farrar's tendency to act without prior consultation. This was a temperamental defect[43] which helped to create the impression of authoritarianism. He and FitzPatrick possessed totally different attitudes towards politics. While Farrar was pragmatic and therefore, unpredictable,

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37. Leader, 30th November 1904.

38. Leader, 16th January 1905.

39. Mawby, op. cit., p. 381. (He was persuaded to rejoin and contested the 1907 election).

40. Leader, 16th January 1905.

41. See above, p. 256.

42. In 1909 FitzPatrick recalled that their first disagreement was over Farrer's attempt to obtain additional Reform Committee members merely in order to protect those who were involved in the plot. See FitzPatrick to Charles [Mullins?], 6th September 1909. A/LB VIII.

43. "If he [Farrer] would discuss frankly...it would be well", Fitz-Patrick told Wernher (9th November 1905 A/LB VII) "but so often he keeps his frankness for unagreed pronouncements after having secretly matured his plans. Often he has no plan - only an impulse, or - as he might say perhaps - an inspiration".

willing to moderate or adapt his policies for short-term gain, FitzPatrick never lost sight of the larger issues. Thus, in 1903, when Farrar urged that labour for the mines should receive priority over all else and asked FitzPatrick to oppose all additional railway construction at the Railway Extension Conference, FitzPatrick refused.(44) During the West Ridgeway negotiations, Farrar's willingness to accept compromise brought relations between these two leading capitalist Progressives to breaking point. In 1909, disagreement with Farrar was to cause FitzPatrick to resign his position as deputy-leader of the Party.(45)

An attempt to portray Transvaal politics in terms of basic interest-groupings would have to take into account the bewildering inconsistency of almost all the leading British Transvaal leaders. Bailey's erratic course has been mentioned. In a moment of candour Bailey explained his difficulty. "Fitz", he said, "when you make up your mind you seem to be perfectly happy and you get more damned obstinate every minute. Now, if I make up my mind about a thing, the first thing that happens is I think I must have made a mistake and I get so d-----d miserable, I can't even sleep".(46)

Another example is found in Quinn. A Johannesburg baker and member of the Minicipal Council, he established the African Labour League during the anti-Chinese agitation in 1903. A foundation member of the T.R.G.A. in January 1905, he broke away later in the year because he would not tolerate the proposal to co-operate with Het Volk. In mid-1906 he lent support to the Progressives' constitution agitation by protesting against further delay in introducing the new constitution. In 1907 he was to stand for election as an Independent. Perhaps the most puzzling case is that of Hull. Although a close friend of FitzPatrick's at least until 1901, when they visited Egypt together, he became one of Milner's severest critics and he and FitzPatrick were then to remain political opponents. A further interesting and significant example is R.J. Pakeman. He first became associated with FitzPatrick when he was editor of the Barberton Herald. In 1899, on FitzPatrick's recommendation, he became the first editor of the Transvaal Leader. By 1902,

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44. FitzPatrick to Evans, 19th June 1904. A/LB IV.
45. FitzPatrick to Farrar, 11th September 1909. A/LB VIII.
46. FitzPatrick to his wife, 20th June 1906. A/L I.

however, he became an outspoken critic of the Milner administration and was forced to resign, whereafter he became editor of the T.R.G.A.'s Daily Express and a vigorous antagonist of "the capitalists" and their supposed influence over the government.(47) Similarly, although not a "Britisher", Sir Willem van Hulsteyn was closely associated with the Progressive Association and with the capitalists (as an attorney who handled Corner House and Robinson's business). In 1903, he (assisted by FitzPatrick) purchased Land en Volk in order to create a Dutch Progressive newspaper.(48) At the end of 1904 he was one of the founders of the Progressive Association and, in 1906, accompanied FitzPatrick and Bailey to England as member of the Progressive deputation. Despite his business links and social contacts with the capitalists and the Progressives, van Hulsteyn was to contest the 1910 election as a National Association candidate.

The suggestion has been made that the key to understanding the political behaviour of the capitalists - both before and after the war - is to be found in a distinction between "deep-levellers" and "outcroppers".(49) Such theories make fascinating reading but have little other value. For one thing, most of the capitalists were notoriously unpolitical. For another, the interests of the capitalists were so diversified that, while it might be possible to generalise to the extent of saying that a mining house (like Ecksteins) was heavily committed to deep-level mining, this did not mean that this was the Corner House's predominant interest - a point which could be established only be means of an analysis of the group's extensive holdings in numerous different gold mines, diamonds, coal mines, land and other business enterprises. Similarly, although smaller concerns like Neumanns, Albus and

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47. See Mawby, op. cit., pp. 255 et seq. Pakeman was the author of the pamphlet Political Letters from the Transvaal, published in 1904 (a series of letters, reprinted from the Bloemfontein Friend). These exposed Girouard's mismanagement of the Railways and severely criticised Milner, whose policies, Pakeman contended, were dictated by his association with the mining interests and particularly by "one big House".

48. Mawby, op. cit., p. 71.

49. Blainey, Lost Causes of the Jameson Raid, Economic History Review, 1965. Denoon, "Capitalist Influence" and the Transvaal Government during the Crown Colony period, 1900-6. Historical Journal, 1968.

Goerz and Co. may not have played the same part in pioneering the deep-levels and the deep-deeps, they could hold large numbers of shares in the subsidiary companies. Rand Mines, for example, established in 1893, was not wholly-owned by Ecksteins; Neumann, Bailey and Hanau were also large shareholders at the time of flotation.(50)

What can, perhaps, be discerned in the pre-war period is a division between the mining houses which were predominantly "British" - or which thought of themselves as British - and those which did not. The Consolidated Gold Fields, for example, founded by Rhodes, was staffed almost exclusively by Englishmen or English-speaking colonials. Farrar Brothers, or Anglo-French, similarly suffered from no confusion of identification. The position of Wernher, Beit and Company was more uncertain. Although both Wernher and Beit were German-born and although a large number of shareholders lived on the Continent, both Wernher and Beit lived in England and Ecksteins were staffed almost exclusively by Britons. Rouliot was a Frenchman and another possible exception was Reyersbach, but he emigrated to South Africa in 1894 after having worked in the London offices of Wernher Beit and Co. Schumacher, despite his name, was Eton-educated and afterwards changed his name to ffennell. By contrast, such firms as Goerz and Co. were not only largely German-owned but employed Germans in their Johannesburg offices. In this way, there is some justification for portraying capitalist divisions under the Kruger regime as being the result of national loyalties rather than of difference of interest. Fitz-Patrick, for example, referred in 1897 to the "German Party",(51) in which he apparently included Brakhan, Brochan and Luebeck - persons who, following their return to Germany after their terms of office in the Transvaal, lapsed into obscurity.

This is not to suggest that the Johannesburg capitalists responded to the dictates of sinister European wirepulling. In the final resort, it means simply that some of the German Randlords shook off their identification with Germany. Others did not. It must also be pointed out that, like all generalisations, this has obvious weaknesses. Robinsons, for example, is an exception as a "British" mining house. The manager of his Johannesburg office was J.W.S. Langermann and one of the partners was N.J. Scholtz (both

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50. Cartwright, The Corner House, p. 131.

51. FitzPatrick to Wernher, 23rd October 1897. Q2 A/LB XVII.

Dutch-speaking Cape colonials). Both before and after the war, Langermann and Scholtz pursued independent lines. Similarly, although Neumann and Albu headed their own concerns and were Germans, they both co-operated at times with FitzPatrick's exertions against the Kruger government and, after the war, they were both knighted.

Perhaps the most sensible approach to the problem of the political behaviour of the Rand capitalists is not to regard it as a problem at all. The Randlords responded to particular situations not only as capitalists, with their own financial interests and those of their shareholders at stake, but also as individuals. As capitalists, their instinct was to dissociate from party-politics as much as possible. As individuals, they sometimes became involved, in which case it is as impossible to reduce their behaviour to a definite pattern as it is impossible in the case of other highly-competitive persons, similarly engaged.

There is an obvious danger that a monograph will exaggerate the historical importance of its subject. It is the main contention of this thesis that FitzPatrick played a central and crucial role in South African politics between 1895 and 1906. His role in politics has been lost sight of for a number of obvious reasons. One is that, between 1896 and 1899, he was prevented by the terms of his pledge to the Transvaal government from playing an open part in politics. Another is that, in the post-war period, illness forced him to retire at the moment when he was poised to lead the British Transvalers and so attempt to establish a British South Africa. A third reason is that, even while he was engaged in politics, FitzPatrick's politics became outdated. It was outmoded because his objective was not reached and, when his opponents succeeded where he failed, the idea of British South Africanism became more and more hackneyed. In the new era of Afrikaner government, it seemed to suggest an association with a "foreign" imperial power. The fact of Boer victory in the Transvaal in 1907 and again in 1910 meant (and no-one appreciated this more than FitzPatrick) that the "British party" had to reshape its policy. This could be done, FitzPatrick was to argue, by means of offering Boer moderates alternative support to that of their extremists, so that they would be able to modify their policies.(52) Thus,

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52. See Wallis, op. cit., p. 142.

