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THE
MAP OF AFRICA BY TREATY.

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THE

MAP OF AFRICA BY TREATY,

BY THE LATE SIR E. HERTSLET, K.C.B.

THIRD EDITION :

IN THREE VOLUMES AND A COLLECTION OF MAPS.

Revised and completed to the end of 1908, by R. W. BRANT, LIBRARIAN and KEEPER
OF THE PAPERS, and H. L. SHERWOOD, of the FOREIGN OFFICE.

Vol. I. Nos. 1 to 94.

BRITISH COLONIES, PROTECTORATES AND POSSESSIONS IN AFRICA.

LONDON :

PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY HARRISON AND SONS, ST. MARTIN'S LANE,
PRINTERS IN ORDINARY TO HIS MAJESTY.

And to be purchased either directly or through any Bookseller, from
WYMAN AND SONS, LTD., FETTER LANE, E.C.; and
32, ABINGDON STREET, WESTMINSTER, S.W.; or
OLIVER AND BOYD, TWEEDDALE COURT, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.

1909.

Price (with Vols. II and III and Collection of Maps) Three Pounds.

N.B.—Although assistance is given towards this compilation from public funds on the ground of its general utility, it must be understood that it is not an official publication, and that the Editors are responsible for its contents.

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Note.—H. T. and S. P. The references in the foot-notes to H. T. and S. P. refer to "Hertslet's Treaties" and "State Papers", respectively.

EXTRACT FROM PREFACE TO EDITION OF 1894.

THE object of "THE MAP OF AFRICA BY TREATY," is to show how, by Treaty, Conquest, or Cession, or under the name of a Protectorate, European Powers have succeeded, at different times, in obtaining a footing in various parts of the African Continent, and how those occupations have been greatly extended during the last few years; in other words, to enable all those who are interested in the development of Africa to examine for themselves the TITLE DEEDS by which each Foreign Power maintains its right to the Possessions which it holds, or to Territory which it occupies, or claims influence over, in that part of the world.

The work has no pretensions whatever to being considered a History of Africa; nevertheless, the following facts bearing on the partition of its Territory may be usefully recorded in its pages.

The "scramble for Africa" may be said to have commenced in earnest about the year 1882, when a Belgian Expedition, known as the "International Association of the Congo," started for the Upper Congo and Niadi-Quillou, and in that and the two following years entered into Treaties or "Contracts" with certain Native Chiefs, by which the Association obtained important territorial and other rights over their Territories.

In 1884 a German Colonization Society penetrated into the Kilimanjaro and other districts of Eastern Africa, beyond the Territories over which it maintained the Sultan of Zanzibar had no jurisdiction or rights of sovereignty, and it also concluded Treaties with Native Chiefs whereby it obtained territorial concessions and other rights; while certain other German subjects, about the same time, visited the South-West Coast of Africa (Namaqualand and Damaraland) and the West Coast (the Cameroons District), and concluded important Treaties with Native Chiefs, by which those Chiefs placed themselves under German protection. But British Agents had also concluded Treaties with local Chiefs in these several Districts, which led to disputes between Great Britain and Germany, which were, however, eventually settled by mutual Agreements to which reference will be made later on.

The principal European Powers which occupied Territory in Africa in 1882, were Great Britain, France, Portugal and Spain. At that time neither the King of the Belgians (as Sovereign of the Congo Free State), nor Germany, nor Italy held any recognized possessions in Africa.

But as the attention of all the principal Powers of Europe was then attracted to Africa, a Conference was held at Berlin, at the invitation of the German Government, to discuss many important matters relating to the affairs of that vast Continent. At this Conference the following Powers were represented by Plenipotentiaries:—Great Britain, Austria-Hungary, Belgium, Denmark, France, Germany, Italy, the Netherlands, Portugal, Russia, Spain, Sweden and Norway, Turkey, and the United States.

It held its first sitting on the 15th November, 1884, and terminated its labours on the 26th February, 1885, on which day a General Act was signed, known as the "Berlin Act," in which the result of its deliberations were fully recorded. It dealt with the following questions:—

1. Freedom of Trade in the Basin of the Congo.
2. The Slave Trade.
3. Neutrality of Territories in the Basin of the Congo.
4. Navigation of the Congo.
5. Navigation of the Niger.
6. Rules for future occupations on the Coasts of the African Continent.

This General Act was ratified by all the Powers assembled in Conference, except the United States.

Early in 1890 another Conference between the Representatives of the same Powers was held at Brussels. This Conference dealt mainly with the question of the African Slave Trade by land and sea.

Representatives from the Congo Free State, Russia, Turkey, and Zanzibar, also attended this Conference, and on the 2nd July, 1890, the Plenipotentiaries signed a General Act, known as the "Brussels Act," in which its deliberations were also fully recorded.

A Declaration was also signed by the Signatory or adhering Powers who had Possessions or Protectorates in the Conventional Basin of the Congo, authorizing the imposition of an import duty not exceeding 10 per cent. *ad valorem*.

The first country to recognize the Independent State of the Congo was the United States (23rd April, 1884). In April—May, 1884, France obtained from the King of the Belgians an Engagement not to cede to any other Power than France the Territories and States established by the Belgian International Society in the Congo region, and in the Valley of the Niadi-Quillou; but the King, by his Will, dated 2nd August, 1889, declared that after his death his sovereign rights over the Independent State of the Congo such as they had been recognized by Treaties, Declarations, &c., entered into since 1884 between Foreign Powers on the one part and the International Association of the Congo and the Independent State of the Congo on the other part, were to be transferred to Belgium, together with all properties, rights, and advantages attaching to that sovereignty. The Flag of the Independent State of the Congo was recognized by Germany on the 8th November, 1884; by Great Britain on the 16th December, 1884, and subsequently by all the principal Powers of Europe.

On the 1st August, 1885, a Circular was issued by the Independent State of the Congo declaring its neutrality within the limits of its territory which were then defined.

After this, events began to move rapidly in Africa. It was declared by the "Berlin Act" that whenever any Foreign State should, thereafter, acquire fresh Territory on any part of the African *Coasts* it should notify the same to all the Treaty Powers; but this did not extend to Acquisitions or Protectorates in the Interior. In accordance with this understanding, Great Britain, France, Germany, Italy, and Portugal, have notified to the Powers the various Protectorates which they have

assumed on the Coasts, and besides these Notifications, Agreements have been entered into between Great Britain and Foreign States, as well as between Foreign States themselves, for defining their respective boundaries and spheres of influence in the interior of the African Continent and over the neighbouring Islands, as well as on the African Coasts.

In preparing the present revised edition, which brings the collection down to the end of 1908, the opportunity has been taken of inserting many documents which should have found a place in the earlier volumes. It has been thought advisable to retain generally the method of arrangement of the papers previously adopted. The Notes on the various British Colonies, Protectorates and Possessions, have, however, as a matter of convenience, been collected together in one Volume (Vol. I), and have been thoroughly revised and amplified by the addition of information recording the successive arrangements under which the present British boundaries have been definitely fixed. These Notes have, moreover, been re-arranged in the manner fully explained in the Note given on p. xliii.

Wherever possible reproductions of the Maps attached to the original documents have been given. These Maps will be found in a separate case or atlas annexed to the work. To explain the various documents and to facilitate reference, Diagram Maps, drawn on a small scale, have been bound up with the text.

The Editors are much indebted to the War Office and the Ordnance Survey Department for their valuable assistance in the preparation of the Maps and Diagrams.

At the time of the appearance of the earlier editions of the Work, the settlement of Boundary questions had reached the stage of agreement on broad general lines, as for instance the understandings arrived at with France in 1889, with Germany in 1890, and with Italy and Portugal in 1891. These have since passed into the later stages of the survey and exploration of the boundary zones and the actual demarcation on the ground, operations which have necessarily entailed considerable modifications of original lines. These results have been duly recorded in Protocols which, with the Diplomatic Instruments accepting them, will be found in their places in the Volumes.

The total length of British frontiers in Africa is between 16,000 and 17,000 miles, of which over 10,000 miles have already been surveyed, about 6,000 miles marked on the ground, and 2,150 miles marked and ratified.

The original trade settlements have expanded into Colonies or Protectorates with generally well-defined frontiers and organized administrations, the question of "hinterland," which came into existence during the discussions at the West African Conference at Berlin in 1884/5, and has remained a fruitful cause of international dispute, has almost disappeared, and the partition of Africa is practically complete.

FOREIGN OFFICE,

January, 1909.

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THE
MAP OF AFRICA BY TREATY.

PART I.

BRITISH COLONIES, PROTECTORATES

AND

POSSESSIONS IN AFRICA.

BRITISH COLONIES AND PROTECTORATES IN AFRICA.

EDITORS' NOTE.

IN view of the settlement of many territorial questions, the extension of the area, within definite limits, of the British possessions, and the great development and consolidation of British authority in the territories that have been brought under control since the earlier edition of this work, it has been thought advisable to group the Colonies and Protectorates into three large and distinct divisions, viz. :—

- (1) British West Africa ;
- (2) British South and Central Africa ;
- (3) British East Africa.

This geographical arrangement will, it is believed, now be found more convenient than the earlier alphabetical order, which served its purpose at a time when, although the spheres of influence in Africa of the Great Powers were generally defined, only little progress had been made with the actual delimitation of the frontiers.

Other considerations which appear to recommend the new plan are the formation of the Customs Union of the South African Colonies, the exercise of jurisdiction by the High Commissioner for South Africa in certain territories under the administration of the British South Africa Company, and, in East Africa, the similarity of the conditions under which the administration of the Protectorates in that region is carried on.

The object of devoting a separate volume to this part of the work is that the successive steps by which the existing boundaries have been fixed may readily be ascertained by the aid of the sketch map and Table showing the progress of the delimitation of British frontiers in Africa* and the full explanatory notes given under each Colony, Protectorate, and Possession, with references to the full texts of the Treaties and Agreements between the Powers contained in the remaining volumes.

To facilitate reference, the following alphabetical list of British Colonies, &c., is given :—

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* Reproduced, with some modifications, from No. 565, of the Annual Colonial Reports.

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TABLE SHOWING THE PROGRESS MADE IN THE DELIMITATION OF BRITISH FRONTIERS IN AFRICA.

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1	Gambia (Anglo-French) ...	425	Aug. 10, 1889	...	729	Nov., 1890, to May, 1891.	May, 1891.	June 9, 1891.	231	742	—	—	730	—	—
1	"	—	"	...	"	1895-6.	—	—	—	—	—	—	—	—	—
1	"	—	"	...	"	1898-9.	—	—	—	—	—	—	—	—	—
1	"	—	April 8, 1904	...	251	1905-6.	—	—	—	—	—	—	—	—	—
2	Sierra Leone—French Guinea [From the Coast to Tembi-Kunda.]	260	Aug. 10, 1889 Jan. 21, 1895	...	226 237	Dec., 1891, to April, 1892.	—	—	—	—	—	—	—	6	—
2	Sierra Leone—French Guinea [From the Coast to Tembi-Kunda.]	—	"	...	"	Dec. 1895, to May, 1896.	1895, 1896.	April 9, 1896, and 30, 1903.	239	765	June 14, 1898, and 16, 1898.	243	794	{	7 8
2	Sierra Leone—French Guinea [Tembi-Kunda Eastwards.]	8	Aug. 10, 1889 Jan. 21, 1895	...	226 237	May, 1896, to Jan. 15, 1903.	1903.	Mar. 12, 1903.	247	809	Exchange of notes, Mar. 22, and April 5, 1904.	250	815	—	11
3	Sierra Leone—Liberia ...	195	Nov. 11, 1885	...	351	Jan., 1903, to July, 1903.	1903.	June 25, 1903.	352	1136	—	—	—	{	39 40
4	Gold Coast—Ivory Coast (Anglo-French).	450	July 12, 1893	...	236	May, 1902, to Feb. 1903.	1902 to 1903.	Feb. 1, 1903.	246	803	May 11, 1905, and 15th, 1905.	255	832	{	12 10 17
5	Gold Coast, Northern Territories French Sudan, Senegambia-Niger. (Anglo-French Boundary North of Gold Coast).	195	June 14, 1898	...	241	1900.	—	Aug. 16, 1901.	—	—	—	—	—	{	9 10
5	"	"	Mar. 18, April 25, 1904	...	253	—	1904.	Oct. 19, 1904.	254	827	May 24, July 19, 1906.	257	847	{	20 to 23

TABLE SHOWING THE PROGRESS MADE IN THE DELIMITATION OF BRITISH FRONTIERS IN AFRICA—*continued.*

Red Nos. on Map, p. 1.	Name of Boundary.	Length, Miles.	Date of Treaty.	Number of Documents.	Page.	Delimitation Survey.	Marked on Ground.	Protocol signed.	No.	Page.	Finally approved.	No.	Page.	Map.	
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6	Gold Coast, Northern Territories—Togo (Anglo-German).	165	Nov. 14, 1899	...	277	Dec., 1901, to Sept., 1902.	—	July 21, 1902.	Note.	935	—	—	—	—	—
6	[North of 9th parallel only.]	"	June 25, 1904	...	283	—	Sept., 1904, to Dec. 15, 1905.	—	—	—	—	—	—	—	29
7	Gold Coast—Togoland (Anglo-German).	125	July 1, 1890, Art. IV	...	270	May, 1904, to Oct., 1904.	1904.	Oct. 11, 1904.	—	—	—	—	—	904	—
8	S. Nigeria (Lagos)—Dahomey (Anglo-French). [From 9° N. Lat. to Niger.]	235	June 14, 1898	...	241	1900.	—	Dec. 22, 1900, and Jan., 1905.	245	797	Oct. 19, 1906.	258	849	—	9 10
9	S. Nigeria (Lagos)—Dahomey (Anglo-French). [From the Coast to 9° N. Lat.]	200	Aug. 10, 1889 June 14, 1898	... ...	226 241	1895-6. 1900.	—	Oct. 12, 1896.	240	780	—	—	—	—	24 25
10	Niger—Chad (Anglo-French)	860	June 14, 1898 April 8, 1904	... ...	241 251	Nov., 1902, Jan., 1904.	—	April 9, 1906.	256	843	—	—	—	—	9 10 18 19
10	" " "	"	May 29, 1906	...	256	1906, 1907.	1907, 1908.	Feb. 25, 1908.	Note.	846	—	—	—	—	18 19
11	Yola—Chad (Anglo-German)	350	Nov. 15, 1893 Dec. 12, 1902	... ...	275 281	Aug. 10, 1903, Feb. 1903, to Feb., 1904 and 1905.	—	Feb. 24, 1904, and Mar. 19, 1905.	282 284	933 937	July 16, 1906.	284	941	—	30 to 33
11	" [From "Gorge" to Lake Chad.]	40	(Local Commission)	...	—	—	1906 to 1907.	Feb. 12, and Mar. 11, 1907.	Note.	86	—	—	—	—	—

11	Yola-Ohad (Anglo-German) ... [From Uba, on Yatsarani River, to River Benué.]	81	" "	" "	" "	" "	" "	" "	1907.	Mar. 11, 1907.	Note.	86	—	—	—	—	—
12	Cross River (Southern Nigeria— Kameruns). [Cross River to the Sea.]	140	April 29 and May 7, 1885 July 27 and Aug. 2, 1886 July 1, 1890 ... April 14, 1893 ... Nov. 15, 1893 ...	260 263 270 273 275	1895.	—	—	—	—	—	—	—	—	—	—	—	—
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13	Cross River Rapids—Yola Arc ...	285	Nov. 15, 1893 ...	275	1907.	—	—	—	—	—	—	—	—	—	—	—	—
14	Barotseland—Angola ...	710	June 11, 1891 ... Arbitration award, May 30, 1905.	310 326 1074	—	—	—	—	—	—	—	—	—	—	—	—	1076
15	Walish Bay ...	75	July 1, 1890 ... Proclamation of annexa- tion, Mar. 12, 1878.	270 19 175	—	—	—	—	—	—	—	—	—	—	—	—	—
16	Bechuanaland—German South- West Africa.	1,113	July 1, 1890, Art. III (A. G.) Dec. 30, 1886, Art. I (G. P.) June 11, 1891, Art. IV (A. P.)	270 216 310 1019	Nov., 1888, to 1903.	1898 to 1903.	—	—	—	—	—	—	—	—	—	—	902
16(a)	Cape Colony—German South- West Africa (Orange River).	—	July 1, 1890, Art. III ...	270	—	—	—	—	—	—	—	—	—	—	—	—	—
17	Amatongaland—Portuguese East Africa.	30	June 11, 1891, Art. III ...	310	Aug., 1896, to Dec., 1896.	—	—	—	—	—	—	—	—	—	—	—	—
17	" " "	"	" " "	"	—	—	—	—	—	—	—	—	—	—	—	—	—
17	" " "	"	" " "	"	—	—	—	—	—	—	—	—	—	—	—	—	—
18	Swaziland—Portuguese East Africa.	65	Conference, April to June, 1907.	—	1888, 1894, and 1897.	April, 1907.	—	—	—	—	—	—	—	—	—	—	—
19	Transvaal—Portuguese East Africa.	255	July 29, 1869 ... Feb. 27, 1884 ...	29 28	1887, 1890, and 1894.	1887, 1890, and 1894.	—	—	—	—	—	—	—	—	—	—	232

TABLE SHOWING THE PROGRESS MADE IN THE DELIMITATION OF BRITISH FRONTIERS IN AFRICA—*continued.*

Red Nos. on Map, p. 1.	Names of Boundary.	Length, Miles.	Date of Treaty.	Number of Document.	Page.	Delimitation Survey.	Marked on Ground.	Protocol signed.	No.	Page.	Finally approved.	No.	Page.	Map.	
														Facing Page.	No. in Atlas.
20	Limpopo River to Sabi River (Anglo-Portuguese).	115	June 11, 1891, Art. II ...	310	1018	Dec., 1902, to July, 1903.	—	Dec. 21, 1903/July 19, 1904.	325	1073	June 3, 1907.	329	1078	—	34
21	Mazoe or Manica Boundary (Anglo-Portuguese, 18° 30' S. to Sabi River).	225	June 11, 1891, Art. II ... Arbitral award, Jan. 30, 1897.	310 315	1018 1036	1892.	1898, 1899.	June 5 and 28, 1898, and Dec. 14 and 15, 1898.	318	1069	—	—	—	—	—
22	Barué Boundary (Anglo-Portuguese, River Mazoe to 18° 30' South).	145	June 11, 1891, Art. II ...	310	1018	1898.	1905.	June 28 and Dec. 6, 1898.	317	1069	Mar. and April, 1902, Jan. and April, 1904.	322	1071	—	—
23	Anglo-Portuguese Boundary South of River Zambesi.	215	June 11, 1891, Art. II ...	310	1018	1903-4, April, 1905, to Oct., 1905.	1905.	Oct. 24, 1905.	327	1077	—	—	—	—	—
24	Anglo-Portuguese Boundary North of Zambesi.	260	June 11, 1891, Art. I ...	310	1017	June, 1904 to Nov., 1904.	1904.	Nov. 21, 1904.	327	1077	—	—	—	—	—
25	Nyasaland Protectorate—Portuguese East Africa (Anglo-Portuguese).	660	June 11, 1891, Art. I ...	310	1017	July to Nov., 1899, Oct. to Dec., 1900.	1899-1900	Dec. 8, 1900.	320	1071	*Sept. 15, 1906.	328	1077	—	—

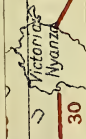
* Provisional confirmation of recommendations of Boundary Commissioners, 1899 and 1900 (Procès-Verbal, December 8, 1900).

TABLE SHOWING THE PROGRESS MADE IN THE DELIMITATION OF BRITISH FRONTIERS IN AFRICA—*continued.*

Red Nos. on Map. p. 1.	Name of Boundary.	Length, Miles.	Date of Treaty.	Number of Documents.	Page.	Delimitation Survey.	Marked on Ground.	Protocol signed.	No.	Page.	Finally approved.	No.	Page.	Map.		
														Facing Page.	No. in Atlas.	
35	Sudan—Abyssinia	760	May 15, 1902	...	100	431	1903.	—	—	—	—	—	—	950	—	
36	Sudan—Eritrea [R. Stecīt to Abu Gamal.]	330	April 15, 1891	...	289	949	1903.	—	—	—	—	—	—	1116	—	
		...	June 25, 1895	...	338	1108										
		...	July 7	...	340	1110										
		...	December 7, 1898	...	342	1113										
		...	June 1, 1899	...	343	1115										
37	Sudan—Eritrea [From Sabderat North-Eastwards.]	...	April 16, 1901	...	291	952										
		...	November 22, 1901	...	100	433										
		...	May 15, 1902	...	—	—	1899, 1901.	—	—	—	—	—	—	—	36	
37	Anglo-French—From Congo-Nile Watershed to Tripoli.	1,950	March 21, 1899	...	244	796	—	—	—	—	—	—	—	—	—	
38	Egypt—Tripoli	1,000	—	...	—	—	—	—	—	—	—	—	—	—	—	
39	Egypt—Turkey, Sinai Peninsula	140	Firman, 1841	...	178	614	1906.	—	—	—	—	—	—	—	—	
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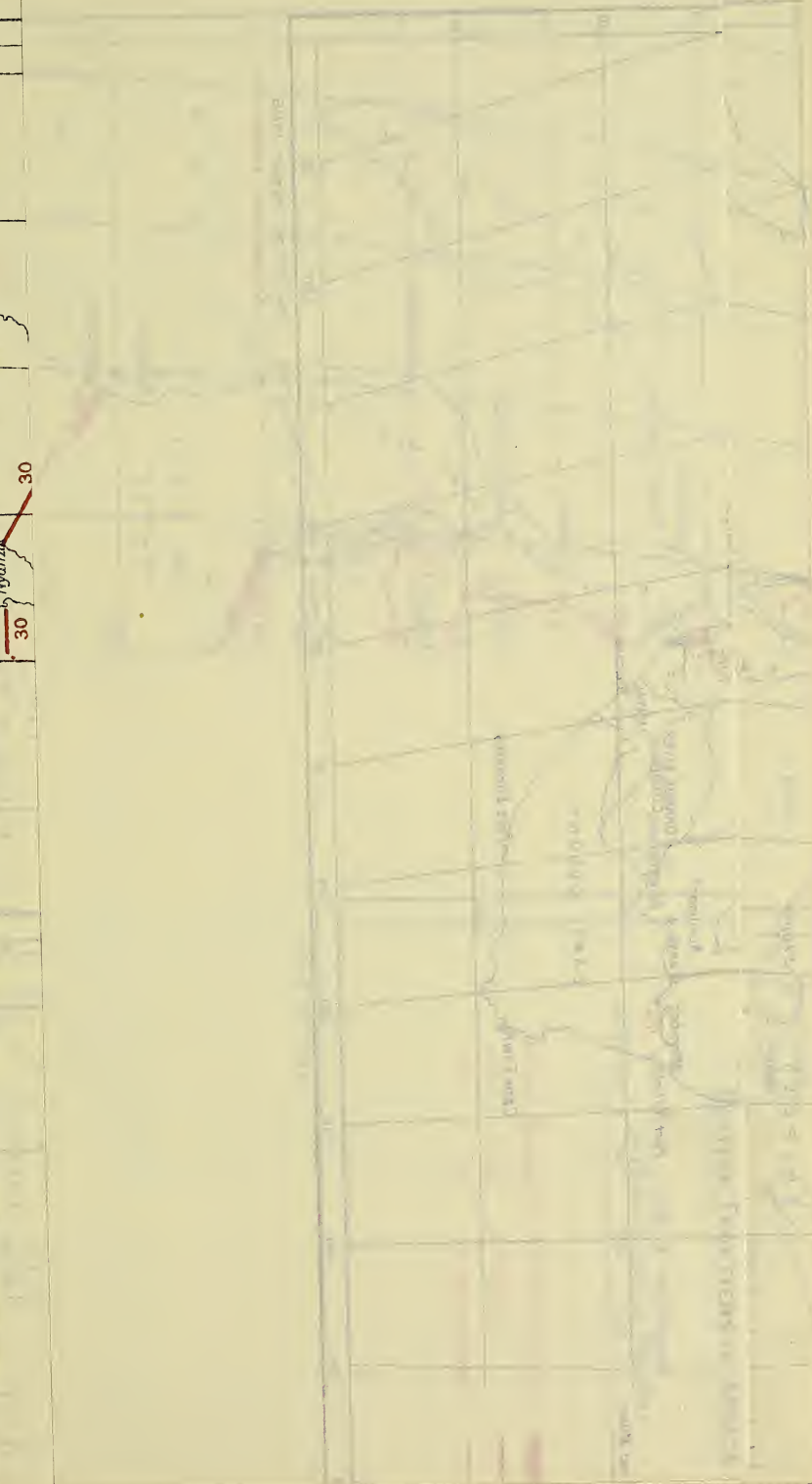
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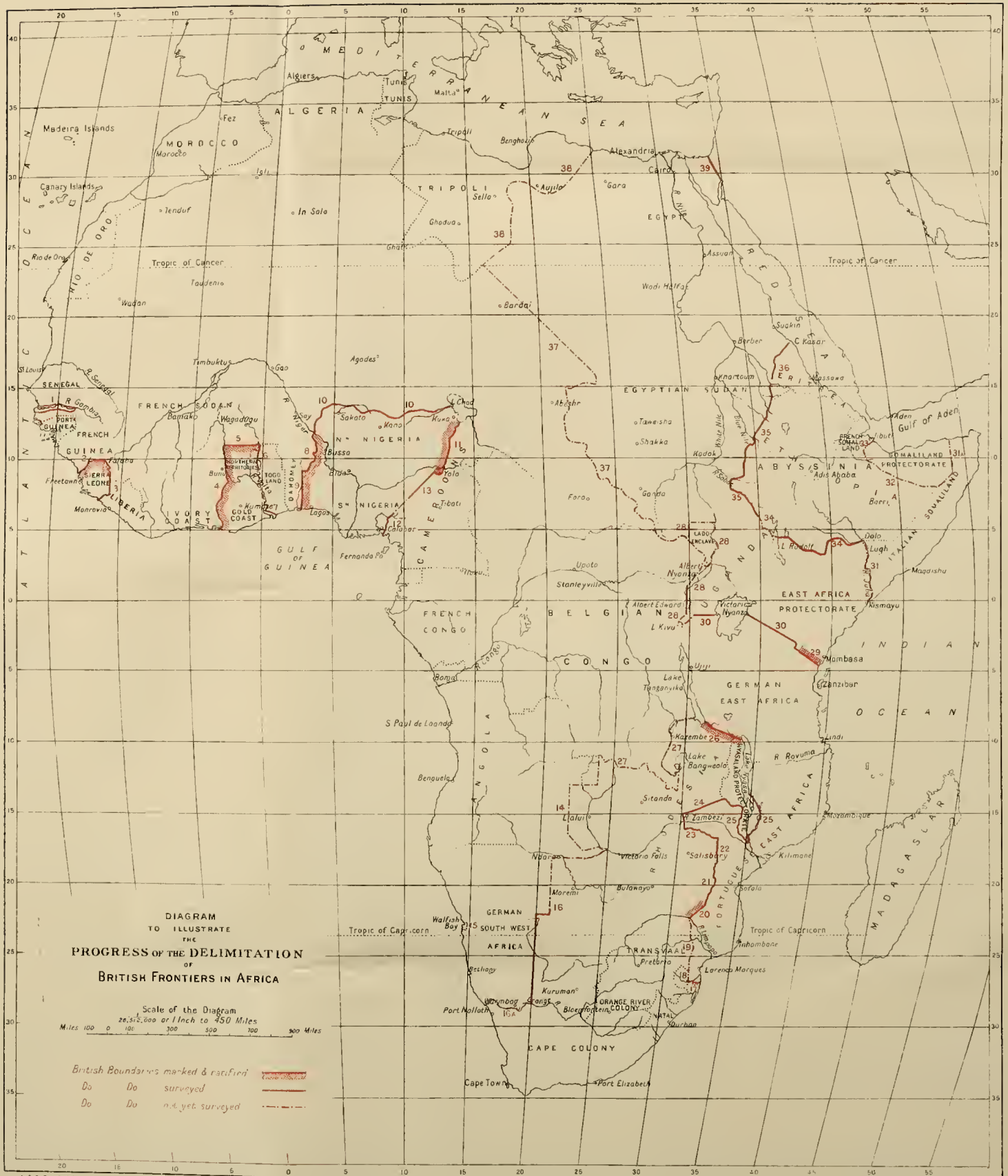


DIAGRAM
TO ILLUSTRATE
THE
PROGRESS OF THE DELIMITATION
OF
BRITISH FRONTIERS IN AFRICA

Scale of the Diagram
26,512,000 or 1 Inch to 450 Miles
Miles 100 0 100 200 300 400 500 600 700

British Boundaries marked & ratified ———
Do Do surveyed - - - - -
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BRITISH WEST AFRICA.

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BRITISH WEST AFRICA.

(GAMBIA COLONY AND PROTECTORATE.)

GAMBIA.

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[Island of Lemain.]

No. 1.—*Notes on the GAMBIA.* 1783—1908.

Authentic records show that a fortified post was established at Fort James in the latter half of the seventeenth century.

On the 3rd September, 1783, a Treaty was concluded at Versailles between Great Britain and France, by Article X of which the King of the French guaranteed to the King of Great Britain the possession of Fort James (Albreda) and of the River Gambia. (See GREAT BRITAIN AND FRANCE, p. 713.)

In 1806, the Island of St. Mary, at the mouth of the Gambia, on which is situated the town of Bathurst, was purchased by the British Government.

Island of Lemain.

On the 14th April, 1823,* the following Deed was signed for the Cession to Great Britain of the Island of Lemain, near Kayee, in the River Gambia :—

“ WHEREAS Alexander Grant, Esquire, Major in His Majesty’s 2nd West Indian Regiment, and Commandant of the British Settlement of St. Mary’s, in the River Gambia, has been deputed by his Excellency Brigadier-General Sir Charles Macarthy, Captain-General and Governor-in-Chief in and over His Britannic Majesty’s Possessions on the Western Coast of Africa, to treat with us for our Island of Lemain, situated in the River Gambia, near Kayee, and opposite to our Port of Junko Conda ; and whereas all sovereignty of the said Island at present lies in us, and has been handed down to us by our ancestors, and we having full power and authority to dispose of the same, and being fully convinced of the pacific and just disposition of the said Governor-in-Chief and Major Grant, his deputy, acting for and on behalf of His Britannic Majesty, as also of the great reciprocal benefits which will result from a British Settlement being established in our neighbourhood, and withal being desirous of manifesting our distinguished affection and friendship for the King of Great Britain and his subjects :

Do hereby, for and in consideration of 100 dollars value in merchandise, to be well and truly paid to us yearly and every year, and the value of 10 dollars in merchandise, to be at the same time and in like manner paid to Wooda Maddy, our Alcaide, or our Alcaide for the time being, the first payment to commence and be made from the 1st of April in this present year of the Christian era, 1823, and ever afterwards, by half-yearly instalments, that is, 55 dollars value in merchandise on the 1st of October and 1st of April in each year, for ever cede and relinquish, and do bind ourselves, our heirs and assigns, for ever to cede and relinquish, all claim, title, or property which we or they have or might have had in the said Island, to the King of Great Britain and Ireland, his heirs and successors, for ever.

“ And we do further, in consideration of the value of 50 dollars in addition to the 110 above mentioned, to be well and truly paid yearly and every year, the first payment to be made on the 1st of April,

* H.T., vol. xiv, p. 942.

[River Gambia.]

1824, abandon, relinquish, and for ever give up for ourselves, our heirs and successors, any claim we had for customs on Colonial vessels trading in the river from St. Mary's; and we further, in consideration of the above-mentioned sums of 110 and 50 dollars, in all amounting to 160 dollars, bind and oblige ourselves, our heirs and successors, as aforesaid, to protect by every means in our or their power, all British vessels trading in the river, which are not as heretofore to be boarded by us or any of our subjects for the purpose of extorting or asking any custom whatever, they having henceforth and for ever, by virtue of this Treaty, full liberty of passing and re-passing our territories, without any hindrance or molestation of any kind whatever.

"And we do further, by virtue of this Treaty, and being moreover convinced that the cultivating a good understanding with the subjects of His Britannic Majesty will, under Providence, be attended with the happiest consequences to us and our subjects, solemnly guarantee our protection to them and their property, either settling in or passing through any part of our dominions, as also protection and encouragement to all strangers or Native traders passing through our territories in order to trade with the subjects of His Britannic Majesty or otherwise, and lastly, we bind and oblige ourselves, our heirs and successors, as aforesaid, faithfully and truly to abide by and discharge the articles of this Treaty under the penalty of forfeiting all the pecuniary advantages therein held forth.

"And to the purity and sincerity of our intentions in the mutual observance of the foregoing articles, we, the Contracting Parties, call the Omnipotent God of truth and justice to witness.

"Signed, sealed, and delivered in the Commandant's tent on Lemain Island, in the presence of the witnesses who have hereunto signed their names, this 14th day of April, in the year of the Christian era one thousand eight hundred and twenty-three, and in the fourth year of the reign of our Most Gracious Sovereign George the Fourth."

[Here follow signatures and marks.]

Cession of the River Gambia to Great Britain.

On the 15th June, 1826,* a Convention was signed between the Acting Governor of Sierra Leone and the King of Barra and of the River Gambia, with his Chiefs and headmen, for the cession of the Gambia to Great Britain.

It contained the following stipulations :—

* * * * *

"2nd. The said Brunay, King of Barra, by and with the advice and consent of his Chiefs and headmen before named, cedes, transfers, and makes over to his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors, Governors of Sierra Leone for the time being, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs, and successors for

* S.P., vol. xlvihi, p. 882; H.T., vol. xii, p. 5. See also Treaties, 5th January, 1832, p. 11, and 18th November, 1850, p. 13.

[Albreda, River Gambia.]

ever, the full, entire, free, and unlimited right, title, sovereignty, and possession of the River Gambia, with all the branches, creeks, inlets, and waters of the same, as they have been held and possessed by the Kings of Barra from time immemorial; and the said Brunay, King of Barra, with the advice and consent of his said Chiefs and headmen as aforesaid, does further cede and for ever relinquish all and every right, claim, or demand for customs or duties of any description on British or other vessels entering or navigating the River Gambia, or any of the waters thereof (as have been formerly demanded and taken).

French Vessels trading to Albreda.

“It being distinctly understood that this does not apply to French vessels trading to the factory of Albreda.*

Cession to Great Britain of Territory on Right Bank of River Gambia for one mile inland.

“3rd. The said Brunay, King of Barra, by and with the advice and consent of the Chiefs and headmen aforesaid, cedes, transfers, and makes over unto his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and his successors, the Governors of Sierra Leone for the time being, on the part and behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, for ever, all that part of the northern or right bank of the River Gambia for one geographical mile inland, commencing at Bonyadoo Creek† on the west and extending to Jokadoo Creek on the east.

Reservation of French Factory of Albreda.

“Reserving only unto the said Brunay, King of Barra, and his successors, that portion of land at present occupied by the French at the factory of Albreda, the limits and boundary line of which is fixed and determined at the signing of this Treaty by persons duly appointed on the behalf of the Contracting Parties.”

4th.—*Annual Payment of 400 Spanish Dollars to be made to the King of Barra and his Successors.*

5th.—*Prohibition against Transport or Shipment of Slaves.*

Boundaries of French Factory at Albreda.

On the 19th June, 1826,‡ the following Additional Article was signed to the Treaty with Barra of 15th June, 1826, respecting the French Factory at Albreda.

“BE it known that we, Brunay, King of Barra, did, in presence of our Chiefs and headmen, proceed from the town of Jillifree to the town of Albreda with his Honour Kenneth Macaulay, Acting Governor of Sierra Leone, and did then and there mark out the boundaries of ground

* Confirmed 5th January, 1852. See “Report, Africa, Western Coast, 1865, House of Commons Paper, No. 412,” p. 344.

† Bonyadoo Creek, now called Jannak Creek.

‡ S.P., vol. xlviii, p. 884; H. T., vol. xii, p. 7.

[Brekama.]

now occupied by the French as their comptoir or factory, and which is reserved to us in the annexed Treaty, the said piece of ground extending from a large tree on the east, named Sangee Baba to and there, on the west named Santo, being 400 yards in breadth, and 300 yards in depth from the river side."

British Protection and Sovereignty over Brekama.

On the 29th May, 1827,* a Treaty was signed between Great Britain and Brekama, for placing the people of Brekama under British Protection and Sovereignty :—

"THE headmen and other inhabitants of the town and territory of Brekama, having elected Farrin Tomba Comba, their King, to rule over them according to their own usages, the said King, headmen, and inhabitants knowing their inability to carry this measure into execution (from their want of money and numbers in comparison to their extent of territory) hereby solicit His Majesty the King of Great Britain to take them under his protection and sovereignty, which application being made to his Excellency Major-General Sir Neil Campbell, C.B., &c., Governor-in-Chief, of all the British Possessions on the Western Coast of Africa, Commander of the Forces, &c., by King Farrin Tomba Comba, his son, Jenó, and the headman, Tomba Salang, accompanied by the Moros Berangdarbo and Carsanessay, both of Kayaye."

His Excellency, in behalf of His Majesty the King of Great Britain, his heirs and successors, engages to take the people of Brekama under the protection and sovereignty of Great Britain on the following conditions :—

1. *British Protection to be afforded by Great Britain to Brekama People against attacks of Native Powers.*
2. *Non-purchase or sale of slaves.*
3. *British Trade.*
4. *Non-engagement in war without British consent.*
5. *Non-interference of Great Britain with Lands, Houses, Property, or Religion of Natives, nor with Domestic Servitude in Brekama.*
6. *British confirmation of election of New Chiefs.*

British Military Post opposite to Island of Kayaye.

7. They engage to give possession to the King of Great Britain of a secure spot to be chosen by the British Commandant, for a military post opposite to the Island of Kayaye, and close to the river, with as much territory adjoining as the artillery can reach from this port or any other place. On this spot the people of Brekama will build towns and make farms according to the regulations of the British Commandant, and it will serve to lodge the troops and stores for their protection in case of war.

* S.P., vol. xlix, p. 701 ; H. T., vol. xii, p. 10.

[Combo, Banjola, St. Mary Island, Fattatenda, River Gambia.]

8. *Annual Presents to be made to Chiefs and People of Brekama.*

[Here follow Signatures and Marks.]

Combo. St. Mary Island.

On the 4th June, 1827,* a Treaty was signed between the Governor of the British Possessions on the West Coast of Africa, and the King of Combo, confirming the Cession to Great Britain of the Island of St. Mary and adjoining territory, from which the following are extracts :—

Banjola and St. Mary Island.

“ The Treaty in which the Island of St. Mary was formerly given up to the British Government not being forthcoming, it is hereby agreed :—

“ I.—*Abolition of Slave Trading.*

“ II.—That the Island of St. Mary, the Cape, and the boundary bordering on other States to the southward and eastward of Coomba shall be open for every branch of commerce between the subjects of His Majesty, the King of Great Britain, and the natives of Coomba or any other kingdoms.

“ III.—That the Island of Banjola, now called St. Mary’s, and the adjoining territory, may be possessed by the Government and subjects of Great Britain for building and making farms in such places as are not actually possessed by any other person at the time, arranging the boundaries with the Alcaide of Baccow.

“ IV.—*Annual Presents to be made to the King of Combo.*

Fattatenda.

On the 13th April, 1829, a Treaty was signed between Great Britain and the King of Wooli for the cession of Fattatenda to Great Britain, from which the following is an extract :—

“ 2nd. The King of Wooli, in consideration of the sum to be received by him, hereafter mentioned (200 dollars in kind), agrees to grant His Britannic Majesty, his heirs and successors, for ever, full power and sovereignty over the said town of Fattatenda and 100 acres of land extending north, east, and west, it being expressly understood by all the parties to these presents that the said town and lands are to be granted to His Britannic Majesty, his heirs and successors, to enable His Britannic Majesty’s subjects to form a settlement and to erect houses and factories for the purpose of trade ; and the King of Wooli agrees and binds himself to afford protection at all times to His Britannic Majesty’s subjects, their agents and property, within his Dominions.”

River Gambia. Cession of Territory on Right Bank for one mile inland.

On the 5th January, 1832,† a fresh Convention was concluded between Great Britain and Barra by which the cession of territory on

* H.T., vol. xii, p. 11 ; S.P., vol. 1, p. 805.

† H.T., vol. xvii, p. 1128.

the right bank of the River Gambia, by the Treaty of 15th June, 1826,* was thus ratified and confirmed :—

“ Whereas a cruel and unjust war has been waged against the subjects of His Majesty the King of Great Britain by the King, Chiefs, and people of Barra, in violation of the Convention of Peace and Amity, signed at Jellifree on the 15th day of June, in the year of the Christian era 1826, and the King, Chiefs, and people of Barra having publicly declared their sorrow for the outrages they have committed, and given their solemn promise never to offend again, the Lieutenant-Governor of Bathurst and its Dependencies agrees, on behalf of His Britannic Majesty, to grant once more peace and friendship upon the following conditions, viz. :—

“ 1. That the King of Barra, first, shall deliver up to the Lieutenant-Governor of Bathurst hostages for the good faith of himself and his people, to be from among the royal families of Barra.

“ 2. That the King, Chiefs, and people of Barra shall again ratify and confirm the fourth clause of the Treaty of Jellifree, whereby they ceded, transferred, and made over unto His Majesty the King of Great Britain and Ireland, his heirs and successors, for ever, all that part of the northern or right bank of the River Gambia for one geographical mile, inland, commencing at Banjallad or Creek on the west, and extending to Jacado Creek on the east (reserving only unto the said Brunay, King of Barra, and his successors, that portion of land at present occupied by the French as the Factory of Albreda), the same right being now extended from Jocado Creek to the Atlantic Ocean.”†

Cession by Combo of certain Territories to Great Britain.

ON the 13th July, 1840,‡ a Convention was signed between the Lieutenant-Governor of the British Settlements on the Gambia and Soalong Jarta, King of Combo, for the cession of certain territory to Her Majesty. It ran as follows :—

“ Whereas the said Lieutenant-Governor Huntley has treated with the said King of Combo for the territory hereinafter described, viz., from the north point of the west side of the Oyster Creek to Cape St. Mary, then south-westerly from that cape, following the beach five miles, and from the termination of the said five miles in an east by south (true course) direction, until entering the River Gambia, then following the line of the Combo shore until again reaching the north point of the Oyster Creek aforesaid, including the whole of the country within the above-mentioned limits ;

“ And whereas all sovereignty of the before-specified territory is now vested in the said King of Combo, and has descended to him from his ancestors, and the said King of Combo having full power to dispose of the same, and being well assured of the pacific, just, and friendly disposition of the said Lieutenant-Governor, acting on behalf of Her

* Page 8.

† See also Treaty, 18th November, 1850, p. 13.

‡ H.T., vol. xii, p. 28 ; S.P., vol. xlvi, p. 888 ; vol. lvii, p. 334.

Cartabar. Albreda.]

Majesty the Queen of Great Britain and Ireland, and being moreover fully sensible of the benefits to be derived from the promulgation of British Christian principles, doth, in furtherance of that object, and in consideration of the sum of 100 dollars in merchandise, paid to him before the signing and sealing of these presents, the receipt whereof is hereby acknowledged, cede and relinquish to Her Britannic Majesty, her heirs and successors, for ever, all claim, title, and right to the sovereignty of the territory hereinbefore described, as well for himself as for and on behalf of his heirs and successors. Provided always, that the different individuals at present in possession of property of any description within the limits hereinbefore specified, shall in nowise be disturbed in the enjoyment of the same by any of the provisions of this Convention."

This Convention was confirmed on the 9th November, 1840 ; but it was amended by a Treaty signed on the 26th December, 1850, p. 16.

Cession by Cartabar to Great Britain of one square mile of Territory.

On the 23rd April, 1841,* a Treaty was signed between the Lieutenant-Governor of the British Settlements on the Gambia and the King of Cartabar, to which Additional Articles were attached, whereby he acknowledged Her Majesty to be the protecting Sovereign of his country in the following terms :—

" **Art. I.**—The King of Cartabar, seeing that he is unable of himself to prevent the incursions of neighbouring ill-disposed Chiefs delighting only in war, and who have heretofore annually ravaged his country, carrying off his people as slaves, the cattle and produce, now and for ever places the country of Cartabar under the sole protection of the Sovereign of England, and he begs that Her Majesty Victoria I, Queen of England, may become, in her own Royal person, and for her heirs and successors, the protecting Sovereign of the Cartabar country ; and the King of Cartabar freely cedes for ever to the Queen of England, her heirs and successors, one square mile of land in such part of his country as shall be pointed out by the Lieutenant-Governor of the British Settlements on the Gambia, or other officer authorized to do so.

" **II.**—The King of Cartabar agrees that he will not enter into any alliance, negotiation, or communication of any political nature whatever, with any Power in the world, without the knowledge and consent of the Queen of England, and the King of Cartabar declares the whole of the annexed Treaty, and these two Additional Articles, to be binding equally to himself as to his heirs and successors for ever."

Cession to Great Britain of Territory near Albreda.

On the 18th November, 1850,† a Convention was concluded between the Government of the British Settlements in the Gambia and Dembar Sonko, King of Barra, and others, for the cession to Great Britain of territory at or near Albreda. It contained the following stipulations :—

" Whereas, on the 15th day of June, in the year of the Christian era

* H.T., vol. vii, p. 17.

† H.T., vol. xii, p. 44.

1826, a Convention was made between his Honour Kenneth Macaulay, Acting Governor of Sierra Leone and its Dependencies, of the one part; and Brunay, King of Barra, and his Chiefs and headmen of the other part (p. 8); and whereas, by Article III of the said Convention, the sovereignty of the northern or right bank of the said River Gambia was ceded to His Majesty the King of Great Britain and Ireland, his heirs and successors, as in the Convention is more particularly set forth; and whereas, by the said Convention, and also by the Additional Article to the said Convention, there was excepted from the territory, whereof the sovereignty had been ceded to His Majesty the King of Great Britain and Ireland as aforesaid, a piece of ground near Albreda, on the banks of the said River Gambia, which said piece of ground was then supposed to be occupied by French subjects, and to extend 400 yards in breadth and 300 yards in depth, from the north bank of the said River Gambia. And whereas a Convention was made on the 5th day of January, in the year of the Christian era 1832, between his Excellency George Rendell, on behalf of His Majesty the King of Great Britain, his heirs and successors, of the one part; and Brunay, King of Barra, his Chiefs, and people, of the other part (p. 11); and whereas by Article II of the said last-recited Convention, the sovereignty of the right bank of the River Gambia was confirmed to the King of Great Britain, his heirs and successors, with the exception of that portion which was then occupied by the French as the factory of Albreda; and whereas doubts have arisen as to the extent of ground which French subjects are entitled to occupy at Albreda; and whereas no provision has hitherto been made as to the right of sovereignty over any portion of the said hereinbefore-mentioned space of 400 yards by 300 yards, in the event of any portion of the said space not being occupied by French subjects, or being occupied by French subjects wrongfully. Now, therefore, this Convention witnesseth, that in consideration of his friendship for the Queen of Great Britain, her heirs and successors, and also in consideration of the sum of 5*l.* paid before the signing and delivery of these presents, the said Dembar Sonko, for himself, his heirs and successors, and the said Amodo Talli, the said Era Sonko, and Mahmoudi Sankooraa cede and quit claim to all right of sovereignty, and all right of property and claims whatsoever in and to any portion of the hereinbefore-mentioned space of 400 yards by 300 yards, and in all ground heretofore occupied or claimed by any French subjects or citizens, in or near to Albreda as aforesaid; and the said Dembar Sonko doth for himself, his heirs and successors, absolutely cede and relinquish to the said Queen of England, her heirs and successors, all right and claim of sovereignty of himself the said Dembar Sonko, his heirs and successors, over the said reserved space of 400 yards by 300 yards in the said hereinbefore-recited Conventions more particularly mentioned and described. Provided nevertheless that no just rights of French subjects or citizens, or of the French Government, in or to any portion of the said reserved space of 400 yards by 300, shall be in any manner ceded or diminished by this Convention, or any part thereof.

Cession to Great Britain of Territory near Albreda.

The following Deed of Cession and Conveyance was at the same time (18th November, 1850) signed by the King of Barra and the Alcade of Jillifree* :—

To all to whom these presents shall come, I, Dembar Sonko, King of Barra, and I, Amodo Talli, Alcade of Jillifree, send greeting :

Whereas with the advice and consent of the Chiefs and headmen of Barra, we have agreed respectively with Richard Graves MacDonnell, Governor and Commander-in-Chief of the British Settlements in the Gambia, and his successors, acting for and on behalf of Her Majesty the Queen of Great Britain and Ireland, and her heirs and successors, to convey, bargain, and sell, give and grant, on the part of ourselves and our successors, and of the Chiefs and headmen of the said Kingdom of Barra, to the said Richard Graves MacDonnell, and his successors, for and to the sole use of her said Majesty, her heirs, successors, and assigns, all right, property, and title in or to the hereditaments and lands hereinafter more particularly described ; now, therefore, in pursuance of the said Agreement, and in consideration of the sum of 100 dollars paid to me the above-mentioned Dembar Sonko, and of the further sum of 200 dollars paid to me the above-mentioned Amodo Talli, Alcade of Jillifree, the receipt of which several sums immediately before the sealing and delivery of these presents is hereby acknowledged, and in consideration of the further sum of 10*l.* sterling to be paid to us at or immediately after the signing and delivery of these presents, I, the said Dembar Sonko, and the said Amodo Talli, do hereby convey, bargain and sell, give and grant to the said Richard Graves MacDonnell and his successors, all that piece of land immediately adjoining the western boundary of the French factory at Albreda, and bounded on the east (as shown in the Plan marked A hereunto annexed†) by a line 400 yards in length, and drawn north by south, through a point six toises west of the western extremity of the southern wall of the house formerly occupied by the French Resident of Albreda, and bounded on the west by a line 400 yards in length, and drawn parallel to the aforesaid line, running north and south as hereinbefore more particularly set forth, and distant 1,000 yards from the said line so running as aforesaid north and south, and bounded on the north by a line connecting the northern extremities of the eastern and western boundaries respectively, that is to say, of the northern extremities of the two parallel lines aforesaid, and bounded on the south by low-water mark, on the beach of the River Gambia, to have and to hold the said piece or parcel of land, and the said hereditaments, with their appurtenances, to the use of Her Majesty the said Queen of Great Britain and Ireland, her heirs, successors, and assigns for ever ; and we, the said Dembar Sonko, and the said Amodo Talli, Alcade of Jillifree, for ourselves, our heirs, and successors, and on the part of the headmen and Chiefs of Barra respectively, the parcels, lands, and hereditaments, with their appurtenances,

* H.T., vol. xii, p. 45.

† Not given.

[Combo.]

hereby bargained and sold, given and granted, will for ever warrant and defend against all persons whomsoever.

In witness whereof, we have hereunto set our hands and seals, this 18th day of November, in the year of the Christian era, 1850, at Government House, in the British Settlements of Bathurst.

(Signature in Arabic) KING OF BARRA.

ALCADE OF JILLIFREE.

RICHARD GRAVES MACDONNELL,

Governor and Commander-in-Chief.

And several other signatures.

This Convention was confirmed on the 20th March, 1851.

Territory ceded by Combo to Great Britain.

On the 26th December, 1850,* a Convention was concluded between the Governor of the British Settlements on the Gambia and the King and Chiefs of Combo and the Headmen of Baccon, in the Kingdom of Combo, making the following arrangements with regard to the cession of certain lands and territories in lieu of those made by the Convention of 13th July, 1840 (p. 12) :—

“ Whereas the aforesaid Contracting Parties hereto have agreed for the considerations hereinafter mentioned to make this Convention ; and whereas the sovereignty of certain lands and territories in the Kingdom of Combo were ceded to the Queen of Great Britain and Ireland by a Convention or deed in writing, dated 13th July, 1840, and made between Henry Vere Huntley, then Lieutenant-Governor of the British settlements in the River Gambia, and Soulong Jarta, King of Combo (p. 12), and whereas the fee-simple and property in certain of the lands in the neighbourhood of Baccon aforesaid was conveyed to the use of her said Majesty by an indenture, bearing date the 24th day of July, in the year 1840, and made between Mujabo Seesse and Amadee Banjole, both of Baccon, of the first part, and the said Henry Vere Huntley of the second part ; and whereas doubts have arisen as to the extent of territory granted to her said Majesty by the said Convention, and by the said indenture ; and whereas the several parties to this Convention being desirous of terminating all such doubts, and defining more accurately the ground and territory intended to be ceded to her said Majesty, appointed Commissioners on the part of her said Majesty, Daniel Robertson, Esq., Colonial Secretary ; William Bage, Esq., Colonel, Engineers ; and Thomas Kehoe, Staff Surgeon, 2nd Class ; and on the part of the King of Combo, and the people of Combo, John James Staples Finden, Esq., Major Commanding the Royal Gambia Militia ; Majabo Cese, Ansumarna Cese (Alcade of Mandinary), Fody Ansumarna Munang, and the said Commissioners proceeded on the 26th of the present month to view the ground and territory hereby intended to be ceded as aforesaid, and did mark out and designate accurately the said ground and territory. Now, there-

* S.P., vol. xlviii, p. 894 ; H.T., vol. xii, p. 47.

fore; it is agreed between the several parties to this Convention; first, that in lieu of and instead of any ground heretofore ceded by the Convention and by the indenture hereinbefore recited, the absolute sovereignty and entire property, and the fee-simple of the ground and territory marked out by the Commissioners aforesaid, shall be hereby given, granted, and ceded to her said Majesty, her heirs and successors, for ever, saving and excepting any right of property acquired by any parties in any portion of the said ground or territory previous to the signing of this Convention.

Limits of ceded Territory to be defined.

“ 2ndly. That the said Richard Graves MacDonnell, or the officer administering the Government of the British Settlements in the Gambia, shall appoint one or more competent persons to make a map of the said ground and territory hereby intended to be given, granted, and ceded, as aforesaid, and shall cause proper land-marks to be fixed on the said ground the better to define its limits, and shall give to the said Ansumarna Jarta copies of any maps so made as aforesaid, and the said landmarks so erected as aforesaid shall be on all occasions referred to for the purpose of determining all disputes which may arise in reference to the said ground or territory hereby intended to be ceded as aforesaid.

Road may be made from Ferry at Sarah to Territory ceded.

“ 3rdly. That the said Richard Graves MacDonnell, or the officer administering the Government for the time being of the said British Settlements in the Gambia, may at any time after the signing of this Convention make, or cause to be made, a road, not exceeding 20 yards in breadth, from the ferry at Sarah, opposite the Island of St. Mary’s, to any part of the said ground or territory hereby intended to be ceded as aforesaid; provided that the said road shall not encroach on any dwelling-house erected in any part of the Combo territory previous to the signing of this Convention.

4thly. 30*l.* to be paid to King and owners of ground ceded, as well as merchandise of value of 10*l.*

5thly. 10*l.* to be paid annually to King Combo, and 10*l.* to headmen of Baccon.

6thly. Customs and rents due to King of Combo to be paid in future to Governor of British Settlements in the Gambia.

This Convention was confirmed on the 25th February, 1851.*

Cession of British Combo to Great Britain.

On the 24th May, 1853,† another Convention was concluded between the Governor of the British Settlements on the Gambia and King Salatti and the Chiefs of Combo by which a further tract of country

* S.P., vol. xlviij, 894; H.T., vol. xii, p. 47.

† S.P., vol. xlviij, p. 899; H.T., vol. xii, 60.

[Betente, Jolah.]

of considerable extent adjoining Cape St. Mary and now known as British Combo, was ceded to Great Britain. The following are extracts from that Convention :—

“ WHEREAS disturbances have occurred in the said Kingdom of Combo, and continued therein for several years by reason of which the said kingdom as well as Her Majesty’s said settlement have sustained much injury, and a portion of the said kingdom has been withdrawn from the allegiance to the said King.

“ And whereas the said King has offered to cede to Her Majesty the Queen of England that portion of his said Kingdom, to Combo from the mouth of Sabijee Creek in a straight line to a point situated 1 mile south of Sabijee, and extending to a point situated on the seashore 2 miles north of the town of Bijulo, and bounded on the other sides by the sea, in consideration of his receiving the aid of the Governor of the said settlement to effect on his behalf a termination of those disturbances at Sabijee.

“ It is agreed upon as follows :

“ 1st. The King of Combo shall, upon a day to be fixed and appointed for that purpose by the said Governor, cede and deliver up to the said Governor, or his accredited agent, for and on behalf of the Queen of England, the aforesaid portion of his territory to hold to her said Majesty, her heirs and successors for ever.”

Portendic and Albreda.

On the 7th March, 1857, a Convention was concluded between Great Britain and France relative to Portendic and Albreda. (See GREAT BRITAIN AND FRANCE, p. 716.)

Union of the Gambia with Sierra Leone.

On the 19th February, 1866,* Letters Patent were issued for uniting the Colony of Sierra Leone together with the forts and settlements on the West Coast of Africa (Gambia, Gold Coast, and Lagos) under one Commander-in-Chief, and for providing for the government thereof ;† but these Letters Patent were revoked on the 17th December, 1874.‡ (See SIERRA LEONE, p. 47.)

Betente.

On the 25th July, 1887, the Emir of Betente ceded to Her Britannic Majesty the full sovereignty and possession of all such parts of his kingdom and territories as might not already have been by Treaty or otherwise acquired by Great Britain.

This Treaty was acquiesced in by Chiefs subordinate to the Emir who were not present when the Deed of Cession was signed.

Jolah.

On the 15th September, 1887, the Kings of sixteen towns and districts in the Jolah Country went to Kansallah to meet the Governor

* See page 45.

† S.P., vol. lix, p. 1194.

‡ H.T., vol. xv, p. 531. See also Letters Patent, 17th June, 1885, p. 55.

[Fogni, Vintang, Central Kiang, &c.]

of the West Africa Settlements, when they signed a document in which they repeated their request to Her Britannic Majesty to accept the sovereignty of the whole Jolah country, and to take the Jolah people under her protection, and begged the Governor not to leave without hoisting the British flag at Kansallah that day, stating that they desired to receive it, and that Kansallah was on their own ground in the Jolah Country, and belonged to the Woorambang, and that no one had any right there but themselves.

Fogni.

On the same day, these same Kings signed a Treaty with the Governor of the West Africa Settlements, at Kansallah, "in the Fogni Country," by which they engaged, among other things, not to cede any of their territory to any other Power than England, or enter into any Agreement, Treaty, or Arrangement with any foreign Government except through and with the consent of the British Government.

Vintang District.

On the 17th September, 1887, the Chief and Almany of Vintang, in Fogni, signed a Treaty with the Government of the West Africa Settlements to the same effect; and by another document the Chief requested Her Majesty the Queen to accept the sovereignty of the whole Vintang District and to take it under her protection, and the Governor was earnestly begged not to leave Vintang until he had hoisted the British flag there that day.

Central Kiang.

On the 19th September, 1887, a similar Treaty was signed at Quinalla, in Central Kiang Country, and a similar document signed by the King of Central Kiang and others, requesting Her Majesty the Queen to accept the sovereignty of the whole Central Kiang Country and to take it under her protection, and earnestly requesting the Governor not to leave without hoisting the British flag at Tendabar, Bambako, and Mandina that day, stating that these places were all on ground in the Central Kiang Country.

Jarra.

On the 11th October, 1887, a similar Treaty was entered into with the King of Jarra, and a similar document was signed by the King, his Headmen and people requesting Her Majesty to accept the sovereignty of the whole Jarra Country, and to take it under her protection, and earnestly requesting the Governor not to leave without hoisting the British flag that day at Bai, in the Jarra Country.

Central Kiang (Batelling).

On the 14th October, 1888, a Treaty was signed by Prince Mansah Cotto, of Batelling, Independent Chief of a portion of Central Kiang, accepting the provisions of the Treaty made with the King of Central Kiang on the 19th September, 1887.

[Panchang, Combo, &c.]

Colony of the Gambia.

On the 28th November, 1888,* Letters Patent were issued revoking the Letters Patent of 17th June, 1885, and 11th October, 1887 (see p. 55), and declaring the Settlement of the Gambia to be erected into a separate Colony, to be called the Colony of the Gambia, and announcing that the Colony comprised all places, settlements, or territories which might at any time belong to Her Majesty in Western Africa between 12° and 15° of north latitude and lying to the westward of the 10° of west longitude.

British and French Limits.

On the 10th August, 1889†, an Arrangement was concluded between the British and French Governments, by Articles I and II of which the limits of the British Possessions in Senegambia were defined. (See GREAT BRITAIN AND FRANCE, p. 729.)

Panchang and Niambuntang.

On the 8th May, 1893, a Joint Report was made by the British and French Commissioners as to the position of Panchang and Niambuntang. (See GREAT BRITAIN AND FRANCE, p. 754.)

Foreign Combo.

In April, 1894, a Proclamation was issued announcing the annexation of Foreign Combo to the Gambia.

Gambia Protectorate.

As a result of a number of Agreements concluded with native chiefs between 1894 and 1901 a Protectorate was established extending on both banks of the river for a distance of about 250 miles.

Boundary.

The limits of the Possession were defined by the Arrangement between Great Britain and France of the 10th August, 1889, above referred to. A modification of the frontier was, however, agreed to by Art. V of the Anglo-French Convention of the 8th April, 1904‡ (see GREAT BRITAIN AND FRANCE, p. 816), so as to give to France, Yarbuntenda and the lands and landing places belonging to that locality, or access at a point lower down on the River Gambia in the event of the river not being open to maritime navigation up to that place.

A Procès-Verbal was signed by the Boundary Commissioners at Bathurst on the 9th June, 1891 (see GREAT BRITAIN AND FRANCE, p. 742), in which the line of the frontier was described in detail, but further modifications were introduced by the later surveys of 1895-96 and 1898-99, and by the Boundary Commission of 1905-06 under the Convention of 1904.

A reference to No. 1 of the table given at p. xlv will show the progress that has been made in the actual delimitation of the frontier.

* H.T., vol. xviii, p. 614; S.P., vol. lxxxi, p. 140.

† H.T., vol. xviii, p. 419.

‡ H.T., vol. xxiv, p. 394.

BRITISH WEST AFRICA.

(SIERRA LEONE, COLONY AND PROTECTORATE.)

SIERRA LEONE,

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[Sierra Leone.]

No. 2.—Notes on *SIERRA LEONE*, 1788—1908.*Sierra Leone.*

ON the 22nd August, 1788,* the following Declaration was signed by the King and Chiefs of Sierra Leone for the cession of certain territories to His Majesty King George III :—

“ Know all men by these presents that I, King Nambaner, Chief of Sierra Leone, on the Grain Coast of Africa, by and with the consent of the other Kings, Princes, Chiefs, and potentates subscribing thereto, in consideration of the presents, as by a list annexed, now made me by Captain John Taylor, of His Britannic Majesty’s brig “ Miro,” in behalf of and for the sole benefit of the free community of settlers, their heirs and successors, lately arrived from England, and under the protection of the British Government, have granted, and by these presents do grant and for ever quit claim to a certain district of land for the settling of the said free community to be theirs, their heirs and successors, for ever ; that is to say, all the land, wood, water, &c., which are now contained from the bay commonly called Frenchman’s Bay, but by these presents changed to that of St. George’s Bay, coastwise up the River Sierra Leone to Gambia Island, and southerly or inland from the river side, 20 miles. And further, be it known unto all men that I, King Nambaner, do faithfully promise and swear for my Chiefs, gentlemen, and people, likewise my heirs and successors, that I will bear true allegiance to His Most Gracious Majesty George III, King of Great Britain, France, and Ireland, &c., and protect the said free settlers, His subjects, to the utmost of my power against the insurrections and attacks of all nations or people whatever. And I do hereby bind myself, my heirs and successors, to grant the said free settlers a continuance of a quiet and peaceable possession of the land granted, their heirs and successors, for ever. In witness whereof, I and my Chiefs have set our hands and seals this 22nd day of August, 1788.”

[Here follow the Signatures and Seals and List of Presents.]

Sierra Leone.

On the 10th July, 1807,† certain other territories at Sierra Leone were ceded to His Majesty by a Treaty with the local Chiefs, from which the following are extracts :—

“ 1. It is agreed that there shall henceforth be peace and friendship between the British Colony of Sierra Leone and King Firama and King Tom, and all the Princes, Headmen, and people subject.

“ 2. King Firama and King Tom, with the consent of all the Headmen at this time assembled, do hereby surrender to His Majesty the King of Great Britain, for the use and benefit of the Sierra Leone Company, all the right, power, and possessions of every sort and kind in the peninsula of Sierra Leone and its dependencies which they

* H.T., vol. xiv, p. 927. S.P., vol. lxiii, p. 1091.

† H.T., vol. xiv, p. 929. S.P., vol. lxiii, p. 1092.

[Bance Island, Isles de Los.]

or either of them formerly had to the westward of the colony of Sierra Leone or any part thereof.

Bance Island.

“3. It is nevertheless agreed that the claim of the proprietors of Bance Island* to the possession of Cape Sierra Leone and the adjacent land shall not be altered or affected by this Treaty, neither shall the claims of any other person or persons to the same or any part thereof be affected or altered by it; but all such claims shall remain the same as if this Treaty had never been made.”

Isles de Los.

On the 6th July, 1818,† the following Treaty was concluded between the Governor of Sierra Leone and the Chief of the Bago country, by which the Isles de Los were ceded to Great Britain, subject to certain annual payments being made :—

“1st. The said Mungo Demba, King of the Bago country, and his Chieftains Alimamee Dalla Mohammadu, Secca, Amurah, Salea, and Ali, have for themselves and their successors ceded, transferred, and given over to his Excellency Lieutenant-Colonel Charles McCarthy, Governor of the Colony of Sierra Leone, and the Governors of the said colony for the time being, for the use of and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland and his successors, the full, entire, free, and unlimited possession and sovereignty of the islands constituting the Isles de Los, viz., Factory, Crawfords, Jamara, Whites, and Coral Islands, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over all the harbours, bays, creeks, roads, and roadsteads and waters in and round the said islands.”

Note.—For recognition by France of the Isles de Los as a British Possession, see Art. II of Anglo-French Convention of the 28th June, 1882, p. 724.

[The Isles de Los were ceded by Great Britain to France by Art. VI of the Convention of the 8th April, 1904, p. 817.]

Banana Islands.

On the 25th May, 1819,‡ a Convention was concluded between the Governor of Sierra Leone and the Timmanees for the cession of the Islands of Bananas to Great Britain, from which the following are extracts :—

“The said Pa London, commonly called Ka Conko, his Chieftains, Headmen, and gentlemen, have for themselves and their successors ceded, transferred, and given to his said Excellency Governor McCarthy, as Governor for the time being, for the use and on the behalf of His

* See Convention with North Bulloms of 2nd August, 1824, p. 30.

† H.T., vol. xiv., p. 932. S.P., vol. lxiii, p. 1097.

‡ S.P., vol. lxiii, p. 1098.

Majesty the King of the United Kingdom of Great Britain and Ireland and his successors, the full, entire, free, and unlimited possession and sovereignty of the territory and lands commonly known under the name of Mar Porto and Ro Bomp, situated on the banks of the Bunch River, and extending from _____ to _____ with all right and title to the navigation _____ of the same river, water, or rivulet, situated on the left side as aforesaid.

“The extent and limits of the afore-mentioned lands of Mar Porto and Ro Bomp shall be duly established in the presence and with the consent of Pa London, commonly called Ka Conko, or a person or persons duly authorised by him to that effect, and no alteration in said limits shall hereafter under any pretence or plea be permitted under the authority or sanction of his said Excellency the Governor or his successors, without the concurrence of the said Pa London or his successors, it being fully understood that within the extent of those limits only British subjects shall have a right to occupy lands in those districts.”

Banana Islands.

On the 21st July and 20th October, 1820, similar Conventions were concluded with the Timmanees of the Quia and with the Chiefs of the Bananas, from which the following are extracts :—

Convention with the Timmanees of the Quia. 21st July, 1820.*

“1. The said Pa London, commonly called Ka Conko, has for himself and his successors, and for and in the name of Thomas Caulker and his successors, ceded, transferred, and given to his said Excellency Governor McCarthy or Governor for the time being on the behalf of His Majesty George the Fourth of the United Kingdom of Great Britain and Ireland, King, and his successors, the full, entire, free, and unlimited possession and sovereignty of the Islands of Bananas, situated near and opposite to Cape Shilling, with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the harbours, bays, creeks, roads, roadsteads, waters, in and around the said islands.”

Convention with the Chiefs of the Bananas. 20th October, 1820†.

“The said Contracting Parties have agreed and do agree as following :—

“1st. That the said Thomas Caulker and George Stephen Caulker for and on the part and behalf of themselves and their successors, and all and every other person or persons having or pretending to have any right, title, or interest in the Isles known by the name of the Bannanoes, situate opposite to and lying antiguous to Cape Shilling on the Western Coast of Africa, and also all lands in the immediate vicinity thereof, have this day ceded, transferred, and given to his said Honour Acting Governor Grant, or Governor for the time being, on the part and behalf of His Majesty George the Fourth of the United

* S.P., vol. lxiii, p. 1100.

† H.T., vol. xiv, p. 933.

[Tombo Island.]

Kingdom of Great Britain and Ireland, King, and his successors, the full, entire, free, and unlimited possession and sovereignty of the said islands of Bannanoes and lands in their immediate vicinity, with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the harbours, bays, creeks, roads, roadsteads, and waters in and around the said islands, &c.

“3rd. His said Honour the Acting Governor for himself and his successors on the part and behalf of His Britannic Majesty, guarantees to Thomas Caulker and George Stephen Caulker, their Chieftains and respective successors, the full, certain, and free possession of the lands, houses or property of whatsoever kind which they do now or may possess on the said islands.”

Abolition of Africa Company.

On the 7th May, 1821,* an Act of Parliament was passed for abolishing the Africa Company and transferring to, and vesting in, His Majesty all the Forts, Possessions, and property then belonging to or held by them.

By this Act, power was given to His Majesty to order and direct that all or any of the said Forts and Possessions, as also any Territories, islands, or Possessions on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude which did then, or which might thereafter, belong to His Majesty, should be annexed to, and made Dependencies of, the Colony of Sierra Leone.

Cession of Tombo Island to Great Britain.

On the 5th June, 1821,† the following Declaration was signed by the Kings and Chiefs of the North Bulloms, ceding Tombo Island to Great Britain :—

“Now know ye that I, the aforesaid Ba Samma, commonly known by the style and title of Ba Mano, King or principal Chief of the North Bulloms and districts of Loco Ma Samma, Isles of Bance, Tasso, Tombo, &c., together with the Chieftains and Headmen now assembled with me at Tombo, having first declared that we possess the full authority, absolute dominion, and undisputed territorial right to this effect, do by these presents grant, surrender, make over, and resign unto him, the said John McCormack, his heirs and assigns, all our right, title, and interest in the said point of the isle or island of Tombo; that is to say, from the western extremity of the said isles until when the same is bounded by the salt-water creek intersecting said isle to the east, the same being the boundary of old between Tombo, so called, and Iama, to have, hold, possess, and enjoy the same, with all privileges in and around the same, and emoluments, advantages, and uses, absolutely and for ever without hindrance from us or our successors henceforth and for ever; hereby reserving, not-

* H.T., vol. xviii, p. 172.

† S.P., vol. lxiii, p. 1104. See also Convention, 2nd August, 1824, p. 30.

[Bance, Tasso, Tombo and other Islands.]

withstanding, unto us and our successors, being Kings or principal Chiefs of North Bullom, Loco Ma Samma, &c., the yearly rent, custom, or subsidiary gift of 100 bars, to be paid to us and our successors yearly and every year by the said John McCormack, his heirs and assigns, for ever, and payable in every year on the 25th day of December, commencing from that day and month, in the year 1820.

“And in default of the said John McCormack, his heirs or assigns, so paying or causing to be paid the aforesaid yearly rent, custom, or subsidiary gift, then this instrument and Treaty shall become null and of no effect, and all advantage, &c., derived thereby thenceforward cease.”

This Agreement was replaced by the following Convention :—

Cession by North Bulloms of Bance, Tasso, Tombo, and other Islands to Great Britain.

A Convention which was signed between the Acting Governor of Sierra Leone and King of North Bulloms, on the 2nd August, 1824,* for the cession to Great Britain of certain Islands, &c., on northern side of the River Sierra Leone.

By this Convention it was mutually agreed as follows :—

“1st. Ba Mauro, King of the North Bulloms, by the advice and consent of his Chiefs and Headmen, signified by their signature hereto, has for them and himself, and their and his successors, ceded, transferred, and given over to his Honour Daniel Molloy Hamilton, Acting Governor of the colony of Sierra Leone, and the Governors of the said colony for the time being, for the use and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and his successors, the full, entire, free, and unlimited right, possession, and sovereignty of the islands of Bance, Tasso, Tombo, Bob's, Caffoo, Yellway, Kropillar, Yeama, Papill, Marabump, Callum Bay, Balt, Pentillar, and all the other islands and islets lying, situate, and being upon the northern side of the River Sierra Leone, between Jagreen Point on the west, and the creek Ka Cupper, above Mafarree, which divides the territories of the said Ba Mauro from those of Al Kärlie, King of Port Logo, on the east, by whatever name or names the same may be known,

One mile ceded to Great Britain inland on Northern Bank of Sierra Leone River,

and also the northern bank of the said river on the main land, for one mile inland from the River Comso Bay on the west, to the said creek above Mafarree on the east, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said River Sierra Leone, and all the bays, creeks, inlets, and waters of the same.

“2nd. The said Ba Mauro, King of the North Bulloms, with the advice and consent of his Headmen, in manner aforesaid, further

* H T., vol. xiv, p. 943. S.P., vol. lxiii, p. 1108.

[*Sherbro, Ya Comba and Sherbro, Tasso and Plantain Islands.*]

cedes, grants, and transfers over to the said Daniel Molloy Hamilton, Acting Governor of the colony of Sierra Leone, for the use of his said Majesty, all the right and title to the rent or customs due or payable to him for the places named in the schedule annexed to this Treaty, together with all the obligations of lessees thereof, and which places are the only ones he acknowledges as having been leased, let, or given away by him or on his account, or by his consent, or that of his Chiefs, no other person having any right, claim, or title whatsoever to the use, possession, or occupation of any part of the islands, lands, or territories hereby ceded and transferred over.”

It was further agreed that the Governor of the colony of Sierra Leone should make an annual payment of a stipulated amount to the King of North Bulloms, and that the natives should retain full possession of their lands.

Cession to Great Britain of Sherbro, Ya Comba, and Sherbro, Tasso, and Plantain Islands.

On the 24th September, 1825,* a Convention was signed at the Plantain Islands between Sir Charles Turner, K.C.B., Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, the Forts and Settlements in the River Gambia, Cape Coast Castle, and the Forts on the Gold Coast, the Isles de Los, and the islands, Territories, and factories to His Majesty belonging, on the Western Coast of Africa, from the 20th degree of north latitude to the 20th degree of south latitude ; and Banka, King of Sherbro, on the part and behalf of his Tributary Kings, Chiefs, and Headmen, Kong Cuba, Prince of Sherbro, Sumana, King of Bendoo, Ta Bampay, King of Bullom, Soloccoo, King of Bagroo, Suwarrow, King of Char, Kenefarree, Chief of Sherbro Island, Will Adoo, Chief of Jenkins ; and Ya Comba, by her lawful representatives and next of kin ; Thomas Caulker, Chief of Bompey ; and George Caulker, Chief of Tasso and the Plantain Isles ; on behalf of themselves, their Tributary Chiefs, Headmen, and People ; by the following clauses of which they ceded their Territory to the British Crown :

Boundaries.

“ 1st. Banka, King of Sherbro, by the advice and consent of his said Tributary Kings, Chiefs, and Headmen, and the said Thomas Caulker, and George Caulker, Representatives of the said Ya Comba, Queen of Ya Comba, have, for themselves, their Tributary Kings, Chiefs, Headmen and People, for them, their heirs and successors for ever, ceded, transferred, and given over, unto his said Excellency Charles Turner, Governor of the said Colony of Sierra Leone, and his successors, the Governors of the said Colony for the time being, for the use and on the behalf of His Majesty the King of Great Britain and Ireland, and his successors, the full, entire, free, and unlimited right. title. possession, and sovereignty of all the Territories and

* S.P., vol. lxiii, p. 1111.

[Sherbro and Ya Comba.]