FitzPatrick, no less than Botha and Smuts, abandoned the attempt to base politics on sectionalism and concentrated on eliminating Anglo-Dutch tension. Sectional politics - the attempt to build a Dutch Party or a British Party - belonged only to the short period between 1902 and 1907, for that was when the battle for supremacy was waged. Once it was lost, alternatives had to be found.

The central role which FitzPatrick played may be seen in his almost-singlehanded attempt to marshall the Uitlander forces after the Raid fiasco and, particularly, to unite the mining houses in making a concerted move for reform. This led him, during the latter part of 1898, into negotiations with Smuts. At the same time, the link which had been forged at the beginning of the year with Milner, meant that FitzPatrick was singled out by the High Commissioner. Thus, he became the central figure in the Great Deal negotiations and, following their breakdown, in the organisation of the Uitlander Council. After the war, his importance was publicly endorsed in his election as President of the Chamber of Mines, in which capacity he exerted himself not only in the cause of re-establishing the mining industry but also in rallying the Transvaal British behind Milner and in influencing the policies of the post-war administration. As the solitary representative of the mining industry who held out against the Chinese cry, the part which he played in the decision to allow indentured Chinese labour was again crucial. As member of the nominated Legislative Council in 1903 and of the Inter-Colonial Council, he played a leading part in the proceedings, concerning himself primarily with basic matters such as railway administration and development and the Precious Stones Ordinance. Despite his subsequent illness, which kept him out of South Africa for nearly two years, he continued to influence events in the Transvaal by correspondence. Perhaps his most significant achievement during these years was the whittling away of the war debt, a question which had engaged his attention from the moment the suggestion was first made in 1900. Taking the task upon himself, he was almost solely responsible for the moderation of extravagant demands and, although the 1903 agreement did not contain all that he had hoped for, the offer to pay three annual instalments of ten million pounds made it possible to postpone all payments so that, at the end of 1905, a new agreement could be reached which merely amounted to a single donation

to imperial defence.

Despite his absence from South Africa, FitzPatrick returned to take the lead in the last-minute attempt that was made to influence the Balfour government and, after the Liberals had come into office, it was he who mobilised the Progressives before and after the appointment of the West Ridgeway Committee. Farrar was the President of the Progressive Association, but FitzPatrick could win a show-down in the Association's executive.

Recognition of FitzPatrick's stature was found in the suggestion which Jameson made, while FitzPatrick was in Cape Town in June 1906, that he should leave Ecksteins and take over the lead of the British party in South Africa. Jameson said that he himself could not last long "on account of his kidneys" and, as for Richard Solomon, Farrar, and the other British leaders, "Who will ever trust them with their records?"(53) Taking up this suggestion, FitzPatrick consulted his superiors in London. The occasion seemed appropriate because Alfred Beit died on July 16th 1906, two days after FitzPatrick and the other members of the Progressive deputation arrived in England.(54) FitzPatrick had hoped that Beit's Will would contain provision for a fund which could be employed for political purposes and, possibly, to enable himself to devote all his time to politics.(55) When it did not, he discussed the matter with Wernher. The result was that, in the following year, Wernher established a trust fund which purchased Buckland Downs for £50,000 and paid FitzPatrick 10% interest, thus providing him with an income of £5,000 per annum.(56) This arrangement, which ended FitzPatrick's association with Ecksteins, was to some extent forced upon FitzPatrick by Wernher who had, by early 1906, already reached the conclusion that his politics was an embarrassment to the firm.

The battle for political supremacy in South Africa between the British elements and the Dutch or Afrikaner elements was fought out against the backdrop of what was already being described as the "Native problem". The Whites were themselves a minority in

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53. FitzPatrick to his wife, 7th July 1906. A/L 1/46.

54. FitzPatrick was almost certainly the author of the tribute to Beit which appeared in the Times on July 17th.

55. See Cartwright, The First South African, p. 158.

56. Ibid., p. 159.

the land which Briton and Afrikaner fought to control. This was not a problem which engaged much of FitzPatrick's attention. He was, however, adamant that it could be tackled only be South Africans. In May 1900 he replied to a letter from the British and Foreign Anti-Slavery Society with curtness.

> "I may perhaps be allowed to make one suggestion...and that is that, if you propose to go beyond a general claim for justice for the native - if, I mean, you propose to advance claims in detail, it would not be wise to do so without the most careful examination of the facts on the spot or without satisfying yourselves that the native is really fit to receive, understand and reasonably exercise, to his own advantage no less than to the benefit of the country, the rights which you may conceive it proper to claim for him. I do not ask you to accept the testimony of any particular person or class but venture, I trust not unwarrantably, to give a word of warning because, as a South African, I can vouch for the fact that uninformed advocacy of the native really does more harm than good".(57)

Following his return to South Africa, shortly after this letter was written, FitzPatrick was emphatic in his discussions with Milner that no "imperial" interference in the native question would be tolerated.(58) In the face of such opposition, enquiry was postponed until the first opportunity of establishing an inter-colonial commission occured at the Bloemfontein Customs conference in 1903. The resulting Commission, chaired by Sir Godfrey Lagden, recommended in its 1905 report that special arrangements should be made for the native franchise. Natives should not vote in ordinary elections but should elect their own representatives in special constituencies.(59)

FitzPatrick was critical of these recommendations, as he had also been implacably opposed to the 1903 proposal to admit coloureds to the Transvaal municipal franchise.(60)

> "I think that the Commission suggestions do not deal with the real point at all", he wrote to Evans from Kissingen,(61) "I...don't like <u>any</u> elections, least of all a separate parliament. It seems to me that we might agree to a nominated

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57. FitzPatrick to the Secretary, British and Foreign Anti-Slavery Society, 29th May 1900. RM FIT L/B V.

58. See above, p. 184.

59. Cd. 2399 <u>Report of S.A. Native Affairs Commission, 1903-5</u>.

60. See above, p. 222.

61. FitzPatrick to Evans, 17th May 1905. RM FIT 1/3/1.

> lot of native representatives who would be a sort of deputation of headmen, to be called together when the Native Affairs minister wished, much as a native Chief might consult his Head Indunas. It could be a coveted position of high honour for any native to be created one of this body and thus one might be able to utilise the old tribal system....From the very start we ought not to encourage the production of popular leaders thrown up from the ranks, men who by personal influence, character and ability will sway the numbers. If that is allowed, we shall someday have to deal with one man who will lead them all instead of dealing with scores of petty leaders, each jealous of the other and dependent upon us for his status. I look upon any sort of election as starting on the wrong tack, on the incline plane, bound to end in trouble. Of course, our biggest question is the native one and the really appalling aspect of it is not the political but the social, the bastardisation of South Africa!"

Such sentiments must be seen in their historical context. On racial matters, and particularly in regard to Coloureds and Indians, British Transvalers were more than intolerant. Despite the urgent endeavours of the British government, no headway at all was made with regard to the treatment of Indians in the face of this implacable opposition.(62) In 1903, Milner's attempt to extend the municipal franchise to Coloureds came to nothing.(63) A further setback for Milner in the face of popular pressure was the enactment, in 1904, by the Johannesburg Municipal Council of by-laws which reserved sidewalks for Whites (excepting only natives who held "letters of exemption" and Coloureds who were "respectably dressed and well-conducted"). In this case, the Whites were determined to guard against the danger "of their women and children being jostled off the pavement by unsavoury and ill-mannered coloured people".(64) In contrast to this popular racial hysteria, what was regarded as enlightened opinion was little more than a vague attempt to reconcile "justice" towards the Blacks with the dominant needs of the Whites.(65)

While he adopted all the ugly attitudes of a White Colonist and while he recognised that the "native problem" was "our biggest question", FitzPatrick was not greatly interested in the subject

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62. See Pachai, op. cit., pp. 24 et seq.

63. See above, pp. 221-2.

64. Selborne to Crewe, 3rd March 1908. C.O.879/97 Affairs in S. Africa, p. 284.

65. As, for example, H. Pim's The Native Question in South Africa. (A paper read before the Transvaal Philosophical Society on 19th March 1903).

during this period. This may have been because it was then not a pressing problem but would have to be tackled when the immediate and urgent issues had been settled. Also, he tended to look at it - as he looked at all politics - in terms of fundamentals and of likely patterns of evolution. To him it seemed that the likely outcome was "bastardisation". He may, of course, also have considered that the native problem was of secondary concern because, when seen against the likelihood of White immigration on a massive scale, it would diminish in importance. Insofar as he did express thoughts on the subject, these reveal that like most of his contemporaries, he envisaged the further consolidation of exploitative White power.