Dominions to them respectively belonging, being situate between the southern bank of the Camaranca River, on the north, and the town of Camala and the line which separates the Territories of King Sherbro from those of the Queen of the Gallinas, on the south; together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said Territories, and the rivers, harbours, bays, creeks, inlets, and waters of the same.

“2nd. The said Charles Turner, for himself and his successors the Governors of the said Colony of Sierra Leone for the time being, on the part and behalf of His said Britannic Majesty, agrees to accept the cession of the aforesaid Territories and Dominions from the said Banka, King of Sherbro, and the said Ya Comba, Queen of Ya Comba, their Tributary Kings, Chiefs, and Headmen; giving and granting to the said Banka, King of Sherbro, and Ya Comba, Queen of Ya Comba, their Tributary Kings, Chiefs, and Headmen, and the other native inhabitants of the said Territories and Dominions, the protection of the British Government, the rights and privileges of British subjects, and guaranteeing to the said Banka, King of Sherbro, his Tributary Kings, Chiefs, and Headmen, namely, Sumana, King of Bendoo, Suwarrow, King of Char, Kong Cuba, Prince of Sherbro, Ta Bompay, King of Bullom, Soloccoo, King of Bagroo, Kenefarree, Chief of Sherbro Island, Will Adoo, Chief of Jenkins, and the said Ya Comba, Queen of Ya Comba, and her representatives, and to the said Thomas Caulker, Chief of Bompey, and George Caulker, Chief of Tasso and the Plantain Isles, and the other native inhabitants of the aforesaid Territories and Dominions, and to their heirs and successors for ever, the full, free, and undisturbed possession and enjoyment of the lands they now hold and occupy.”

Annexation of Sherbro and Ya Comba Territories to Sierra Leone.

On the 3rd October, 1825,* the following Proclamation was issued by the Governor of Sierra Leone respecting the above cession, and announcing the accession of the said territory to the Colony of Sierra Leone :—

“WHEREAS by a Convention entered into at the Plantain Islands on the 24th day of September last, and ratified at Yoni, on Sherbro Island, on the first day of this instant month of October, Banka, King of Sherbro, and Ya Comba, Queen of Ya Comba, did, by and with the advice and consent of their several tributary Kings, Chiefs, and Headmen, cede, transfer, and make over to us, for and on behalf of His Majesty, the full, entire, free, and unlimited right, title, possession, and sovereignty of all the territories and dominions of the Sherbro Bulloms situate between the southern bank of the Camaranca River in latitude 7° 54' N. on the north, and the town of Camala and the boundary line which separates the dominions of King Sherbro from those of the Gallinas, in or about latitude 7° N.

* S.P., vol. lxiii, p. 414. H.T., vol. xiv, p. 950.

[Bacca Loco.]

on the south, extending eastward to the acknowledged boundaries of the Sherbro and Ya Comba kingdoms, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said territories, and the rivers, harbours, bays, creeks, inlets, and waters of the same.

“ Now therefore be it known to all whom it may concern, that possession of the said kingdoms has been by us taken in the name and on behalf of His Majesty, and that the same, by virtue of the powers in us vested, are constituted an integral part of the colony of Sierra Leone, and are thereby become subject to the navigation and other laws of the mother country and of the said colony.

“ Given at Yoni, on Sherbro Island, the 3rd day of October, 1825.

“ By his Excellency’s command.

“ GEORGE RENDELL, A.C.J.

“ God save the King.”

Cession of Bacca Loco to Great Britain.

On the 12th December, 1825,* the following Convention was concluded between Great Britain and the Chiefs of the Barra and Sancong families for the cession of Bacca Loco to Great Britain :—

“ Whereas, by the decease of Pa Moribah, Ali Karlie, the territories of Bacca Loco are left without a Chief to govern and protect the same : And whereas it belongs to Caremo, Senior and Chief of the Barra family, Santigge, his younger brother, and Namina Lahi and Brahima Kayelle, heads of the Sancong family, as lawful proprietors and possessors of the said territories of Bacca Loco, to nominate and appoint a successor to the said Pa Moribah, Ali, &c. ;

* * * * *

“ Wherefore the said Contracting Parties have mutually agreed as follows :—

“ 1st. Caremo, Senior and Chief of the Barra family, Santigge, his younger brother, and Namina Lahi and Brahima Kayelle, heads of the Sancong family, the lawful proprietors and possessors of the territories of Bacca Loco, have, for themselves, their heirs and successors, for ever ceded, transferred, and given over unto his Excellency Charles Turner, C.B., Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, and his successors, the Governors of the said colony, for ever, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, the full, entire, free, and unlimited right, title, and sovereignty into and over the territories and dominions of Bacca Loco, situate and bounded as follows : on the north by the River Mungo, or Small Scarcies, from the line of the Ka Kupper Creek on the west to Kassa on the east ; on the east by the line from Kassa to the Sabouney River, which separates the said territories from the Maccama country ; on the south by the boundary line of Pa Cobulo’s territory, from thence

* S.P., vol. lxiii, p. 1115.

[Soombia Soosoos and Tura, Ceded Mile.]

through the Plains of Lallitoboo to Kasanko Point, at the conflux of the Rivers Rokelle and Port Logo ; and on the west from Kasanko up the River Port Logo, to the Ka Kupper Creek, and from thence along the said creek, and the line thereof, to the River Mungo or Small Scarcies ; together with all the rivers, inlets, and waters of the same.

“ 2nd. His Excellency Major-General Charles Turner, C.B., Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, for himself and his successors, the Governors of the said colony, on the part and behalf of His said Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors for ever, has agreed to accept the said sovereignty of the territories of Bacca Loco, and guarantees to the said families of Barra and Sancong, and to the inhabitants of the same, the continued and unmolested enjoyment of such lands and other property as they now possess.”

Cession by Soombia Soosoos and Tura of certain Territories to Great Britain.

On the 18th April, 1826,* a Treaty was signed between the Governor of Sierra Leone and the Chiefs of the Soombia Soosoos and Tura Family by the following clauses of which they ceded certain territories to the British Crown :—

“ **Art. V.** For the purpose of rendering the provisions of this Treaty more effectual, the said Soumbuya Chiefs and the Tura family give, grant, and cede over to his Honour the Acting Governor of Sierra Leone and his successors, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland and his successors, the full, entire, free, and unlimited sovereignty, right, title, and possession in and over all the seas, rivers, harbours, creeks, inlets, and waters of their respective territories from Conta (the town where Mr. Rosenbush’s factory has been established) in the south to Ferighna in the north.

One mile inland also ceded to Great Britain.

And in and over one mile inland from the seaboard of the same.”

“ **Art. VII.**—The said Chiefs and Headmen further engage, that should the Governor of the colony of Sierra Leone for the time being, for and on the part of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, require the cession of any tract or parcel of land within their respective territories, they will at all times be ready and willing to treat for the cession of the same on fair and equitable terms.

One mile inland ceded to Great Britain.

“ **Art. VIII.**—His Honour the said Kenneth Macaulay, for himself and his successors, Governors of the said colony, on the part and on behalf of His Majesty the King of Great Britain and Ireland, his heirs and successors, agrees to accept the sovereignty of one mile

* H.T., vol. xii, page 322. See also note next page.

[Island of Matabong, Kafu Bulloms.]

inland from the seaboard, and of all the seas, rivers, harbours, creeks, inlets, and waters of the Mandingo and Soumbuya countries from Conta in the south to Ferighna in the north, for the more effectual performance of the obligations of this Treaty,

Island of Matabong,

and also to accept the sovereignty and possession of the island of Matabong,* and to preserve the same as a neutral and free resting-place for the craft and canoes of all the surrounding tribes whilst in amity and friendship with His Britannic Majesty.”

Cession of Kafu Bullom (or Loco Marsamma) Territories to Great Britain.

On the 8—10th March, 1827,† the following Treaty was signed between Great Britain and the Ruler and Chief and other Chiefs of the Kafu Bulloms, by which they ceded their territories to Great Britain :—

“Whereas by the decease of Bey Sherbro, alias King George, the Sovereignty of the Territories of the Kafu Bulloms has become vacant :

“And whereas by the unanimous voice of the people given according to the custom and usage of the country in such case, the succession to the said sovereignty has devolved upon John Macaulay Wilson, eldest son of the deceased, and Chief of the Kafu family, by the style and title of Bey Sherbro :

“Wherefore the said Contracting Parties have mutually agreed as follows :

“1st. That he the said Bey Sherbro, the Ruler and Chief aforesaid, Pa Nain Banna, Pa Forie, Ka Mott, and Pa Moriba, commonly called Allimamee of Mambole, and the other Chiefs who have hereunto set their hands, being the lawful proprietors and possessors of the territories of the Kafu Bulloms, have for themselves, their heirs and successors, for ever ceded, transferred, and given over unto his Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and Dependencies, and his successors the Governors of the said colony for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, the full, entire, free, and unlimited right, title, and sovereignty into and over the territories and dominions of the Kafu Bulloms, for ever, situate and bounded as follows : On the north by the Atlantic Ocean and the Small Scarcies, on the south by the River Sierra Leone, on the east by the country of the North Bulloms or Loco Marsamma, and by a line drawn from the head of

* An Agreement was also signed with the Chiefs of Mandingo, on the 30th December, 1825, for the cession of the Island of Matabong to Great Britain (S.P., vol. lxiii, p. 1117) ; but Agreements were signed between Great Britain and France, 28th June, 1882, Art. II (see p. 724), and 10th August, 1889, Art. II (see p. 730), by which the Island of Matabong and other territories were recognised as belonging to France.

† S.P., vol. lxiii, p. 1122.
(1714)

[Island of Bulama.]

the Robarna Creek, which runs from the Sierra Leone River to the head of the Creek Shal-neppa-took, which runs from the aforesaid River Scarcies, and on the west by the Atlantic Ocean (and the entrance of the River Sierra Leone), together with all the islands, rivers, inlets, and waters of the same.

“2nd. His Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies for himself and his successors the Governors of the said colony, on the part and behalf of His said Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, for ever, has agreed to accept the said sovereignty of the territories of the Kafu Bulloms, and guarantees to the Kafu family and to the inhabitants of the same, the continued and unmolested enjoyment of such lands and other property as they now possess, together with all their rights, usages, and customs with respect to domestic servitude, at the same time it being clearly understood that no ruler, Headman, Chief, or head of a family, or any other being a subject of the said Bey Sherbro, shall attempt to remove any of his, her, or their domestics, or their children, male or female, from the territories of the Kafu Bulloms, for the purpose of being carried into bondage or made use of for any purposes of traffic.”

*Island of Bulama.**

On the 24th June, 1827,† a Treaty was concluded between Great Britain and the King of Biafra, which contained the following Article ceding the Island of Bulama, with the adjacent islands, to Great Britain.

“**Art. V.**—The sovereignty of the island of Bulama, with the adjacent islands, and of a line from Ghinala to the sea west-north-west, is for ever ceded to His Majesty the King of Great Britain and Ireland, his heirs and successors, with power and right to establish villages, forts, to cultivate farms, and every other establishment, public or private, which the Governor of Sierra Leone or any other competent British authority within the territory of Ghinala may deem fit.

“**Art. VI.**—The deed of cession of Ghinala and the adjacent islands of the island of Bulama, which was made by the Kings Niobana and Matchora to Captain Beaver, R.N., for His Majesty the King of Great Britain, upon the 3rd day of August, 1792, is hereby acknowledged and confirmed.”

The right of Great Britain to these Islands was, however, disputed by Portugal, and the question in dispute was referred to the arbitration of the President of the United States, who gave his award (21st April, 1870)‡ in favour of the Portuguese claim, and possession was thereupon given up to Portugal on the 1st October, 1870 (**No. 301**). (See **GREAT BRITAIN and PORTUGAL** (p. 990).)

* Awarded to Portugal 21st April, 1870. See **Great Britain and Portugal**, p. 988.

† **H.T.**, vol. xi, p. 7.

‡ See p. 988.

[North Bank, Sierra Leone River.]

Cession by Locco Marsamma to Great Britain of portion of Territory on North Bank of the Sierra Leone River.

On the 29th November, 1847*, a Treaty was concluded between Great Britain and the King and Chiefs of Locco Marsamma, by the following Articles of which a portion of his territory on the north bank of the Sierra Leone River, as well as a portion of territory on the south bank of the small Scarcies River, and certain islands were ceded to Great Britain:—

“**Art. XIV.**—Notwithstanding that the right of the British Government to the sovereignty over the whole of the waters of Sierra Leone River is ancient and valid, certain parties have nevertheless brought that right into question for the purpose of defrauding the revenue of the said colony, alleging, as the grounds for so doing, that no formal cession of any portion of the north bank of the said Sierra Leone River has ever been made to the British Government. In order to remove the ground for such allegation for the future, the Governor of the said colony has requested the King [Ba Mauro], party to this Treaty, to cede unto him and his successors in office, for and on behalf of Her Majesty the Queen of England, for ever, such portion of his territory as is hereinafter mentioned.

Cession of Territory for a quarter of a mile inland.

“**Art. XV.**—And the said King and Chief, in proof of his friendship for Her Majesty the Queen of England, and to testify his confidence in the British Government, hereby consents to cede, and by these presents doth for himself and his successors in office for ever cede and transfer, unto the Governor aforesaid and his successors, Governors of the said colony, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the right, title, and sovereignty in and over that portion of his territory extending from the point on the eastern shore of the Cum-ro-bey Creek, where the cession of the territory on the mainland to Acting Governor Hamilton in the year 1824 commences,† round the head of that creek leading up to the town of Cum-ro-bey, and thence round the western shore of the said creek by Tagarene Point to the Ro-Ma-Kbog-Boh Creek, the boundary of the Locco Marsamma and Kaffu Bullom countries, and extending in depth inland one quarter of a mile from high-water mark, and from the Key Sullong Creek, which also separates the territory of the King of the Locco Marsamma from the territories of the King of the Kaffu Bulloms on the west, round Baloh Point and along the south bank of the Small Scarcies or Ro-Boorey River to the creek or brook which runs past the town of Rokon and empties itself into the Bo-Boorey River, being the eastern boundary between the Locco Marsamma and Bacca Locco countries, also extending inland for the depth of one quarter of a mile from high-water mark, and including in the foregoing cession the islands of Yellow-o-Boyah, Certimo, and Ki-Kon-Keh.”

* H.T., vol. xii, p. 39.

† See Treaty, 2nd August, 1824, p. 30.

[Kafu Bulloms. Sierra Leone River, Bompey and Plantain Islands.]

Cession by Kafu Bulloms to Great Britain of portion of Territory on North Bank of the Sierra Leone River.

On the same day (29th November, 1847)* a Treaty was concluded between Great Britain and the King and Chief of Kafu Bulloms for the cession to Great Britain of a certain portion of territory on the north bank of the Sierra Leone River.

The Articles ran as follows :—

29th November, 1847.

“**Art. XIV.**—Notwithstanding that the right of the British Government to the sovereignty over the whole of the waters of the Sierra Leone River is ancient and valid,† certain parties have nevertheless brought that right into question, for the purpose of defrauding the revenue of the said colony, alleging as the grounds for so doing that no formal cession of any portion of the north bank of the Sierra Leone River has ever been made to the British Government. In order to remove the ground for such allegation for the future, the Governor of the said colony has requested the King party to this Treaty to cede unto him and his successors in office for and on behalf of Her Majesty the Queen of England for ever such portion of his territory as is hereafter mentioned.

Cession of Territory for a quarter of a mile inland.

“**Art. XV.**—And the said King and Chief, in proof of his friendship for Her Majesty the Queen of England, and to testify his confidence in the British Government, hereby consents to cede, and by these presents doth for himself and his successors in office for ever cede and transfer, unto the Governor aforesaid and his successors, Governors of the said colony, for and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the right, title, and sovereignty in and over that portion of his territory (extending along the north bank of the Sierra Leone, from Ro-Ma-Kbog-Boh Creek on the east to Key Polong Creek on the west, and extending inland one quarter of a mile in depth from high-water mark.”

Bompey and Plantain Islands. Limits.

In a Treaty with the Chiefs of Bompey and the Plantain Islands, of the 4th—7th July, 1849, it was agreed that the territories of Careybah Caulker, Chief of Bompey, should extend from the limits of the Colony of Sierra Leone to the Creek called the Bago, and the territories of Thomas Stephen Caulker, Chief of the Plantain Islands, should extend from the Bago Creek to the River Yaltueka ; the village of Tasso being the burial place of the Caulker family, belonging equally to all the members thereof.

British Jurisdiction in Countries adjacent to Sierra Leone.

On the 13th July, 1850,‡ an Order in Council was passed, extending British jurisdiction over British subjects residing in countries under

* H.T., vol. xii, p. 41. Confirmed by Treaty, 26th August, 1852, p. 40.

† See Treaty, 2nd August, 1824, p. 30.

‡ S.P., vol. xlviii, p. 1292.

[Naloes, Fouricaria, Scarcies Rivers, Kambia, Macbatees, Rio Pongas.]

the dominions of Native Princes adjacent to Sierre Leone ; and another Order on the same subject on the 25th November, 1853.*

Naloes. Boundary.

In a Treaty with the Naloes, of 21st March, 1851†, the territories of the Chiefs were recognized as extending “ from the mouth or entrance of the Rio Nunez to the town of Ropass.”

Fouricaria. Boundaries.

In a Treaty with the King or Chief of the Fouricaria Country, of 2nd August, 1851‡, the territories belonging to him were recognized as extending “ from the entrance of the Fouricaria River on the south side and the entrance of the Bereira River, on the north side, to the town of Dahree, in the interior.” This territory is now included within the French sphere of influence. (See GREAT BRITAIN AND FRANCE (pp. 723, 754).)

Small Scarcies River. Boundaries.

In a Treaty with the King of the Small Scarcies River, of 23rd December, 1851§ the Territories of that King were recognized as extending “ from the source of the Small Scarcies River to Alligator Creek, on the south side, to Coutre Creek, on the north, including the banks of the river on both sides.”

Kambia (Great Scarcies River). Boundaries.

In a Treaty with the King of Kambia, of 26th December, 1851|| it was agreed that his territories extended “ from the town of Kambia, including the south bank of the Great Scarcies River in the front of the town, to Fouta in the interior, including the paths from and to the above-named places called Kasse, Moonoo, Masamballa, Kotonko, Rosoosoo, Tambacca, and Tamisso.”

Macbatees (Great Scarcies River). Boundaries.

In a Treaty with the King of the Macbatees, on the Great Scarcies River, of ^{26th December, 1851,}¶ _{17th January, 1852,} his territories were recognized as extending “ from the town of Rosinoe on the north and Rocooper on the south bank of the River Great Scarcies to the town of Billah inclusive, and the farthest limits of the west suburbs of the town of Kambia at the head of the river, including both banks and the towns between the above named places.”

Rio Pongas. Boundaries.

In a Treaty with the King of the Rio Pongas, on the 17th January, 1852,** the territories belonging to the King were recognized as extending “ from the sand and mud bars on the sea-board to the town of

* H.T., vol. ix, p. 62.

† S.P., vol. i, p. 809.

‡ S.P., vol. xlv, p. 888.

§ S.P., vol. xlv, p. 890.

|| S.P., vol. i, p. 816.

¶ S.P., vol. i, p. 812.

** S.P., vol. xlv, p. 894.

[Wonkafong, Sierra Leone River (North Bank).]

Soomboorie, in the interior, including all the tributary streams leading from and to the Rio Pongas; Tarboreah, an outlet to the southward, only excepted.”

This territory is now within the French sphere of influence. (See GREAT BRITAIN AND FRANCE (pp. 723, 729).)

Wonkafong. Boundaries.

In a Treaty with the King of Wonkafong, Soombooyer, of 29th January, 1852, the territories belonging to the King were recognized as extending “from the seaboard of the River Maneah to its source in the interior, including the River Toogroon, or Toogamy, with the Sarink Sarinka Branch leading to Maneah.”

This territory is now within the French sphere of influence. (See GREAT BRITAIN AND FRANCE (pp. 723, 729).)

Confirmation of Cession of Territory on North Bank of the Sierra Leone River.

On the 26th August, 1852,* another Treaty was concluded between Great Britain and the King of the Kafu Bulloms, confirming the cession of territory on the north bank of the Sierra Leone River which had been made in 1847.

“**Art. XIX.**—And whereas a Treaty was, on the 29th day of November, in the year of our Lord 1847,† concluded between the afore-said Governor of Sierra Leone and the late Bey Sherbro, King of the Kafu Bulloms, the immediate sovereign predecessor of the present King of the Kafu Bulloms [Nain Sugo, the Bey Sherbro], party hereto, in Clause XV of which Treaty the said late Bey Sherbro did, for divers good and sufficient reasons therein set forth, cede and transfer to the said Governor, for and on behalf of the Queen of England, the right, title, and sovereignty in and over that portion of his territory extending along the north bank of the River Sierra Leone, from Ro-Ma-Kbog-Boh Creek on the east to Key Pelong Creek on the west, and extending inland one quarter of a mile in depth from high-water mark. The said Bey Sherbro, party hereto, doth hereby ratify and confirm for himself, his successors, his Headmen, and Chiefs, the said cession of territory as aforesaid to all intents and purposes for ever, as well as all and singular the several other covenants and stipulations in the said before-recited Treaty contained.

Territory ceded.

“**Art. XX.**—This Treaty shall be forthwith proclaimed according to the usual and solemn country customs on like occasions, and made law throughout the territories of the said King, which territories, for the better maintenance of peace and the avoidance of all causes of differences and disputes, are hereby fixed and declared to be as follows; that is to say, from the Ro-Ma-Kbog-Boh Creek, which runs into the

* See Treaty, 29th November, 1847, p. 38.

† H.T., vol. xii, p. 55.

[British Quiah, Ma Bwetic, Ro Woollah and Kambia.]

Sierra Leone River to the westward of Tagrin Point on the east to Key Pelong Creek, which empties itself into the sea on the west; and from the north bank of the Sierra Leone, lying between the two before-mentioned creeks, northerly to the town of Rokassy, and including within the said boundaries all roads footpaths, creeks, and navigable rivers which may exist within the same.

Cession of a portion of Quiah to Great Britain (British Quiah).

On the 2nd April, 1861,* a Treaty was concluded between Great Britain and the King, Chiefs, and Headmen of Quiah, for the cession of a portion of Quiah to Great Britain.

Boundaries.

The following were declared to be the boundaries of the territory so ceded:—

“**Art. I.**—King Alexander Bey Cantah and the Chiefs and Headmen above mentioned do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, and sovereignty in and over all that piece or portion of the Quiah Country, measuring 10 miles in width, from Waterloo and Calmunt Creeks to the Quiah River or Creek, and 16 miles in length from the River Sierra Leone to the Ribbie River or thereabouts, and bounded on the west by Waterloo Creek and Calmunt Creek; on the east by the Quiah River or Creek (which empties itself into the Rokelle River at Ro Benkeah), by the creek known as Ma Sungoh Creek, and by a direct line running from the head of the southern branch of the said Quiah River or Creek, to the head of the said Ma Sungoh Creek; on the north by the Sierra Leone River; and on the south by the River Ribbie or Dibbie round to the entrance of Calmunt Creek, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Quiah land hereby ceded shall henceforth be annexed to and be a Dependency of this Colony, and be subject to the laws now in force and hereafter to be enforced in this Colony.”

This Treaty was confirmed by a Proclamation issued by the Governor of Sierra Leone, &c., on the 19th August, 1861; but a portion of the country hereby ceded, known as British Quiah, was retroceded to the King, Chiefs, and people of Quiah, upon certain conditions, on the 29th January, 1872.†

Ro Woollah, Kambia and Ma Bwetic. Boundaries.

In a Treaty with the Kings of Ro Woollah, and of Ma Bwetic and Kambia, on the 10th June, 1861‡, the territories of those Kings were

* S.P., vol. lvii, p. 340.

† See pp. 45, 46.

‡ H.T., vol. xi, p. 34.

[Great Scarcies River, Sherbro and Turtle Islands.]

recognized as being included within the following boundaries :—
 “ On the west by Bongkome Creek, running into the Kankana, a few miles above Ro Singbwe ; on the east by the Creek Koonkorah, emptying itself into the Small Scarcies at about 3 miles above Rochin, the late Kanloo Cappa’s place, and on the south by the town Kayomboh.”

A further Treaty was signed on the 11th June, 1861,* with the King of Ma Bwetic and others, which contained the following Article.

Great Scarcies River.

“ Art. XVIII.—This Treaty shall revoke and annul all previous Treaties made between Her Majesty the Queen of England and the late King Farama, as the King of Ma Bwetic, and with the present Sattan Lahia, King of Ro Woollah, as the King of Kambia, and shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the said Bey Farama, which for the better maintenance of peace and the avoidance of all causes of differences and disputes hereafter are hereby fixed, with the consent of Bey Farama and his Chiefs, and with the consent of the Kings and Chiefs parties to this Treaty, to be as follows, viz. :—On the south side of the Great Scarcies River, commencing on the west at Marinjah Creek, which runs inland a little to the westward of the village of Ro-ta-Buncle, and running eastward along the south bank of the said river to a brook or creek called ‘ Bongkome,’ which runs into the River Kankana, a little above the town of Ro Singbwe, the said River Kankana emptying itself a little further on into the Collantine, or Great Scarcies River, about 2½ or 3 miles to the eastward of ‘ Pint-a-Killie,’ a little to the eastward of Kambia ; this is the eastern boundary and on the south the said territory between Ro Marinjah Creek on the west and Ro Bong Konney Creek and River ; Kankana on the east is bounded by the Small Scarcies or Ro Bury River.”†

Sherbro and Turtle Islands.

On the 9th November, 1861,‡ a Treaty was concluded between Great Britain and the King and Chiefs of Sherbro, by the following Articles of which the Sherbro and Turtle Islands were ceded to Great Britain :—

“ Whereas the said Banah Boom, King of Shey or Sherbro country, and the Chiefs and Headmen aforesaid [Chiefs of the Sherbro and Turtle Islands], are desirous that that portion of the Shey or Sherbro Island should be ceded, surrendered, given over, and transferred from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors :

“ The said Banah Boom and the Chiefs and Headmen aforesaid, do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs

* S.P., vol. lxiii, p. 1133.

† A further Treaty on the same subject was signed with the same Kings on the 16th December, 1861.

‡ S.P., vol. lvii, p. 348.

[Bendoo and Chah (Sherbro Country).]

and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty, in and over that piece or portion of Sherbro country commonly known as the Turtle and Sherbro Islands, viz., on the west from the southernmost and westernmost island commonly called and known by the name of the Turtle Islands called Hoom, round to the south-east by Moote, Foto, Kellebagey, Shey, Yelle-a-Byah, and all the other islands commonly known as the Turtle Islands, together with the whole of the island known among the natives as the Island of Shey, or Sherbro Island, together with all the islands and creeks belonging to the same, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Shey or Sherbro Islands hereby ceded shall henceforth be annexed to, and be a dependency of, this colony, and be subject to the laws now in force and hereafter to be in force in this colony."

Bendoo and Chah (Sherbro Country).

On the same day (9th November, 1861)* a Treaty was concluded between Great Britain and the Chiefs of Bendoo and Chah, by the following clauses of which a certain portion of this territory was ceded to Great Britain :—

"Whereas the said Thomas Stephen Caulker and the Chiefs and Headmen aforesaid [of Bendoo and Chah] are desirous that that portion of the Sherbro country called Bendoo and Chah, situated at the mouth of the Boom Kittam, and Jong Rivers, should be ceded, surrendered, given over, and transferred, from henceforth for ever, unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors :

"The said Thomas Stephen Caulker and the Chiefs and Headmen aforesaid do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, sovereignty, in and over that piece or portion of the Sherbro country called Bendoo and Chah, bounded on the north and west by the Sherbro Estuary, and the Jong River from Harry Tucker's Island to Parrot's Point, being a distance of about 15 miles ; on the north and east by the Paypan branch of the Jong River and the Bayamoh River from Parrot's Point to the confluence of the Canuwoh Creek and Bayamoh River, distance about 13 miles, on the south and east by the Canuwoh Creek to its source, thence by a line to the source of the Fanemah Creek, and by said creek to the Boom Kittam River, distance about 18 miles ; and by the south and west by the Boom Kittam River from Fanemah Creek to Harry Tucker's Island, the place first started from, distance about 13 miles together with all the islands thereunto belonging, together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims, and all privileges appertaining to the same, which portion of the Sherbro

* H.T., vol. xii, p. 88.

[Bagroo, Mana Bagroo, Belley (Sherbro Country), British Quiah.]

country hereby ceded shall henceforth be annexed to and be a dependency of this colony, and be subject to the laws now in force and hereafter to be in force in this colony.”

Cession to Great Britain of Bagroo, Mana Bagroo, and Belley (Sherbro Country).

On the 9th November, 1861,* the following Treaty was concluded between Great Britain and the Kings and Chiefs of Bagroo, for the cession to Great Britain of Bagroo, Mana Bagroo, and Belley, in the Sherbro Country :—

“ Whereas the said Se Loko, King of Bagroo, and the Chiefs and Headmen aforesaid, are desirous that that portion of the Sherbro Country called Bagroo, Mana Bagroo, and Belley, should be ceded, surrendered, given over, and transferred from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors.

“ The said Se Loko, King of Bagroo, and the Chiefs and Headmen aforesaid, do hereby cede, surrender, give over, and transfer from henceforth for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs, and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty in and over that piece or portion of Sherbro called Bagroo and Mana Bagroo and Belley, extending from the Yall Tucker River on the north to the Bagroo and Balley Rivers on the south, and extending about 30 miles inland from Sherbro River, which bounds it on the west ; together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, sea-coasts, shores, creeks, and inlets, fishing and other revenues, and maritime claims and all privileges appertaining to the same, which portion of the Sherbro Country hereby ceded shall henceforth be annexed to and be a Dependency of this Colony, and be subject to the laws now in force and hereafter to be in force in this Colony.”

British Quiah.

About this time hostilities broke out in Quiah, and the following were among the terms of peace submitted, on the 1st February, 1862, to the King and Chiefs by the Governor of Sierra Leone :—†

“ 2. The Queen’s right to British Quiah must be fully acknowledged, agreeably to the Treaty.‡

“ 3. All persons who may not wish to live under and render obedience to British law must leave the Queen’s land in Quiah.

“ 4. Those settlers who may remain in British Quiah must not build towns or houses in any place without the consent of this Government.

“ 5. All those who wish to remain under obedience to British rule and law shall be protected.

* S.P., vol. lvii, p. 346.

† S.P., vol. lvii, p. 351 ; H.T., vol. xii, p. 91.

‡ See Treaty with Quiah, 2nd April, 1861, p. 41.

[British Quiah.]

“ 6. Kabannah Burreh, or Songo, and his people, are under the protection of British laws, and any person or persons offering violence to himself or any of his people will be considered enemies to the Government of the Queen.

“ 7. To avoid any further disputes, the King Alexander Bey Cantah should not reside in British Quiah, but live in some other part of his dominions; his towns Robaga, and Robany, having been taken by British troops, now belong to the colony of Sierra Leone.”

These conditions were accepted by the King and Chiefs in the following terms:—

“ We, the undersigned, King, Chiefs, and Headmen of Quiah, having begged for peace, agree to all the terms proposed by the Governor of Sierra Leone; and we promise for ourselves and on behalf of our people, that we will faithfully abstain from any hostile act against the Government of Sierra Leone, and should any of our people be guilty of any act of aggression on British territory, we will deliver them up to be dealt with according to the laws of the colony. We also promise to protect all British subjects that visit, or reside, or trade in our own country, and should any British subject break any country law, we will send him to the Governor of Sierra Leone for trial and punishment.

“ Given under our hands and seals at Freetown, Sierra Leone, this 1st day of February, 1862.”

[Here follow Signatures.]

A portion of this territory was retroceded to Quiah on the 29th January, 1872 (see pp. 41, 46).

Union of Sierra Leone with the Gambia, Gold Coast, and Lagos.

On the 19th February, 1866,* Letters Patent were issued for uniting the Colony of Sierra Leone, together with the forts and settlements on the West Coast of Africa (Gambia, Gold Coast, and Lagos), under one Governor-in-Chief, and for providing for the government thereof.

It contained the following clause:—

“ We do hereby constitute on the said West Coast of Africa one Government-in-Chief, which shall be called the Government of our West Africa Settlements, and shall, until otherwise provided by us, comprise our four Colonies or Governments aforesaid [Sierra Leone, Gambia, Gold Coast, and Lagos] under the respective designations, and with the limits hereinafter expressed, that is to say, our Settlement of Sierra Leone, comprising all places, settlements, and territories which may at any time belong to us in Western Africa between the 5th and 12th degrees of north latitude, and lying to the westward of the 10th degree of west longitude; our Settlement on the Gambia, comprising all places, settlements, and territories which may at any time belong to us in Western Africa between the 12th and 15th degrees of north latitude, and lying to the westward of the 10th degree of west longitude; our Settlement on the Gold Coast, comprising all places,

* S.P., vol. lix, p. 1194; H.T., vol. xiii, p. 26.


[British Quiah.]

settlements, and territories which may at any time belong to us in Western Africa between the 5th degree of west longitude and the 2nd degree of east longitude; our Settlement of Lagos, comprising all places, settlements, and territories which may at any time belong to us in Western Africa between the 2nd and 5th degrees of east longitude.”

These Letters were, however, altered by others which were issued on the 17th December, 1874.*

Retraction of Portion of British Quiah.

On the 29th January, 1872,† the following Treaty was signed by the Government of the West Africa Settlements in the name of Her Britannic Majesty with the King, Chiefs, and people of Quiah.

“Whereas by Treaty dated the 2nd April, 1861,‡ and made between his Excellency Stephen John Hill, C.B., on behalf of Her said Majesty, of the one part, and the said Alexander Bey Cantah and the Chiefs and Headmen of the Quiah country, of the other part, all that territory now known as British Quiah was ceded, surrendered, and transferred to Her said Majesty, her heirs and successors, and was annexed to the Settlement of Sierra Leone, and made subject to the laws then and thereafter in force in the said Settlement. 

Retraction to Quiah of a Portion of British Quiah.

“And whereas Her Majesty the Queen has been graciously pleased as a proof of her goodwill and favour to the King, Chiefs, and people of Quiah to cede and give back again a portion of the said country known as British Quiah upon the conditions following; namely:

Maintenance of British Sovereignty over British Quiah.

“1. The right, title, and sovereignty of Her Majesty Queen Victoria and her successors in, to, and over the whole of the country now known as British Quiah is hereby declared and shall be for ever maintained.

Boundary of British Quiah.

“2. That portion of British Quiah bounded as follows: commencing at the entrance of Bance Creek, thence following the creek at Ro Bruce River to the north of the town of Madonkia, thence in a straight line along the proposed road marked A B by Songo Town to the point marked C on Songo Town Creek, thence following the original boundary to a point marked D on Quiah Creek and thence following the course of the creek and the banks of Sierra Leone River to the point of commencement (except, however, as next hereinafter mentioned), and on the plan hereunto annexed coloured red, is hereby ceded by Her Majesty Queen Victoria to Bey Cantah and his successors the Kings of Quiah, subject, nevertheless, as aforesaid, and to the

* See p. 47. H.T., vol. xv, p. 531.

† S.P., vol. lxiii, p. 1146.]

‡ See p. 41.

[*Bonkia, Sherbro and Mendi, and Great and Small Scarcies Rivers.*]

conditions herein contained ; and he and all his people are permitted to return to their country and reside within the aforesaid boundaries.

Bonkia.

“ 3. The house of Bonkia, together with a piece of land included within a radius of one quarter of a mile, shall be and is hereby excepted out of the territory now ceded ; but no persons shall be disturbed in the occupation of their houses and lands within this radius as long as the terms of this Treaty are faithfully observed and performed.

“ 4. The remaining portion of British Quiah, and on the said plan coloured green, shall remain and for ever hereafter form a portion of the Settlement of Sierra Leone, and all residents therein are and shall be subject to the laws for the time being in force in the said Settlement.

“ 5. The territory now ceded shall be liable to be resumed by Her Majesty Queen Victoria and her successors whenever she or they shall think fit.”

West Africa Settlements.

On the 17th December, 1874, Letters Patent were issued, revoking so much of the Letters Patent of 19th February, 1866,* as provided for the government of Her Majesty's Settlements at Sierra Leone and on the Gambia ; and constituting those Settlements into one Government, to be called the West Africa Settlements ; and providing for the government thereof,† but this was altered by Letters Patent issued on the 17th June, 1885, and 28th November, 1888 (see pages, 47, 55).

Sherbro and Mendi. British Right to collect Customs Dues.

On the 21st December, 1875,‡ an Agreement was signed with the Chiefs of the Sherbro and Mendi people (Bompeh, Ribbee, Mahmoo, and Dodo), in which it was recorded that the Chiefs of Bompeh and Ribbee ceded to Her Majesty the right to collect the Customs dues over the seaboard over which they had authority ; which Agreement was approved on the 22nd February, 1876.

On the 30th December, 1875, another Agreement was entered into with other Chiefs of the Sherbro and Mendi people (Tasso, Bendo-Thumba, Thumba, Mannoh, Bompehtook, and Cockboro), in which it was recorded that the Chiefs of Cockboro made a similar cession to Her Majesty ;§ which Agreement was also approved on the 22nd February, 1876.

Great and Small Scarcies Rivers. British Sovereignty over Waters.

On the 10th June, 1876,|| the following offer of sovereignty was made to Her Majesty over the waters bordering their territories, as

* See p. 45.

† S.P., vol. lxxvi, p. 948.

‡ S.P., vol. lxxv, p. 655

§ S.P., vol. lxxv, p. 657.

|| H.T., vol. xviii, p. 174. Ratified, and Acceptance proclaimed 25th February, 1879. H.T., vol. xviii, 173.

[Great and Small Scarcies Rivers, &c.]

well as over the islands and places in the Great and Small Scarcies Rivers, by the Chiefs of Ro Wollah, Magbatie and Kambia, Mombolo, North Bulloms, and others, which was accepted.

“ WE, the undersigned Chiefs [of Ro Wollah, of Magbatie and Kambia, of Mambolo (all on the Great Scarcies River); of Roman-gay (Small Scarcies River); of Digsing, of North Bullom or Locco Marsamah, and of Tawonyah], whose territories border the Scarcies Rivers, being desirous to increase the friendship which has existed for so many years between ourselves, our people, and the British Government, and being grateful to the British Government for the help which has been given by them to our country on so many occasions, and specially in consideration of the interference at this time of the Governor of Sierra Leone in the war between ourselves and Almamy Boccary, of the Moriah country, do hereby solemnly bind ourselves to the following conditions; that is to say:—

Sovereignty over Waters bordering Territory ceded by Treaty of 29th November, 1847.

“ 1st. We offer to the Governor of Sierra Leone for the acceptance of Her Majesty the Queen of England if it shall please Her to take the same the free, entire, and unlimited right, possession, and sovereignty of the waters bordering those portions of territory which were ceded by Bey Mauro to the British Government in Treaty of 29th November, 1847,* that is to say, Yellboyah, Corteemo, Kikonkeh, and other lands and places not here mentioned, in the same manner and to the same extent as is given over the Sierra Leone River to Her Majesty by the Treaty of cession of that river, of 2nd August, 1824.†

Sovereignty over Islands named in Treaty of 29th November, 1847.

“ 2nd. We offer to Her Majesty the free, entire, and unlimited right, sovereignty, and possession of any islands at the mouth of the Scarcies Rivers, and in the neighbourhood of them, not set forth in the Treaty of 29th November, 1847, above quoted, over which we have sovereignty, which Her Majesty may be pleased to require.

Sovereignty over Territory bordering the Scarcies Rivers.

“ And also the Territory bordering the Scarcies Rivers, commencing at a point in Small Scarcies River, opposite the Roboorey River, passing down the northern bank, then along the margin bordering the sea and passing up the Great Scarcies River on the left or southern bank, and down the northern bank of the same river one quarter of a mile in depth from the shore island, so as she may require the same for the purpose of the collection of revenue or for such other purposes as to her shall seem good.

* See p. 37.

† See p. 30.

[Scarcies Rivers. Samoo Bullom.]

Non-cession of Sovereign Rights over Territory, or Authority to levy Taxes to any European Power.

And further we hereby pledge ourselves not to cede to any European Power any right of sovereignty or authority to levy taxes or imposts of any kind in any part of the countries over which we have jurisdiction, without the consent first obtained of the Government of Her Majesty the Queen of England, and we pledge ourselves that the refusal to grant this consent shall be prohibitory of our right to make such Agreement, and we agree that the attempt to make such an Agreement shall be considered a desire to break off our friendship with the British Government, and to have rendered us liable to all the consequences which would follow our having made war on British Possessions.

Annual Allowances to be made to Chiefs.

In consideration of the concessions herein made the Lieutenant-Governor of Sierra Leone promises for Her Majesty's Government that if it shall seem good to Her Majesty to accept any part of the offers herein made, or the whole of them, that Her Majesty will make such annual allowances to the Chiefs (whose names are hereunto attached) as annual stipends as is proportionate to the authority exercised by each Chief over the surrounding country, and as is the custom of Her Majesty to make towards Chiefs with whom Her Government is on terms of friendly relationship similar to those which are herein set forth, and also that the native inhabitants of the portions of land ceded by this Concession shall, if the Concession be accepted, have the free use of their land and Possessions without prejudice to the rights of sovereignty acquired by Her Majesty the Queen."*

Cession of Samoo Bullom Country to Great Britain.

On the 2nd May, 1877, a Treaty was signed by the King of the Samoo Bullom country ceding his country to Her Majesty, in the following terms :—

“THE King, Chiefs, and people of the Samoo Bullom country, having derived great benefit from a former Treaty† between Her Majesty Queen Victoria and their forefathers the Chiefs of Samoo and Moricaniah, and being anxious to draw closer the ties of friendship between themselves and Her Majesty, and to promote commerce and civilization, and to extend the trade of their country, have proposed to make the cession to Her Majesty of the rights of sovereignty hereinafter mentioned, which the said Horatio James Huggins, Administrator of the Government of the West Africa Settlements, has agreed to accept on behalf of Her Majesty.

It is therefore agreed as follows :—‡

* Acceptance proclaimed 25th February, 1879. H.T., vol. xviii, p. 173.

† 20th May, 1845, relating to Commerce, the Slave Trade, &c. S.P., vol. I, p. 927.

‡ A portion of this Territory is now included within the French Sphere of Influence. See Agreements between Great Britain and France of 28th June, 1882, and 10th August, 1889, pp. 723, 729.

[Great Scarcies and Mellicourie, Gallinas Territory.]

Great Scarcies and Mellicourie Rivers and Islands.

Art. I.—The Kings and Chiefs aforesaid, and other the Chiefs and Headmen of the Samoo and Moricaniah country signing this Treaty, do hereby for and on behalf of themselves and the people of the Samoo Bullom country give, grant, and cede over to the said Horatio James Huggins, Administrator of the Government of the West Africa Settlements, for and on behalf of Her Majesty Queen Victoria and her successors, all the seas, harbours, rivers, creeks, and inlets of the said Samoo Bullom country, from Massebbeh Creek which lies on the north bank of the Great Scarcies River, down that bank on to and round Sallatook Point on the south bank of the Mellicourie River, on and up that river to a place called Kargbang, a town opposite to Contah on the north bank of the said Mellicourie River, including the waters of the said Mellicourie River, together with the Islands Karkootolah, Tombo, Bannardtiah, and all other the islands on the seas so ceded between the said Great Scarcies and Mellicourie Rivers and at their mouths, and the seas and waters surrounding the said islands, with all rights of navigation, trade, commerce, and imposts, and also half a mile of land from high-water mark inland along the seashore extending from the Great Scarcies River to the said Mellicourie River.

Acceptance by Her Majesty of Proposed Cessions of Seas, &c., and Territories with half a mile inland.

Art. II.—The Administrator of the Government of the West Africa Settlements for himself and his successors for and on behalf of Her Majesty Queen Victoria and her successors agrees to accept the sovereignty of the seas, harbours, rivers, creeks, inlets, islands, and half a mile of land from high-water mark inland, and all other the premises ceded as aforesaid, together with the rights of navigation, commerce, and imposts; reserving and guaranteeing, however, to the native inhabitants of the said islands and lands so ceded as aforesaid and to their heirs and assigns the full, free, and entire possession of so much of the said lands as is now held and occupied by them, save and except such sovereignty as aforesaid.

Cession by the Gallinas to Great Britain of Territory on the Coast and half a mile inland.

On the 30th March, 1882,* the following offer of cession of a portion of this territory to Her Majesty was made by the King Jaiiah of Gallinas and the Chiefs of Gallinas, Gbemah and Manna, which was accepted.

Sulymah River.

“ **Art. I.**—The undersigned King of Gallinas, and Chiefs of Gallinas, Gbemah and Manna, parties hereto, offer to cede, surrender, give over, and transfer for ever unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited

* See Treaty 18th May, 1885, p. 54.

[Bullom and Shebar.]

right, possession, dominion and sovereignty in and over all that portion of our territories which adjoins and borders on the Atlantic Ocean, for the distance inland of half a mile from high-water mark; together with all the islands and sand-banks adjacent thereto; and together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, creeks, and inlets, fishing and other revenues and maritime claims, and all privileges appertaining to the same. The said portions of territory, if accepted by Her Majesty, will become part of Her Majesty's Settlement of Sierra Leone.

Boundaries.

“The said portions of territory are more particularly described as follows:—In the Gallinas country the seashore starting from the north-western boundary of the Gallinas territory as far as the mouth of the Gallinas River, both banks of the Gallinas River, from the mouth of that river as far as the town of Minah, the seashore of Dibiah from the mouth of the Gallinas River as far as the mouth of the Sulymah River, and the right bank of the Sulymah River as far as a point opposite the town of Juring, which is situated on the left bank of the Sulymah River. In the Gbemah and Manna country the left bank of the Sulymah River starting from the town of Juring and as far as the mouth of that river, the seashore from the mouth of that river as far as the mouth of the Mannah River, and the right bank of the Mannah River from its mouth as far as the town of Ngaringa.

“The above-mentioned territory, whether bordering on the sea or on a river, to have a depth of half a mile from the highest water-level. With the above seashore and river banks are included all the islands and sand-banks adjacent to such seashore and river banks.”

A further Agreement was entered into upon this subject on the 18th May, 1885 (p. 54).

Bullom and Shebar.

On the 18th November, 1882, an Agreement was entered into between the Governor of the West Africa Settlements and the Chiefs and sub-Chiefs of Bullom and Shebar, for the confirmation of the Sovereign rights ceded to His Britannic Majesty by the Treaty of 24th September, 1825,* from which the following are extracts:—

“Whereas by a Convention signed at the Plantain Isles on the 24th day of September, 1825, and ratified in the presence of all the Kings, Chiefs, and Headmen of the Sherbro Bulloms at Yoni, on Sherbro Island, on the 1st day of October, 1825; Banka, King of Sherbro on the part of his tributary Kings Chiefs, and Headmen; Kong Cuba, Prince of Sherbro; Sumana, King of Bendoo; Ta Bompay, King of Bullom; Soloccoo, King of Bargroo; Suwarrow, King of Char; Kenefarre, Chief of Sherbro Island; Will Adoo, Chief of Jenkins; and Ya Comba, Queen of Ya Comba, by her lawful representatives and next-of-kin; Thomas Caulker, Chief of Bompeh, and George Caulker, Chief of Tasso and the Plantain Isles, on behalf of themselves, their

* Page 31.

[Bullom and Shebar.]

tributary Chiefs, Headmen, and people, for them, their heirs and successors for ever, ceded, transferred, and gave over to His Excellency Charles Turner, Companion of the Most Honourable the Military Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, &c., &c., &c., and his successors the Governors of the said Colony for the time being, for the use and on behalf of His Majesty the King of Great Britain and Ireland and his successors, the full, entire, free and unlimited right, title, possession, and sovereignty of all the territories and dominions to them respectively belonging, being situate between the southern bank of the Camaranka River on the north, and the town of Camala, and the line which separates the territories of King Sherbro from those of the Queen of the Gallinas on the south, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said territories, and the rivers, harbours, bays, creeks, inlets, and waters of the same.

“ And whereas the said Charles Turner, for himself and his successors the Governors of the said Colony of Sierra Leone for the time being, on the part and on behalf of His said Britannic Majesty, agreed to accept the cession of the aforesaid territories and dominions from the said Banka, King of Sherbro, and the said Ya Comba, Queen of Ya Comba, their tributary Kings, Chiefs, and Headmen.

“ And whereas it is expedient that the sovereignty and rights belonging to Her Majesty Queen Victoria, her heirs and successors, under and by virtue of the aforesaid Convention should be re-asserted, acknowledged, and publicly made known.

“ Now, therefore, we the Undersigned William E. Tucker, Chief of Bullom and Shebar, James Beah Yeemie Tucker, Chief of Rontooke, Shebar, James Cabba Cabba Tucker, sub-Chief of Gbapp, on the part of our relative and predecessor Ta Bompay, King of Bullom, who was a party to the Convention aforesaid, and on our own part as well as on the part of our Chiefs and Headmen, do formally and fully acknowledge and recognize the sovereignty and rights of Her Majesty Queen Victoria, her heirs and successors, under and by virtue of the aforesaid Convention.

“ And further, we admit and assert that all Treaties, Conventions, or Agreements which have been entered into between our predecessors and Her Majesty’s Government as represented by the Governor of Sierra Leone since the date of the aforesaid Convention are, in all points in which they are inconsistent with or in contradiction to the aforesaid Convention, invalid and of no effect whatsoever.

“ And whereas Her Majesty’s Government deem it expedient to continue the payment of a stipend to the Chief of Bullom and Shebar.

“ Now, therefore, I, Arthur Elibank Havelock, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the West Africa Settlements, agree for myself and my successors, on the part of Her Majesty, to pay or to cause to be paid annually out of the revenues of the Settlement of

[*Massah and Krim Country.*]

Sierra Leone to the person for the time being holding during Her Majesty's pleasure the office of Chief of Bullom and Shebar, the sum of sixty pounds."

Massah and Krim Country.

On the 5th June, 1883, an Agreement was entered into between the Chief Justice and Administrator-in-Chief of the West Africa Settlements and the Queen of Massah and the Chiefs of the Krim Country, in which they offered to cede a portion of their Territory to Her Majesty. The following is an extract from that Agreement:—

"**Art. I.**—The Undersigned Queen Messee, of Massah, and Chiefs [of Topan, Byama, Carleh, Kereh, Tay, and Fahn-Koondoo] of the Krim Country, parties hereto, offer to cede, surrender, give over, and transfer for ever unto Her Majesty the Queen of Great Britain and Ireland, Her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty in and over all that portion of our territories which adjoins and borders on the Atlantic Ocean, together with all the islands and sand-banks adjacent thereto and together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, creeks, and inlets, fishing and other revenues and maritime claims, and all privileges appertaining to the same. The said portions of territory, if accepted by Her Majesty, will become part of Her Majesty's Settlement of Sierra Leone.

Boundaries.

"The said portions of territory are more particularly described as follows:—The whole of that portion of the Krim country now held by Queen Messee and others her sub-Chiefs lying within the following boundaries: on the north-west the territory formerly known as "Tucker's Territory," already ceded to the British Government; on the north east the River Kittam, on the south-east by a creek running in and from the Kittam River to the town of Ghagbah and by a line extending from the town of Ghagbah in a south-westerly direction to the seashore, and dividing the territories of Queen Messee from those held by Chief Fahwoondoo, and on the south-west by the Atlantic Ocean. On the right or north-eastern bank of the Kittam River, from the point where the territory of Queen Messee borders on "Tucker's Territory," as aforesaid, to a point opposite the entrance to the creek on the left bank leading to the town of Ghagbah, the above-mentioned territory on the right bank of the Kittam River to have a depth inland of half a mile from the highest water-level. With the above seashore and river banks are included all the islands and sand banks adjacent to such sea shore and river banks."

Krim Country.

On the 21st October, 1883,* an Agreement was entered into between the Government of West Africa Settlements and other Chiefs of the Krim Country.

* See also Treaty 18th May, 1885, p. 54.

[Gallinas Territory.]

“ **Art. I.**—The undersigned Chiefs [Messmah (Pookoomoo), Manoh (Kehmoh), Tobandah (Bahgoray), Lah (Sehywoh), Gomboo (Dassoe), Casseh (Manjahgbay), Mendi (Mahgpondoh), Bahfeh (Bahpooree), Gbomkoh (So-Gbomatay), Mahseebeh (Seetah), Ghagbah (Pembarrah)] of the Krim country, parties hereto, offer to cede, surrender, and give over and transfer for ever, unto Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, the full, entire, free, and unlimited right, possession, dominion, and sovereignty in and over all that portion of our territories which adjoins and borders on the Atlantic Ocean, together with all the islands and sandbanks adjacent thereto, and together with all and every right and title to the navigation, anchorage, waterage, bays, waters, rivers, creeks, and inlets, fishing and other revenues and maritime claims, and all privileges appertaining to the same. The said portions of territory, if accepted by Her Majesty, will become part of Her Majesty’s Settlement of Sierra Leone. The said portions of territory are more particularly described as follows : The whole of that portion of the Krim Country now held by Zorokong and Fahwoondoo and others, their sub-Chiefs, lying within the following boundaries :—

Boundaries.

“ On the north-west Ghagbah Creek and the territory lately ceded by Queen Messee to the British Government ; on the north-east the River Kittam and Casseh Lake ; and on the south-east that portion of the Gallinas country already ceded to the British Government ; and on the south-west the Atlantic Ocean.

“ **Art. VIII.**—This Agreement shall have no effect whatever until Her Majesty’s approval of and ratification of the same shall have been given and published by Proclamation under the hand of the Governor of the West Africa Settlements. In the event of the Agreement being approved and ratified by Her Majesty all stipends mentioned herein will become payable from this date.”

Boundaries of Gallinas Territory ceded to Great Britain.

On the 18th May, 1885, the boundaries of the portions of the Gallinas Territory which were ceded to Her Majesty in 1882 was thus defined :—

WHEREAS it appears advisable that the boundaries of those portions of the Gallinas Territory which were ceded to Her Majesty by the Agreement of Cession signed at Sulymah on the 30th day of March, 1882,* should be more clearly defined, we, the undersigned Chief and Headmen, parties to that Agreement, wish it to be placed on record that the boundaries of the territory so ceded are as follows :—

a. The seashore from the north-western boundary of the Gallinas territory, which boundary is at and includes the village of Doymah on the seabeach, a line leading from this place to and including the village of Casseh on the creek which opens to the westwards out of the Casseh Lake (and the said village of Casseh) to the mouth of the Sulymah River.

[Sierra Leone and the Gambia.]

b. The Bomboteneh Creek from its opening near Casseh into the Casseh Lake to its opening near Bakanah into the Kifay River.

c. And a straight line drawn across the country from the opening of the Bomboteneh Creek opposite Bandy to Lattoo on the Sulymah River including these two places, viz., Bandy and Lattoo.

The undermentioned places are within the limits of the district ceded to Her Majesty.

The creek known as the Bomboteneh and the land lying between the Bomboteneh and the seashore. Among other villages situated on this land are Cassen, Sebengo, and Bakanah.

The right branch of the Gallinas or Kifay River from the places where the Bomboteneh opens into that river to the mouth of that river at its junction with the sea.

The villages situated on the land lying between this branch of the Kifay River and the seashore.

The left branch of the Gallinas or Kifay River from the village of Tombodondo to the sea.

The land situated between the line before mentioned drawn from Bandy to Lattoo and the seashore.

Among other villages in this district are Bandy, Minah, Tombo-dondo, Tambyah, Dibdiah, Gahmahcoomah, and Lattoo.

British West Africa Settlements (Sierra Leone and the Gambia).

On the 17th June, 1885, Letters Patent were issued constituting the office of Governor and Commander-in-Chief of the British West Africa Settlements, then comprising the settlement of Sierra Leone, and the settlement on the Gambia, and for providing for the government thereof.

Gambia.

On the 11th October, 1887, Letters Patent were issued making provision for the appointment of a deputy or deputies to the Governor, &c., of the British West Africa Settlement in the settlement on the Gambia.

Sierra Leone a Separate Colony.

But it was subsequently determined to separate the Government of the Gambia from the Government of Sierra Leone; and on the 28th November, 1888, Letters Patent were issued revoking those of the 17th June, 1885, and 11th October, 1887, and declaring the settlement of Sierra Leone to be erected into a separate Colony, to be called the "Colony of Sierra Leone," which was stated to comprise all places, settlements, and territories which might at any time belong to Her Majesty in Western Africa between the 5th and 12th degrees of north latitude, and lying to the westward of the 10th degree of west longitude.*

Treaties with Native Chiefs, 1885—1891.

The following is a list of some of the countries and places which have entered into Treaties with Great Britain engaging, among other

* H. T., vol. xviii, p 723.

[Treaties with Native Chiefs. Sierra Leone Protectorate.]

things, not to cede any portion of their territory to any other Power, or to enter into any Agreement or Treaty with any foreign Government except with the consent of the British Government.

1885.		1890.	
1st May.	Bandasumah (Barrie Country and others).	29th April.	Kaliehreh.
1889.		27th June.	Kahrena.
6th February.	Warra Warra Limbah.	29th June.	Madina.
18th February.	Sayunyah, Tamisoe, Konimackah, Kukuna.	18th December.	Jama.
23rd April.	Tambacca.	18th December.	Bowo.
25th May.	Bambara.	18th December.	Mattru.
21st October.	Foukoh Limbah.	18th December.	Bandy, Dambarah, Sahu and Neugbemah.
1st November.	Kayimbo.	22nd December.	Bompeh Mendi.
1890.		23rd December.	Bowmah (Faray Hamebay).
11th March.	Juru.	1891.	
11th March.	Gorahun.	3rd January.	Taiama (Tiawa Mendi).
16th March.	Tonchia.	14th February.	Lokkoh.
19th March.	Poohwahboc.	14th February.	Upper Sanda.
26th March.	Jawveh.	17th February.	Tunke.
30th March.	Mando.	21st February.	Vassa.
1st April.	Bambara.	1st March.	Bande.
7th April.	Luahwah, Pkambai, Gissi, and Bandi.	10th March.	Lokkoh.
12th April.	Sinkunia.	10th March.	Lower Lokkoh.
15th April.	Damah.	11th March.	Malall.
17th April.	Sangara.	12th March.	Mangeh.
17th April.	Mafindeh Kabia (Korankoh).	16th March.	Kolifa (two).
20th April.	Koya.	17th March.	Mayosso.
22nd April.	Korankoh.	17th March.	Contah.
		25th March.	Malema.
		30th March.	Tani.
		30th March.	Bongkawlenken.

[This is not a complete List.]

Sierra Leone Protectorate.

An Order in Council was issued on the 24th August, 1895,* for the exercise of British jurisdiction in territories on the West Coast of Africa near or adjacent to the Colony of Sierra Leone, and a Protectorate was proclaimed on the 31st August, 1896, over such territories the northern boundaries of which had been defined by the Agreement between Great Britain and France of the 21st January, 1895. (See GREAT BRITAIN AND FRANCE, p. 757.) The boundary to the east, between the Protectorate and the Republic of Liberia, was delimited by the Commissioners of both countries in 1903. (See below, Boundary between Sierra Leone and Liberia.)

Territorial Arrangements between Great Britain and France to the north of Sierra Leone.

On the 28th June, 1882, a Convention was concluded between Great Britain and France for the settlement of territorial limits for the north of Sierra Leone.

By this Convention it was agreed that the line of demarcation between the territories occupied or claimed by Great Britain and

* H.T., vol. xx, p. 173.

[Boundary Arrangements with France.]

France respectively to the north of Sierra Leone, should be drawn between the basins of the Rivers Scarcies and Mellicourie, in such a manner as to insure to Great Britain the complete control of the Scarcies Rivers, and to France the complete control of the Mellicourie River. (See GREAT BRITAIN AND FRANCE, p. 723.)

A further Convention was concluded between the two countries on the 10th August, 1889, for the delimitation of their respective Possessions on the West Coast of Africa, by which it was agreed, with regard to the territory to the north of Sierra Leone that the line of demarcation, in accordance with the provisions of the Treaty of 1882 (after having divided the basin of the Mellicourie from that of the Great Scarcies), should pass between Bennah and Tambakka, leaving Talla to England and Tamisso to France, and should approach the 10th degree of north latitude, including in the French zone the country of the Houbbous, and in the English zone Soulimaniah and Falabah; and that the line should stop at the intersection of the 13th degree of longitude west of Paris ($10^{\circ} 40'$ of Greenwich) as marked on the French map, and of the 10th degree of latitude. (See GREAT BRITAIN AND FRANCE, p. 729.)

A further Agreement was signed on the 26th June, 1891, relating to the demarcation of the spheres of influence of Great Britain and France in the Middle and Upper Niger Districts (see GREAT BRITAIN AND FRANCE, p. 743), and on the 21st January, 1895, an Agreement was concluded between the two Powers fixing the boundary between their Possessions to the north and east of Sierra Leone. (See GREAT BRITAIN AND FRANCE, p. 757.)

A Procès-Verbal, containing a description of the frontier from the coast to Tembi-Kunda, was drawn up by the Boundary Commissioners on the 9th-30th April, 1896, and was accepted by the two Governments by Notes exchanged at Paris on the 14th-16th June, 1898. (see GREAT BRITAIN AND FRANCE, p. 794); and three Procès-Verbaux were signed by the Boundary Commissioners on the 12th March, 1903, fixing the boundary from Tembi-Kunda to the 13th degree of longitude west of Paris. The results of the labours of the Commissioners as recorded in the three Procès-Verbaux were accepted by the two Governments as forming the definitive frontier between Sierra Leone and French Guinea by an exchange of Notes which took place at London on the 22nd March and 5th April, 1904. (See GREAT BRITAIN AND FRANCE, p. 815.)

The progress of the actual delimitation of the frontier will be seen by reference to No. 2 of the table given at p. xlv.

Boundary between Sierra Leone and Liberia.

On the 11th November, 1885, a Convention was concluded between Great Britain and the Republic of Liberia for the settlement of the north-western boundaries of the Republic, and other questions. (See LIBERIA, p. 1132.) The boundary between Sierra Leone and Liberia

25 June, 1903.]

SIERRA LEONE.

[No.

[Boundary, Sierra Leone and Liberia.]

was delimited and marked on the ground by a Boundary Commission in 1903, and a description of the frontier as agreed upon embodied in a Procès-Verbal drawn up by the Boundary Commissioners at Mano Sulija on the 25th June, 1903. (No. 352). Negotiations are now (1908) being carried on with the Liberian Government for a slight readjustment of frontier on the basis of natural features.

BRITISH WEST AFRICA.

(GOLD COAST COLONY, WITH ASHANTI AND PROTECTED
NORTHERN TERRITORIES.)

GOLD COAST COLONY.

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—	22 Oct., 1906.	Order in C.....	Limits of Ashanti	77
—	22 Oct., 1906.	Order in C.....	Limits of Northern Territories	78
—	1 ² / ₅ June, 1907.	Exchange of Notes.	Dredging Licences in Neutral Waters of the Tanoe River. (See Great Britain and France.)	

Customs Union, Gold Coast Colony, East of the Volta, and Togo-
land. *(See GREAT BRITAIN AND GERMANY, p. 915.)

[Ashanti, Akropong, Crepee, &c.]

No. 3.—*Notes on the GOLD COAST.* 1618—1908.

The settlement of Elmina was founded by the Portuguese in the fifteenth century, and taken from them by the Dutch in the middle of the seventeenth century. The first British settlement was established at Kormantine in 1618, and many other establishments grew up in connection with the supply of slaves for the plantations in the West Indies and America. Several English companies were successively incorporated from 1662 to 1750, the last having been the "African Company of Merchants," which was dissolved in 1821 and the settlements vested in the Crown and placed under the government of Sierra Leone.

Ashantee.

A state of war existed with the Ashantees from 1824 to 1831. On the 27th April, 1831, a Treaty of Peace was signed between the Governor of Cape Coast Castle and British Settlements, on the part of His Britannic Majesty, and the Kings of Ashantee, Cape Coast, Fantee, Annamaboe, Dinkara, Tufel, Wassaw, and Assin, and the Chiefs of Adjumacon and Essacoomah, and the other Chiefs in alliance with Great Britain, by which the King of Ashantee renounced "all right or title to any tribute or homage from the Kings of Dinkara (Denkera), Assin, and others formerly his subjects."* (See also Treaty of 1 $\frac{3}{4}$ th February, 1874, p. 65.)

Akropong.

On the 30th March, 1850, the Chief and Headmen of Akropong swore fealty to Her Britannic Majesty according to the fashion of their country.

Danish Forts and Possessions.

On the 17th August, 1850, a Convention was concluded between Great Britain and Denmark, for the cession to Great Britain of the Danish Forts and Possessions on the Gold Coast.† (See DENMARK, p. 608.)

Krepee.

On the 17th June, 1858, the Chiefs of Krepee swore allegiance to Her Britannic Majesty according to the custom of their country, and engaged to pay an annual tax of £600.

Accoonfee District.

In November, 1864, King Akinney of the Accoonfee District, with a large body of men numbering 2,000 or 3,000, swore allegiance to Her Majesty at Cape Coast Castle in a similar manner.

* S.P., vol. xlviii, p. 887; H.T., vol. xii, p. 13.

† Accra, Fingo, Addah, Quittah, &c.

[Volta River, Ashanti, &c.]

Union of the Gold Coast with Sierra Leone.

On the 19th February, 1866, Letters Patent were issued* uniting the Colony of Sierra Leone, together with the Forts and Settlements on the West Coast of Africa under the Governor-in-Chief, but this arrangement was altered by Letters Patent issued on the 24th July, 1874.

Interchange of Territory between Great Britain and the Netherlands.

On the 5th March, 1867,† a Convention was concluded between Great Britain and the Netherlands for an interchange of territory on the Gold Coast. In this Convention the boundary between the possessions of Her Britannic Majesty and those of the King of the Netherlands was defined as being a line drawn true north from the centre of the mouth of the Sweet River as far as the boundary of the then existing Ashantee kingdom, but with such deviations within three English miles of the coast as should be necessary to retain within British territory any villages which had been in habitual dependence on the British Government at Cape Coast, and within Netherland territory any villages which had been in habitual dependence on the Netherland Government at St. George of Elmina. (See GREAT BRITAIN and NETHERLANDS, p. 977.)

Transfer to Great Britain of Netherland Possessions.

On the 25th February, 1871,‡ another Convention was signed for the sale and transfer to Great Britain of the Dutch possessions on the Gold Coast or Coast of Guinea. (See GREAT BRITAIN AND NETHERLANDS, p. 979.)

Ahwoonah and Addah. Volta River.

In March, 1865, war broke out between Ahwoonah and Addah, which lasted until the 30th November, 1868, when a Treaty of Peace was signed, by which it was agreed, among other things, that the River Volta should be kept open for all lawful traders, and that, should any dispute thereafter arise between those two nations, or between either of them and any other tribe or nation, it should be submitted to the Governor-in-Chief of Her Majesty's West Africa Settlements, whose decision, after full hearing, should be final and binding upon both parties. Other Chiefs subsequently acceded to this Treaty.

Ashantee.

From December, 1872, till February, 1874, a state of war again existed between Great Britain and Ashantee. On the 1³/₄th February, 1874,§ a Treaty of Peace was concluded, by Art. III of which the King again renounced "all right or title to any tribute or homage from the Kings of Denkera, Assin, Akim, Adansi, and the other allies of Her Majesty formerly subject to the Kingdom of Ashantee."

* S.P., vol. lix, p. 1194; H.T., vol. xiii, p. 26.

† H.T., vol. xii, p. 1194.

‡ H.T., vol. xiii, p. 656.

§ S.P., vol. lxxv, p. 471.

[Elmina, Appolonia, &c.]

Elmina.

By Art. IV the King also renounced for ever all pretensions to supremacy over Elmina, or over any of the tribes formerly connected with the Dutch Government, and to any tribute or homage from such tribes, as well as to any payment or acknowledgment of any kind by the British Government in respect of Elmina or any other of the British Forts and Possessions on the Coast.

Appolonia, Axim, Dixcove, Secondee, and Chama.

The King further engaged, among other things, to withdraw all his troops from Appolonia and its vicinity, and from the neighbourhood of Dixcove, Secondee, and the adjoining Coast line.

In March, 1874,* the Kings and Chiefs of Western Appolonia, Axim, Aquidah, Bossuah and Ahanta (Dixcove), Tacorady (Secondee), Dutch Secondee, and Chama entered into engagements with the British Government that they would not again make war on any of the allies of England; that they would not combine at any time for purposes of offence or defence with any of the enemies of Her Majesty Queen Victoria, her heirs, or successors; that for the future they would obey the orders of the English Government; and that they would use every effort to maintain peace and quietness on the Coast.

Awoonah, Jellah-Coffee, Quittah, &c.

On the 22nd June, 1874,† a Treaty was concluded with the Chiefs of Awoonah, Accra, Addah, and Jellah-Coffee, by Art. III of which it was agreed that "with the view to remove any doubts which the natives might entertain as to the right of Her Majesty the Queen of England to occupy Jellah-Coffee, Quittah, and any other places deemed necessary to be held, in order to place the Awoonah country, or any portion of it, under the same jurisdiction as was exercised by Her Majesty over the other portions of the Gold Coast; that, should it seem fit to Her Majesty's Government, they should occupy any such place as might appear to them expedient for and on behalf of Her Majesty the Queen of England."

Gold Coast and Lagos one Colony.

On the 24th July, 1874,‡ Letters Patent were issued separating the Settlements of the Gold Coast and Lagos from the Government of the West African Settlements, and erecting them into one colony under the title of the Gold Coast Colony, but this arrangement was altered by Letters Patent issued on the 17th June, 1885, and again by other Letters Patent issued on the 28th November, 1888.

It may here be mentioned that on the 6th March, 1844, Fantee Chiefs, namely, the King of Denkira and Chiefs of Abrah, Assin, Donadie, Domonassie, Annamboe, and Cape Coast signed a Declaration in which they acknowledged that Her Majesty the Queen exercised power and jurisdiction within divers countries and places adjacent to Her

* S.P., vol. lxy, p. 473.

† S.P., vol. lxy, p. 1186.

‡ S.P., vol. lxvi, p. 942; H.T., vol. xv, p. 519.

[Katanu, Afflowhoo.]

Majesty's Forts and Settlements on the Gold Coast, and that they were the "Chiefs of countries and places so referred to." Similar Treaties were signed between the 12th March and 2nd December, 1844, by the various other Chiefs of the countries and places.

British Jurisdiction in Adjacent Territories.

On the 6th August, 1874,* an Order in Council was passed for determining the mode of exercising the power and jurisdiction acquired by Her Majesty within divers countries on the West Coast of Africa, near or adjacent to the Gold Coast Colony; but this Order was amended by another Order in Council issued on the 29th December, 1887.†

Katanu.

On the 24th September, 1879, a Provisional Agreement was entered into between the Governor of the Gold Coast and the King and Chiefs of the territory of Katanu, by which it was agreed, among other things, as follows:—

"1. The King, Chiefs, and territory of Katanu are for the present taken under the protection of Her Majesty's Government, pending the final decision and approval of the said Government.

"2. The King and Chiefs agree to abide by such decision, which will be communicated to them without loss of time.

"4. The King and Chiefs of Katanu are hereby allowed to impose upon imports and exports passing through their waters reasonable dues, as is their right, according to native custom, and to submit the same to the officer administering the Government of Lagos for approval.

"5. They further engage to enter into no disputes or warfare with any neighbouring tribes, but to refer such matters without delay to the Government of Lagos; any encroachments or violation of their rights or territory they agree to refer in the same manner.

"6. They shall fly the British flag in conjunction with their own in the town of Katanu and at their toll-house, until further arrangements are made.

* * * * *

"10. The King and Chiefs of Katanu engage not to enter into negotiations with any Foreign State except under the express permission of Her Majesty's Government.

"11. They further bind themselves to enter into such further arrangements for the Government of such territory as may seem fit to Her Majesty's Government at any future period."‡

Afflowhoo.

On the 1st December, 1879, a Provisional Agreement was entered into between the Governor of the Gold Coast and the Chiefs and Head-

* H.T., vol. xv, p. 525.

† H.T., vol. xvii, p. 127.

‡ See also Agreement, Great Britain and France, 10th August, 1889, Art. 4, § 3, p. 732.

[Agbosomé, Afflowhoo, Little Popo.]

men of Afflowhoo, whereby they agreed, in consideration of a yearly payment of 500 dollars in advance, and permission to land yearly, free of duty, 12 puncheons of rum, to hand over to the Governor and Commander-in-Chief of the Gold Coast Colony, for and on behalf of Her Britannic Majesty, the sea-board of their territory extending from high-water mark to one mile inland, and engage to sign a more formal agreement at a future convenient time ; which was done on the 6th of the same month. (See below.)

Agbosomé.

On the 2nd December, 1879, a final Agreement was entered into between the Governor of the Gold Coast Colony, acting for and on behalf of Her Britannic Majesty, and the King and Chiefs of Agbosomé, which contained (among others) the following articles relating to cession, territory, &c. :—

“ 1. The King and Chiefs of Agbosomé finally acknowledge the territorial jurisdiction of Her Majesty the Queen of Great Britain and Ireland over the seaboard of Agbosomé for two miles from the high-water mark inland.

“ 2. They acknowledge the right of Her Majesty’s Government of the Gold Coast Colony to impose such duties and taxes on the above territory as to them shall seem fit.

“ 3. They formally deny having at any time ceded any sovereign rights to any power other than Her Majesty the Queen of Great Britain and Ireland aforesaid.”

Afflowhoo.

On the 6th December, 1879, a final Agreement was entered into between the Governor of the Gold Coast Colony, acting for and on behalf of Her Britannic Majesty, and the Chiefs and Headmen of Afflowhoo, which contained the following articles (among others) relating to cession, territory, &c. :—

“ 1. The Chiefs and Headmen of Afflowhoo finally acknowledge the territorial jurisdiction of Her Majesty the Queen of Great Britain and Ireland, over the seaboard of Afflowhoo for one mile from high-water mark inland.

“ 2. They acknowledge the right of Her Majesty’s Government of the Gold Coast Colony, to impose such duties and taxes on the above territory as to them shall seem fit.

“ 3. They formally deny having at any time ceded any sovereign rights to any power other than Her Majesty the Queen of Great Britain and Ireland aforesaid.”

Little Popo.

On the 25th September, 1884, a Preliminary Treaty was signed by Lieutenant A. Furlonger, R.N., on behalf of Her Majesty, with the King and Chiefs of Little Popo, by which they and their territories were placed under British protection, and they on their part engaged not to enter into any correspondence or Treaty engagements with any other foreign nation without Her Majesty’s knowledge and sanction.

[Krikor. British and German Spheres of Influence.]

This territory is now included within the German sphere of influence. (See Art. IV of Agreement of 1st July, 1890, between GREAT BRITAIN AND GERMANY, p. 903.)

Krikor.

On the 12th November, 1885, a Treaty was signed between the King of Krikor and the Governor of the Gold Coast Colony, for the cession to Great Britain subject to the approval of the British Government, of the Krikor country, the boundaries of which were declared to be as follows :—

“ On the north by the independent town of Phenyi, Akiefey Todjé, and Avey ; on the east by the River Aka and the country of Afflahoo ; on the south by the Quittah lagoon and part of the kingdom of Agbosomé ; and on the west by the Awoonah country, or however otherwise the same may be bounded or situated.

Gold Coast Colony.

On the 13th January, 1886, Letters Patent were issued erecting the Gold Coast Settlements into a separate colony.*

The boundary of the Gold Coast Colony was therein defined as including all British places, settlements, and territories on the Gold Coast between the 5° of west longitude and the 2° of east longitude. (See also Order in Council of 26th September, 1901.†)

British and German Spheres of Influence.

On the 14th July, 1886, an Agreement was come to by the Commissioners of Great Britain and Germany with regard to the boundary line between the British Gold Coast Colony and the German Togo Protectorate.

In December, 1887, the Commissioners agreed to Recommendations as to the future limits of British and German Protectorates and Spheres of Influence in the Territories lying in the Interior. Those Recommendations were as follows :—

1. That the boundary line laid down in the Agreement signed by the German and British Commissioners on the 14th July, 1886, should be continued in such a manner as to include within the German Protectorate the territories of Towe, Kowe, and Agotime, and to leave within the British Protectorate the countries of Aquamoo and Crepee (or Peki).

The exact definition of this boundary to be hereafter determined, if necessary, by a joint commission on the spot.