FitzPatrick's main interest - and this he approached with a sense of mission which pushed other unrelated political issues into the background - was with the establishment of a British South Africa. But, while he pursued this goal remorselessly, it does not follow that his approach was inflexible. He adapted rapidly to changing circumstances. In 1900, he - like Milner - believed that there would be a breathing-space during which a dominant British majority could be obtained in the Transvaal. When it seemed that the race to achieve this before public opinion outran economic development was being lost, he saw that the most that could be hoped for was a holding operation and that, with an unpopular Liberal government in power, even this would be impossible. In these altered circumstances, it was necessary to concentrate on other things; particularly the attainment of "one vote, one value". This was, of course, a choice that was thrust upon him and a poor alternative, but he believed that something must be attempted and that "equal rights" would ultimately produce a British Transvaal (and, eventually, a British South Africa) even if, in the short-run, it produced a Het Volk victory.

FitzPatrick was also acutely aware of the major weakness of the attempt to establish British predominance, once hope of achieving this by means of immigration had faded. When the Transvaal was thrust into representative and then responsible government before a British preponderance had been secured. such as would allow for the expected divisions in British ranks, this meant that British South Africa depended upon the establishment of a British party. The attempt to create such a party laid the British

Transvalers open to the accusation that they were perpetuating racial division. It was also true that the bond of "race or loyalty" was a tenuous one. It could be snapped without warning - as, for example, by an unpopular act of the imperial government. To counteract the first weakness, FitzPatrick argued that it must be accepted that politics would be on racial lines. He put forward what amounted to excuses: that the cleavage was identical to that between town and country (or between "progressive and reactionary")[66] or that it was "natural" for both Boer and Briton to be loyal to their own race and traditions.

Another weakness of FitzPatrick's position was his portrayal of his opponents. His conviction that the Boer leaders were motivated by a relentless nationalist fervour was not easy to convey to others. It was based upon insight into political minds which, though opposed to his, were similar to his own. Because he possessed this insight, he was able to pick up clues, which others missed, and so become more and more convinced that he had indeed got the measure of his adversaries. Thus, as soon as the Boers began to organise early in 1904, FitzPatrick concluded that Botha's farmers meetings were "history repeating itself". "It is the Afrikaner Bond all over again: absolutely political, hopelessly irreconcilable! The game is to make Milner's administration a failure and get rid of him before he lays the foundations of a British South Africa throughout".[67] "They are very reasonable and loyal to begin with...but that is all a blind", he told Phillips.[68] In March 1905, he read a report of a speech which Smuts had made in Potchefstroom and once again pounced upon it as containing further proof. Smuts had admitted for the first time in public that the real aim of the war was "a united nation from Cape to Zambesi". "Chalk it up big!" he told Evans.[69] Similarly, when Smuts returned from England, having had discussions with the new Liberal government early in 1906, FitzPatrick was quick to spot the new confidence which Smuts had acquired.[70]

Although FitzPatrick was utterly convinced that he understood

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66. As, for example, p. 202 above.
67. FitzPatrick to Cox, 13th April 1904. A/LB II.
68. FitzPatrick to Phillips, 17th April 1904. A/LB II.
69. FitzPatrick to Evans, 23rd March 1905. A/LB VI.
70. See above, p. 286.

his opponents, it was not easy to persuade doubters. At the best of times, it is difficult to prove the existence of a nationalist movement because this depends upon the imputation of motives. Recourse must also be made to historical parallels and this also has the weakness that it can be responded that the particular case is an exception. In the Transvaal, it must have been particularly difficult to sell the idea of Afrikaner nationalism. Many Britishers had very little contact with their Boer or Afrikaner fellow-citizens. In addition, many were recent arrivals and had no experience of either the Cape's Afrikaner Bond or of Kruger's regime. Most important, Botha and Smuts were careful to project an image of moderation and, in the company of British Transvalers at any rate, flatly denied that their ambitions were such as FitzPatrick portrayed them.

The election of 1907 was to prove that FitzPatrick's attempt to unite the Transvaal British was impossible. At the end of 1906 there were indications enough. Apart from the rift at the top level in the Progressive Association, there was the fact of the formation of the Transvaal National Association in October which widened the opposition of the T.R.G.A. (dissolved in June) with the addition of persons such as Harry Solomon, Creswell and Hull.(71) The Pretorians showed every sign of continuing their individualistic behaviour.(72) As a Party, closely identified in the public mind with Johannesburg's mining interests, it would also be very difficult to win votes in the rural areas. The future support of Labour, carefully cultivated during this period, was unpredictable. From this it might be argued that FitzPatrick failed to read the signs and that his expressed optimism at the end of 1906 was a measure of his failure to appreciate the weaknesses of his position and the extent to which these could be exploited by an opponent of Smuts's astuteness. Such a view ignores two things. The one is that, as a politician, FitzPatrick could not be expected publicly to express doubts about the success of the campaign which he was about to lead. The other is that, at the end of 1906, he was again realist enough to see that there was no alternative. He was forced to enter battle on a field which

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71. Mawby, op. cit., pp. 298-9.

72. Ibid.

was not of his choice and on terms that were unfavourable. To him this did not mean - as it did to many others - that the battle should not be fought.

FitzPatrick has been described as "the first South African". This description begs a number of questions. If the term "South African" can be defined in its contemporary sense, it would have to be considered whether there were others before him who thought as he did. One thing, however, is clear: he was certainly not a South African in a modern sense and to describe him in such terms completely obscures the essential nature of his thought and of his political mission during his period. Although he could understand Dutch, he was not bilingual.(73) While he, like many others, identified himself with Africa and devoted himself to the task of establishing a united South Africa, he could still speak about England as "home". This was because, for him, there was no contradiction. A Transvaal-dominated British South Africa, such as he envisaged, would be part of a British community. While it controlled its own affairs, it could still associate with this larger, loosely-organised fraternity. To him it was unthinkable that Britishers should not do this, for, although they might live in different parts of the world, their interests were inseparable. He is thus best described, as he thought of himself. He was a British South African.

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73. FitzPatrick admitted this in his letter to Wernher, 15th November 1897. Q2 A/LB XVII.

BIBLIOGRAPHY

I APPARATUS

II MANUSCRIPT
- (i) Official
- (ii) Collections of Private Papers

III PRINTED PRIMARY MATERIAL
- (i) Published collections of Papers
- (ii) Newspapers and Periodicals
- (iii) Official Government Publications
  - a) British Parliamentary Papers
  - b) Colonial Office Confidential Print
  - c) Transvaal Government Papers
  - d) Intercolonial Council Papers
- (iv) Chamber of Mines Publications

IV CONTEMPORARY WORKS
- (i) FitzPatrick's Publications
- (ii) Contemporary books and memoirs
- (iii) Pamphlets
- (iv) Articles in periodicals and newspapers

V SECONDARY MODERN WORKS
- (i) Books
- (ii) Articles
- (iii) Unpublished theses

I APPARATUS

Muller, C.F.J., van Jaarsveld, F.A., and van Wijk, T. A Select Bibliography of South African History. Pretoria, 1966.

Matthews, N. and Wainwright, M.D. (ed J.D. Pearson). A guide to Manuscripts and documents in the British Isles relating to Africa. Oxford, 1971.

Frewer, L.B. Manuscript Collections of Africana in the Rhodes House Library. Oxford, 1968.

Botha, C. A catalogue of manuscripts and Papers in the Killie Campbell Africana collection relating to the African Peoples. Witwatersrand University, 1967.

General Index to the Bills, Reports, Estimates and Accounts and Papers, 1852 - 99. Parliamentary Papers, 1909.

General Index to the Bills, Reports, Estimates and Accounts and Papers, 1900 - 9. Parliamentary Papers, 1911 CIV (351).

Adam, M.I., Erwing, J., and Munro, J. Guide to the Principal Parliamentary Papers relating to the Dominions, 1812 - 1911. Edinburgh, 1913.

Catalogue of Parliamentary Papers, 1801 - 1900. P.S. King & Son, n.d.

Catalogue of Parliamentary Papers, 1901 - 10. P.S. King & Son, 1912.

Guide to the Contents of the Public Record Office, Vol. ii. London, 1963.

List of Colonial Office Confidential Print to 1916. London, 1965.

List of Cabinet Papers. London, 1964.

Beredeneerde Inventarissen van de Oudste Archief-Groepen der Zuid Afrikaanse Republiek, (P.L.A. Goldman). Pretoria, 1927.

Malan, S.I. Union Catalogue of theses and dissertations of the South African Universities, 1942 - 58. Potchefstroom, 1959. (With annual supplements).

Robinson, A.M.L. Catalogue of theses and dissertations accepted for degrees by the South African Universities, 1918 - 41. Cape Town, 1943.

Human Sciences Research Council: Research Bulletin, 1971, with annual supplements.