2. That between the northern limit of the territory of Crepee and the mouth of the River Daka, the River Volta shall form the line of demarcation between the spheres of influence of the two countries, Great Britain undertaking not to acquire any protectorates to the east of that river, and Germany entering into a similar agreement with regard to the territories to the west.

3. That a conventional line be drawn on the latitude of the mouth of the River Daka, and that the two Governments shall mutually

* H.T., vol. xvii, p. 109. S.P., vol. lxxvii, p. 901.

† H.T., vol. xxiii, p. 248.

[Volta River District, Crépee, &c.]

agree to regard the territories lying to the north of this line, within the limits marked on the accompanying map,* as neutral ground, and to abstain from seeking to acquire within them protectorates or exclusive influence.

4. Relates to Transit Duties. (See GREAT BRITAIN AND GERMANY, p. 890.)

The Recommendations were approved by the British Government on March 12, and by the German Government on March 14, 1888, and are referred to in Art. IV of the Agreement of 1st July, 1890, as the "Agreement of 1888." (See also p. 73.)

Aquamoo (Volta River District).

On the 27th July, 1886, a Treaty was concluded between the Governor of the Gold Coast and the King and people of Aquamoo, for the incorporation of their country with the Gold Coast Colony, subject to Her Majesty's approval, in the following terms:—

"Art. I.—The country and territory of Aquamoo is hereby ceded and transferred to Her Britannic Majesty so that the same shall become and form a part and portion of the Gold Coast Colony.

"Art. II.—The cession declared in Article I is accepted, and the said country and territory of Aquamoo is incorporated within the said Gold Coast Colony subject to Article III."

Aggravie (Volta River District).

On the 12th August, 1886, the Chiefs of the district and town of Aggravie, in the Volta River District, "ceded to Her Majesty the Queen of Great Britain, her heirs and successors, for ever, all the lands situated on the left bank of the Volta River between the lagoon or river called Avoo, and that arm or crook of the Volta River on which Attetiteh is situated, together with the rights and appurtenances whatsoever thereunto belonging, as well as all profits and revenues, absolute domain and sovereignty of the said lands, freely, fully, entirely, and absolutely."

Battor, &c. (Left Bank of Volta River).

On the 4th September, 1886, the Chiefs of the towns and districts of Battor, Merpe, Mlefi, Blappa, Hume, Tefli, and Sopey, on behalf of themselves and their people, "ceded to Her Majesty the Queen of Great Britain, her heirs and successors, for ever, all the lands on the left bank of the Volta River between the riverine boundary of Aquamoo and the creek or lagoon known as Avoo, together with all the rights and appurtenances whatsoever thereunto belonging, as well as all revenues and profits, absolute dominion and sovereignty of the said lands, freely, fully, entirely, and absolutely."

Crépee (Peki).

In October and November, 1886, Treaties were concluded with the Chiefs of Crépee for the incorporation of their Territories with the

* Not given.

[Aquamoo, Gama, Quahoo, Kotoku, &c.]

Gold Coast Colony, and, on the 17th December following, the German Government were informed that Crépee was under British protection.

Schwih.

On the 18th February, 1887, Schwih was placed under British protection.

Aquamoo.

On the 9th May, 1887, the Kings and Chiefs of the country of Aquamoo signed a declaration acknowledging that they and their country formed part of the Protectorate of Her Majesty the Queen of Great Britain and Ireland on the Gold Coast, and that they were subject to the authority and jurisdiction of Her Majesty, and declaring that they had that belief, inasmuch as their country of old enjoyed similar protection from His Majesty the King of Denmark, who, they said, they understood had ceded his right and title to their country to the British Crown in 1850. (See DENMARK, p. 608.)

Gama and Bontuku.

On the 30th July, 1887, the King of Gama and Bontuku declared that he had been offered an English flag by Corporal Howard Van Dyke through Captain Lonsdale (the Commissioner Native Affairs), and that he had accepted it with the consent of his Chiefs and Headmen.

British Jurisdiction in adjacent Territories.

On the 29th December, 1887, an Order in Council was passed respecting the exercise of British jurisdiction in territories adjacent to the Gold Coast Colony* ; but this Order was revoked by Order in Council of the 26th September, 1901,† when the limits of the Colony were extended.

Quahoo.

On the 5th May, 1888, a Treaty was signed by the District Commissioner of Eastern Africa, acting under instructions from the Governor of the Gold Coast, placing the country of Quahoo under British protection.

Kotoku. Insuaim Ferry (Berim River).

On the 2nd June, 1888, the King of the Kotoku people signed an instrument granting and conveying to Her Britannic Majesty the ferry across the River Berim, commonly known as the Insuaim Ferry, in the following terms :—

“ Now know ye, that I, Attah Fuah, King of the Kotoku people, for myself and for my heirs and successors, * * * hereby grant and convey unto Her Majesty the Queen of Great Britain and Ireland as aforesaid and her successors, the ferry across the River Berim commonly known as the Insuaim Ferry, together with the land abutting on each bank of the said river, and measuring as follows, that is to say, from the north bank of the said river two hundred feet extending back in a northerly direction and along the bank of the said river from

* H.T., vol. xvii, p. 127. † H.T., vol. xxiii, p. 250.

[Crépee, &c.]

east to west six hundred feet, the landing place of the ferry on the said north bank being the centre of the said six hundred feet from the south bank of the said river two hundred feet extending back in a southerly direction and along the bank of the said river from east to west six hundred feet the landing place of the ferry on the said south bank being the centre of the said six hundred feet and which said river and land is more particularly described in the plan drawn in the margin* hereof together with all and singular the rights, claims, profits, and privileges of whatsoever nature and kind appertaining thereto which I or my heirs and my successors may have in the said ferry and land so granted and conveyed.

“To have and to hold the said ferry and land unto and to the use of Her Majesty the Queen and her successors for ever.”

Agotine (Crépee).

On the 3rd July, 1888, the Head Chiefs and Chiefs of Agotine signed a Declaration, stating that they had signed no Treaty with any other Foreign Power; that they were a portion of Crépee, acknowledging the Head King of Crépee as their Head King, that they had always looked upon themselves, in common with the rest of Crépee, as English subjects, and that they thereby wished, voluntarily and freely, to formally acknowledge their fealty to Her Most Gracious Majesty Queen Victoria.

Anum and Buem.

The same day the Chief of Anum and Head Chief of Buem signed a Declaration, stating that he had signed no Treaty with any other Foreign Power; that the people of Buem were his subjects, and that he, for himself and the Chiefs and people of Buem, voluntarily and freely acknowledged their fealty to Her Most Gracious Majesty Queen Victoria.

Crépee.

On the same day the Kings and Head Chiefs of Crépee (or Krépi) signed a Declaration, agreeing, in return for the protection afforded to them by the British Government, to keep open, and in good order, the roads in their respective districts, and to pay a fine if they neglected to do so.

Adaklu, &c. (Crépee).

On the same day the Head Chief, Chiefs, and people of the towns of Adaklu, Taviewè, Toyingbiè, Avatime, Waya, Jolo, and Kpeji signed a Declaration acknowledging their fealty to Her Most Gracious Majesty Queen Victoria, and agreeing to look upon Kwadjoe Daye, or anyone else appointed by the Governor of the Gold Coast, as Head King of Krépe, to obey him in all things, and to refer all matters in dispute to his judgment.

British and French Spheres of Influence.

On the 10th August, 1889, an Agreement was entered into between the British and French Governments concerning the delimitation of

* Not printed

[British, German and French Sphere of Influence.]

their respective possessions on the West Coast of Africa. With reference to the Gold Coast, it was agreed, by Art. III, § 1, that the boundary line should start from Newtown, and proceed direct to the Tendo Lagoon; that it should then follow the left bank of that lagoon and of that of Ahy, and the left bank of the River Tanóé or Tendo, as far as Naugoua, and that the line should be prolonged to the 9th degree of north latitude. (See GREAT BRITAIN AND FRANCE, p. 729.)

British and German Spheres of Influence.

On the 1st July, 1890, an Agreement was entered into between the British and German Governments with reference to their respective spheres of influence in East, West, and South Africa. The line of boundary between the British Gold Coast Colony and the German Protectorate of Togo, and in the Gulf of Guinea, was thus defined in Art. IV. :—

“ Art. IV.—1. The boundary between the German Protectorate of Togo and the British Gold Coast Colony commences on the coast at the marks set up after the negotiations between the Commissioners of the two countries of the 14th and 28th of July, 1886, and proceeds direct northwards to the 6° 10' parallel of north latitude; thence it runs along that parallel westward till it reaches the left bank of the River Aka; ascends the mid-channel of that river to the 6° 20' parallel of north latitude; runs along that parallel westwards to the right bank of the River Dchawe or Shavoe; follows that bank of the river till it reaches the parallel corresponding with the point of confluence of the River Deine with the Volta; it runs along that parallel westward till it reaches the Volta; from that point it ascends the left bank of the Volta till it arrives at the neutral zone established by the Agreement of 1888,* which commences at the confluence of the River Dakka with the Volta.

“ Each Power engages to withdraw immediately after the conclusion of this Agreement all its officials and employés from territory which is assigned to the other Power by the above delimitation.

“ Gulf of Guinea. Rio del Rey Creek.

“ 2. It having been proved to the satisfaction of the two Powers that no river exists on the Gulf of Guinea corresponding with that marked on maps as the Rio del Rey, to which reference was made in the Agreement of 1885, a provisional line of demarcation is adopted between the German sphere in the Cameroons and the adjoining British sphere, which, starting from the head of the Rio del Rey Creek, goes direct to the point, about 9° 8' of east longitude, marked ‘Rapids’ in the British Admiralty chart.” (See GREAT BRITAIN AND GERMANY, p. 903.)

British and French Spheres of Influence.

On the 26th June, 1891, another Agreement was entered into between the British and French Governments, by which it was arranged

* See Note to Art. I of Anglo-German Convention of 14th November, 1899, p. 919. See also p. 69.

that the Technical Commissioners nominated under the Agreement of 1889 should be instructed to trace the frontier so that the boundary line should follow the frontier of Nougoua on the Tanoé between Sanwi and Broussa, Indenié and Sahué, leaving Broussa, Aowin, and Sahué to England; that the line would then intersect the road from Annibilekrou to Cape Coast Castle, midway between Debison and Atiebendekrou, and follow the direct road from Annibilekrou to Bondoukou, by Bodomfil and Dadiasi, at a distance of 10 kilom. to the eastward; that it would then pass Bonko, so as to strike the Volta at the spot where that river was intersected by the road from Banda-gadi to Kirhindi, and would then follow the river as far as the 9th degree of north latitude. (See GREAT BRITAIN AND FRANCE, p. 743.)

Gold Coast. Limits.

By the Gold Coast Order in Council of the 26th September, 1901,* it was declared that "it is expedient that the boundaries of the Gold Coast Colony should be further defined and that all such portions of the territories on the West Coast of Africa, within the limits hereinafter defined, which have not already been included within His Majesty's dominions should be annexed to, and should henceforth form part of, the said Gold Coast Colony"; and by Arts. 2 and 3 it was ordered as follows:—

2. The limits of this Order shall be the territories on the West Coast of Africa which are bounded as follow, namely:—On the south by the Atlantic Ocean; on the west by the line of the frontier between the British and French Possessions from the sea to a point on the frontier 1,000 metres to the south of Aburuferasi; on the north by a line drawn from the last-mentioned point through the point where the road from Mem to Patubosu crosses the Tano River to the right bank of the River Ofin, then along this bank to the confluence of the Ofin with the River Prah, then along the left bank of the Prah to the point where the road from Obo to Bompata crosses the river, then due north until it meets the parallel of latitude which passes through Agogo, then straight to the point where the road from Abetifi to Attabubu crosses the River Sumi near Suminsu, then straight to the village of Achrinang, and then straight to a point on the left bank of the Volta River due west of the village of Krobo; and on the east by the line of the frontier between the British and German possessions southwards to the Atlantic Ocean.

3. All such parts of the territories within the limits aforesaid as have not heretofore been included in His Majesty's dominions shall be, and the same are hereby annexed to His Majesty's dominions, and the whole of the said territories are declared to be part and parcel of His Majesty's Gold Coast Colony in like manner, and to all intents and purposes as if all such territories had formed part of the said Colony, at the date of the said Letters Patent of 13th January, 1886.

* H.T., vol. xxiii, p. 248.

Art. 2 of this Order was, however, revoked by a new Order in Council issued on the 22nd October, 1906,* under Art. I of which the limits of the Gold Coast Colony were ordered to be as follows :—

1. The limits of the Gold Coast Colony shall be the territories on the West Coast of Africa which are bounded as follows, namely :—On the south by the Atlantic Ocean ; on the west by the line of the frontier between the British and French possessions from the sea to the point, marked by the Survey Beacon 1620, on the frontier at which the Asuepiri River crosses it.

On the north, starting from the Survey Beacon G.C.S. 1620, the boundary follows the thalweg of the Asuepiri River to its source which is marked by the Survey Beacon G.C.S. 1619. Thence it follows a straight line in a south-easterly direction to the source of the Pumpunase River which is marked by the Survey Beacon G.C.S. 1618. Thence it follows the thalweg of the Pumpunase River to its confluence with the Aponapon River near the Survey Beacon G.C.S. 1616. Thence it follows the thalweg of the Pumpunase or Aponapon River to its junction with the Pepiase River near the Survey Beacon G.C.S. 1615. Thence it follows the thalweg of the Pumpunase or Aponapon or Pepiase River to its junction with the Atoinsu River near the Survey Beacon G.C.S. 1614. Thence it follows the thalweg of the Atoinsu River to its junction with the Kasapim River near the Survey Beacon G.C.S. 1613. Thence it follows the right bank of the Kasapim River to its junction with the Bia River near the Survey Beacon G.C.S. 1612. Thence it follows the right bank of the Bia River (with the proviso that the natives who own the right bank of the Bia River are to have the right of fishing in that river) to a point on the right bank due west of the Survey Beacon G.C.S. 1610. Thence it crosses the Bia River to its junction with the Sieri River near the Survey Beacon last mentioned. Thence it follows the right bank of the Sieri River up stream to its junction with the Bosua River near the Survey Beacon G.C.S. 1608. Thence it follows the thalweg of the Bosua River to its source, marked by the Survey Beacon G.C.S. 1607. Thence it follows a straight line to the Survey Beacon G.C.S. 1606 at the source of the Eskutawa River. Thence it follows the thalweg of the Eskutawa River to its junction with the Sui River near the Survey Beacon G.C.S. 1605. Thence it follows the right bank of the Sui River down stream to a point due west of its confluence with the Budumasi River. Thence it crosses the Sui River to its junction with the Budumasi River near the Survey Beacon G.C.S. 1604. Thence it follows the thalweg of the Budumasi River to the Survey Beacon G.C.S. 1603, marking the source of the Budumasi River. Thence it follows in a south-easterly direction the ridge of the hill range forming the watershed between the Apimpinsa and Budumasi and Kabiasua Rivers to the Survey Beacon G.C.S. 1602, marking the source of the Apimpinsa River. Thence it follows the thalweg of the Apimpinsa River to its junction with the Dein River near the Survey Beacon G.C.S. 1699. Thence it follows the thalweg of the Dein River down stream to its junction with the Bonsawi River near the Survey

* H.T., vol. xxiv, p. 161.

Beacon G.C.S. 1698. Thence it follows the thalweg of the Bonsawi River to its source, marked by the Survey Beacon G.C.S. 1697. Thence it follows a straight line to the Survey Beacon G.C.S. 1696, marking the source of the Ahiri River. Thence it follows the thalweg of the Ahiri River to its junction with the Sanwine River near the Survey Beacon G.C.S. 1695. Thence it follows the thalweg of the Sanwine River to its junction with the Tano River near the Survey Beacon G.C.S. 1694. Thence it follows the right bank of the Tano River to a point due west of the Survey Beacon G.C.S. 1692. Thence it crosses the Tano River to the point of its junction with the Sesuri River, near the Survey Beacon G.C.S. 1692. Thence it follows the thalweg of the Sesuri River to its source marked by the Survey Beacon G.C.S. 1691. Thence it follows the watershed line of the Saraho-Babeaneha Range in a northerly direction to the Survey Beacon G.C.S. 1690, where it meets the southern boundary of the Bibiani Goldfields Concession. Thence it follows the southern boundary of the Bibiani Goldfields Concession to the Survey Beacon G.C.S. 1689, at the south-west corner of the same concession. Thence it follows the western boundary of the Bibiani Goldfields Concession to the Survey Beacon G.C.S. 1685, at the north-west corner of the same concession. Thence it follows the northern boundary of the Bibiani Goldfields Concession to the Survey Beacon G.C.S. 1682, at the north-east corner of the same concession. Thence it follows the eastern boundary of the Bibiani Goldfields Concession to the point where it meets the Mpokoampa River at the Survey Beacon G.C.S. 1681. Thence it follows the thalweg of the Mpokoampa River to its junction with the Mensine River near the Survey Beacon G.C.S. 1680. Thence it follows the thalweg of the Mensine River to its junction with the Ampani River near the Survey Beacon G.C.S. 1679. Thence it follows the thalweg of the Ampani River to its source, marked by the Survey Beacon G.C.S. 1678. Thence it follows a straight line to the source of the Baierabon River, marked by the Survey Beacon G.C.S. 1677. Thence it follows the thalweg of the Baierabon River to its junction with the Katabotri River, marked by the Survey Beacon G.C.S. 1676. Thence it follows the thalweg of the Katabotri River to its source near the Survey Beacon G.C.S. 1675. Thence it crosses the Subin-Katabotri Hill to the source of the Subin River near the last named beacon, a distance of 600 yards, more or less. Thence it follows the thalweg of the Subin River to its confluence with the Aborsu River at the Survey Beacon G.C.S. 1673. Thence it follows the thalweg of the Aborsu River to its source at the Survey Beacon G.C.S. 1672. Thence it follows the watershed of the range of hills lying between the sources of the Aborsu and Kusumusu Rivers in an easterly direction to the source of the Kusumusu River at the Survey Beacon G.C.S. 1671. Thence it follows the thalweg of the Kusumusu River to its junction with the Tetiasu River. Thence it follows the thalweg of the Tetiasu River to its confluence with the Ofin River. Thence it follows the right bank of the Ofin River to the confluence of the Ofin River with the Prah River. Thence it follows the left bank of the Prah River to the point where the road from Obo to Bompata crosses the river. Thence

[Ashanti.]

it follows the left bank of the Prah River for a distance up stream of one quarter of a mile. Thence it runs parallel on the northern side of, and one quarter of a mile distant from the present Obo-Bompata road until it meets the Fomang River. Thence it follows the thalweg of the Fomang River up stream to its junction with the Sutere River. Thence it runs in a straight line to the confluence of the Onyim and Supon Rivers. Thence it follows the thalweg of the Onyim River down stream to its junction with the Afram River. Thence it runs in a straight line to the junction of the Babadua Stream and the Obosom Stream. Thence it follows the thalweg of the Obosom River to the Volta River. Thence it crosses the Volta River to a point on the left bank due east of the mouth of the Obosom River.

Provided that on the east the boundary of the Gold Coast Colony shall be the line of the frontier between the British and German Possessions southward to the Atlantic Ocean.

Ashanti.

The relations between the Gold Coast Colony and Ashanti were placed on a different footing by the appointment of a Resident at Kumasi in 1896 after the submission of King Prempeh to the British authorities and his confinement as a political prisoner.

By Art. III of the Arrangement with France of August 10, 1889 [No. 226], the French Government undertook to allow England full liberty of political action to the east of the frontier line (therein agreed to) particularly as regards the Kingdom of the Ashantis.

Further disturbances occurred in 1900, when the Governor of the Colony was besieged in Kumasi while on a visit to the town. The garrison was relieved in July by the Ashanti Field Force and the Ashantis subsequently routed at Obassa.

The outcome of this was the formal annexation of Ashanti to the King's Dominions, and its administration by a Chief Commissioner under the Governor of the Gold Coast provided for by the Ashanti Order in Council of September 26, 1901,* of which Art. 2, defining the limits of the Order, runs as follows:—

2. Until further provision be made in respect thereof the limits of this Order are the territories which are bounded as follows:—On the south by the Colony of the Gold Coast; on the west by the line of the frontier between the British and French possessions from a point on that frontier 1,000 metres to the south of Aburuferasi to the point where the frontier cuts the 8th parallel of north latitude; on the north by the 8th parallel of north latitude; and on the east by the line of the frontier between the British and German possessions from the point where that frontier cuts the 8th parallel of north latitude to a point on the left bank of the Volta River due west of the village of Krobo.

On the 22nd October, 1906, a further Order in Council was issued defining the boundaries of Ashanti and prescribing the annexation to it of certain territories.† By this Order Art. 2 of the Order of 1901 was revoked, and the limits of Ashantee declared to be as follows:—

* H.T., vol. xxiii, p. 255.

† H.T., vol. xxiv, p. 159.

1. The limits of Ashanti shall be the territories bounded as follows, namely :—On the south by the Colony of the Gold Coast ; on the west by the frontier between the French and British possessions from the point on that frontier which is intersected by the thalweg of the Asuepiri River to the point at which the thalweg of the Black Volta River first meets the aforesaid frontier ; on the north by the right bank of the Black Volta River to its junction with the Chukow River ; thence the thalweg of the Chukow River to a point opposite to the beacon erected on the right bank of that river west of Tumuni ; thence in a straight line running in a south-easterly direction to a beacon erected on the road from Tumuni to Kokrawusu and distant about three miles from Tumuni ; thence in a straight line running in a direction south-east by south to the point at which the Pru River crosses the road from Abeasi to Terefe ; thence the thalweg of the Pru River to its junction with the Volta River ; thence the right bank of the Volta River to a point opposite to the mouth of the Dakar River ; and thence a straight line crossing the Volta River to the junction of the two rivers last mentioned ; on the east the line of the frontier between the British and German possessions to a point on the left bank of the Volta River due east of the mouth of the Abosom River.

2. All the territories within the limits aforesaid shall be and are hereby declared to be part of His Majesty's Dominions.

Northern Territories.

A number of Treaties were concluded, in the name of Her Britannic Majesty, with the Chiefs of Bona, Dagarti, Wa, and Mamprusi, at Gambaga, in the Gold Coast Hinterland, by which they engaged, among other things, not to conclude Treaties with any other Power, or to cede territory or accept Protectorates without the consent of Her Majesty.

The Northern Territories of the Gold Coast were constituted a separate district in 1897. The frontier separating the Colony of the Gold Coast from the French Colonies of the Ivory Coast and Sudan was fixed by Art. I of the Convention with France of June 14, 1898 (No. 241), and the "Neutral Zone" was divided between Great Britain and Germany under the terms of the Convention of November 14, 1899 (No. 277).

The administration of the Northern Territories under the Gold Coast Government was provided for by Order in Council dated September 26, 1901, entitled "*The Northern Territories Order in Council, 1901,**" Art. 2 of which fixed the limits of the Order as follows :—

"Until further provision be made in respect thereof the limits of this Order are the territories which are bounded on the south by the eighth parallel of north latitude, on the west and north by the line of the frontier between the British and French possessions, and on the east by the line of the frontier between the British and German possessions.

* 26th September, 1901. H.T., vol. xxiii, p. 251.

[Frontier with French Possessions.]

“The territories so bounded shall be known as the *Northern Territories of the Gold Coast*, and are hereinafter referred to as the *Northern Territories*.”

This Article was, however, revoked by Order in Council of the 22nd October, 1906,* Arts. 1 and 2 of which run as follows:—

“1. The Northern Territories of the Gold Coast shall be the territories which are bounded as follows, namely:—

“On the south by Ashantee, on the west and north by the line of the frontier between the British and French possessions, and on the east by the line of the frontier between the British and German possessions.

“2. The territories so bounded shall be known as the Northern Territories of the Gold Coast.”

The territories are administered under the Governor of the Gold Coast by a Chief Commissioner residing at Gambaga.

Frontier with French Possessions (Ivory Coast and French Soudan).

A general understanding as regards the boundary between the Gold Coast (and Ashanti) and the French Ivory Coast from the coast to the 9th degree of north latitude was come to in 1889. (See Art. III of the Anglo-French Arrangement of the 10th August, 1889, referred to above, as well as the Agreement of 26th June, 1891, relative to instructions to be given to the Technical Commissioners.) In consequence of the failure of the Commissioners to trace a line of demarcation in conformity with those provisions a fresh Arrangement was signed on the 12th July, 1893. (See GREAT BRITAIN AND FRANCE, p. 754.) The frontier was marked on the ground in 1902 and 1903, and an Arrangement with a description of the line, which involved a slight modification of the line agreed to in the Arrangement of 1893, was signed by the Boundary Commissioners of the two countries at Bonduku on the 1st February, 1903. (See p. 803.) The line thus laid down was finally approved by Notes exchanged at London on the 11th and 15th May, 1905. (See GREAT BRITAIN AND FRANCE, p. 832.)

Northern Territories and French Soudan.

The frontier between the British and French possessions starting from the northern terminal point of that laid down in the Agreement of 1893, viz., the intersection of the thalweg of the Black Volta with the 9th degree of north latitude, and proceeding northwards to the 11th parallel and then eastwards, was agreed to by Art. I of the Protocol of the 14th June, 1898, confirmed by the Convention of the same date. (See GREAT BRITAIN AND FRANCE, p. 785.) The line therein indicated was, however, subsequently modified and the Agreement come to embodied in an Exchange of Notes between the two Governments on the 18th March and 25th April, 1904. (See GREAT BRITAIN AND FRANCE, p. 822.) A further slight modification was introduced with the object of bringing the line into agreement with the local circum-

* H.T., vol. xxiv, p. 164.

[Frontier with German Territory (Togoland).]

stances, and the line thus demarcated was accepted as the definite frontier between the British and French possessions concerned by Agreement signed by the two Governments on the 24th May and 19th July, 1906. (See GREAT BRITAIN AND FRANCE, p. 847.)

For progress of delimitation of the above frontiers see Nos. 4 and 5 in the table given at p. xlv.

Frontier with German Territory (Togoland).

As stated above, the boundary between the Gold Coast Colony and the German Protectorate of Togo from the coast to the neutral zone was defined by the Anglo-German Agreement of the 1st July, 1890. The eastern portion of the Neutral Zone was recognised as falling to Germany, and the western portion to Great Britain, by Arts. I and II of the Convention of the 14th November, 1899 (see GREAT BRITAIN AND GERMANY, p. 919), and by Art. V of the same Convention the frontier to the north between the British and German possessions was defined. The boundary was delimited on the ground in 1901-02, and Protocols were signed by the Boundary Commissioners on the 21st July, 1902. A complete definition of this part of the frontier, viz., to the north of the 9th degree of north latitude, was embodied in an exchange of Notes between the two Governments which took place at Berlin on the 25th June, 1904 (see GREAT BRITAIN AND GERMANY, p. 935), but a slight modification involved by the labours of the Boundary Commissioners was introduced in 1907, a note of which is given on p. 935. The part of the frontier from the coast to the 9th degree of north latitude was surveyed by an Anglo-German Delimitation Commission in 1904, and, it is believed, has been generally agreed to with the exception of the section between 6° 10' and 6° 20' north latitude—course of the River Aka—.(See Art. IV of the Agreement of 1st July, 1890, p. 903.)

The exact progress of the delimitation of the above frontier can be seen by reference to Nos. 6 and 7 of the Table given at p. xlvi.

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NIGERIA (SOUTHERN AND NORTHERN).

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(See Great Britain and Germany, p. 865.)

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For convenience of treatment the Colony and Protectorate of Southern Nigeria and Northern Nigeria are taken as a whole with reference to the Territorial Arrangements that have been concluded between Great Britain and France and Great Britain and Germany.

Arrangements with France.

These relate to the frontier from the coast to the 9th degree of north latitude between Lagos and Dahomey; from the 9th degree to the Niger; on the Niger; and from the Niger to Lake Chad. After disputes lasting over many years a general understanding for the settlement of the questions at issue between England and France with regard to their respective possessions on the West Coast of Africa was arrived at in the Arrangement concluded on the 10th August, 1889 (see GREAT BRITAIN AND FRANCE, p. 729), Art. IV of which fixed the line of demarcation between the spheres of influence of the two Powers on the Slave Coast.

The definition of the spheres of influence to the north was laid down by a line from Saye on the Niger to Barruwa on Lake Chad by a Declaration (§ 2) signed on the 5th August, 1890 (See GREAT BRITAIN AND FRANCE, p. 738.)

By a Declaration signed on the 15th January, 1896 (see p. 765), the two Governments agreed to name Commissioners to fix the delimitation of the British and French Possessions to the west of the Lower Niger, and a Report was drawn up on the 12th October, 1896, by the Commissioners for the delimitation of the boundary between Lagos and Dahomey. (See p. 780.)

The boundary thus delimited was recognised by the two Governments as the frontier separating the British and French possessions from the sea to the 9th degree of north latitude by Art. II of the Convention of the 14th June, 1898 (see p. 786), and by the same Article the frontier from the 9th degree north latitude to the Niger was defined, while Arts. III and IV defined the frontier on the Niger, and from the Niger to Lake Chad.

The part of the frontier from 9th degree North latitude to the Niger was delimited on the ground in 1900, and a Report drawn up by the Boundary Commissioners signed on the 22nd December, 1900. (See p. 797.)

The final Agreement relative to the frontier from the coast to the Niger was signed on the 19th October, 1906. (See p. 849.)

The Niger to Lake Chad.

In return for the surrender by France of certain privileges in Newfoundland the line agreed upon by the Convention of the 14th June, 1898, referred to above, was considerably modified by Art. VIII

[Arrangements with Germany.]

of the Convention signed on the 8th April, 1904 (see p. 818), and on the 9th April, 1906, a Protocol was drawn up at London submitting for the approval of the two Governments a line delineated in accordance with the terms of the Convention of 1904. This Protocol was confirmed by a Convention concluded on the 29th May, 1906. (See p. 843.)

The Boundary was marked on the ground by the Commissioners of the two countries, and a Description of the Frontier signed at Kana, 25th February, 1908.

The progress of the delimitation of the whole frontier may be seen on reference to the Table given on p. xlvi, viz. :

No. 9.—From the Coast to the 9th degree north latitude.

No. 8.—From 9th degree north latitude to the Niger.

No. 10.—From the Niger to Lake Chad.

Lease by British to French Government of Land on the Niger.

Under Art. VIII of the Convention of the 14th June, 1898, two pieces of land were leased to the French Government under date of the 20th May, 1903, viz. :—At the junction of the Doko with the Niger (see p. 812), and at the mouth of the Forcados River (see p. 814).

British and German Spheres of Influence.

In April--June, 1885, the British and German Governments entered into an Agreement, by an exchange of Notes, defining their respective spheres of action in the Gulf of Guinea. By this Agreement Germany engaged not to make acquisitions, accept Protectorates, or interfere with the extension of British influence in that part of the Gulf of Guinea lying between the right river bank of the mouth of the Rio del Rey entering the sea between 8° 42' and 8° 46' long. east of Greenwich and the British Colony of Lagos, nor in the interior, to the west of a line following the right river bank of the Rio del Rey from the said mouth to its source, thence striking direct to the left river bank of the Old Calabar or Cross River, and terminating, after crossing that river, at the point about 9° 8' of long. east of Greenwich, marked "Rapids" on the English Admiralty chart. (See GREAT BRITAIN AND GERMANY, p. 868.)

In July, August, 1886, a Supplementary Agreement was entered into between the British and German Governments defining their respective spheres of action in the Gulf of Guinea from the Rio del Rey to a point to the east and near to Yola. (See GREAT BRITAIN AND GERMANY, p. 880.)

By Art. IV of the General Agreement between the two Governments respecting their colonial interests in Africa, signed on the 1st July, 1890 (see p. 903), a provisional line of demarcation was adopted between the German sphere in the Cameroons and the adjoining British sphere, which, starting from the head of the Rio del Rey Creek, goes direct to the point, about 9° 8' of east longitude, marked "Rapids" in the British Admiralty Chart.

[Arrangements with Germany.]

Rio del Rey.

On the 14th April, 1893, an Agreement was signed between the British and German Governments, in which it was declared that the right bank of the Rio del Rey waterway should be the boundary between the Oil Rivers Protectorate and the Colony of the Cameroons. (See GREAT BRITAIN AND GERMANY, p. 910.)

Rio del Rey to Yola.

And on the 15th November, 1893, a further Agreement was signed between the British and German Governments defining the boundary between their respective spheres of influence in the region extending from the Rio del Rey to "a point to the east of and close to, Yola," and on Lake Chad. (See GREAT BRITAIN AND GERMANY, p. 913.)

The frontier from the sea to the Cross River was surveyed in 1895; and a delimitation Commission marked the boundary on the ground in 1906, recording the result of its labours in a Protocol signed in December, 1906.

The frontier from the Cross River Rapids to the Yola Arc has not yet been actually settled, but a Commission has been sent out to determine the course of the Treaty Boundary between the western point of the Yola Arc and the point where the work of the Cross River Boundary Commission ended in 1906.

Yola to Lake Chad.

The frontier from Yola to Lake Chad was surveyed in 1903-04, and a Protocol was signed by the Boundary Commissioners on the 10th August, 1903, for the delimitation of the Yola Arc, and a further Protocol recording the findings of the Commissioners on the 24th February, 1904. The Commission continued its labours in 1905, and on the 19th March, 1906, an Agreement was signed at London by the Representatives of the two Governments (see p. 937), which was accepted by an exchange of Notes at Berlin on the 16th July, 1906. (See p. 941.)

A Local Commission put in the field for the purpose of marking the boundary from Gorege to Lake Chad completed the work on the 12th February, 1907, and a Protocol was signed by the Commissioners on that date. A further Protocol was signed on the 11th March, 1907, relative to the frontier from the River Yedseram at Uba to the Benue.

The actual progress of the delimitation of the frontier may be seen by reference to the table given at pp. xlvi and xlvii, viz. :—

- The Coast to the Cross River, No. 12.
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**COLONY OF SOUTHERN
NIGERIA.**

SOUTHERN NIGERIA (COLONY, WESTERN OR LAGOS PROVINCE).

[The Colony of Southern Nigeria is composed of the former
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No. 5.—*Notes on LAGOS, 1851—1908.*

IN October, 1851, the British Government gave instructions to the British Naval Commander in the Bight of Benin to expel the Slave Trade Chief, Kosoko, and his people from Lagos. These instructions were carried out in January following, when Kosoko was deposed and expelled from Lagos, his town destroyed, and the friendly chief, Akitoye, established in the seat of power at Lagos in his stead.* Kosoko was, however, allowed to reside at Epé, by permission of the King of Jebu; but in 1861 he was allowed by the British Government to return to Lagos.

On the 1st March, 1852, the following Agreement was signed by Akitoye, King of Lagos, granting pieces of land to the Church Missionary Society:—†

“That Akitoye, King of Lagos, with his Chiefs, has made over to the Rev. C. A. Gollmer, on behalf of the Church Missionary Society, the undermentioned pieces of land, for the purpose of erecting on them churches, schools, and dwelling-houses for missionaries and native agents whom that society may employ at this station, Lagos.

“1st. A piece of land in the district, called Okofagi, being situated outside the present town, called Brazilian Town, and nearly opposite to the mouth of the Badagry River Ossa, and close to the Lagos River, of the following dimensions, viz. :—

“200 yards long, from north to south, and 130 yards wide from east to west.

“2nd. A piece of land known by the bread-fruit trees, on the north side of Okofagi; 66 yards long from north to south, and 41 yards wide from east to west.

“3rd. A piece of land known by Limo’s place, not far from the house of the former Chief, Tapa, 96 yards in length from east to west, and 45 yards in width from north to south.

“4th. A piece of land near the water-side called Elrite Ero. 70 yards long from north to south, and 23 yards wide from east to west.

“5th. A piece of land on the elevated part of Lagos, behind the King’s house, and not far from the market, 33 yards long, from east to west, and 23 yards wide from north to south, called Ojogim.

“That King Akitoye has made over to the Rev. C. A. Gollmer the above specified pieces of land for the benefit of the Church Missionary Society, without any condition, and free of expense, and without limit of time, he declares by placing his mark to his name in the presence of his Chief and others.”

This Agreement bore the Mark of King Akitoye and those of 13 other Chiefs and Elders.

On the 28th September, 1854, Kosoko, his Caboceers and Chiefs, entered into an Agreement with the British Government, in which they solemnly pledged themselves to make no attempt to regain posses-

* S.P., vol. xli. p. 234.

† S.P., vol. xlii, p. 1207.

[Lagos.]

sion of Lagos, either by threats, hostilities, or stratagem; and in the same Agreement they stated that they claimed Palma as their Port of trade, which Her Britannic Majesty's Consul, and the Commander and Senior British Naval Officer in the Bights, engaged to recognize as belonging to them for all purposes of legitimate trade.

Akitoye was succeeded by Docemo as King of Lagos.

On the 22nd June, 1861,* the British Government decided to take possession of Lagos as a British Dependency for reasons which were assigned in a despatch addressed by Lord J. Russell to Consul Foote, and from which the following is an extract:—

“ In a former despatch I informed you that the question as to whether the Island of Lagos should be taken possession of as a British dependency was still under the consideration of Her Majesty's Government, and I have now to inform you that this question has been decided in the affirmative.†

“ It is not without some reluctance that Her Majesty's Government have determined, by the occupation of Lagos, to extend the number of British Dependencies on the African coast; but they have been induced to come to this determination because they are convinced that the permanent occupation of this important point in the Bight of Benin is indispensable to the complete suppression of the Slave Trade in the Bight, whilst it will give great aid and support to the development of lawful commerce, and will check the aggressive spirit of the King of Dahomey, whose barbarous wars, and encouragement to slave-trading, are the chief cause of disorder in that part of Africa.

“ But in carrying this determination into effect, there are several questions of importance which require consideration.

“ Her Majesty's Government would be most unwilling that the establishment of British Sovereignty at Lagos should be attended with any injustice to Docemo,‡ the present Chief of the island; but they conceive that as his tenure of the island in point of fact depends entirely upon the continuance of the protection which has been afforded to him and his predecessor by the British naval authorities since the expulsion of Kosoko, no injustice will be inflicted upon him by changing this anomalous protectorate into an avowed occupation provided his material interests are secured.

Pension to be granted to King Docemo.

“ It will be right, therefore, to assign him an adequate pension to be paid out of the revenue of the island, unless it should be advisable to continue him in some situation or employment under the British officer who may be appointed to administer the affairs of the island, in which case the remuneration for his services may be a sufficient provision for him without a special compensation.