II MANUSCRIPT

(i) Official

Papers in the Public Record Office, London

C.O. 417/161 - 390 Africa South, Original Correspondence, 1895 - 1906.

C.O. 537/129 - 134 Africa South, Original Correspondence, Supplementary, 1895 - 1906.

C.O. 527/1 - 16 Intercolonial Council, Original Correspondence, 1904 - 06.

C.O. 291/27 - 142 Transvaal, Original Correspondence, 1901 - 06.

C.O. 510/5 - 9 Transvaal, Register of Correspondence, 1901 - 06.

(ii) Private

The Papers of Sir J. Percy FitzPatrick at Amanzi, Uitenhage, Cape. For key to references, see Duminy, A.H. The Papers of Sir Percy FitzPatrick, TSS, 1956.

FitzPatrick Papers in the Rand Mines Collection, the Corner House, Johannesburg.

The Papers of Sir Alfred Milner, Bodleian Library, Oxford.

Cash Book of the Reform Committee, 1895 - 6. British Museum, ADD 41653.

Letters from F. Edmund Garrett to Agnes Garrett, British Museum, ADD 45929.

Rose-Innes Papers. South African Public Library, Cape Town.

Enquiry was made to both Sir Harold Wernher, Bart. of Luton Hoo and Sir Alfred Lane Beit, Bart., Blessington, co Wicklow, Eire. Sir Harold Wernher replied that his father's papers contain no relevant material and Sir Alfred Beit reported that his uncle left no papers at all.

III PRINTED PRIMARY MATERIAL

(i) Published Collections of Papers

Headlam, C. (ed.) The Milner Papers: South Africa. Two vols. London, 1931 - 3.

Milner Viscount A. The Nation and the Empire, being a collection of Speeches and Addresses. London, 1913.

Lewsen, P. (ed.) Selections from the Correspondence of J.X. Merriman. 3 vols. Cape Town, 1960 - 69.

W.K. Hancock and Jean van der Poel (eds.) Selections from the Smuts Papers. vol. i, 1886 - 1902, vol. ii, 1902 - 10. Cambridge, 1966.

Wright, W.M. (ed.) Sir James Rose Innes. Selected Correspondence, 1884 - 1902.

Eybers, G.W. Select Constitutional Documents illustrating South African History. London, 1918.

Scholtz, G.D. Die Oorsake van die Tweede Vryheidsoorlog, 1899 - 1902, 2 vols. Johannesburg, 1947.

Leyds, W.J. Papers. Eerste Versameling, 1899. Amsterdam, 1938.
Tweede Versameling, 1899 - 1900. 1930.
Derde Versameling, Correspondentie, 1900. 1931.
Vierde Versameling, Correspondentie, 1900 - 2. 1934.

du Plessis, J.S. (ed.) President Kruger aan die woord: verkiesings manifestie, intreedes en toesprake van President S.J.P. Kruger. Bloemfontein, 1952.

Engelbrecht, S.P. Paul Kruger's Official Letters. Pretoria, 1925.

From Manifesto to Trial. A full history of the Jameson Raid and the Trial of the Members of the Reform Committee and of Dr Jameson and his staff. (Reprinted from the Star, 1896). Republished, Pretoria, 1970.

(ii) Newspapers and Periodicals

a) Newspapers

South African

The Star, 1889 - 99, 1902 - 06.
The Transvaal Leader, 1903 - 1906.
The Transvaal Critic, 1896 - 99.
The Rand Daily Mail, 1902 - 06.
The Standard and Diggers News, 1895 - 1900.
The South African News, 1900.
The Johannesburg Times, 1897 - 09.
Rand Ratepayers' Review, 1904 - 05.
The Transvaal Review, April - July, 1905.

The Transvaal Advertiser, 1904 - 07.
The Daily Express, July - Oct. 1905.
Land en Volk, 1904 - 06.

British

The Times, 1895 - 1906.
The Westminster Gazette, 1906.

b) Periodicals

The Fortnightly Review, 1899 - 1900.
The Nineteenth Century, 1899.
The New Review, 1896.
The South African Mining Journal, 1891 - 4, 1896 - 9, 1900 - 6.

(iii) Official Government Publications

a) British Parliamentary Papers

1895 LXXI (385) The Grievances of Indian Subjects in the South African Republic, Sept. 1895.

1896 LIX (380) Jameson Raid, August 1896.

1896 LIX (C.7933) Jameson Raid, 1895 - 6.

1896 LIX (C.8063) Jameson Raid, 1896.

1896 LIX (C.7946) British Indians in the South African Republic, 1895.

1896 LIX (C.8159) The commandeering of British subjects and the visit of the High Commissioner to Pretoria, 1894.

1896 LIX (C.8164) Correspondence relating to the retirement of Sir J. de Wet, British Agent, 1896.

1897 IX (64) Report of the Select Committee on the Jameson Raid, 1897.

1897 LXII(C.8346) Correspondence relating to the imprisonment of Davies and Wools-Sampson.

1897 LXII(C.8380) Report of the Select Committee of the Cape Legislative Assembly on the Jameson Raid.

1897 LXII(C.8404) Despatch relating to the South African Republic's Claim for damages, Feb. 1897.

1897 LXII(C.8423) Further Correspondence relating to affairs in the South African Republic, 1895 - 7.

1897 LXII(C.8434) Papers relating to the interpretation of Article II of the Anglo-Portuguese Treaty of June 1891.

1897 LXII(C.8474) Papers relating to the closing of the drifts of the Vaal River, 1895.

1897 CI (C.8308) Accession of the South African Republic to the Geneva Convention.

1897 (C.8596) Proceedings of the Colonial Conference, 1897.

1898 LX (C.8721) Further Correspondence relating to the South African Republic, 1897.

1899 LXIV(C.9093) South African Republic: report on trade, commerce and goldmining.

1899 LXIV(C.9317) Correspondence relating to the explosives monopoly in the South African Republic.

1899 LXIV(C.9343) Correspondence relating to the claim for Raid damages, 1897 - 9.

1899 LXIV(C.9345) Papers relating to the complaints of the British subjects in the South African Republic, 1897 - 9.

1899 LXIV(C.9404) Correspondence relating to the Bloemfontein Conference.

1899 LXIV(C.9415) Further Correspondence relating to the proposed political reforms in the Transvaal.

1899 LXIV(C.9518) Further Correspondence relating to proposed political reforms in the South African Republic.

1899 LXIV(C.9521) Further Correspondence relating to political affairs in the South African Republic.

1899 LXIV(C.9530) Further Correspondence relating to political affairs in the South African Republic, Oct. 1899.

1899 LXIV(C.9507) Correspondence relating to the status of the South African Republic, 1898 - 9.

1900 XLIX(C.277) Return of military forces in South Africa.

1900 LVI (C.121) Further Correspondence relating to affairs in South Africa.

1900 LVI (C.261) Further Correspondence relating to affairs in South Africa, July 1900.

1900 LVI 723 (Cd.369) Correspondence relating to the recent political situation in South Africa.

1900 LVI 787 (Cd.18) Correspondence relating to the despatch of Colonial military contingents to South Africa.

1900 LVI 595 (Cd.420) Further Correspondence relating to affairs in South Africa.

1901 XXIV 23 (Cd.626) Report of the Land Settlement Commission, South Africa, Oct. 1900.

1901 XXIV 47 (Cd.627) Report of the Land Settlement Commission.

1901 XXXV 1 (Cd.623)
165(Cd.624) Report of the Transvaal Concessions Commission.
437(Cd.625)

1901 XLVIII 1(Cd.714) Papers relating to certain legislation of the late South African Republic affecting natives.

1901 XLVIII 125(Cd.628) Report by Sir David Barbour on the finances of the Transvaal and Orange River Colony, March 1901.

1901 XLVII (Cd.547) Correspondence relating to South Africa, 1900 - 1.

1902 LXVI 451(Cd.1299) Papers relating to a conference between the Secretary of State for the Colonies and the Prime Ministers of the Self-governing Colonies, June - Aug. 1902.

1902 LXVII 1 (Cd.903) Further Correspondence relating to affairs in South Africa.

1902 LXVII 213(Cd.1163) Further Correspondence relating to affairs in South Africa.

1902 LXIX 495(Cd.904) Papers relating to legislation affecting natives in the Transvaal, 1900 - 2.

1902 LXIX 389(Cd.1284) Papers relating to an interview between the Secretary of State and Generals Botha, de Wet and de la Rey.

1902 LXIX 413(Cd.1329) Correspondence relating to the appeal of the Boer generals to the civilised world.

1903 XLVI (Cd.1463) Further Correspondence relating to affairs in South Africa.

1903 XLV 103(Cd.1640) Minutes of proceedings of the South African Customs Union Conference held at Bloemfontein, March 1903.

1903 XLV 87(Cd.1599) Draft Customs Union convention agreed to at Bloemfontein, March 1903.

1903 XLV 125(Cd.1552) Papers relating to the finances of the Transvaal and Orange River Colonies.

1903 XLV 247(Cd.1551) Papers relating to the progress of administration in the Transvaal and Orange River Colonies.

1903 XLV 455(Cd.1553) Further papers relating to the progress of administration in the Transvaal and Orange River Colonies.

1903 XLV 501(Cd.1641) Papers relating to the Intercolonial Council in South Africa.

1903 XLV 625(Cd.1683) Correspondence relating to the proposal to employ Indian coolies under indenture on railways in the Transvaal and Orange River Colony.

1903 XLV 579(Cd.1684) Despatch from the Governor of the Transvaal relating to the position of British Indians.

1904 XXXIX 137(Cd.1894) Reports of the Transvaal Labour
225(Cd.1896) Commission, 1903.
283(Cd.1897)

1904 LXI 163(Cd.2103) Census returns of British South Africa, 1904.

1904 LXI 1(Cd.1844) Report of H. Birchenough on the present position and future prospects of British trade in South Africa.

1904 LXI 213(Cd.1895) Further Correspondence relating to affairs of the Transvaal and Orange River Colony.

1904 LXI 591(Cd.1898) Telegraphic Correspondence relating to the Transvaal Labour Importation Ordinance.

1904 LXI 609(Cd.1899) Further Correspondence relating to the Transvaal Labour question.

1904 LXI 633(Cd.1941) Further Correspondence regarding the Transvaal Labour question.

1904 LXI 731(Cd.1986) Further Correspondence relating to the Transvaal Labour question, March 1904.

1904 LXI 753(Cd.2026) Further Correspondence regarding the Transvaal Labour Importation Ordinance, March 1904.

1904 LXI 817(Cd.2102) Correspondence relating to the finances of the Transvaal and Orange River Colony.

1904 LXI 875(Cd.2104) Correspondence relating to affairs in the Transvaal and Orange River Colony, July 1904.

1904 LXII 39(Cd.2025) Correspondence relating to conditions of native labour employed in Transvaal mines, May 1904.

1904 LXII 209(Cd.1945) Correspondence respecting the introduction of Chinese labour into the Transvaal, Feb. 1904.

1905 LV 69 (2399) Report of the South African Native Affairs Commission, 1903 - 5.

1905 LV 70 (Cd.2400) Despatch transmitting Letters Patent and Orders in Council providing for constitutional changes in the Transvaal, April 1905.

1905 LV 201 (2482) Further Correspondence relating to affairs in the Transvaal and Orange River Colony, May 1905.

1905 LV 623 (2479) Papers relating to constitutional changes in the Transvaal, April 1905.

1905 LV 405 (2401) Further correspondence relating to labour in the Transvaal mines.

1905 LV (2563) Further correspondence relating to affairs in the Transvaal and Orange River Colony, July 1905.

1905 LVI 1 (2239) Correspondence relating to the position of British Indians in the Transvaal, Aug. 1904.

1906 LXXX 755 (114) Return of gold output of Transvaal mines for previous five years.

1906 LXXX 156 Return of the crimes committed by Chinese labourers since June 1905.

1906 LXXX 205 (2786) Further Correspondence relating to labour in the Transvaal mines, Dec. 1906.

1906 LXXX 301 (2788) Further Correspondence relating to labour in the Transvaal mines, Jan. 1906.

1906 LXXX 315 (2819) Further Correspondence relating to labour in the Transvaal mines, Feb. 1906.

1906 LXXX 503 (3025) Further Correspondence relative to labour in the Transvaal mines, July 1906.

1906 LXXX 891 (2823) Letter of instructions to the Chairman of the Committee appointed to inquire into and report upon...the future constitutions of the Transvaal and Orange River Colony, March 1906.

1906 LXXX 779 (3028) Further Correspondence relative to affairs in the Transvaal and Orange River Colony, July 1906.

1906 LXXX 713 (3250) Transvaal Constitution, 1906.

b) Colonial Office Confidential Print

C.O.879/42 488 1894 Constitution of the South African Republic; memorandum by Sir J.A. de Wet.

879/44 501 1895 South African Republic; disturbances; correspondence.

879/45 505 1895 South African Republic; disturbances and general affairs; further correspondence.

879/45 511 1895 Closing of Vaal River drifts; confidential correspondence.

879/46 516 1896 Affairs of South African Republic; further correspondence.

879/48 526 1896 South African Republic; report of trial of reform prisoners.

527 1896 South African Republic; disturbances; South African Republic Green Book No. 1 of 1896 (translation).

879/49 536 1897 South African Republic affairs; further correspondence.

879/51 543 1897 South African Republic affairs; further correspondence.

879/54 568 1898 South African Republic; report on finances of 1897 by Mr Fraser.

879/55 571 1898 Affairs of South African Republic; further correspondence.

879/56 487 1894 South African Republic; position of British subjects and proposed amendment of Convention of 1884; Correspondence. (Secret White Book).

508 1895 Delagoa Bay Railway: memorandum by Mr Fiddes. (Secret White Book).

514 1896 South African Republic: proposed visit of President Kruger to England; correspondence.

518 1896 Case against the South African Republic by Mr Fiddes. (Secret White Book).

532 1894 Affairs of South African Republic; secret correspondence.

557 1898 South African Republic; secret correspondence.

561 1898 Case against the South African Republic; memorandum by Mr Lambert.

572 1899 Affairs of South African Republic; secret correspondence.

879/59 590A 1899 South African Republic; comparison of proposals at Bloemfontein Conference between President Kruger and Sir A. Milner.

595 1899 South African Republic; claim to suzerainty memorandum in connection with recent events.

596 1899 Do. Recent franchise negotiations; memorandum.

597 1899 Do. Immediate occasion of the war; memorandum.

598 1899 Do. Introduction to No. 596.

600 1899 South African Republic affairs; further correspondence.

879/60 603 1899 South African Republic; index to parliamentary papers connected with the history of the Transvaal from 1881 to October 1899.

604 1899 Claims arising from war in South Africa; correspondence.

605 1900 Contraband of war; correspondence.

879/61 606 1899 War with the South African Republics; correspondence.

879/62 628 1899 Treatment of natives in the South African Republic; correspondence, 1895 - 1899.

629 1899 War with South African Republics; diaries of the Governor of Natal and the High Commissioner for South Africa, from the outbreak of war to September 1900.

879/63 608 1900 War in South Africa; telegraphic correspondence.

611 1900 Affairs in South Africa; secret correspondence.

625 1899 Correspondence found at Bloemfontein on occupation by the British, 1888 - 99.

879/64 634 1900 War with South African Republics; further correspondence.

879/65 635 1900 Organisation of South African Constabulary; correspondence.

879/66 644 1900 War with South African Republics; further correspondence.

879/68 657 1900 War with South African Republics; further correspondence.

879/70 662 1900 War in South Africa; correspondence.

663 1900 Do.

664 1901 Do.

879/71 665 1901 Do.

666 1901 Do.

667 1901 Do.

668 1901 Do.

879/72 669 1901 Do.

680 1901 Do.

879/73 636 1901 South Africa; telegrams.

650 1901 South Africa; secret correspondence.

879/74 681 1902 Affairs in South African; further correspondence.

682 1902 Do. Telegrams.

879/75 688 1902 Transvaal and Orange River Colony; present financial position; memoranda by Mr Lambert and Mr Just.

690 1902 Transvaal; proposed guaranteed loan.

879/76 693 1902 War in South Africa; further correspondence.

879/77 699 1902 Affairs in South Africa; further correspondence.

700 1902 Transvaal and Orange River Colony; notes on proposed guaranteed loan and war contribution by Sir M. Ommanney.

879/78 705 1902 Affairs in South Africa; further correspondence.

879/79 708 1902 Tour of Boer generals in Europe, 1902. Correspondence.

714 1902 South Africa, affairs; further correspondence.

879/80 721 1904 South African labour question; correspondence.

879/81 725 1903 Transvaal and Orange River Colony; Intercolonial council Order in Council.

726 1903 South African affairs; further correspondence.

728 1903 Do.

732 1903 Do.

879/82 734 1903 Transvaal; proposal to import Asiatic labour for Transvaal mines; memorandum by Mr Just.

735 1903 Transvaal; proposed importation of Asiatic labour.

879/83 739 1904 South African affairs; further correspondence.

879/84 744 1903 Transvaal; Asiatic labour; memorandum by Mr Fiddes.

879/85 752 1904 Position of British Indians in the Transvaal; memorandum by Mr Malcolm.

755 1904 South Africa; labour question; further correspondence.

757 1904 South African affairs; further correspondence.

761 1905 South Africa; labour question; further correspondence.

762 1905 South African affairs; further correspondence.