“ If you should think it advisable at once to take temporary possession of Lagos pending the final arrangements, you are authorized

* S.P., vol. lii, p. 175.

† See Treaty, 6th August, 1861, and Proclamation of same date, pp. 93, 95.

‡ See Proclamation, 6th August, 1861, p. 95. S.P., vol. lii, p. 182.

[Port and Island of Lagos.]

to do so ; but you will carefully explain to King Docemo the motives that have induced Her Majesty's Government to take this step. You will inform him that Her Majesty's Government are not actuated by any dissatisfaction with his conduct, but that, on the contrary, they have every wish to deal with him in a liberal and friendly spirit ; and that their object in taking this step is to secure for ever the free population of Lagos from the slave-traders and kidnappers who formerly oppressed them ; to protect and develop the important trade of which their town is the seat, and to exercise an influence on the surrounding tribes which may, it is to be hoped, be permanently beneficial to the African race.

“ You will not take any steps for establishing British Sovereignty until you have concerted with the Commodore in command of Her Majesty's naval forces on the African station, or with the senior officer of the Bights Division, as to the measures which may be necessary on the occasion, and it will be well that, previously to taking possession, you should obtain from King Docemo and his headmen, a Treaty of Cession, duly signed and executed.*

“ But whether you deem it advisable at once to take possession of Lagos, or to defer this step until after you have communicated further with Her Majesty's Government on the subject, you will in either case report to me fully your opinion as to the amount and nature of the compensation to be awarded to Docemo, which you will not positively fix until you have obtained the sanction of Her Majesty's Government ; the arrangements which you would propos  for administering the Government of the island ; the probable expenditure ; and the amount of revenue which may be raised to meet that expenditure ; and, generally, as to the effect which the change of Sovereignty may be expected to produce on the state of affairs in the island.

“ You will, more over, report, after consultation with the senior naval officer on the station, as to the amount of force which will be required for the maintenance of British authority on the island, and for the protection of the place from attacks on the part of the neighbouring Chiefs.

“ You will bear in mind, however, that it will be the policy of Her Majesty's Government strictly to avoid all aggression upon the surrounding Chiefs, and that it is on every account desirable to keep the expedition for this purpose within the narrowest limits compatible with the safety of the place.

“ I have requested the Lords Commissioners of the Admiralty, to whom I have transmitted copy of this despatch, to issue instructions in conformity therewith to the officer commanding Her Majesty's naval forces on the West Coast of Africa.”

Cession to Great Britain of Port and Island of Lagos.

On the 6th August, 1861, a Treaty was concluded by the Senior British Naval Officer on the Bight of Benin Station and the Acting

* See Treaty of Cession, 6th August, 1861, on this page, and Proclamation of the same date, p. 95. S.P. vol. lii, pp. 181-182.

[Lagos.]

British Consul, in the name of Her Majesty, with Docemo, King of Lagos, on the part of himself and his Chiefs, for the cession to Great Britain of the Port and Island of Lagos, subject to certain conditions.*

The following is an extract from that Treaty :—

“ **Art. I.**—In order that the Queen of England may be better enabled to assist, defend, and protect the inhabitants of Lagos, and to put an end to the Slave Trade in this and the neighbouring countries, and to prevent the destructive wars so frequently undertaken by Dahomey and others for the capture of slaves, I, Docemo, do, with the consent and advice of my Council, give, transfer, and by these presents grant and confirm unto the Queen of Great Britain, her heirs and successors for ever, the port and island of Lagos, with all the rights, profits, territories and appurtenances whatsoever thereunto belonging, and as well the profits and revenue as the direct, full, and absolute dominion and sovereignty of the said port, island, and premises, with all the royalties thereof, freely, fully, entirely, and absolutely. I do also covenant and grant that the quiet and peaceable possession thereof shall, with all possible speed, be freely and effectually delivered to the Queen of Great Britain, or such person as Her Majesty shall thereunto appoint, for her use in the performance of this grant ; the inhabitants of the said island and territories, as the Queen’s subjects, and under her sovereignty, Crown, jurisdiction, and government, being still suffered to live there.

King Docemo to retain title of King.

“ **Art. II.**—Docemo will be allowed the use of the title of King in its usual African signification, and will be permitted to decide disputes between natives of Lagos with their consent, subject to appeals to British laws.

Stamp of King Docemo.

“ **Art. III.**—In the transfer of lands, the stamp of Docemo affixed to the document will be proofs that there are no other native claims upon it, and for this purpose he will be permitted to use it as hitherto.

Pension to be paid to King Docemo.

“ In consideration of the cession as before mentioned of the port and island and territories of Lagos, the Representatives of the Queen of Great Britain do promise, subject to the approval of Her Majesty, that Docemo shall receive an annual pension from the Queen of Great Britain equal to the net revenue hitherto annually received by him ; such pension to be paid at such periods and in such modes as may hereafter be determined.”

By an Additional Article to the above Treaty, dated 18th February, 1862, it was agreed that King Docemo should receive as a pension from the British Government 1,200 bags of cowries yearly, as equal to his net revenue, provided he did not break any of the Articles of that Treaty, and resigned all claim upon former farmers of his revenue.

* S.P., vol. lii, p. 181.

[Lagos, Palma, Leckie, Epé.]

British Occupation of Lagos.

On the same day (6th August, 1861) the following British Proclamation* was issued on the taking possession of Lagos :—

“ *British Consulate, Lagos, 6th August, 1861.*

“ DOCEMO, King of Lagos, having ceded the sovereignty of Lagos to the Queen of Great Britain, her heirs and successors for ever,† we, Norman B. Bedingfeld, Commander of Her Majesty’s ship “Prometheus,” and senior officer of the Bights Division; and William McCoskry, Esquire, Her Britannic Majesty’s Acting Consul, do this day formally take possession in the name of Her most gracious Majesty Queen Victoria.

“ God save the Queen ! ”

Palma and Leckie.

On the 7th February, 1863,‡ a Declaration was signed by Kosoko, ex-Chief of Epé and formerly King of Lagos, respecting the extent of his former possessions. It ran as follows :—

“ BY the present document, I, Kosoko, ex-Chief of Epé, and formerly King of Lagos, do declare that when King of Lagos, my territory extended to the eastward as far as Palma and Leckie, and that when I was expelled from Lagos and settled at Epé, by the permission of the King of Jebu, I claimed those parts as my ports of trade, by right of my former ownership, and they were recognized as such by the British Government.

Right of Lagos Government to Palma and Leckie.

“ Having now left Epé, and returned to Lagos by the kind permission of Her Britannic Majesty’s Government, I lay no further claim to the ports of Palma and Leckie, which consequently must revert to the Lagos Government.’

Epé.

The following are the conditions upon which the Government of Lagos, on the part of Her Majesty’s Government, agreed to make peace with Possoo of Epé, in March, 1863 :—

“ **Art. I.** Possoo acknowledges that he has no claim to the Chiefship of Palma and the land lying between it and Lagos south of the Epé Lagoon.

* * * * *

“ **Art. III.** He will not interfere with persons residing within the Lagos territory who may proceed to Epé for trade or any legal purposes, and will allow them to fix establishments there and grant them every facility in their business.

* * * * *

* S.P., vol. li, p. 182.

† See Treaty, 6th August, 1861, p. 93.

‡ S.P., vol. lvii, p. 354.

[Addo, Pocráh.]

Rights of King of Jebu over Epé.

“ **Art. VII.** It is clearly understood by Possoo and his people that these conditions are not in the least to be considered as ignoring or waiving the right of the King of Jebu to the sovereignty of Epé, which the British Government is aware forms a part of his territory, but are merely to be held as conditions with Possoo himself so long as he is as now at Epé by sufferance of the said King.”

British Protectorate over Addo.

On the 27th June, 1863,* the King and Chiefs of Addo signed the following Agreement for placing their territory under British protection :—

“ The King and Chiefs of Addo having on or about the 1st of May, 1863, sent down a message to his Excellency, John Hawley Glover, the Lieutenant-Governor of Her Britannic Majesty’s Settlement of Lagos, requesting him to take upon himself, on the part of Her Britannic Majesty, the protection of their town and country, Mr. Thomas Tickel, Resident Agent at Badagry, visited Addo on the 16th instant, and having conferred with the King and Chiefs touching the request they had made to his Excellency the Lieutenant-Governor, and having reported that it was their free and spontaneous wish that Her Britannic Majesty’s Government should exercise all the rights of a protecting power over them, his Excellency visited Addo on the 26th June, and having assured himself of the correctness of the foregoing statement, and the request being again repeated, His Excellency the Lieutenant-Governor of Lagos, on the part of Her Majesty the Queen of Great Britain, has taken upon himself the protection of the King, Chiefs, and people of Addo, and has permitted them to hoist the (white) English flag with a red border, subject always to the approval of Her Majesty’s Government.

“ Therefore, his Excellency John Hawley Glover, the Lieutenant-Governor of Lagos and Acting Consul for the Bight of Benin, &c., on the part of Her Majesty the Queen of Great Britain, and the King and Chiefs of Addo on the part of themselves and their people, have agreed as is hereinbefore set forth. And the King and Chiefs further bind themselves to be guided in their proceedings with all surrounding tribes as Her Majesty’s Government shall from time to time direct.”

British Protectorate over Pocráh.

On the 29th June, 1863,† the King and Chiefs of Pocráh signed the following Agreement for placing their territory under British protection :—

“ THE King and Chiefs of Pocráh having sent down repeated messages to the Governor of Lagos, through Mr. Thomas Tickel, Resident Agent at Badagry, requesting him to take upon himself,

* H.T., vol. xii, p. 103. Added to Lagos, 8th August, 1891.

† H. T., vol. xii, p. 104.

[Okeodan, Badagry.]

on the part of Her Britannic Majesty, the protection of their town and country, his Excellency John Hawley Glover, Lieutenant-Governor of Lagos, and Acting Consul for the Bight of Benin, visited that place on the 29th June, 1863, and having assured himself of the wishes of the King and Chiefs, and the request being again repeated, His Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, has taken upon himself the protection of the King, Chiefs, and people of Pocráh, and has permitted them to hoist the (white) English flag with a red border, subject always to the approval of Her Majesty.”

British Protectorate over Okeodan.

On the 4th July, 1863, the King and Chiefs of Okeodan signed the following Agreement for placing their territory under British protection :—*

“THE Chiefs of Okeodan having sent down repeated messages to the Governor of Lagos, through Mr. Thomas Tickel, Resident Agent at Badagry, requesting him to take upon himself, on the part of Her Britannic Majesty, the protection of their town and country, his Excellency John Hawley Glover, Lieutenant-Governor of Lagos and Acting Consul for the Bight of Benin visited Shagbo, where he was received by the Chiefs of Okeodan on the 4th day of July, 1863 ; and having assured himself of the wishes of the Chiefs, and the request being again repeated, his Excellency the Lieutenant-Governor, on the part of Her Majesty the Queen of Great Britain, has taken upon himself the protection of the Chiefs and people of Okeodan, and has permitted them to hoist the (white) English flag with a red border, on the understanding that they receive a representative of Her Majesty’s Government to reside in their town, subject always to the approval of Her Majesty’s Government.”

Cession of Badagry to Great Britain.

On the 7th July, 1863, the Chiefs of Badagry signed the following Agreement, by which they ceded their territory to Great Britain :—†

“His Excellency John Hawley Glover, Lieutenant-Governor, Commander-in-Chief, and Vice-Admiral of Her Britannic Majesty’s settlement of Lagos, and Acting-Consul for the Bight of Benin, on the part of Her Majesty the Queen of Great Britain, and the Chiefs of Badagry on the part of themselves and their people, have agreed as follows :

“**Art. I.** In order for the better keeping of the peace and quiet of the well-disposed persons living in Badagry, and for the better security of their lives and properties, as also for the purpose of setting aside all pretensions on the part of the King of Porto-Novo and others to the right and royalty of this district of Badagry ;

* S.P., vol. lvii, p. 357 ; H.T., vol. xii, p. 105.

† S.P., vol. lvii, p. 359 ; H.T., vol. xii, p. 106. See also Declaration, 5th May, 1886, p. 104.

[Okeodan.]

“ We, whose names are hereunto subscribed, being Chiefs of Badagry, have freely and willingly ceded to Her Majesty the Queen of Great Britain, her heirs and successors, for ever, the town of Badagry, and all the rights and territories and appurtenances whatsoever thereunto belonging, as well as all profits and revenues, absolute dominion and sovereignty of the said town and territory of Badagry, freely, fully, entirely and absolutely.*

* * * * *

“ And we further declare that our right and property in the district of Badagry has always and does extend westward to the village to Witcheree, on the seashore, the half of the town of Quameh, and the eastern side or shore of the Quameh Creek, on the Lagoon.”

Okeodan.

On the 17th July, 1863, the following Indenture was signed by the Chiefs of Okeodan for the cession of their territory to Great Britain :—

“ THIS Indenture made the 17th day of July, in the year of our Lord 1863, in pursuance of an Act to facilitate the conveyance of real property between Agro, Kembei, Elucie, Olucade, Afulu, Eloh, Maroyah, Ojoe, and Fallalah, Chiefs of Okeodan of the one part; and Thomas Tickel, Resident Agent and Acting Vice-Consul of Okeodan, on behalf of Her Majesty the Queen of Great Britain, of the other part.

“ Whereas, by a Convention signed by the above-named Chiefs on the 4th day of July, 1863,† the said Chiefs did therein agree to receive a representative of Her Majesty’s Government to reside in their town; and whereas it is necessary that a Government [residence ?] should be erected at Okeodan for accommodating such representative aforesaid, the said Chiefs have consented and agreed to the said Thomas Tickel to grant and convey to Her Majesty the Queen of Great Britain, her heirs and successors for ever, the piece or parcel of land hereinafter described at or for the price or sum of 10 bags of cowries (equal to the sum of 7*l.* sterling money);

“ Now, this indenture witnesseth that, in pursuance of the said agreement, and in consideration of 10 bags of cowries now paid by the said Thomas Tickel to the said Chiefs hereinafter named (the receipt whereof the said before-named Chiefs do, and each of them doth hereby acknowledge) they the said Chiefs before named do, and each of them doth, hereby grant, bargain, sell, and assign unto Her Majesty the Queen of Great Britain, her heirs and successors, for ever, all that piece or parcel of land situate and being at Okeodan, measuring 150 feet on the east, 150 feet on the west, 150 feet on the north, and 150 feet on the south, and the said Chiefs hereinbefore named do, and each of them doth, further covenant with the said Thomas Tickel that they have the right to grant and convey the said land to

* See also Explanatory Declaration, 5th May, 1886, p. 104.

† Page 97.

[Lagos, Katanu, Appa.]

Her Majesty the Queen of Great Britain, her heirs and successors, notwithstanding any act of the said Chiefs done or committed; and that any of Her Majesty's representatives, or the representatives of her heirs and successors, shall have peaceable and quiet possession of the said land free from all incumbrances; and that they will execute such further assurance of the said land as may be requisite, and that they have done no act to encumber the said land. And the said hereinbefore-named Chief releases to Her Majesty the Queen of Great Britain, her heirs and successors, for ever, all claims upon the said land.

"In witness whereof the said parties to these presents have hereunto set their hands, and the Great Seal of the Settlement of Lagos has been hereunto affixed the day and year above written.

"THOMAS TICKEL,
"Resident Agent."

[Marks of Chiefs.]

Lagos. Gold Coast Colony.

On the 19th February, 1866,* Letters Patent were issued for uniting Lagos, Gambia, and the Gold Coast to Sierra Leone, but these Letters Patent were subsequently revoked by Royal Letters Patent of 24th July, 1874, so far as regarded the Gold Coast and Lagos, which Settlements were declared to be erected into a separate Colony under the title of the Gold Coast Colony.

On the 24th July, 1874,† Letters Patent were issued for the erection of the Settlements of the Gold Coast and of Lagos into one Colony under the title of the Gold Coast Colony. It was also declared in those Letters Patent that the British Settlement on the Gold Coast comprised all places, settlements, and territories which at any time belong to Her Majesty in Western Africa between the 5th degree of west longitude and the 2nd degree of east longitude; and that the British Settlement of Lagos comprised all places, settlements, and territories which might at any time belong to Her Majesty in Western Africa between the 2nd and 5th degrees of east longitude. But, on the 13th January, 1886, Lagos was erected into a separate Colony.‡

British Protectorate over Katanu.

On the 24th September, 1879, an Agreement was entered into in the name of Her Majesty with the King and Chiefs of Katanu, by which their territory was placed under British Protection. See page 67. [The territory of Katanu fell into the French Sphere of Influence under Art. IV of the Agreement with France of the 10th August, 1889. See page 732.]

British Protectorate over Appa.

On the 15th March, 1884, an Agreement was entered into in the name of Her Majesty with the King, Princes, and Chiefs of Appa, by

* S.P., vol. lix, p. 1194.
(1714)

† S.P., vol. lxvi, p. 942.
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‡ H.T., vol. xvii, p. 113.
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[Jakri, Ogbo, Mahin Beach.]

which their territory was placed under British Protection, and on the same day the British flag was hoisted in that territory.

British Protectorate over Jakri.

On the 16th July, 1884, a Treaty was signed between Great Britain and Jakri for placing Jakri under British Protection :—*

“ **Art. I.** Her Majesty the Queen of Great Britain and Ireland, &c., in compliance with the request of the Chiefs and people of Jakri, hereby undertakes to extend to them and to the territory under their authority and jurisdiction Her gracious favour and protection.

“ **Art. II.** The Chiefs of Jakri agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any foreign nation or power, except with the knowledge and sanction of Her Britannic Majesty’s Government.

“ **Art. III.** It is agreed that full and exclusive jurisdiction, civil and criminal, over British subjects and their property in the territory of Jakri is reserved to Her Britannic Majesty, to be exercised by such Consular or other officer as Her Majesty shall appoint for that purpose. The same jurisdiction is likewise reserved to Her Majesty in the said territory of Jakri over foreign subjects enjoying British protection, who shall be deemed to be included in the expression ‘ British subject ’ throughout this Treaty.”

British Protectorate over Ogbo.

On the 24th December, 1884, the following Treaty was signed between Great Britain and the Chiefs of Ogbo, for placing the territory of Ogbo under British Protection :—†

“ **Art. I.** Her Majesty the Queen of Great Britain and Ireland, &c., hereby undertakes to extend to the said Chiefs and to the territory under their authority Her gracious favour and protection.

“ **Art. II.** The said Chiefs agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any foreign nation or power, except with the knowledge and sanction of Her Britannic Majesty’s Government.

“ **Art. III.** It is agreed that full and exclusive jurisdiction, civil and criminal, over British subjects and their property in the territory of Ogbo is reserved to Her Britannic Majesty, to be exercised as Her Majesty shall appoint and direct.”

This Treaty was ratified by the British Government, and a Proclamation on the subject issued on the 5th February, 1886.‡

Cession to Great Britain of Mahin Beach.

On the 24th October, 1885, the following Treaty was signed at Aboto, between Great Britain and the King of Mahin for the Cession to Great Britain of Mahin Beach :—§

* H.T., vol. xvii, p. 133.

† H.T., vol. xviii, p. 176.

‡ H.T., vol. xvii, p. 1132.

§ H.T., vol. xviii, p. 177. Referred to in Proclamation of 5th February, 1886, p. 103. H.T., vol. xvii, p. 1132.

[Mahin.]

“WHEREAS Amapetu, King of Mahin, by a deed of sale dated at Mahin Town on the 29th January, 1885, ceded with all rights, including the sovereignty, to the German subject Herr Gottlieb Leonhard Gaiser, a merchant residing in the city of Hamburg, all that part of the Mahin country which is known as the Mahin Beach, and is situated in the Gulf of Benin, commencing as far as Abejanure on the west, extending to Abetobo on the east, and bounded inland by the next lagoon.

“And whereas the said King Amapetu on the 11th March, 1885, entered into a Treaty of friendship and protection (containing seven Articles) with His Imperial Majesty the Emperor of Germany, by Dr. N. G. Nachtigal, His Majesty’s Imperial General Consul and Commissioner for the West Coast of Africa, endowed with the necessary powers of attorney in the name of His Majesty the German Emperor, King of Prussia, Wilhelm I, whereby King Amapetu, in Article I begged His Majesty the Emperor to take him and his country under his most gracious protection :

“And whereas by the said Treaty, inter alia, the cession of the sea beach as aforesaid by King Amapetu was incorporated in the said Treaty under Article IV, and Dr. Nachtigal on behalf of His Majesty the German Emperor acknowledged this assignment of country and the conditions connected therewith, put the concerned part of the Mahin country under the immediate protection of the German Empire, and took the sovereignty over it :

“And whereas it was provided by Article VII of the aforesaid Treaty of friendship and protection that it should be ‘in force and legacy’ from the date on which it was signed, ‘with the reservation that it should become invalid in case of the non-ratification thereof on the part of the Imperial German Government within 18 months of the date on which the said Treaty was signed :

“And whereas the before-mentioned Treaty was done and signed at Mahin in the residence of King Amapetu, on the 11th March, 1885 :

“And whereas it has been notified by the Consul at Lagos for the German Empire to King Amapetu of Mahin, that His Imperial Majesty the Emperor of Germany had declined to ratify and confirm the before mentioned Treaty of friendship and protection, whereby the same became null and void, leaving King Amapetu free to enter into a Treaty with Her Majesty Queen Victoria :

Mahin Beach.

“Now, therefore, be it known to all whom it may concern, that King Amapetu, King of Mahin, by this Treaty entered into between himself as King of Mahin, and Her Most Gracious Majesty Victoria, of Great Britain and Ireland, Queen, Empress of India, by William Brandford Griffith, Esquire, Companion of the Most Distinguished Order of Saint Michael and St. George, Lieutenant-Governor Administering the Government of Her Majesty’s Gold Coast Colony, duly authorized for the said purpose, doth hereby for himself

[Mahin.]

and his lawful successors, cede unto Her Most Gracious Majesty Queen Victoria, her heirs and successors, all that part of the Mahin country which is known as the Mahin Beach, wheresoever the Mahin country is bounded by the sea, the whole of such coast line being hereby ceded to Her Majesty, such cession being without prejudice to the rights of the said Gottlieb Leonhard Gaiser, as set forth in the deed of sale to him of the 29th January, 1885, hereinbefore referred to, the grant to him of such land rights extending on the sea beach in the Gulf of Benin, from Abejamure on the west to Abetobo on the east, and being bounded inland by the next lagoon. And Her Most Gracious Majesty the Queen accepts the cession of the Mahin Beach in its entirety; and, as respects the portion granted to Mr. G. L. Gaiser, and described in the deed of sale, hereby acknowledges the assignment of country made therein, and the conditions connected therewith, to Gottlieb Leonhard Gaiser, places the concerned part of the Mahin country under the protection of Great Britain, and takes the sovereignty over it.

“ This Treaty shall take effect from the day of the date hereof.”

British Protection over Mahin.

On the 24th October, 1885, the following Treaty was signed between Great Britain and Mahin for placing Mahin Territory under British Protection :—*

“ WHEREAS Amapetu, King of Mahin, on the 11th March, 1885, entered into a Treaty of friendship and protection with His Imperial Majesty the Emperor of Germany, by Doctor N. G. Nachtigal, His Majesty’s Imperial Consul General and Commissioner for the West Coast of Africa, endowed with the necessary powers of attorney in the name of His Majesty the German Emperor, King of Prussia, Wilhelm I, whereby King Amapetu, in Article I, begged His Majesty the Emperor to take his country under His most gracious protection.

“ And whereas it was provided by Article VII of the aforesaid Treaty of friendship and protection, that it should be ‘ in force and legacy ’ from the date on which it was signed, with the reservation that it should become invalid in the case of the non-ratification thereof on the part of the Imperial German Government within eighteen months of the date on which the said Treaty was signed.

“ And whereas the before-mentioned Treaty was done and signed at Mahin, in the residence of King Amapetu, on the 11th March, 1885; and whereas it has since been officially notified by the Consul at Lagos for the German Empire, to King Amapetu, that His Imperial Majesty the Emperor of Germany had declined to ratify and confirm the before-mentioned Treaty of friendship and protection, whereby the same became null and void, leaving King Amapetu free to enter into a Treaty with Her Most Gracious Majesty Queen Victoria.

“ Now, therefore, be it known to all whom it may concern, that

* H.T., vol. xviii, p. 180. Referred to in Proclamation of 5th February, 1886, p. 103. H.T., vol. xvii, p. 1132.

[Atijere, Odi and Benin River.]

the hereinbefore mentioned parties of the first and second parts of this Treaty of friendship and protection have agreed to the following Articles constituting the same :—

“ **Art. I.** King Amapetu, of Mahin, led by the desire to strengthen and enlarge the relations, commercial and otherwise, maintained by the trading and mercantile community of Lagos with him and his country, to protect the independence of the latter, to fortify his Government, to procure to his subjects the advantages of civilization, and to secure to strangers the due protection of life and property, begs Her Majesty the Queen of Great Britain and Ireland, Empress of India, to take

Atijere.

him and his country, including the island or land called Atijere, and all portions of his country bounded by the sea, under Her most gracious protection.

“ Her Majesty the Queen of Great Britain and Ireland, Empress of India, by Her Lieut.-Governor hereinbefore mentioned, accepts the offer of King Amapetu, and will afford Her most gracious protection to him and his country.

“ **Art. II.** King Amapetu hereby engages not to cede his country nor any parts of it to any other Power, nor to conclude treaties with other Governments without the special consent of Her Majesty the Queen.”

Lagos a Separate Colony.

On the 13th January, 1886, Letters Patent were issued erecting Lagos into a separate Colony.* [Revoked by Letters Patent of the 28th February, 1906.]

Coast between Odi and the Benin River.

On the 5th February, 1886,† the following Proclamation was issued by the Governor of the Gold Coast, declaring the whole of the coast line between Odi and the Benin River including Jakri, Ogbo, Mahin, and the Mahin Beach, to be under British Sovereignty and Protection :—

‘ PROCLAMATION by H.E. Brandford Griffith, Esq., C.M.G., Governor and Commander-in-Chief of the Gold Coast Colony, &c., &c., &c.

“ W. BRANDFORD GRIFFITH, *Governor.*

“ WHEREAS, by a Treaty made the 16th day of July, 1884 (page 100), and ratified by Her Majesty’s Government, Her Majesty extended to the Chiefs of Jakri and the territory under their authority and jurisdiction her gracious favour and protection.

“ And whereas, by a Treaty made the 24th day of December, 1884 (page 100), and ratified by Her Majesty’s Government, Her Majesty extended to the Chiefs of Ogbo and the territory under their authority her gracious favour and protection.

* H.T., vol. xvii, p. 113.

† H.T., vol. xvii, p. 1132.

[Badagry, Dekami, Frah.]

“ And whereas, by a Treaty made the 24th day of October, 1885 (page 100), the King of Mahin ceded unto Her Majesty all that part of the Mahin country which is known as the Mahin Beach.

“ Now, therefore, I, William Brandford Griffith, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Gold Coast Colony, do hereby proclaim as follows :—

“ 1. That the whole of the coast-line between Odi and the Benin River, including the above-named territories and the Mahin Beach, is now under the sovereignty and protection of Her Majesty.

“ 2. That the above-mentioned coast-line has been attached to and forms part of the Protectorate of Lagos, and that the Custom Laws of Lagos will, from the date of this Proclamation, be in force therein.

“ Given under my hand and the public seal of the Gold Coast Colony, at the Government House, at Christiansborg, in the said Colony, this 5th day of February, in the year of our Lord 1886, and of Her Majesty's reign the forty-ninth.

“ By his Excellency's command,

“ KNAPP BARROW,

“ *Colonial Secretary.*

“ God save the Queen.”

Badagry.

On the 5th May, 1886,* a Declaration was signed by the Chiefs of Badagry in explanation of the meaning of “ Town of Badagry and all its rights and territories and appurtenances whatsoever thereunto belonging,” mentioned in the Treaty of July, 1863. The definition was given thus :—“ To the northward, or inland, and inclusive thereof, Ragbo, Kogga, Ille, and a line through them to the Ologe waters ; to the west, the Aado River continued to the sea by a line passing through and inclusive of Quameh ; to the eastward, Ologe waters, and a line thence to Okogbo, across lagoon to sea. To the southward, the sea. Further—that its furthest inland town of Kogga Ille was the late Chief Akrauh's, who signed the Treaty, and was included in the cession.”

On the 23rd July, 1886, the following Declaration was signed by certain Chiefs and Elders respecting Dekami, the Kingdom of Frah, the Denham Waters, and the Kingdom of Whemi.

DECLARATION of Plevekrunu, Vudunu Toso, Vudunu Toti, Vudunu Gbehi, Vudunu Menu, Headmen, and Kumano, Kokodi, Attu, Vrenh, Agrangbo, Edeinde, Elders, made at Dekami, this 23rd day of July, 1886.

Dekami and the Kingdom of Frah.

“ WE, the undersigned, solemnly declare that Dekami is and always has been part of the Kingdom of Frah.

* H.T., vol. xvii, p. 230.

[Denham Waters, Whemi, Igbessa.]

“ Shortly before the union of the Kingdom of Frah to Her Majesty the Queen of England in the year 1879, the Chiefs and Elders of Dekami attended at Katanu and did homage to the King of Frah.

“ They have since frequently and notably (some two months ago) attended at Katanu and done homage to their lawful King the King of Frah.

Denham Waters.

“ Owing to the hostile acts and threatening attitude of Tofa, King of Porto Novo, they have been lately much hindered in the discharge of their duties as liege of the King of Frah, but they still recognize, as they have always recognized, as (*Sic*) right to settle their palavers in any one else than the King of Frah. All the land south of Dekami in the Denham Waters, and indeed all the land abutting on the Denham Waters, is or, until recently, was part of the Kingdom of Frah.

Whemi.

“ The Kingdom of Whemi never has extended to the Denham Waters or to the Zunu (Kanji Agege) Creek.”

Igbessa.

On the 15th May, 1888,* a Treaty was signed between Great Britain and the Chiefs, Elders, and people of the Kingdom of Igbessa, which contained the following Articles :—

Igbessa. Non-cession of Territory, Boundaries, &c.

“ 2. The kingdom of Igbessa, which includes the towns of Agbara, Okegere, Ishon, Idologbo, Idoye, Agau, Ewutagbe, Imuta, Epatira, Igbodo, Ekogbo, Moshi, and Itebu, is perfectly independent, and pays tribute to no other Power, and territorially is bounded on the north by the Ilubi and Otta kingdoms, on the south by the Oloje waters and the degree of latitude represented by such to the west, on the east by the Colony of Lagos and the Itele creek, and on the west by the kingdom of Addo.

* * * * *

“ 6. It is hereby further agreed that no cession of territory and no other Treaty or Agreement shall be made by the King or authorities of Igbessa than the one they have now made, without the full understanding and consent of the Governor of the Colony of Lagos on behalf of Her Majesty the Queen.”

A Declaration was signed by the Chiefs, Elders, and people of Igbessa on the same day, in which the boundary of that kingdom was similarly defined.

On the 15th May, 1888, a Proclamation was issued announcing the establishment of a British Protectorate over Igbessa.

* H.T., vol. xviii, p. 188 ; S.P., vol. lxxix, p. 615. Added to Lagos, 5th August, 1891.

[Ife, Itebu, Ketu.]

Ife. Non-cession of Territory, Boundaries, &c.

On the 22nd May, 1888,* the following Declaration was signed by the King, Chiefs, and others of Ife :—

“ 2. The kingdom of Ife is perfectly independent and pays tribute to no other Power, and territorially is bounded on the north by Ibadan territory (by Oshun River) and on the south by Ondo and Jebu territories, on the east by Ijesha and Ondo territories, and on the west by the Oshun River.

* * * * *

“ 6. It is hereby further agreed that no cession of territory and no other Treaty or Agreement shall be made by the King or authorities of Ife than the one they have now made, without the full understanding and consent of the Governor of the Colony of Lagos on behalf of Her Majesty the Queen.”

Itebu. Non-cession of Territory, Boundaries, &c.

On the 28th May, 1888,† the following Declaration was signed by the King, Chiefs, and others of the kingdom of Itebu :—

“ 2. The kingdom of Itebu is perfectly independent and pays tribute to no other Power, and territorially is bounded on the north by Oketoro and Akimana territories, on the south by the Atijere market, on the east by Oketoro territory, and on the west by the Ofara River.

* * * * *

“ 6. It is hereby further agreed that no cession of territory and that no other Treaty or Agreement shall be made by the King or authorities of Itebu than the one they have now made, without the full understanding and consent of the Governor of the Colony of Lagos on behalf of Her Majesty the Queen.”

Ketu. Non-cession of Territory, Boundaries, &c.

On the 29th May, 1888,‡ the following Declaration was signed by the King-designate, Chiefs, and others of the Kingdom of Ketu :—

“ 2. The kingdom of Ketu is perfectly independent, and pays tribute to no other Power, and territorially is bounded on the north by the country of Barba, on the east by the territory of the Alafin of Oyo (Yoruba), from which we are divided by the Awyun arm of the Ogun River, on the west by Dahomey, and on the south by Egba, Ilaro, Okeodan, and Porto Novo.

* * * * *

“ 6. It is hereby further agreed that no cession of territory and no other Treaty or Agreement shall be made by the King or authorities of Ketu than the one they have now made, without the full under-

* S.P., vol. lxxix, p. 619. H.T., vol. xviii, p. 192.

† S.P., vol. lxxix, p. 620. H.T., vol. xviii, p. 192.

‡ S.P., vol. lxxix, p. 622. H.T., vol. xviii, p. 193.

[Ketu, Ibu.]

standing and consent of the Governor of the Colony of Lagos, on behalf of Her Majesty the Queen."

On the same day, the following Treaty was signed between Great Britain and the Chiefs and people of Ketu for placing their territory under British Protection :—

*British Protectorate over Ketu.**

" WE, the King-designate, Chiefs, Elders, and people of the kingdom of Ketu, hereby offer ourselves and our territory to be included within the protectorate of Her Majesty's Government of Lagos, and we do hereby declare that our rights and property in the kingdom of Ketu comprise all that territory bounded on the north by the country of Barba, on the east by the territory of the Alafin of Oyo (Yoruba), from which we are divided by the Awyun arm of the Ogun River, on the west by Dahomey, and on the south by Egba, Ilaro, Okeodan, and Porto Novo.

" 2. We engage to enter into no dispute or warfare with any neighbouring tribe, but to refer such matters to the Government of Lagos ; any encroachment or violation of our rights of territory we agree to refer in the same manner.

" 3. We engage not to enter into any negotiations with any foreign State without the express permission of Her Majesty's Government.

" 4. We further engage to make no cession of territory, and no Treaty or Agreement other than the one we now have made, without the full understanding and consent of the Governor for the time being of the Colony of Lagos on behalf of Her Majesty.

" 5. We further engage to enter into such further arrangements for the government of our territory as may seem fit to Her Majesty's Government at any future period, and we solemnly declare that we have full right to dispose of our kingdom as we propose, that we have made already no such offer to any other Power, and that we are on friendly terms with all our neighbours, and that open communication exists to all."

Ibu. Non-cession of Territory. Boundaries, &c.

On the 31st May, 1888,† the following Declaration was signed by the Chiefs of Ibu :—

" 2. The Ibu towns near and around the kingdom of Itebu are perfectly independent and pay tribute to no other Power, and territorially are bounded on the north by Obu and Ikale land, on the south by the Lagoon, on the east by Ikonya (a section of the Ikale tribe) land, and on the west by Ofara River, near Makun and Ibigi (Ijebu villages).

* * * * *

" 6. It is hereby further agreed that no cession of territory, and that no other Treaty or Agreement shall be made by the Chief and authorities of the Ibu towns than the one they have now made, without

* S.P., vol. lxxix, p. 620. H.T., vol. xviii, p. 192.

† H.T., vol. xviii, p. 195. S.P., vol. lxxix, p. 624.

[Ilaro.]

the full understanding and consent of the Governor of the Colony of Lagos on behalf of Her Majesty the Queen.”

Ilaro. Non-cession of Territory. Boundaries, &c.

On the 21st July, 1888, a Convention was signed between the Governor of Lagos and the People of Ilaro, which contained the following clause :—*

“ CONVENTION made on the 21st day of July, 1888, between the Governor of Lagos and Olugbenle the Oba, or King Taiwo, the Elemo Oshagua, the Apena, Bankole, Ashipa and Odu, the Balogun of the kingdom of Ilaro, on behalf of themselves and the people of the said kingdom of the other part.

“ 6. The Ilaros shall not make any cession of territory, Treaty, or Agreement, to or with any foreign State, or enter into negotiations with any foreign State, without the full knowledge, understanding, and consent of the Governor of Lagos.”

British Protectorate over Ilaro.

On the same day, the following Declaration was made by the authorities of the Kingdom of Ilaro :—

“ DECLARATION made on the 21st day of July, 1888, by the Authorities of the kingdom of Ilaro. †

“ WE, the undersigned, Olugbenla, the Obba (King), Taiwo, the Elemo, Oshagua, the Apena, Bankole, the Ashipa, and Odu, the Balogun of the Kingdom of Ilaro, declare as follows :—

“ 1. Ilaro is an independent kingdom. It does not pay tribute to any Power. Nor is it under the protection of any other Power.

“ 2. We and the rest of the people of Ilaro earnestly solicit Her Britannic Majesty to accord to ourselves and our country her gracious protection ; and we entreat Her said Majesty to take our territory under her gracious protection ; accordingly, and to include it in the protectorate of her Colony of Lagos.

“ 3. Our said territory is bounded on the west by Dahomey and Porto Novo, on the north by Ketu, Ineko, Iboro, Shawonpa, and Okele, on the east by Otta and the Egba country, and on the south by Ipokia (Pokra), Addo, and Igbessa.

“ 4. The following are our principal towns, viz., Ilaro, Ajilete, Pahai, Ijalo, Itolu, Gbotodu, Epoto, Igbogu, Ilugboro, Igbin, Iwoye, Ibeshe, Ijana, Ipake, Idode, Ilobinuwa, Ikernon, Ilobi, Palaka, Shasha, Mori, Akaba, Erebo, Ologuntaba, Pakoso, and Inonkere.

“ 5. To show our sincerity we are ready to forthwith enter into any agreement into which the Governor of Her Majesty's Colony of Lagos may reasonably require us to enter.”