879/88 779 1905 South African affairs; further correspondence.

879/89 796 1905 Transvaal Constitution; memorandum.

796A 1905 Do. Addendum to memorandum.

796B 1905 Constitution; memorandum.

796C 1905 Transvaal constitution; memorandum by Mr Graham.

797 1905 Chinese Labour; question of its continuance: Memorandum.

798 1905 Do.

799 1906 Transvaal and Orange River Colony; Intercolonial Council; memorandum.

800 1906 South African affairs; further correspondence.

801 1906 Labour question; further correspondence.

879/90 715 1903 South Africa, affairs; further correspondence. (Secret).

716 1903 Telegrams.

743 1904 South Africa, affairs; telegrams.

747 1904 South Africa, affairs; secret correspondence.

760 1905 Do.

765 1905 Telegrams.

879/91 804 1906 Transvaal Constitution as established by Letters Patent. Note by Mr Churchill.

808 1906 Question of a second chamber; memorandum by Mr Just.

879/91 809 1906 Question of a second chamber; memorandum by Mr Just.

810 1906 Introduction of Chinese labour into South Africa; history of the proceedings.

811 1906 Transvaal situation; letter from Sir A. Lawley.

812 1905 State of South Africa; memorandum by the Earl of Selborne.

813 1905 Constitution of Transvaal and Orange River Colony; Intercolonial council; War contribution; memorandum by the Earl of Selborne.

814 1905 Education question; memorandum by the Earl of Selborne.

815 1906 Transvaal constitution; further remarks by Mr Just.

879/92 817 1906 Transvaal constitution question; memorandum by Mr Churchill.

818 1906 Transvaal constitution; question of a second chamber; memorandum by Mr Graham.

819 1906 War contribution loan; memorandum by Mr Just.

821 1906 Transvaal and Orange River Colony; future constitution of Intercolonial council.

823 1906 Transvaal constitution; summary of reasons influencing the decision of the Cabinet Committee by Mr Churchill.

824 1906 Chinese labour in Transvaal; statement by Major Seely, M.P.

825 1906 Chinese labour; memorandum by Mr Just.

826 1906 South Africa; situation; letter from R. Jones to Baron de Reuter.

827 1906 Transvaal; list of members of Johannesburg Town Council.

828 1906 Minute on Chinese labour by Mr Keith.

829 1906 Memorandum on Chinese labour by Mr Just.

830 1906 Do.

837 1906 Memorandum on Transvaal constitution by Mr J.C. Smuts.

837A 1906 Memorandum by Mr Graham on Mr Smuts's memorandum.

838 1906 Memorandum by Mr L.H. Courtney on Transvaal constitution.

840 1906 Memorandum on Transvaal constitution.

879/93 851 1906 Memorandum on Transvaal constitution by Mr FitzPatrick.

857 1906 Amendments proposed by Sir R. Solomon to Draft B. of Letters Patent.

858 1906 Memorandum for Cabinet on draft Letters Patent.

863 1906 Memorandum by Mr Churchill on War Contributions Loan.

879/94 866 1907 South African affairs; further correspondence.

c) Transvaal Government Papers

A. Staats Courant Zuid Afrikaansche Republiek, 1896 - May 1900.

B. Republican Green Books, 1895 - 99.

1896/1 Correspondentie van de Zuid-Afrikaansche Republiek met betrekking tot de Beroeringen in den Aanvang van 1896.

1896/2 Stukken betrekking hebbende op den inval van de Troepen der B.S.A. Co. in de Zuid Afrikaansche Republiek bijeenversameld door het departement van den Staatsprocureur.

1897/11 Rapport van het Hoofd van Mijnwezen...over het jaar 1896.

1898/1 Correspondentie met betrekking tot de Hoog-gerechtshof-Kwestie in zake het Toetsingsrecht.

1896/16 Rapport van het Hooft van Mijnwezen...over het jaar 1897.

1899/1 Correspondentie van de Zuid Afrikaansche Republiek met betrekking tot die Kwestie van Asiatische Gekleurde personen.

1899/4 Notulen der Verrichten van de Conferentie op 31 May 1899 en volgende dagen to Bleomfontein....

1899/5 Verdere Correspondentie van de Zuid Afrikaansche Republiek met betrekking tot Eenige Wetten en Traktaten in verband met de Conventie van London van 1884.

1899/8 Correspondentie van de Zuid Afrikaansche Republiek met betrekking tot de Kaapsche Kleurlingen in de Republiek.

1899/9 Correspondentie govoerd tusschen de Zuid Afrikaansche Republiek en het Britsche Gouverment in zake stemrecht, Uitlander-verteenwoordiging enz.

1899 Staatsalmanaak.

Memorandum on the present aspect of the foreign affairs of the Transvaal, Pretoria, May 1899.

C. Papers of the Transvaal Colony

Minutes of the Executive Council, 1903 - 4.

Minutes of the Legislative Council, 1903 - 6.

Votes and Proceedings of the Legislative Council, 1903 - 6.

Report and proceedings of the Select Committee appointed to consider Clause 25 and Chapter V of the Precious Stones Draft Ordinance, 1903.

Census of the Transvaal, Preliminary Report, 1904.

d) Papers of the Intercolonial Council

Minutes of Confidential Sessions, 1903 - 4.

Minutes of Public Sessions, 1903 - 7.

Report of the General Manager of Railways for the six months ended December 1903.

Report of a Commission appointed by His Excellency the High Commissioner to inquire into and report upon the organisation and administration of the Railways, 1908. (In Milner Papers).

(iv) Chamber of Mines Publications

Reports, 1895 - 10.

The Mining Industry. Evidence and Report of the Industrial Commission of Enquiry...1897.

IV CONTEMPORARY WORKS

(i) FitzPatrick's Publications

Through Mashonaland with Pick and Pen. Johannesburg, 1892.

The Transvaal from Within; a Private Record of Public Affairs. London, 1899.

Do. "Popular edition", with new introduction and map. London, 1900.

Some notes on the Transvaal Question, The Fortnightly Review, LXXII, Dec. 1899, pp. 1026-1031.

Was the War Necessary? Westminster Review, CLIII, Apr. 1900, pp. 382-400.

Taxation and War Debt in the Transvaal. London, 1902.

Lord Milner and His Work; an appreciation. Cape Town, 1925.

The Union - A plea for a fresh start. Johannesburg, 1910.

Die Unie. Een Pleidooi voor een Nieuw Begin. Johannesburg, 1910.

South African Memories. (Edited by G.H. Wilson). London, 1932.

Jock of the Bushveld. London, 1907.

The Outspan. London, 1897.

(ii) Contemporary books and memoirs

Bellows, J. The Truth about the Transvaal War. London, 1900

Butler, Sir William. An Autobiography. London, 1913.

Dormer, F.J. Vengeance as a Policy in Afrikanerland, a plea for a new departure. London, 1901.

Finlason, C.E. A Nobody in Mashonaland. London, 1893.

Garrett, F.E. The Story of an African Crisis. Westminster, 1897.

Goldmann, R. A South African Remembers. Cape Town, n.d.

Hillier, A.P. Raid and Reform. London, 1898.

Hobson, J.A. War in South Africa, its Causes and Effects. London, 1900.

Innes, J. Rose. Autobiography. 1949.

Kotze, Sir John G. Memoirs and Reminiscences. Two vols. Cape Town, 1934, 1941.

Kruger, S.J.P. Memoirs. Two vols. London, 1902.

Leonard, C.H. Papers on the Political Situation in South Africa, 1885 - 1895. London, 1903.

Kestell, J.D. and van Velden, D.E. The Peace negotiations... which terminated at Vereeniging on the 31st May, 1902. London, 1912.

Calquhoun, A.R. The Afrikander Land. London, 1902.

Churchill, Lord Randolph S. Men, mines and Animals in South Africa. London, 1892. (Reprinted, 1972).

Hammond, Mrs J.H. A woman's part in a revolution. London, 1897.

Hatch, F.H. and Chalmers, J.A. The Gold Mines of the Rand. London, 1895.

Jorissen, E.J.P. Transvaalsche Herinneringen 1876 - 96. 1897.

Leyds, W.J. The First annexation of the Transvaal. London, 1906.

Leyds, W.J. The Transvaal surrounded. London, 1919.

Mann, A.M. The truth from Johannesburg. A vindication of the People. London, 1896.

Milner, The Viscountess. My Picture Gallery, 1886 - 1901. London, 1951.

Pauling, G. The Chronicles of a Contractor. London, 1926 (reprinted, 1972)

Phillips, Sir Lionel. Some Reminiscences. London, 1924.

Phillips, Sir Lionel. Transvaal Problems. Some Notes on Current Politics. London, 1905.

Phillips, Sir Lionel. The Government of South Africa. Johannesburg, 1908.

Phillips, Mrs Lionel. Some South African Recollections. London, 1899.