* H.T., vol. xviii, p. 196. S.P., vol. lxxix, p. 625.

† S.P., vol. lxxix, p. 627. Added to Lagos 13th August, 1891.

[Oyo, Yorubaland, Ibadan.]

Oyo and Yorubaland. Non-cession of Territory. Boundaries, &c.

On the 23rd July, 1888, the following Treaty was signed between Great Britain and Oyo and Yorubaland :—*

“1. Adeyemi, Alafin of Oyo and Head of Yorubaland, the four corners of which are and have been from time immemorial known as Egba, Katu, Jebu, and Oyo, embracing within its area that inhabited by all Yoruba-speaking peoples . . . have declared my intention of abiding by the following Articles :—

* * * * * *

“7. It is hereby agreed that no cession of territory, and no other Treaty or Agreement, shall be made by me other than the one I have now made, without the full understanding and consent of the Governor for the time being of the said Colony of Lagos.”

* * * * * *

To this Treaty the following certificate was added by the accredited messengers from the Ibadan Authorities† :—

“Oyo is commonly known as the Yoruba Kingdom, and embraces the towns of Oyo, Awe, Akinmarin, Ilora, Iseyin, Papa, Tede, also Sabe country.

“We hereby further certify that the towns named in the margin† are under the direct influence of the Balogun and authorities of Ibadan, and that the above enumerated towns and country of Sabe, with their territories, also the towns detailed in the margin, represent now Yoruba proper, of which the capital is Oyo, with Adeyemi as the acknowledged Alafin or King over the whole.”

Ibadan Jurisdiction. (Towns mentioned in margin of above Certificate.)

Ibadan to Olowa, 1 mile off the River Ona, is the boundary now on the south between Ibadan and Jebu Ode. (We may go on farming through as further on as we like to Jebu Ode.)

Boundary between Egba and Ibadan is the farm village of Ilugun on the west.

Chief towns are Lalupou, Sukuru, Ile Olugbon, Ejioku, Ofa II, Iwo, Ile Igbo, Kuta, Ede, Osogbo, Ikirun, Oguro, Lagunmesin, Ipetu, Modu, Odunabon, Moro, Modakeke (end of Ibadan territory, with Ife).

Gbangan, Ikire, Yakoyo, Apomyu, Ikoyi, Erunmu, Owobale, Ire, Otan, Igbajo, Iba, Jabe, Oyon, Iresi, Erin, Offa (near Ede), Okinni, Ilobu, Egigbo, Ido, Ara, Ola, Ogbomoso, Iragberi, Ogbagba, Telemu, Isundurin (Ironwork), Otamokun, Ojo, Aguodo, Ijaye, Fiditi, Iware, Oroko, Ifan, Iragbiji, Ada, Agba, Iberekodo, Eruwa, Awaye, Ilebioku, Iganna, Biolorunpelu, Ipapo, Isehin territory, which is conterminous with Ketu and Mahi.

* H.T., vol. xviii, p. 198. S.P., vol. lxxix, p. 628. See also Treaty, 15th August, 1893, p. 110.

† H.T. vol., xviii, p. 200.

[Artijere Wharf, Ondo, &c.]

Artijere Wharf. Itebu and Ibu. Boundaries.

On the 9th October, 1888, the following Memorandum was signed by Ladokun, son of King Manuwah, and two accredited messengers:—

“We are authorized to state that the land from and inclusive of Artijere landing and island to a point half-way between Ayesau and Araromi is under the jurisdiction of Manuwah, King of Itebu, and of the Odele, Akagun and other authorities of the Ibu (Ubu) towns and villages.

“That the jurisdiction of the King of Itebu and of the authorities of the Ubu towns and villages is separate and distinct, and that territorially it is embraced within the area occupied by the Mahin (commonly and generally known as Ilaje) speaking tribes.

“That both territories are conterminous on the west with the kingdom of Jebu.”

Ondo. Non-cession of Territory. Boundaries.

On the 20th February, 1889, the following Treaty was signed between Great Britain and the King and people of Ondo:—

“2. The kingdom of Ondo is perfectly independent and pays tribute to no other Power, and territorially is bounded on the north by the Ife kingdom, on the south by the Ikale territory, on the east by Ijesa and Ekiti territories, and on the west by the Ijebu territory.

* * * * * *

“6. It is hereby further agreed that no cession of territory, and that no other Treaty or Agreement, shall be made by the King or authorities of Ondo than the one they have now made, without the full understanding and consent of the Governor of the Colony of Lagos on behalf of Her Majesty the Queen.”

Ibadan.

On the 15th August, 1893, a Treaty was signed between Great Britain and Ibadan. It was declared therein that the general administration of the internal affairs of the Yoruba towns of Iwo, Edo, Osogbo, Ikirun, Ogbomoso, Ejigbo, and Isein, as well as in all countries in the so-called Ekun Otun, Ekun Osi, were to be vested in the Government of Ibadan, and that the local authorities of the said towns acted in harmony with and were subject to Ibadan, notwithstanding that the Alafin was recognized as the King and head of Yoruba Land.

Ikorodu.

Ikorodu was ceded to the Colony in 1894.

Lagos Protectorate.

On the 29th December, 1887, an Order in Council was passed providing for the exercise of British jurisdiction in the territories adjacent to the Colony of Lagos.* This was, however, revoked by the Southern Nigeria Protectorate Order in Council, 1906. See page 120.

* H.T., vol. xvii, p. 128.

[Colony of Southern Nigeria.]

On the 27th December, 1899, an Order in Council was issued providing for the exercise of British jurisdiction in, and fixing the limits of, the Lagos Protectorate. This Order however, did not come into operation and was revoked and new provisions made by Order in Council of the 24th July, 1901,* which was in turn revoked by the "Southern Nigeria Protectorate Order in Council," 16th February, 1906.†

Colony of Southern Nigeria.

On the 28th February, 1906,‡ Letters Patent were issued revoking the Letters Patent of the 13th January, 1886, changing the designation of the Colony from Lagos to Southern Nigeria and making fresh provision for the government thereof.

* H.T., vol. xxiii, p. 246.

† H.T., vol. xxiv, p. 143.

‡ H.T., vol. xxiv, p. 147.

**SOUTHERN NIGERIA PROTEC-
TORATE AND NORTHERN
NIGERIA.**

SOUTHERN NIGERIA (PROTECTORATE, EASTERN AND CENTRAL PROVINCES) AND NORTHERN NIGERIA.

[The Protectorate of Southern Nigeria is composed of the former Niger Coast Protectorate, together with the southern portion of the territories formerly administered by the Royal Niger Company. The northern portion of the former Company's territories now form Northern Nigeria.]

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Lukoja.

LUKOJA. On the 26th June, 1866, Mr. John Lyons McLeod was appointed Consul for the districts bordering on the Rivers Niger and Chadda (or Benne), to reside at Lukoja, where he arrived on the 23rd of August, 1867.*

On the 19th of the following month Bishop Crowther and others were seized at Oko Okein by Abbokko,† and Mr. William Fell was sent by Consul McLeod to procure their release; but the boat in which they were being conveyed down the river was fired upon by the natives, and Mr. Fell was killed (28th September, 1867).‡

On the 30th July, 1868, Lieut. Sandys, R.N., entered the Niger with H.M. ships "Pioneer" and "Investigator." He ascended the Benne as far as the Atipo, which village he destroyed (22nd August); he then went up the Niger to Wanangi, the nearest town to Bidda, the residence of King Massamba, and left on the 9th of September. On the 13th of September he arrived at Lukoja and destroyed the village on Beaufort Island (16th of September). The cause of the destruction of these villages was that their kings demanded that 200 of the Lukoja people should be sold into slavery, or the sum of 1,000*l.* paid as the ransom for Bishop Crowther, and an attack on Lukoja was threatened unless these demands were complied with.§ The Lukoja Consulate was abolished on the 13th of May, 1869, and Lieut. Dixon, R.N., then Acting Consul, left Lukoja on the 16th September, 1869.

National African Company.

In 1882 a company, entitled the "National African Company Limited," was formed to take over the business of the "United Africa Company Limited" in Central Africa and in the Niger Regions.

Treaties with Native Chiefs.

In October, 1884, the Company purchased the business and objects of the "Compagnie Française de l'Afrique Equatoriale."¶ In the same year various Treaties were concluded between Consul Hewett and native Chiefs of the Niger Districts, by which these territories were placed under British protection.¶ (See List, p. 131.)

* S.P., vol. lviii, p. 932.

† S.P., vol. lviii, p. 937.

‡ S.P., vol. lviii, p. 940.

§ S.P., vol. lix, pp. 986—1017.

¶ "Burdett's Official Intelligence," 1893.

¶ H.T., vol. xvii, p. 130.

Navigation of the River Niger.

On the 26th February, 1885, the General Act of the Berlin Conference was signed (**NO. 128**), chapter V of which contained an "Act of Navigation for the Niger," which applied, generally, to the Niger and its affluents the free navigation articles of the Final Act of the Congress of Vienna of 1815.*

British and German Spheres of Influence.

In April—June, 1885, the British and German Governments entered into an Agreement, by an exchange of Notes, defining their respective spheres of action in the Gulf of Guinea. By this Agreement Germany engaged not to make acquisitions, accept Protectorates, or interfere with the extension of British influence in that part of the Gulf of Guinea lying between the right river bank of the mouth of the Rio del Rey entering the sea between 8° 42' and 8° 46' long. east of Greenwich and the British Colony of Lagos, nor in the interior, to west of a line following the right river bank of the Rio del Rey from the said mouth to its source, thence striking direct to the left river bank of the Old Calabar or Cross River, and terminating, after crossing that river, at the point about 9° 8' of long. east of Greenwich, marked "Rapids" on the English Admiralty chart. (See GREAT BRITAIN and GERMANY, p. 868.)

British Protectorate, Niger Districts (Oil Rivers Protectorate).†

On the 5th June, 1885,‡ a Notification was inserted in the "London Gazette" to the effect that a British Protectorate had been established over the Niger Districts; the territories comprised within the Protectorate were defined to be—the line of coast between the British Protectorate of Lagos, and the right or western bank of the mouth of the Rio del Rey; and also the territories on both banks of the Niger, from its confluence with the River Benué at Lukoja to the sea, as well as the territories on both banks of the River Benué, from the confluence up to and including Ibi (p. 123).

Royal Charter, National African Company.

On the 10th July, 1886, a Royal Charter was granted to the "National African Company Limited" (p. 125).

This Charter was revoked by Letters Patent, dated the 28th December, 1899.

British and German Spheres of Influence.

In July—August, 1886, a Supplementary Agreement was entered into between the British and German Governments defining their respective spheres of action in the Gulf of Guinea from the Rio del

* Arts. 108—117. Hertslet's "Map of Europe by Treaty," vol. i, pp. 269—272.

† See note p. 154, as to designation "Oil Rivers Protectorate."

‡ H.T., vol. xvii, p. 108.

Rey to a point to the east and near to Yola. (See GREAT BRITAIN and GERMANY, p. 880.)

British Protectorate. Niger Districts.

On the 18th October, 1887,* another Notification was inserted in the "London Gazette," in which it was stated that the British Protectorate of the Niger Districts then comprised the following territories:—On the line of coast between the British Protectorate of Lagos and the right or western river bank of the mouth of the Rio del Rey, and all territories in the basin of the Niger and its affluents, which were or might be for the time being subject to the government of the "National African Company Limited" (then called the "Royal Niger Company), in accordance with the provisions of the Charter of the said Company, dated 10th July, 1886 (see p. 127).

British and German Spheres of Influence.

On the 1st July, 1890, another Agreement was entered into between the British and German Governments defining their spheres of influence in the Gulf of Guinea and in other parts of Africa. (See GREAT BRITAIN and GERMANY, p. 899.)

British and French Spheres of Influence.

On the 5th August, 1890, a Declaration was signed by the British and French Governments, which contained the following clause:—

"The Government of Her Britannic Majesty recognises the sphere of influence of France to the south of her Mediterranean Possessions up to a line from Say on the Niger to Barruwa on Lake Tchad, drawn in such manner as to comprise in the sphere of action of the Niger Company all that fairly belongs to the Kingdom of Sokoto: the line to be determined by the Commissioners to be appointed."† (See GREAT BRITAIN and FRANCE, p. 738.)

Prohibition against Alcoholic Liquors.

On the 18th June, 1892, that portion of the Niger Protectorate which lies on, or to the north of, the 7th degree of north latitude was, by notification to the Signatory Powers of the Brussels Act, placed, under the terms of Art. 91 of that Act, within the zone of prohibition of alcoholic liquors.

British and German Spheres of Influence. Rio del Rey.

On the 14th April, 1893, an Agreement was signed between the British and German Governments, in which it was declared that the right bank of the Rio del Rey waterway should be the boundary between the Oil Rivers Protectorate and the Colony of the Cameroons. (See GREAT BRITAIN and GERMANY, p. 910.)

* H.T., vol. xvii, p. 126. S.P., vol. lxxviii, p. 42.

† H.T., vol. xviii, p. 438.

[Niger Districts and Niger Coast Protectorate.]

Niger Coast Protectorate.

On the 13th May, 1893, a Notification was inserted in the "London Gazette," announcing that the portion of the British Protectorate of the Niger Districts which was under the administration of Her Majesty's Commissioner and Consul would, from the date of that Notification, be administered under the name of the "Niger Coast Protectorate," and would cease to be known as the "Oil Rivers Protectorate." (Page 154.)

British and German Spheres of Influence. Rio del Rey to Yola and Lake Chad.

And on the 15th November, 1893, a further Agreement was signed between the British and German Governments defining the boundary between their respective spheres of influence in the region, extending from the Rio del Rey to "a point to the east of and close to, Yola," and on Lake Chad. (See GREAT BRITAIN and GERMANY, p. 913.)

For further Notes respecting Territorial arrangements between Great Britain and France, and Great Britain and Germany, relative to Nigeria, see p. 84.

Treaties with Native Chiefs.

Between 1884 and 1892 numerous Treaties were concluded by the National Africa Company and by the Royal Niger Company with native Chiefs and others possessing territories in the basin of the Niger districts, by which they engaged to make no cession of territory or to enter into any Treaty negotiations with Foreign States without the previous consent of the British Government, and in return for which they were placed under British protection. A list of these Treaties is given at page 131. The Treaties with Borgu, Gandu, and Sokoto are given in full.

Revocation of Charter of Royal Niger Company.

The Charter of the Royal Niger Company dated 10th July, 1886, was revoked by Letters Patent of the 28th December, 1899, and an Order in Council was passed on the 27th December, 1899,* constituting the Protectorate of Southern Nigeria (formed out of the Niger Coast Protectorate and certain of the territories formerly administered by the Royal Niger Company), and regulating its administration, Art. 2 of which fixed the limits of the Order, as follows :—

Protectorate of Southern Nigeria.

Art. 2.—The limits of this Order are the territories of Africa bounded by the following line, namely, a line commencing on the coast of the Gulf of Guinea at the mouth of the Rio del Rey Creek, the right bank

* H.T., vol. xxi, p. 257.

[Niger Districts and Niger Coast Protectorate.]

of which it follows to the head of the Creek, that is, to the north-west end of the island lying to the west of Oron, where the two waterways named Urüfian and Ikankan on the German Admiralty chart of 1889-90 meet. From this point the line strikes direct to the left river bank of the Old Calabar or Cross River, and terminates, after crossing that river, at the point marked "Rapids" on the English Admiralty chart. From that point it follows a straight line directed towards the centre of the town of Yola as it existed in one thousand eight hundred and ninety-three, and, on reaching a point on that line near Ashaku, runs west to Idda on the Niger, leaving Takum to the north. From Idda, which is included in Southern Nigeria, the line runs west to Owo, leaving to the south the Benin territories, then south-west to Akure, which is in the Lagos Protectorate, and then southward past Ikaha, which, with its dependencies, belongs to Southern Nigeria, leaving on the west the Idanre territories and farms, and on the east the Ado or Benin territories and farms. From Ikaha the line runs south along an unnamed creek past Ikotobo and Ajatito until it joins the Lagos Creek at Arogo. It then follows the Lagos Creek as far as its junction with the Addabrassa Creek, from which point it proceeds in a south-westerly direction to Ogbo on the coast, leaving to the west any territory subject to the King of Mahin.

The territories so bounded shall be known as *Southern Nigeria*.

This Order in Council was, however, revoked by another Order in Council passed on the 16th February, 1906,* for regulating the Administration of the Southern Nigeria Protectorate, of which Art. 2 was as follows :—

Art. 2.—This Order shall apply to the territories of Africa which are bounded on the south by the Atlantic Ocean, on the west by the line of frontier between the British and French territories, on the north and north-east by the British Protectorate of Northern Nigeria, and on the east by the frontier between the British and German territories.

Provided always, that such parts of the territories so bounded as are within that portion of His Majesty's Dominions which is hereafter to be known as the Colony of Southern Nigeria,† shall not be included within the limits of this Order. The territories within the limits of this Order shall be known and described as the Protectorate of Southern Nigeria.

Northern Nigeria.

On the revocation of the Charter of the Royal Niger Company (see above) the territories previously administered by the Company were divided into two portions, the southern of which, added to the Niger Coast Protectorate, was constituted into the Protectorate of Southern Nigeria (see above), and the future administration of the northern portion was provided for by an Order in Council passed on the 27th

* H.T., vol. xxiv, p. 143.

† See Letters Patent of 28th February, 1906, referred to on page 111. H.T. vol. xxiv, page 147.

[Niger Districts and Niger Coast Protectorate.]

December, 1899* ; the territories to be known as Northern Nigeria. Art. 2 of this Order fixes the limits as follows :—

Art. 2.—The limits of this Order are the territories of Africa bounded by the following line, namely, a line commencing at the point of intersection of the River Okpara with the 9th degree of north latitude, and then proceeding in a northerly direction along a line passing west of the lands belonging to the following places, viz., Tabira, Okuta (Okouta), Boria, Tere, Gbani, Ashigere (Yassikéra), and Dekala. From the most westerly point of the lands belonging to Dekala the line runs in a northerly direction, coinciding as far as possible with the line indicated on the map marked No. 1 which is attached to the Convention with France of the 14th of June, 1898 (**No. 241**), and strikes the right bank of the Niger at a point situated 10 miles (16,093 metres) up-stream from the centre of the town of Gere (Guiris) (the port of Ilo), measured as the crow flies. From this point the line runs at right angles to the right bank of the Niger as far as its intersection with the median line of the river. It then follows the median line of the river, up-stream, as far as its intersection with a line drawn perpendicularly to the left bank from the median line of the mouth of the depression or dry watercourse, called the Dallul Mauri, situated at a distance of about 17 miles (27,359 metres), measured as the crow flies, from a point on the left bank opposite the above-mentioned village of Gere (Guiris). From this point of intersection the line follows this perpendicular till it meets the left bank of the river, and then follows the median line of the Dallul Mauri until it meets the circumference of a circle drawn from the centre of the town of Sokoto with a radius of 100 miles (160,932 metres.) From this point it follows the northern arc of this circle as far as its second intersection with the 14th parallel of north latitude. From this second point of intersection it follows this parallel eastward for a distance of 70 miles (112,652 metres) ; then proceeds due south until it reaches the parallel of 13° 20' north latitude, then eastward along this parallel for a distance of 250 miles (402,230 metres) ; then due north until it regains the 14th parallel of north latitude ; then eastwards along this parallel as far as its intersection with the meridian passing 35' east of the centre of the town of Kuka, and thence this meridian southward until its intersection with the southern shore of Lake Chad. From this point the line goes direct to the point of intersection of the 13th degree of longitude east of Greenwich and the 10th degree of north latitude, and thence in a south-easterly direction to a point on the left or southern bank of the River Benue, which it crosses, 5 kilometres below the centre of the main mouth of the Faro River. Thence the line follows, south of the Benue, the circumference of a circle, the centre of which is the centre of the town of Yola as it existed in one thousand eight hundred and ninety-three, and the radius of which is the distance between the centre of the town of Yola and the point on the left bank of the Benue 5 kilometres below the centre of the main mouth of the Faro River, until the circumference meets a straight line drawn from the point on the right bank of the Old Calabar

* H.T., vol. xxi, p. 250.

[Sokoto.]

or Cross River, marked "Rapids" in the English Admiralty chart, direct towards the centre of the town of Yola. It then follows that line in a south-westerly direction to a point near Ashaku, whence it runs west to Idda on the Niger, leaving Takum to the north. From Idda, which it leaves to the south, the line runs west to Owo, leaving to the south the Benin territories, and then northward to the frontier of the Kabba district, whence it passes westward through Aiedi, Awton, and Illa, leaving to the north the towns subject to Ilorin and to the south the towns subject to Ibadan or Oyo. Thence it runs in a north-westerly direction along the frontier of Ilorin, past Odo Otin and Ikirun, both of which it leaves to the south, until the frontier of Ilorin meets the 9th parallel of north latitude. It then runs west, leaving all Borgu towns to the north and all Yoruba towns to the south, as far as the point of intersection of the Okpara River with the 9th parallel of north latitude.

The territories so bounded shall be known as *Northern Nigeria*.

No. 7.—TREATY. *National African Company and Sokoto. Transfer of Rights, &c. 1st June, 1885.**

COPY of English duplicate of Treaty between Umoru, King of the Mussulmans of the Soudan and Sultan of Sokoto, for himself and Chiefs, on the one part, and those Europeans trading on the Kworra and Benué, under the name of the "National African Company (Limited)," on the other part.

Art. I.—For the mutual advantage of ourselves and people, and those Europeans trading under the name of the "National African Company (Limited)," I, Umoru, King of the Mussulmans of the Soudan, with the consent and advice of my Council, grant and transfer to the above people, or other with whom they may arrange, my entire rights to the country on both sides of the River Benué and rivers flowing into it throughout my dominions for such distance from its and their banks as they may desire.

Art. II.—We further grant to the above-mentioned Company the sole right, among foreigners, to trade in our territories, and the sole right, also among foreigners, to possess or work places from which are extracted articles such as lead and antimony.

Art. III.—We further declare that no communication will be held with foreigners coming from the rivers except through the above-mentioned Company.

Art. IV.—These grants we make for ourselves, our heirs, and successors for ever, and declare them to be irrevocable.

Art. V.—The Europeans above named, the National African Company (Limited), agree to make Umoru, Sultan of Sokoto, a yearly

* Confirmed by Treaty, 15th April, 1890, p. 130.

[British Protectorate. Niger Districts.]

present of goods to the value of 3,000 bags of cowries, in return for the above grants.

Signed and sealed at Wurnu, the 1st June, 1885.

(Signature of the Sultan in Arabic.)

(Great seal of the Empire of Sokoto.)

For the National African Company (Limited).

JOSEPH THOMSON, *F.R.G.S.*

Witnesses :

W. J. SEAGO.

D. Z. VIERA.

T. JOSEPH.

[An Arabic duplicate was at the same time executed by both parties.]

No. 8.—NOTIFICATION of the *British Protectorate of the Niger Districts.** London, 5th June, 1885.

Foreign Office, June 5, 1885.

It is hereby notified for public information that, under and by virtue of certain Treaties concluded between the month of July last and the present date,† and by other lawful means, the territories on the West Coast of Africa, hereinafter referred to as the Niger Districts, were placed under the Protectorate of Her Majesty the Queen from the date of the said Treaties respectively.

The British Protectorate of the Niger Districts comprises the territories on the line of coast between the British Protectorate of Lagos and the right or western bank of the mouth of the Rio del Rey.‡ It further comprises the territories on both banks of the Niger, from its confluence with the River Benué at Lukoja to the sea, as well as the territories on both banks of the River Benué, from the confluence up to and including Ibi.

The measures in course of preparation for the administration of justice and the maintenance of peace and good order in the Niger Districts will be duly notified and published.

[This notification was inserted in the "London Gazette" of 5th June, 1885.]

* See note as to designation "Oil Rivers Protectorate," p. 154.

† See pp. 131-137.

‡ S.P., vol. lxxvi, p. 978. See also Notifications of 18th October, 1887, and 13th May, 1893, pp. 127, 154.

[Gandu.]

No. 9.—TREATY. *National African Company and Gandu.
Transfer of Rights, &c. 13th June, 1885.**

ENGLISH Duplicate of Treaty between Maliké, King of Gandu, for himself and Chiefs, on the one part, and those Europeans trading on the Kworra and Benué, under the name of the National African Company (Limited), on the other part.

Art. I.—For the mutual advantage of myself and people, and of those Europeans trading under the name of the “National African Company (Limited),” I, Maliké, of Gandu, with the consent and advice of my Council, grant and transfer to the above people, or others with whom they may arrange in future, my entire rights, absolutely, to the country on both sides of the Rivers Benué and Kworra, for a distance of ten hours’ journey inland, or such other distance as they may desire, from each bank of both rivers throughout my dominions.

Art. II.—I further grant to the above-mentioned people the sole right, among foreigners, to trade in my territories, and the sole right, also among foreigners, to possess or work places from which are taken articles such as lead and antimony.

Art. III.—I further declare that no communication will be held with foreigners coming from the rivers except through the above-mentioned people.

Art. IV.—These grants I make for myself, my heirs and successors, and declare them to be unchangeable and irrevocable.

Art. V.—The Europeans above mentioned, under the name of the National African Company (Limited), agree to make a yearly present for the above grants to Maliké, King of Gandu, of goods to the value of 2,000 bags of cowries.

Signed at Gandu on the 13th June, 1885.

For the National African Company (Limited).

JOSEPH THOMSON, *F.R.G.S.*

[Duly executed in Arabic by the Government of Gandu.]

Witnesses :

W. J. SEAGO.

D. Z. VIERA.

T. JOSEPH.

[An Arabic duplicate was at the same time executed by both parties.]

* Confirmed by Treaty, 7th April, 1890, p. 129.

[Charter. National African Company.]

No. 10.—*ROYAL CHARTER granted to the National African Company.* 10th July, 1886.*

ABSTRACT.

Preamble.

Petition.

Incorporation of Company in 1882.

Its Objects.

Trading Stations. Acquisition of Property, &c.

Acquisition of Charters, Concessions, and other Rights.

Acquisition of Mines, Quarries, Fisheries, &c.

Treaties of Cession with Native Chiefs.

AND whereas the Petition further states, that the Kings, Chiefs, and peoples of various territories in the basin of the River Niger, in Africa,† fully recognizing, after many years' experience, the benefits accorded to their countries by their intercourse with the Company and their predecessors, have ceded the whole of their respective territories to the Company by various Acts of Cession specified in the schedule hereto.

Non-interference with Native Laws or Private Property.

Purchase of Business of all European Traders.

Large Sums of Money expended in acquiring Cessions of Territory from Native Chiefs.

Improvement of Condition of Natives.

Commercial Prosperity, &c., of British Subjects.

Authorization to Company. Acts of Cession by Native Chiefs.

1. The said National African Company Limited (in this our Charter referred to as the Company), is hereby authorized and empowered to hold and retain the full benefit of the several cessions aforesaid, or any of them, and all rights, interests, authorities, and powers for the purposes of government, preservation of public order, protection of the said territories, or otherwise of what nature or kind soever, under or by virtue thereof, or resulting therefrom, and ceded to or vested in the Company in, over, or affecting the territories, lands, and property comprised in those several cessions, or in, over, or affecting any territories, lands, or property in the neighbourhood of the same, and to hold, use, enjoy, and exercise the same territories, lands, property, rights, interests, authorities, and powers respectively for the purposes of the Company, and on the terms of this our Charter.

2. *Fulfilment by Company of Promises given.*

3. *British Character of the Company.*

4. *Restriction of Transfer by Company.*

* H.T., vol. xvii, p. 118. S.P., vol. lxxvii, p. 1022. Afterwards called the "Royal Niger Company." See Notification, 18th October, 1887, p. 127. Charter revoked, 28th December, 1899. See p. 156.

† See List, p. 131.

[Charter. National African Company.]

Foreign Powers.

5. If at any time our Secretary of State thinks fit to dissent from or object to any of the dealings of the Company with any foreign Power, and to make to the Company any suggestion founded on that dissent or objection, the Company shall act in accordance therewith.

6. *Slavery.*

7. *Religions of Inhabitants.*

8. *Administration of Justice to Inhabitants.*

9. *Treatment of Inhabitants generally.*

10. *Facilities for British National Ships.*

11. *Flag.*

General Powers of Company.

12. The Company is hereby further authorized and empowered, subject to the approval of our Secretary of State, to acquire and take by purchase, cession, or other lawful means, other rights, interests, authorities, or powers of any kind or nature whatever, in, over, or affecting the territories, lands, or properties comprised in the several treaties aforesaid, or any rights, interests, authorities, or powers of any kind or nature whatever in, over, or affecting other territories, lands, or property in the region aforesaid, and to hold, use, enjoy, and exercise the same for the purposes of the Company and on the terms of this our Charter.

13. *Questions of Title.*

14. *Prohibition of Monopoly.*

Conformity to Treaties.

15. The Company shall be subject to and shall perform, observe, and undertake all the observations and stipulations relating to the River Niger, its affluents, branches, and outlets, or the territories neighbouring thereto, or situate in Africa, contained in and undertaken by ourselves under the General Act of the Conference of the Great Powers at Berlin, dated the 26th February, 1885 (**No. 128**), or in any other Treaty, Agreement, or Arrangement between ourselves and any other State or Power, whether already made or hereafter to be made.

Foreign Jurisdiction.

16. In all matters relating to the observance of the last preceding Article or to the exercise within the Company's territories for the time being of any jurisdiction exercisable by us under the Foreign Jurisdiction Acts, or the said General Act of the 26th February, 1885 (**No. 128**), the Company shall conform to and observe and carry out all such directions as may from time to time be given in that behalf by our Secretary of State, and the Company shall, at their own expense, appoint all such officers to perform such duties and provide such Courts and other requisites for the administration of justice as he directs.

[British Protectorate. Niger Districts.]

General Provisions.

SCHEDULE OF 29 TREATIES, dated between 31st January and 2nd November, 1884, but without the names being given of any of the Contracting Parties.*

In witness whereof we have caused these Our Letters to be made Patent.

Witness Ourselves at Westminster, the 10th day of July, in the 50th year of Our reign.

By Warrant under the Queen's Sign Manual,
(L.S.) MUIR MACKENZIE.

No. 11.—NOTIFICATION of the British Protectorate of the Niger Districts. The National African Company afterwards the Royal Niger Company. Foreign Office, 18th October, 1887.†

It is hereby notified for public information that, under and by virtue of certain Treaties concluded between the month of July, 1884, and the present date (**No. 15**), and by other lawful means, the territories in West Africa hereinafter referred to as the Niger Districts are under the Protectorate of Her Majesty the Queen.

The British Protectorate of the Niger Districts comprises the territories on the line of coast between the British Protectorate of Lagos and the right or western river bank of the mouth of the Rio del Rey. It further comprises all territories in the basin of the Niger and its affluents, which are or may be for the time being subject to the government of the National African Company Limited (now called the Royal Niger Company), in accordance with the provisions of the Charter of the said Company, dated the 10th July, 1886 (**No. 10**).

The measures in course of preparation for the administration of justice and the maintenance of peace and good order in the Niger Districts will be duly notified and published.

[This Notification appeared in the "London Gazette" of 18th October, 1887.]

* See pp. 131-137.

† See also Notifications of 5th June, 1885, p. 123, and 13th May, 1893, p. 154

[Boussa (Borgu).]

No. 12.—TREATY. *Royal Niger Company and Boussa (Borgu).
British Protection. 20th January, 1890.**

TREATY entered into between the Emir and Chiefs of Boussa (or Borgu) on behalf of themselves and their successors, for ever, and the Royal Niger Company (Chartered and Limited), hereinafter called "the Company," on behalf of themselves, their successors, and assigns.

WE, the Emir and Chiefs of Boussa (or Borgu), in Council assembled (representing our country, its dependencies, and tributaries on both banks of the River Niger, and as far back as our dominion extends, in accordance with our laws and customs), do hereby agree, on behalf of ourselves and of our successors, for ever :—

Firstly. To observe faithfully the Agreement entered into between us and the Company (then known as the National African Company Limited), and dated the 12th day of November, 1885.

Secondly. To grant to the Company full and absolute jurisdiction over all foreigners to our territories—that is to say, over all persons within the territories who are not our native-born subjects. Such jurisdiction shall include the right of protection of such foreigners, of taxation of such foreigners, and of political, criminal, and civil jurisdiction over such foreigners.

Thirdly. That we will not at any time whatever cede any of our territories to any other person or State, or enter into any Agreement, Treaty, or arrangement with any foreign Government, except through and with the consent of the Company ; or, if the Company should at any time so desire, with the consent of the Government of Her Majesty the Queen of Great Britain and Ireland, and Empress of India.

Fourthly. To place our territories, if and when called upon to do so by the Company, under the protection of the flag of Great Britain.

[Engagement of the Royal Niger Company.]

1. *To admit to the territories of Boussa (or Borgu) any foreigner who may desire to go there, subject to such necessary restrictions as may be necessary in the interests of peace and order.*

2. *To permit all such foreigners to trade freely, subject to the payment of such taxation as may be necessary for administrative purposes in Boussa (or Borgu), or for the general administration of the Company.*

3. *To do our utmost to promote the prosperity and wealth of Boussa (or Borgu), and to develop and open up that country, and to do the utmost in our power to promote peace, order, and good government, and the general progress of civilization.*

4. *To pay to the Emir of Boussa (or Borgu) a yearly sum of 50 bags,*

* On the 20th October, 1894, it was formally notified to the German Government that a British Protectorate had been established over Borgu.

[Gandu.]

native value, in any class of goods, to be taken at the market value of the place where and when the payment is made.]

For the Royal Niger Company (Chartered and Limited),

WILL LISTER.

Signatures of the Emir and Chiefs :

DACHTRA (or DAGGA), *Emir of Boussa*
(or Borgu), his X mark.
 MOMO (eldest son of Emir), *ditto.*
 MUSA, *Eyusu, ditto.*
 SERIKIN RUA, *Chief, ditto.*

We, the undersigned, are witnesses to the above signatures and marks.

GILA.

(Arabic signature.)

I, William Reffle, do hereby certify that the above has been faithfully interpreted to the Emir and Chiefs of Boussa (or Borgu), and understood by them in every sense.

W. REFFLE.

Done in triplicate at Boussa, this 20th day of January, 1890.

No. 13.—TREATY. *Royal Niger Company and Gandu. Protection. Jurisdiction over Foreigners, &c. 7th April, 1890.**

LITERAL translation of second Treaty, in Arabic, between Maliké, King of Gandu, for himself and Chiefs, on the one part, and the Royal Niger Company (Chartered and Limited) on the other part.

BE it known that I, Maliké, King of Gandu, am desirous of introducing European trade in all parts of my dominions, so as to increase the prosperity of my people, and knowing that this cannot be effected except by securing to foreigners the protection of European government, with power of exercising jurisdiction over foreigners as is the custom with them, also with power of levying taxes upon foreigners as may be necessary for the exercise and support of this jurisdiction : I, Maliké, King of Gandu, with the consent and advice of my Council, agree and grant to the Royal Niger Company (Chartered and Limited), formerly known as the "National African Company (Limited)," full and complete power and jurisdiction over all foreigners visiting and residing in any part of my dominions. I also grant you jurisdiction and full rights of protection over all foreigners, also power of raising taxes of any kind whatsoever from such foreigners.

No person shall exercise any jurisdiction over such foreigners nor levy any tax whatsoever on such foreigners than the Royal Niger Company (Chartered and Limited).

* See also Treaty, 4th July, 1894, p. 155.

[Sokoto.]

These grants I make for myself, my heirs, and successors, and declare them to be unchangeable and irrevocable for ever.

I further confirm the Treaty made by me with the National African Company (Limited), now known as the "Royal Niger Company (Chartered and Limited)," in the month of June, according to European reckoning, 1885 (page 124).

Dated at Gandu, this 7th day of April, 1890.

No. 14.—*TREATY. Royal Niger Company and Sokoto. Jurisdiction over Foreigners, &c. 15th April, 1890.*

LITERAL translation of second Treaty, in Arabic, between Umoru, King of the Mussulmans of the Soudan, and Sultan of Sokoto, on the one part, and the Royal Niger Company (Chartered and Limited), on the other part.

BE it known that I, Umoru, King of the Mussulmans, am desirous of introducing European trade in all parts of my dominions, so as to increase the prosperity of my people, and knowing that this cannot be effected except by securing to foreigners the protection of European government, with power of exercising jurisdiction over foreigners, as is the custom with them; also with power of levying taxes upon foreigners as may be necessary for the exercise and support of this jurisdiction: I, Umoru, King of the Mussulmans of the Soudan, with the consent and advice of my Council, agree and grant to the Royal Niger Company (Chartered and Limited)—formerly known as the "National African Company (Limited)"—full and complete power and jurisdiction over all foreigners visiting or residing in any part of my dominions. I also grant you jurisdiction and full rights of protection over all foreigners; also power of raising taxes of any kind whatsoever from such foreigners.

No person shall exercise any jurisdiction over such foreigners, nor levy any tax whatsoever on such foreigners than the Royal Niger Company (Chartered and Limited).

These grants I make for myself, my heirs, and successors, and declare them to be unchangeable and irrevocable for ever.

I further confirm the Treaty made by me with the National African Company (Limited)—now known as the "Royal Niger Company (Chartered and Limited)"—in the month of June, according to European reckoning, 1885 (page 122).

Dated at Wurnu, this 15th day of April, 1890.

[Treaties with Native Chiefs.]

No. 15.—*LIST of Treaties concluded between the Royal Niger Company and Native Chiefs. 1884—1892.*

ALPHABETICAL LIST OF TREATIES. (See Note, p. 154.)