Regan, W.F. Boer and Uitlander. London, 1896.

Stead, W.T. Shall I slay my brother? London, 1899.

Sauer, H. Ex Afrika. Bles, 1937.

Taylor, W.P. African Treasures: Sixty Years among Diamonds and Gold. London, 1932.

Taylor, J.B. A Pioneer Looks back. London, 1939.

Thomas, C.G. Johannesburg in Arms, 1895 - 6, being the observations of a casual observer. London, 1896.

Rae, C. Malaboch or Notes from my Diary on the Boer Campaign of 1894. London, 1898.

Molteno, P.A. A Federal South Africa. London, 1896.

South African Who's Who, 1908, 1909, 1910.

Men of the Times, 1905 (Pioneers of the Transvaal).

General Directory for Johannesburg for 1890.

Longland's Johannesburg and Suburban Directory, 1891 etc.

The General Directory of South Africa. Cape Town, 1894 - 1906.

The Argus Annual and South African Directory, 1891, 1892.

(iii) Pamphlets

Farrar, Sir George. The South African Labour Problem. Johannesburg, 1903. (His speech in the Legislative Council on 28 December 1903).

Reagan, T.B. The Fourth of July: Patriotism and Americanism. Johannesburg, 1899.

Stead, W.T. The History of the Mystery, or the Skeleton in Blastus's Cupboard. London, 1897.

Milner, Viscount. The Transvaal and Orange River Colonies. Speech in the House of Lords, 26 February 1906. London, 1906.

Milner, Viscount. The Transvaal Constitution. Speech in the House of Lords, 31 July 1906. London, 1906.

Milner, Viscount. Speeches delivered by His Excellency Viscount Milner at the Public Banquets given in his honour at Pretoria, Johannesburg and Germiston on the eve of his departure from South Africa. London, 1905.

Milner, Viscount. South African Problems. Reply to an address at Cape Town on 28 September 1905. London, 1906.

Pakeman, R.J. Political Letters from the Transvaal. Johannesburg, 1904.

Mather, W. Chinese Workers on the Witwatersrand Mines. Johannesburg, 1904.

Cooke, C. Kinloch. Chinese Labour. London, 1904.

Pim, H. The Native Question in South Africa. Johannesburg, 1903.

Naylor, T. Yellow Labour. The Truth about the Chinese in the Transvaal. London, 1904.

Farrelly, M.J. Suzerainty and the South African Republic. Johannesburg, 1898.

Farrelly, M.J. The Imperial Hold on South Africa. London, 1901.

Farrelly, M.J. The Settlement after the War in South Africa. London, 1902.

Farrelly, M.J. Our Hold on South Africa after the War. London, 1902.

Stead, W.T. and Allan, G. Correspondence and Interview on the Boer War. Oxford, 1902.

"Africanus". What is Truth? Seven essays published in the South African and home press during the Anglo-Boer War, 1899-1901. Johannesburg, 1901?

Hammond, Mrs John Hays. The Boers and the Uitlanders. San Fransisco, 1901.

Wilson, W.L. England and the Transvaal: the case for Intervention. London, 1899.

Papenfus, F.H. The Grondwet of the South African Republic. London, 1897.

Kotze, J.G. Judgement in the case of R.E. Brown vs Dr Leyds. Pretoria, 1897.

Outhwaite, R.L. Lord Milner's Record. 1905.

Imperial South African Association:
Asiatic Labour in the Transvaal. London, n.d.

The Afrikaner Bond and other causes of the War (by T.L. Schreiner), 1901.

The Transvaal and the Orange River Colonies. London, 1906.

A Transvaal History of the Chinese Labour Question (by R.W. Schumacher), London, 1906.

The Transvaal Constitution. London, 1906.

Speeches by Milner. London, 1906.

South African Problems. London, 1906.

The Case for the British Subjects in the Transvaal. London, 1899.

The Case against the Boer Republics. London, 1899.

Anon. The Ultimatum to Paul Kruger. Johannesburg, 1899.

Die Samenzwering tegen de Zuid Afrikaansche Republiek (uit het Blauw en Groenboek). (Reprint from Ons Land). Cape Town, 1896.

Heyer, A.E. A Brief History of the Transvaal Secret Systems. Cape Town, 1899.

Froes, T. Kruger and Co. Ltd. The Pretoria illicit gold-buying firm and the Afrikander Bond's connection therewith. Cape Town, 1900.

South African Vigilance Committee. Conference of Delegates, Metropolitan Hall, 30th and 31st August, 1900. Cape Town, 1900.

Vigilance Papers:
1. The Voice of the Churches in Support of the Imperial Policy. Cape Town, 1900.

2. Speech by the Hon. J. Rose-Innes, Q.C., M.L.A. at the Municipal Hall, Claremont, 30th March, 1900. Cape Town, 1900.

3. Paul Kruger and the Transvaal Judiciary. Cape Town, 1900.

4. "Liberty" versus Liberty. Some remarks on a South African Petition (by R.R. Brydone). Cape Town, 1900.

5. "Never Again". Sir Alfred Miner's reply to Ministers' Address (i.e. Nonconformist clergy). Cape Town, 1900.

6. The Transvaal Question from a Swiss Point of View (by E.Naville, Geneva). Cape Town, 1900.

7. The Anti-British Crusade in South Africa by an ex-official of the Transvaal. Cape Town, 1900.

8. The Black Man and the War (by J.S. Moffat). Cape Town, 1900.

9. President Kruger's Retrogressive Policy. Cape Town, 1900.

10. Speech delivered by Mr Advocate Wessels on the occasion of the Inauguration of the Paarl Branch of the Guild of Loyal Women of South Africa, 6 June 1900. Cape Town, 1900.

11. The Transvaal, Past and Present, and its Future. Cape Town, 1900.

(iv) Articles in Periodicals and Newspapers.

Garrett, F.E. Lord Milner and the Struggle for South African Union, a retrospect, 1897-1905. National Review, Feb. 1906.

Leonard, C. The Uitlanders and their grievances. Review of Reviews, XIII, May 1896.

Molteno, P.A. The Cause of the South African War. Contemporary Review, LXXVII, November 1899, pp. 637-47.

Phillips, L. From Inside the Transvaal - a Narrative of Facts. The Nineteenth Century, Aug. 1897.

"Diplomaticus". The Struggle for South African Supremacy. The Fortnightly Review, August 1899.

Chaplin, F.D. The Labour Question in the Transvaal. National Review, Jan. 1906, pp. 835-49.

Robinson, G. Political Parties in the Transvaal. National Review, May 1905, pp. 461-88.

Fort, G.S. The True Motive and Reason of Dr Jameson's Raid. Nineteenth Century, XXXIX, June 1896.

Hammond, J.H. and Grahame, L. The Story of the Jameson Raid. The World Today, XXI, March 1912.

Ireland, A. The True Story of the Jameson Raid as related to me by John Hays Hammond. North American Review, CCVII, Aug.-Sept. 1918.

V SECONDARY MODERN WORKS

(i) Books

Amery, L.S. My Political Life. Vol. I: England Before the Storm, 1896-1914. London, 1953.

Amery, L.S. (Ed.) The Times History of the War in South Africa. London, 1905.

Bell, E. Moberley. Flora Shaw. London, 1947.

Botha, P.R. Die Staatkundige Ontwikkeling van die Suid-Afrikaanse Republiek onder Kruger en Leyds, 1844-1899. Amsterdam, 1926.

Breytenbach, J.H. Die Geskiedenis van die Tweede Vryheids-oorlog in Suid Afrika. Vols. i and ii. Pretoria 1969 and 1971.

Brookes, E.H. and Webb C. de B. A History of Natal. Pietermaritzburg, 1965.

Buchan, J. Memory Hold the Door. London, 1940.

Butler, J. The Liberal Party and the Jameson Raid. Oxford, 1968.

Butler, J.R.M. Lord Lothian (Philip Kerr), 1882-1940. London, 1960.

Campbell, P.C. Chinese Coolie Emigration to Countries within the British Empire. London, 1972.

Cambridge History of the British Empire. Cambridge, 1936.

Cartwright, A.P. The Valley of Gold. Cape Town, 1972.

" The Dynamite Company. Cape Town, 1964.

" The Corner House. London, 1965.

" Gold Paved the Way. London, 1967.

" The First South African. Cape Town, 1971.

" The Gold Miners. Cape Town.

" A History of the Pretoria Portland Cement Company Limited. Johannesburg, 1968.

Chilvers, A. Hedley. Out of the Crucible. London, 1929.

" The Yellow Man Looks On. London, 1933.

Cohen, Louis Reminiscences of Johannesburg and London, 1923.

Colvin, I. The Life of Jameson. 2 vols. London, 1922.

Cook, E.T. Edmund Garrett, A memoir. London, 1909.

Crankshaw, E. The Forsaken idea: A study of Viscount Milner. London, 1952.

Creswell, Margaret. An epoch of the political History of South Africa in the Life of F.H.P. Creswell. Cape Town, 1956.

Curtis, L. With Milner in South Africa. Oxford, 1951.

Davenport, T.R.H. The Afrikaner Bond: the History of a South African political party. Cape Town, 1966.

Denoon, D. Southern Africa Since 1800. London, 1972.

Duffy, J. Portuguese Africa. Harvard, 1959.

Engelenburg, F.V. General Louis Botha. Pretoria, 1929.

Emden, P.H. Randlords. London, 1935.

Fyfe, H. Early Years in Fleet Street. London, 1949.

Garson, N.G. Louis Botha or John X. Merriman: The Choice of South Africa's First Prime Minister. London, 1969.

Garson, N.G. The Swaziland question and a road to the Sea, 1887-1895. (AYB 1957, II)

Gibson, G.P. The Story of the Imperial Light Horse. 1937.

Gollin, A.M. Proconsul in Politics: A study of Lord Milner in opposition and in power. London, 1964.

Gordon, C.T. The Growth of Boer Opposition to Kruger, 1890-95. Cape Town, 1970.

Gutsche, T. No Ordinary Woman (Lady Lionel Phillips). Cape Town, 1966.

" Old Gold: The History of the Wanderers Club. Cape Town, 1966.

" A Very Smart Medal. The Story of the Witwatersrand Agricultural Society. Cape Town, 1970.

Halpérin, V. Lord Milner and the Empire: the evolution of British Imperialism. London, 1952.

Hamilton, I. Listening for the Drums. London, 1944.

Hancock, Sir W.K. Smuts: The Sanguine Years. Cambridge, 1962.

Harrison, H. History of the Times, vol. 3, 1884-1912. London, 1952.

Hibbert, T. The Diamond Diggers. London, 1972.

Hind, R.J. Henry Labouchere and the Empire, 1880-1905. London, 1971.

Horton, J.W. The First Seventy Years, 1895-1965. Johannesburg, 1966.

Huttenback, R.A. Gandhi in South Africa. Cornell, 1971.

Hyam, R. Elgin and Churchill at the Colonial Office. London

Jackson, S. The Great Barnato. London, 1970.

Jacobsson, D. 50 Golden Years of the Rand. London, n.d.

Kruger, D.W. Paul Kruger. 2 vols. Johannesburg, 1961 & 1963.

" The Age of the Generals, 1910-48. Johannesburg, 1961.

Kubicek, R.V. Chamberlain at the Colonial Office. London, 1972.

Laurence, P. The Life of John Xavier Merriman. London, 1930.

le May, G.H. British Supremacy in South Africa. Oxford, 1965.

Lockhart, J.G. and Woodhouse, C.M. Cecil Rhodes, the Colossus of Southern Africa. London, 1963.

Long, B.K. Drummond Chaplin: His Life and times in South Africa. Oxford, 1941.

Mansergh, N. South Africa, 1906-61: the price of Magnanimity. London, 1962.

Marais, J.S. The Fall of Kruger's Republic. Oxford, 1961.

Meintjies, J. The Commandant-General: P. Joubert. Cape Town, 1971.

" General Louis Botha, A biography. London, 1970.

" De la Rey - Lion of the West. Johannesburg, 1966.

Neame, L.E. The Rand Club, 1887-1957. Johannesburg, 1957.

Nimocks, W. Milner's Young Men. London, 1970.

Niven, Cecily Jock and Fitz. Cape Town, 1968.

Pachai, B. The International Aspects of the South African Indian Question, 1860-1971. Cape Town, 1971.

Packenham, E. Jameson's Raid. London, 1960.

Porter, B. Critics of Empire: British Radical Attitudes to Colonisation in Africa. London, 1968.

Price, R. An Imperial War and the British Working Class: Working class attitudes and reactions to the Boer War, 1899-1902. London, 1972.

Pyrah, G.B. Imperial Policy and South Africa, 1902-10. Oxford, 1955.

Roberts, B. The Diamond Magnates. London, 1972.

Robinson, R., Gallagher, J. and Denny, A. Africa and the Victorians. London, 1961.

Rosenthal, E. Gold! Gold! Gold! London, 1970.

" Today's News Today: the story of the Argus Company. Johannesburg, 1956.

" General de Wet - A biography. Cape Town, 1946.

Scott, J.W.R. The Story of the Pall Mall Gazette. London, 1950.

Shorten, J.R. The Johannesburg Saga. Johannesburg, 1970.

Smith, A.H. Johannesburg Street Names. Cape Town, 1971.

Spoelstra, B. Die bewindsaanvaardig van die Botha regering oor Transvaal as selfregerende Britse Kolonie in 1907. A.Y.B., 1953, II.

Stent, S. and Stent, B. The Forthright Man (Vera Stent) Cape Town, 1972.

Thompson, L.M. The Unification of South Africa, 1902-1910. Oxford, 1960.

Van der Poel, J. Railway and Customs Policies in South Africa, 1885-1910. London, 1933.

" The Jameson Raid. London, 1951.

Vermooten, F. Transvaal en die totstandkoming van die Unie van Suid Afrika, 1906-10. A.Y.B., 1957 II.

Walker, E.A. Lord de Villiers and his times. London, 1925.

" W.P. Schreiner, A South African. London, 1937.

" A History of South Africa. London, 1947.

Wallis, J.P.R. Fitz, the story of Sir Percy FitzPatrick. London, 1955.

Walton, Sir E.H. Inner History of the National Convention of South Africa. Cape Town, 1912.

Weinthal, L. (Ed.) Memories, Mines and Millions: The Life and times of Sir Joseph Robinson. London,

Whyte, F. Life of W.T. Stead. London, 1925.

Worsfold, W.B. Lord Milner's work in South Africa, 1897-1902. New York, 1906.

" The Reconstruction of the New Colonies under Lord Milner. 2 vols. London, 1913.

Wrench, J.E. Alfred Lord Milner: The man of no illusions, 1854-1925. London, 1958.

" Geoffrey Dawson and our Times. London, 1955.

Webber, H. O'K. The Grip of Gold. A life-story of a dominion. London, 1936.

Wilson, M. and Thompson, L. (Eds.) The Oxford History of South Africa, vols. i and ii. Oxford, 1969 and 1971.

(ii) Articles

Stokes, E. "Milnerism". Historical Journal, 1962.

Blainey, G. "Lost Causes of the Jameson Raid". Economic History Review, XVIII (1965).

Denoon, D.J.N. "Capitalist influence and the Transvaal Government during the Crown Colony period, 100-6". Historical Journal, XI (1968).

Denoon, J.J.N. "The Transvaal Labour Crisis, 1901-6". Journal of African History, VII 3 (1967).

Garson, N.G. "British Imperialism and the coming of the Anglo-Boer War". South African Journal of Economics, XXX (1962).

Garson, N.G. "Het Volk: the Botha-Smuts Party in the Transvaal". Historical Journal, IX (1966).

Kubicek, R.V. "The Randlords in 1895: a reassessment". Journal of British Studies, XI (1972).

(iii) Unpublished Theses

Etheredge, D.A. The Early History of the Chamber of Mines. M.A., Wits., 1949.

Pillay, P.D. The Imperial Government and British Indians in the Transvaal. Ph.D., London, 1967.

Knight, Patricia. British Public Opinion and imperialist expansion in Africa, 1880-1900. Ph.D., Warwick, 1969.

Porter, A.N. British Imperialism and its Public: Chamberlain, Milner and South Africa, 1895-9. Ph.D., Cambridge, 1971.

Mawby, A.A. The Political Behaviour of the British Population of the Transvaal, 1902-7. Ph.D., Wits., 1969.

Bitensky, W.F. The South African League - British Imperialist Organisation in South Africa, 1896-99. M.A., Wits.

Reeves, J.A. Chinese Labour Policy in South Africa, 1901-10. M.A., Wits., 1955.

Jeeves, A.H. The Rand Capitalists in Transvaal Politics, 1892-99. Ph.D., Queen's (Canada), 1970.

Barnard, J.H. Die Politieke strominge in die Volksraad van die Suid Afrikaanse Republiek van 1881-99. M.A., Pretoria.

Roos, J.C. Johannesburg en die tweede Vryheidsoorlog, Oct. 1899 - Mei 1900. D.Litt., UNISA, 1949.

Cuthbert, P. The administration of Dr Jameson as Prime Minister of the Cape Colony, 1904-8. M.A., U.C.T., 1950.

Meyer, I.M. Die Chinese arbeit vraagstuk van die Witwatersrandse goudvelds, 1903-10. D.Phil., Pretoria, 1946.

Wiedemann, N.C. Die politieke naweë van die Anglo-Boereoorlog in Transvaal tot 1907. D.Phil., Pretoria, 1955.