Name.	No.	Form.
Abarra	103	5
Abinsi	182	4
Aboh*	76	1
Abojaga	149	5
Abragada	88	5
Abutshi	111	5
Achiagi	208	6
Adagua	143	5
Adanapa	298	5
Addaw	219	6
Adiawazi	71	5
Adigbo	164	4
Adjarra	144	5
Affor	65	5
Agagba	58	5
Agbeni	25	5
Agberi* (Azama)	51	5
Agegba	147	5
Agesa (Agu)	216	6
Agezeh (or Ageyeh)	304	Various
Agita	183	4
Agodamah	20	5
Agoubiri	24	5
Agoorou	29	5
Agwebiri (or Agwehhi)	289	9
Agwey*	89	1
Agwohbi	288	9
Agwey	206	4
Ajincoo	213	6
Ajuberi	238	5
Akaboh	325	10
Akabri	15	5
Akapotshi	326	10
Akassa	3	Various
Akaw	6	5
Akedda	267	5
Akoubri	26	5
Akow*	52	1
Akpa	180	4
Akpama and Omoluku	173	4
Akpeh	57	5
Akpoko	168	4
Akri Ugidi*	95	1
Akri*	105	3
Akuroe	148	5
Alatubeni	278	5
Alenso*	104	3
Allah	134	5
Amakofia Ubi	327	10
Amara	166	4
Amassama (Moasamah Creek)	23	5
Amassamah (Ayakruamah to Baccabo)	240	5
Amowa	178	4
Anamobo	131	5
Angalabiri	40	5
Angiama (next higher to Angalabiri)	34	5

* Referred to in Charter of 10th July, 1886, p. 125. See Note, p. 154.
(1714)

[Treaties with Native Chiefs.]

Name.	No.	Form.
Angiama (Angiama to Awakoraga)	9	5
Anyama (Great)	59	5
„ (Small)	60	5
Anyappa	211	5
Appelebiri	33	5
Arago (see Channa).		
Aroua	30	5
Asaba*	130	2
Ase (Assay)*	54	1
Ashakah	63	5
Ashiku	204	4
Atani*	106	3
Ataya and Utukapari	169	4
Atshaka (see Opai Atshaka).		
Atshara	121	5
Aupanam*	132	2
Awakoraga (or Awakorogar)	11	5
Ayakruama	239	5
Ayama (or Azama)	10	5
Ayelli	172	4
Ayinshi	205	4
Azenueh	15	5
Azubobiri	45	5
Babalabri	16	5
Baccabo	242	5
Bagumar	217	6
Bajembor	195	8
Bakepipe	13	5
Bakundi	310	5
Bakurana	181	4
Balabri	277	5
Balagola	243	5
Bapassa	188	8
Bassa (Ayelli)	162	4
„ (Abaji)	163	4
Bassama	314	Various
Batoro	18	5
Batsurror	187	Various
Bautshi	316	„
Bawuru	167	4
Bazeni	207	4
Beaufort Isand	295	5
Beriwoosoo	209	6
Boawi	215	6
Bomodija	241	5
Bomodigi	17	5
Borgu (Boussa)*	303	Various
Berotu	244	5
Boulah	233	4
Brahmio	234	4
Buruhu	194	8
Byonga	186	4
Chagabo	184	4
Channa and Arago	306	4
Chomul	229	4
Chosah	220	6
Condra	221	6
Dampara	309	Various
Demsa	315	„
Doma	305	4
Donga	320	Various
Eberede	61	5

* Referred to in Charter of 10th July, 1886, p. 125.

[Treaties with Native Chiefs.]

Name.	No.	Form.
Eberedeno	55	5
Eboo	139	5
Ecebri	283	9
Edoni	279	5
Effeku	146	5
Effeta	126	5
Egbador	137	5
Egbanatoro	281	9
Egbeddi	22	5
Egbuku	62	5
Egbu-ku	328	10
Egbu-n-ta	329	10
Egovi (or Egorie)	156	Various
Egweh	155	5
Ejoda	157	5
Ekebiri	286	9
Ekebri	12	5
Ekperiwari	68	5
Eknao	330	10
Emblama	49	5
Enowarri	285	9
Epedeh	44	5
Esafoto	274	5
Esangama	245	5
Evorogbo	56	5
Finebah	247	5
Foonoweh	273	5
Foropah	275	5
Froukuma	246	5
Gana Gana	249	5
Gando (1st)	236	Various
„ (2nd)	318	„
Gandy	159	„
Gashaka	317	4
Gebi (or Ghebe).....	296	9
Gloria Ibo	120	5
Gongomo	312	10
Goolah	248	5
Huboru*	133	2
Ibatsha	83	5
Ibo (see Gloria Ibo).		
Ibouza	294	9
Idu (see Okaba Idu).		
Iga*	127	1
Igabo.....	73	5
Igara (Ogardoo)*.....	158	1
Igbaku (or Ibaku)*	125	1
Igbokeyen	136	5
Igi	185	4
Ikambri	5	5
Ikolo	14	5
Ikurawa	198	8
Illah	179	4
Illushi	140	5
Ilorin	302	Various
Imgboro	192	8
Imputa	87	5
Imusu (see Okija Imusu).		
Inde-Akakwa	331	10
Inishi (see Yanapura).		
Inyehreh	151	5
Isara	260	5

* Referred to in Charter of 10th July, 1886, p. 125.

[Treaties with Native Chiefs.]

Name.	No.	Form.
Ishara	196	8
Ishequa and Assay*	91	1
Isi Umudirossa	342	10
Itshicke (see Okija Itshicke).		
Itshicke and Umuneosa	332	10
Izin	262	5
Jachan	228	5
Jangan	231	4
Jibu	308	Various
Jimetchu	189	8
Kabiama	28	5
Kanzu	203	4
Kateshi (see Ojo)		
Katsena Alla	200	8
Kiama	47	5
Kobama	250	5
Kolama	1	1
Korokorossi	287	9
Kwana	311	10
Laffia	307	4
Laffiagi	301	Various
Lapai	300	„
Lobia	276	5
Mamimquassa	222	6
Mamondo	212	6
Matulu	27	5
Maveo	218	6
Mpoh	115	5
Munakor (see Osomari).		
Mungornor	193	8
Mungova	190	8
Muri	321	7
Neawe	177	4
N'doni*	77	1
Nsube	118	5
Ntegi	116	5
Nufali	226	6
Nuhar	202	4
Numan	232	4
Nupé (1st)	322	Various
„ (2nd)	323	„
N'yamchadda	225	6
Obagwa	259	5
Obba	293	10
Obeallah	141	5
Obeze (see Opai Obezi).		
Obiagwey	96	5
Obikwere	66	5
Obilako	333	10
Obiodiobiri	35	5
Obirikom	82	5
Obokeno	251	5
Oboniki	291	10
Oboro (Obokeno to Orudda)	253	5
„ (from the sea to Forobeni)	280	5
Oburoto	84	5
Ode	135	5
Odekwe*	108	3
Odeleque	138	5
Odogoberi	254	5
Odoni	50	5
Odugiri*	90	1

* Referred to in Charter of 10th July, 1886, p. 125.

[Treaties with Native Chiefs.]

Name.	No	Form.
Ofinama	48	5.
Ofonibahan	70	5
Ofunobiri	284	9
Ogalay (Great).....	37	5
„ (Small).....	36	5
Ogardoo (see Igara).		
Ogbakuma*	101	1
Ogidi	290	10
Ogoh	255	5
Ogollama	32	5
Ogrugu*	129	1
Ogu (or Ogoo)*	94	1
Ogu Anotsha	86	5
Oguta	85	5
Ojo and Kateshi	160	4
Ojo*	128	1
Ojogo	174	4
„ (Upper)	175	4
Ojormah*	112	2
Okaba	75	5
Okaba Idu	81	5
„ Omuku.....	80	5
Okija Imusu.....	264	5
„ Itshicke	78	5
„ Umudara.....	79	5
Okka	324	10
Oko Amakon*	110	3
„ Anara*	109	3
„ Onono*	113	2
Okobeni	256	5
Okoloba	252	5
Okomedu	100	5
Okoro	227	4
Okortundor	201	8
Oliodiana	38	5
Ologbobiri	268	5
Omoluku (see Akpama).		
Omoku (see Okaba Omoku).		
Omou (Anambarra)*	123	1
Omourum	122	5
Ondawarri	269	5
Onia*	53	1
Onimasha	165	4
Onitsha*	114	2
Onono (see Oko Onono).		
Onougu	124	5
Opai*	92	1
„ Atshaka	261	5
„ Obeze	93	5
Opal	230	4
Opehamah	257	5
Opokoni	154	5
Opokuma	46	5
Oporo (or Oporano)	8	5
Oputuwarri	270	5
Orea	145	5
Oreilla	341	10
Orjie	334	10
Orudda	258	5
Osebiti*	107	3
Osepi, &c.	171	4
Osiamah	271	5

* Referred to in Charter of 10th July, 1886, p. 125.

[Treaties with Native Chiefs.]

Name.	No.	Form.
Osoimari and Munakor*	99	1
Osutshi Ane Otsha	102	5
Otagba	64	5
Ottah	153	5
Otuwa	272	5
Outshi (see Utshi).		
Owere	335	10
Ozara	336	10
Ozormor (or Orgomor)	7	5
Pakiana	39	5
Palava	191	8
Pampam	223	6
Patani (Big Patzani)*	42	1
Permabri (or Perenabri).....	4	5
Poulabouga	282	9
Quanati	214	6
Qué	224	6
Rebohu, &c.....	161	4
Sabagrea (or Sabagregor)*.....	21	1
Sagbama	41	5
Samabri	67	5
Sansagi	199	8
Sehapia	210	6
Senagana	2	5
Shonga	299	Various
Sinbuko (or Sintako)	297	9
Sokoto (1st)	237	Various
" (2nd)	319	"
Takum	313	9
Tigga	197	8
Timboh	31	5
Todama	152	5
Tombiah	19	5
Torofani (or Torro Tanni)	43	1
Ubi (see Amakofia Ubi).		
Uburin	337	10
Udo	338	10
Ugi.....	142	5
Ukukwa (see Inde Akakwa).		
Umari	119	5
Umoru	72	5
Umotshi	98	5
Umuazu	266	5
Umuba	339	10
Umudara (see Okija Umudara).		
Umudirossa (see Isi Umudirossa).		
Umuetshi	263	5
Umugor	265	5
Umuneosa (see Itshicke).		
Umuodu	340	10
Umuogi	117	5
Unkwereh.....	292	10
Utoku	69	5
Utshi Obonu (or Oboma, Utshi Owere and Obatsha)*	97	1
Utu	74	5
Utukapari (see Ataya).		
Yanapura or Inishi	176	4
Zungwali	235	4
Zuwo	170	4

* Referred to in Charter of 10th July, 1886, p. 125.

[Treaties with Native Chiefs.]

TREATIES under Form No. 1.

Territory.	No.	Date.
Aboh*	76	October 2, 1884.
Agwey*	89	„ 9, „
Akow*	52	„ 26, „
Akri Ugidi*	95	„ 11, „
Ase (Assay)* (Wari Branch)	54	January 31, „
Iga*	127	October 31, „
Igara	158	September 23, „
Igbaku (or Ibaku)*	125	October 23, „
Ishequa and Assay*	91	„ 10, „
Kolama	1	December 18, „
Munakor (see Osomari).		
N'doni*	77	October 9, „
Odugiri	90	„ 10, „
Ogbakuma*	101	„ 15, „
Ogu (or Ogoo)*	94	„ 11, „
Ogrugu*	129	November 1, „
Ojo*	128	„ 2, „
Omou (Anambarra)*	123	October 23, „
Onia*	53	„ 21, „
Opai*	92	„ 27, „
Osomari and Munakor*	99	„ 16, „
Patani (Big Patani)*	42	„ 22, „
Sabagrea (or Sabagregor)*	21	„ 29, „
Torofani (Torro Tanni)*	43	„ 21, „
Utshi, Obama, Utshi Owere, and Obatsha*	97	„ 13, „

* The Treaties marked thus * are those referred to in the Charter of 10th July, 1886, p. 125, and are all included within the proclaimed Protectorate.

Form No. 1.

After the _____ years' experience, we, the undersigned _____, fully recognize the benefit accorded to our country and people by our intercourse with the National African Company (Limited), and, in recognition of this, we now cede the whole of our territory to the National African Company (Limited), and their administrators, for ever. In consideration of this, the National African Company (Limited) will not interfere with any of the native laws, and also not encroach on any private property unless the value is agreed upon by the owner and the said Company.

The National African Company (Limited) will reserve to themselves the right of excluding foreign settlers.

Any palaver that may exist with any other tribe at any time, or in the event of any dispute arising between the _____

_____ and territory, shall at once be referred to the National African Company (Limited) or their representative at the time.

We, the _____ and district, do hereby agree to afford assistance at any time for the protection of the said Company's property and people.

As per mutual consent of the _____

[Treaties with Native Chiefs.]

of the foregoing Agreement, the National African Company (Limited) agreed to pay

Pro the National African Company (Limited),
DAVID McINTOSH.

In approval of the foregoing Agreement, we, the
, do herewith affix our names as under.

We, the Undersigned, are witnesses to the marks of the
, and also vouch for their understanding
what they have signed.

I do hereby declare that the foregoing Agreement was duly and
correctly explained to the above
and they fully understood it.

Declared before me at _____ this
day of _____, 18 .

EDWARD HYDE HEWETT,
Her Britannic Majesty's Consul.

(Consular Seal affixed here.)

TREATIES under Form No. 2.

Territory.	No.	Date.
Asaba	130	August 28, 1884.
Aupanam	132	October 22, "
Huboru	133	" 25, "
Ojormah	112	August 30, "
Oko Onono	113	" 29, "
Onitsha	114	" 20, "
Onono (see Oko Onono).		

Form No. 2.

We, the _____, after _____ years' experience, fully recognize the benefit accorded to our country and people by their intercourse with the National African Company (Limited), and in recognition of this we now cede the whole of our territory to the National African Company (Limited), and their administrators for ever.

In consideration of this, the National African Company (Limited) agree :—

1. The said Company will not interfere with any of the native laws, and will not encroach on any private property unless the value is agreed upon by the owner and the said Company.

2. The said Company will not interfere with any of the ground now occupied by the natives of the country unless agreed to by both sides.

3. The said Company reserve to themselves the right of excluding foreign settlers other than those now settled in the country.

[Treaties with Native Chiefs.]

any place in the country ceded to them for any purpose whatever, they, the National African Company (Limited), will compensate the owner or owners thereof.

The National African Company (Limited) reserve to themselves the right of excluding any foreigners from the country should they think fit.

In consideration of the foregoing privilege accorded the National African Company (Limited), the National African Company (Limited) agrees to pay a yearly duty of

measures, local value, to
Pro the National African Company (Limited),
 D. McINTOSH.

We, the Undersigned, are witnesses to the marks of the
 , and also vouch for their understand-
 ing what they have signed.

Done in triplicate, this day of , 188 .

I certify the signatures of as being
 those of the persons themselves, and, further, that a copy of this
 Agreement has been handed to me for registry in my Consulate.

EDWARD HYDE HEWETT,
Her Britannic Majesty's Consul.

(Consular seal affixed here.)

TREATIES under Form No. 4

Territory.	No.	Date.
Abinsi	182	March 3, 1885.
Agigbo	164	May 16, "
Agita	183	April 27, "
Agwey	206	December 25, "
Akpa	180	March 16, "
Akpama and Omoluku	173	" 18, "
Akpoko	168	April 30, "
Amara	166	May 5, "
Amowa	178	March 16, "
Arago (see Channa).		
Ashiku	204	April 10, "
Ataya and Utukapari.....	169	May 26, "
Ayelli	172	March 17, "
Ayinshi	205	April 9, "
Bakurana	181	" 25, "
Bassa (Ayelli)	162	May 27, "
Bassa (Abaji)	163	" 21, "
Bawuru	167	" 5, "
Bazeni	207	April 10, "
Boulah	233	October 3, 1886.
Brahmio	234	" 3, "
Byonga	186	April 18, 1885.
Chagabo	184	" 11, "
Channa and Arago	306	March 7, "
Chomul.....	229	July 18, "

[Treaties with Native Chiefs.]

The said National African Company (Limited) agree to pay native owners of land a reasonable amount for any portion they may require.

The said National African Company (Limited) bind themselves to protect the said King and Chiefs from the attacks of any neighbouring aggressive tribes.

In consideration of the above, the said National African Company (Limited) have this day paid the said King and Chiefs of _____ goods to the value of _____, receipt of which is hereby acknowledged.

This Agreement having been interpreted to us, the above-mentioned King and Chiefs of _____, we hereby approve and accept it for ourselves and for our people with their consent, and in testimony of this, having no knowledge of writing, do affix our marks below it, and I, Egbert Dangerfield, for and on behalf of the said National African Company (Limited), do hereby affix my hand.

(For David McIntosh),

EGBERT DANGERFIELD.

We, the undersigned witnesses, do hereby solemnly declare that the King and Chiefs whose names are placed _____ their respective _____ have in our presence affixed their _____ of their own free will and consent, and the said _____ has in our presence affixed his signature.

Declaration by Interpreter.

I, _____ native of _____, do hereby solemnly declare that I am well acquainted with the _____ language, and that on the _____ day of _____, 1885, I truly and faithfully explained the above Agreement to all the Chiefs present, and that they understood its meaning.

TREATIES under Form No. 5.

Territory.	No.	Date.
Abarra	103	November 11, 1884.
Abojaga	149	March 11, 1885.
Abragada	88	" 31, "
Abutshi	111	February 24, "
Adagua	143	March 7, "
Adanapa	298	February 4, "
Adiawazi	71	" 23, "
Adjarra	144	March 7, "
Affor	65	December 5, 1884.
Agagba	58	" 9, "
Agbeni	25	October 26, 1885.
Agberi	51	April 16, 1884.
Agegba	147	March 7, 1885.
Agodamah	20	June 12, "
Agoubiri	24	October 26, "
Agoorou	29	" 27, "

[Treaties with Native Chiefs.]

Territory.	No.	Date.
Ajuberi.....	238	June 18, 1888.
Akabri.....	15	„ 12, 1885.
Akaw.....	6	„ 10, „
Akedda.....	267	November 13, 1886.
Akoumbri.....	26	October 27, 1885.
Akpeh.....	57	December 10, 1884.
Akuroe.....	148	March 10, 1885.
Alatubeni.....	278	September 8, 1888.
Allah.....	134	December 20, 1884.
Amassama (Moasamah Creek).....	23	October 26, 1885.
Amassamah (Ayakruamah to Baccabo).....	240	June 14, 1888.
Anamobo.....	131	December 24, 1884.
Angalabiri.....	40	„ 27, „
Angiama (next higher to Angalabiri).....	34	„ 47, „
Angiama (Angiama to Awakoraga).....	9	June 10, 1885.
Anyama (Great).....	59	December 9, 1884.
Anyama (Small).....	60	„ 9, „
Appelebiri.....	33	February 17, 1885.
Aroua.....	30	October 27, „
Ashakah.....	63	December 6, 1884.
Atshaka (see Opai Atshaka).		
Atshara.....	121	„ 4, 1885.
Awakoraga.....	11	June 11, „
Ayakruama.....	239	„ 13, 1888.
Ayama.....	10	„ 11, 1885.
Azenueh.....	150	March 12, „
Azubobiri.....	45	April 24, 1884.
Babalabri.....	16	June 12, 1885.
Baccabo.....	242	„ 16, 1888.
Bakepipe.....	13	„ 11, 1885.
Bakundi.....	310	February 18, „
Balabri.....	277	September 7, 1888.
Balagola.....	243	June 12, „
Batoro.....	18	„ 12, 1885.
Beaufort Island.....	295	February 18, „
Bomodija.....	241	June 12, 1888.
Bomodigi.....	17	„ 12, 1885.
Borotu.....	244	„ 16, 1888.
Eberede.....	61	December 9, 1884.
Eberedeno.....	55	„ 10, „
Eboo.....	139	„ 22, „
Edoni.....	279	September 7, 1888.
Effeku.....	146	February 25, 1885.
Effeta.....	126	March 26, „
Egbador.....	137	„ 6, „
Egbeddi.....	22	October 26, „
Egbuku.....	62	December 8, 1884.
Egweh.....	155	March 17, 1885.
Ejoda.....	157	„ 26, „
Ekebri.....	12	June 11, „
Ekperiwari.....	68	February 23, „
Emblama.....	49	April 23, 1884.
Epedeh.....	44	„ 9, „
Esafoto.....	274	September 5, 1888.
Esangama.....	245	June 13, „
Evorogbo.....	56	December 10, 1884.
Finebah.....	247	June 16, 1888.
Foonoweh.....	273	September 12, „
Foropah.....	275	„ 6, „
Froukama.....	246	June 17, „
Gana Gana.....	249	„ 16, „
Gloria Ibo.....	120	April 12, 1885.
Goolah.....	248	August 28, 1888.
Ibatsha.....	83	„ 16, 885.

[Treaties with Native Chiefs.]

Territory.	No.	Date.
Ibo (see Gloria Ibo).		
Idu (see Okaba Idu).		
Igabo.....	73	February 21, 1885.
Igbokeyen	136	March 3, "
Ikambri	5	June 10, "
Ikolo	14	" 11, "
Illushi	140	February 28, "
Imputa	87	March 28, "
Imusu (see Okija Imusu).		
Inyehreh	151	August 20, "
Isara	260	February 24, "
Itshicke (see Okija Itshicke).		
Izin	262	December 19, 1884.
Jackan	228	August 12, 1885.
Kabiamia	28	October 27, "
Kiama	47	April 23, 1884.
Kobama	250	June 13, 1888.
Lobia.....	276	September 5, "
Matulu	27	October 27, 1885.
Mpoh	115	June 6, "
Nsube	118	February 27, "
Ntegi	116	May 23, "
Obagwa.....	259	April 4, 1886.
Obeallah	141	March 7, 1885.
Obeze (see Opai Obeze).		
Obiagwey	96	February 28, "
Obikwere	66	January 5, "
Obiodiobiri	35	December 27, 1884.
Obirikom	82	September 21, 1886.
Obokeno	251	June 18, 1888.
Oboro (Obokeno to Orudda)	253	" 18, "
" (from the sea to Forobeni).....	280	September 7, "
Oburoto	84	August 16, 1885.
Ode	135	December 23, 1884.
Odeleque	138	" 22, 1885.
Odogoberi	254	June 18, 1888.
Odoni	50	April 15, 1884.
Ofinama	48	" 24, "
Ofonibahan	70	February 23, 1885.
Ogalay (Great).....	37	June 15, 1886.
" (Small).....	36	December 27, 1884.
Ogoh	255	June 18, 1888.
Ogollama	32	December 27, 1884.
Ogu Anotsha	86	April 28, 1886.
Oguta	85	March 23, 1885.
Okaba	75	February 21, "
" Idu	81	October 16, 1886.
" Omoku	80	" 15, "
Okija Imusu.....	264	November 4, "
" Itshicke	78	September 26, 1885.
" Umudara	79	" 27, "
Okobeni	256	June " 18, 1888.
Okoloba	252	" 18, "
Okomedu	100	March 4, 1885.
Oliodiamia.....	38	June 15, 1886.
Ologbobiri	268	November 11, "
Omoku (see Okaba Omoku).		
Omourum.....	122	September 9, 1885.
Ondawarri	269	November 11, 1886.
Onougu	124	March 27, 1885.
Opai Atshaka	261	December 12, 1884.
Opai Obeze	93	March 29, 1885.
Opehamah	257	June 18, 1888.
Opokoni	154	March 16, 1885.

[Treaties with Native Chiefs.]

Territory.	No.	Date.
Opokuma	46	April 24, 1884.
Oporo	8	June 10, 1885.
Oputuwarri	270	November 11, 1886.
Orea	145	February 27, 1885.
Orudda	258	June 18, 1888.
Osiamah	271	November 11, 1886.
Osutshi Ane Otsha	102	" 17, 1884.
Otagba	64	July 29, 1885.
Ottah	153	March 13, "
Otuwa	272	November 6, 1886.
Ozormor	7	June 10, 1885.
Pakiama	39	October 17, 1886.
Permabri	4	June 9, 1885.
Sagbama	41	December 29, 1884.
Samabri	67	February 23, 1885.
Sengana	2	December 17, 1884.
Timboh	31	October 28, 1885.
Todama	152	March 12, "
Tombiah	19	June 12, "
Ugi	142	December 27, 1884.
Umari	119	February 27, 1885.
Umoru	72	" 23, "
Umotshi	98	March 4, "
Unuazu	266	December 19, 1884.
Umudara (see Okija Umudara).		
Umuetsi	263	" 19, "
Umugor	265	" 19, "
Umuogi	117	June 4, 1885.
Utoku	69	February 23, 1885.
Utu	74	" 22, "

Form No. 5.

We, the undersigned Chiefs of _____, with the view to the bettering of the condition of our country and people, do this day cede to the Royal Niger Company (Chartered and Limited), for ever, the whole of our territory extending from _____.

We also give to the said Royal Niger Company (Chartered and Limited) full power to settle all native disputes arising from any cause whatever, and we pledge ourselves not to enter into any war with other tribes without the sanction of the said Royal Niger Company (Chartered and Limited).

We understand that the said Royal Niger Company (Chartered and Limited) have full power to mine, farm, and build in any portion of our country.

We bind ourselves not to have any intercourse with any strangers or foreigners except through the said Royal Niger Company (Chartered and Limited).

In consideration of the foregoing, the said Royal Niger Company (Chartered and Limited) bind themselves not to interfere with any of the native laws or customs of the country, consistently with the maintenance of order and good government.

The said Royal Niger Company (Chartered and Limited) agree to pay native owners of land a reasonable amount for any portion they may require.

[Treaties with Native Chiefs.]

The said Royal Niger Company (Chartered and Limited) bind themselves to protect the said Chiefs from the attacks of any neighbouring aggressive tribes.

The said Royal Niger Company (Chartered and Limited) also agree to pay the said Chiefs _____ measures native value. .

We, the undersigned witnesses, do hereby solemnly declare that the _____ Chiefs whose names are placed opposite their respective crosses have in our presence affixed their crosses of their own free will and consent, and that the said _____ has in our presence affixed his signature.

Done in triplicate at _____, this _____ day of _____ 188 .

Declaration by Interpreter.

I, _____, of _____, do hereby solemnly declare that I am well acquainted with the language of the _____ country, and that on the _____ day of _____, 188 , I truly and faithfully explained the above Agreement to all the Chiefs present, and that they understood its meaning.

TREATIES under Form No. 6.

Territory.	No.	Date.
Achiagi	208	August 16, 1885.
Addaw	219	April 27, "
Agesa(Agu).....	216	" 17, "
Ajincoo	213	" 15, "
Aynappa	211	" 14, "
Bagumar	217	" 17, "
Beriwooso	209	" 16, "
Boawi	215	" 16, "
Chosah	220	" 27, "
Condra	221	" 27, "
Mamimquassa	222	" 27, "
Mamondo	212	" 14, "
Maveo	218	" 18, "
Nufali	226	" 29, "
N'yamchadda	225	" 27, "
Pampam	223	" 27, "
Quanati.....	214	" 27, "
Qué	224	" 27, "
Schapia	210	November 16, "

Form No. 6.

We, the King and Chiefs of _____, in Council assembled, do cede to the National African Company (Limited), of London, their heirs and assigns, for ever, all our territory extending from _____, with all sovereign rights.

We also agree that no one shall have a right to mine in our country

[Treaties with Native Chiefs.]

(either foreign or native) without the sanction of the National African Company, their heirs or assigns.

We also give to the National African Company, their heirs or assigns, the power to exclude all or any foreigners from our country.

The National African Company agree to govern on the basis of the native laws as among the natives themselves, and not to interfere with the rights of private property.

The National African Company agree to pay, as Sovereign, a subsidy of six pieces of cloth per annum to the former Rulers of the country.

Signatures :

Witness :

Declaration by Interpreter.

I, _____, native of _____, do hereby declare that I am well acquainted with the _____ language, and have interpreted the foregoing to the King and Chiefs, and they understand its meaning.

TREATY under Form No. 7.

Territory.	No.	Date.
Muri	321	January 30, 1885.

Form No. 7.

AGREEMENT made on the _____ day of _____, 188 _____, between _____ Head Chief of the country of _____, and his _____ or Council of Chiefs and their people on the one hand, and the National African Company (Limited) on the other hand.

As in past times, disputes and palavers have arisen among the various European and other strangers and foreigners in the River Niger and between these and the natives, and, as it is desirable to prevent such disputes and palavers again occurring by making a perpetual settlement, placing under one supreme authority all relations and affairs between the natives of _____ and all strangers and foreigners : Therefore we, the Head Chief and Chiefs, and people of _____, being assembled in _____, and acting in accordance with the laws of our country, do (in consideration of the _____ in goods, receipt of which we hereby acknowledge, and in consideration of the further annual payment mentioned below), hereby promise and bind ourselves and our successors to keep and fulfil the following Articles of this Agreement :—

1. We give and grant to the National African Company (Limited) the entire and sole authority to grant, on such terms as that Company may think fit, to European or other strangers and foreigners, the right

[Treaties with Native Chiefs.]

to trade, to work mines, to cultivate ground, to gather produce of any kind, or to carry on any other occupations in our country; and we agree that we will not grant such rights to, nor deal in any way with any strangers and foreigners, nor enter into any Treaties whatever with them, without the consent and authority of the National African Company (Limited).

2. We promise full liberty and protection to the National African Company (Limited) in carrying on its various trades, mining operations, and all other occupations, and we give and grant to that Company complete freedom and immunity from _____ or other taxes of any kind whatever.

3. We agree that the National African Company (Limited) shall have the sole right to supply all other strangers and foreigners with wood and other fuel.

4. We agree that the National African Company (Limited) shall have the sole and exclusive right to impose, farm, and retain for its own benefit, all and any duties it may think proper on goods landed by any strangers or foreigners from the river, or on native produce shipped by any strangers or foreigners from the land, and that we will not at any time interfere with that Company in so doing, but will give it every assistance to enforce such duties as acting on our behalf, and with the full authority of the laws of our country.

And I, _____, on behalf of the National African Company (Limited), having paid to the Chiefs of the above-mentioned _____ in goods, do hereby promise to the Head Chief, _____, Chiefs, and people of _____, that, in further consideration of this Agreement that Company will pay them annually.

And I further agree, on behalf of the National African Company (Limited), that nothing in this Agreement shall be allowed to interfere with the present rights of the natives of the country of _____ amongst themselves, nor shall it give any authority or right to that Company, or to any person on its behalf, to occupy land, to fell trees, or in any other way to interfere with private property, without due permission or purchase of the same from the owner, as heretofore.

This Agreement having been interpreted to us, the above-mentioned Chiefs in _____, we hereby approve and accept it, for ourselves and for our people, and with their consent, and in testimony of this, having no knowledge of writing, do affix our marks below it; and I, _____, for and on behalf of the National African Company (Limited), do hereby affix my hand.

We, the undersigned witnesses, do hereby solemnly declare that the _____ Chiefs whose names are placed opposite their respective crosses, have, in our presence, affixed their crosses of their own free will and consent, and that the said _____ has in our presence affixed his signature

[Treaties with Native Chiefs.]

Declaration by Interpreter.

I, _____, native of _____, do hereby solemnly declare that I am well acquainted with the language of the _____ country, and that, on the _____ day of _____, at a Council held at _____, I truly and faithfully explained the above Agreement to all the Chiefs present, and that they understood its meaning.

TREATIES under Form No. 8.

Territory.	No.	Date.
Bajembor	195	June 13, 1885.
Bapassa	188	" 15 "
Buruhu	194	" 14, "
Ikurawa	198	" 12, "
Imgboro	192	" 15, "
Ishara	196	" 14, "
Jimetchu	189	" 15, "
Katsena Alla	200	" 8, "
Mungornor	193	" 14, "
Mungova	190	" 15, "
Okortundor	201	" 11, "
Palava	191	" 15, "
Sansagi	199	" 12, "
Tigga.....	197	" 6, "

Form No. 8.

AGREEMENT made on the _____ day of _____, 188 _____, between the King and Chiefs of _____ and the National African Company (Limited) of London.

We, the Undersigned King and Chiefs of _____, with a view to the bettering of the condition of our country and people, do this day cede, with all sovereign rights, to the National African Company (Limited), for ever, the whole of our territory extending from _____

We also agree that all disputes arising between British or foreign traders or neighbouring tribes shall be submitted to the said National African Company (Limited) for settlement.

We also understand that the National African Company have sole power to mine, farm, and build in any portion of our territory.

We also give the National African Company the power to exclude all or any foreigners from our country.

In consideration of the foregoing, the said National African Company bind themselves not to interfere with any native laws or customs of the country consistently with the maintenance of order and good government.

The National African Company agree to pay native owners of land a reasonable amount for any portion they may require.

[Treaties with Native Chiefs.]

The National African Company also agree to pay the said King and chiefs the value of _____ per annum.

This Agreement having been interpreted to us, the above-mentioned King and Chiefs of _____, we hereby approve and accept it for ourselves, and for our people with their consent, and in testimony of this, having no knowledge of writing, do affix our marks below it; and I, on behalf of the National African Company (Limited), do hereby affix my hand.

We, the Undersigned witnesses, do hereby solemnly declare that the Chiefs whose names are placed against their respective crosses have, in our presence, affixed their crosses of their own free will and consent, and the said _____ has, in our presence, affixed his signature.

Declaration by Interpreter.

I, _____, native of _____, do hereby solemnly declare that I am well acquainted with the _____ language and have interpreted the foregoing to the said King and Chiefs, and they understand its meaning.

TREATIES under Form No. 9.

Territory	No.	Date.	
Agwebiri (or Agwehhiri)	289	July	26, 1889.
Agwohbiri.....	288	"	26, "
Ecebri	283	"	6, "
Egbanatoro	281	"	30, "
Ekebiri	286	"	19, "
Enowarri	285	"	5, "
Gbebi.....	296	September	13, "
Ibouza	294	May	17, "
Korokorossi	287	July	10, "
Ofunobiri	284	"	8, "
Poulabouga	282	April	13, "
Simbuko (or Sintako)	297	October	14, "
Takum	313	January	4, 1890.

Form No. 9.

TREATY made on the _____ day of _____, 18____, between the Chiefs of _____ on the one hand, and the Royal Niger Company (Chartered and Limited), hereinafter called "the Company," on the other hand.

1. We, the Undersigned Chiefs of _____, with the consent of our people, and with the view of bettering their condition, do this day cede to the Company, and to their assigns, for ever, the whole of our territory; but the Company shall pay private owners a reasonable amount for any portion of land that the Company may require from time to time.

2. We hereby give to the Company and their assigns, for ever,

[Treaties with Native Chiefs.]

full jurisdiction of every kind ; and we pledge ourselves not to enter into any war with other tribes without the sanction of the Company.

3. We also give to the Company and their assigns, for ever, the sole right to mine in our territory.

4. In consideration of the foregoing, the Company bind themselves not to interfere with any of the native laws or customs of the country, except so far as may be necessary for good government and the maintenance of order.

5. The Company bind themselves to protect, as far as practicable, the said Chiefs from the attacks of any neighbouring aggressive tribes.

6. In consideration of the above, the Company have this day paid the said Chiefs of _____ goods to the value of _____, receipt of which is hereby acknowledged.

This Agreement having been interpreted to us, the above-mentioned Chiefs of _____, we hereby approve, and accept it for ourselves and for our people with their consent, and, in testimony of this, having no knowledge of writing, do affix our marks below it, and I, _____, for and on behalf of the Company, do hereby affix my hand.

We, the Undersigned witnesses, do hereby solemnly declare that the Chiefs whose names are placed opposite their respective marks have in our presence affixed their marks of their own free will and consent, and the said _____ has, in our presence, affixed his signature.

For the Royal Niger Company (Chartered and Limited).

Declaration by Interpreter.

_____, native of _____ do hereby solemnly declare that I am well acquainted with the _____ language, and that on the _____ day of _____ 18 _____, I truly and faithfully explained the above Agreement to all the native signatories whose marks are affixed to this Treaty, and that they understood its meaning.

Witnesses to the above _____ mark signature :

Done in triplicate at _____ this _____ day of _____ 18 _____

TREATIES under Form No. 10.

Territory.	No.	Date.
Akaboh	325	March 14, 1892.
Akapotshi.....	326	" 14, "
Amakofia Ubi	327	" 14, "
Egbu-ku	328	" 14, "
Egbu-n-ta.....	329	" 14, "
Eknalo	330	" 14, "
Gongomo	312	" 17, 1890.
Inde Akakwa	331	" 14, 1892.
Isi Umudirossa	342	May 10, "
Itshicke and Umuneosa	332	March 14, "
Kwana	311	" 31, 1890.
Obba	293	September 3, "

[Treaties with Native Chiefs.]

Territory.	No.	Date.	
Obilako.....	333	March	14, 1892.
Oboniki.....	291	May	27, 1890.
Ogidi.....	290		13, "
Okka.....	324	November	16, "
Oreila.....	341	May	4, 1892.
Orjie.....	334	March	14, "
Owere.....	335	"	14, "
Ozara.....	336	"	14, "
Ubi (see Amakofia Ubi).			
Uburin.....	337	"	14, "
Udo.....	338	"	14, "
Ukukwa (see Inde-Ukukwa).			
Umuba.....	339	"	14, "
Umudirossa (see Isi Umudirossa).			
Umuneosa (see Itshieke).			
Umuodu.....	340	"	14, "
Unkwereh.....	292	May	21, 1890.

Form No. 10.

TREATY made on the _____ day of _____, 18____, between _____ on the one hand, and the Royal Niger Company (Chartered and Limited), for themselves and their assigns, for ever, hereinafter called "The Company," on the other hand.

1. We, the undersigned King and Chiefs of _____, with the view of bettering the condition of our country and people, do this day cede to the Company, including as above their assigns, for ever, the whole of our territory, but the Company shall pay private landowners a reasonable amount for any portion of land that the Company may require from time to time.

2. We thereby give to the Company and their assigns, for ever, full jurisdiction of every kind, and we pledge ourselves not to enter into any war with other tribes without the sanction of the Company.

3. We give to the Company and their assigns, for ever, the sole right to mine in any portion of our territory.

4. We bind ourselves not to have any intercourse as representing our tribe or state, on tribal or state affairs, with any person or persons other than the Company, who are hereby recognized as the authorized Government of our territories: but this provision shall in no way authorize any monopoly of trade, direct or indirect, by the Company or others, nor any restriction of private or commercial intercourse with any person or persons of any nation whatsoever, subject, however, to administrative dispositions in the interest of commerce and of order.

5. In consideration of the foregoing, the Company bind themselves not to interfere with any of the native laws or customs of the country, consistently with the maintenance of order and good government, and the progress of civilization.

6. The Company bind themselves to protect, as far as practicable, the said King and Chiefs from the attacks of any neighbouring aggressive tribes.

[Treaties with Native Chiefs.]

7. In consideration of the above, the Company have this day paid the said King and Chiefs of _____ goods to the value of _____, receipt of which is hereby acknowledged.

This Treaty having been interpreted to us, the above-mentioned King and Chiefs of _____, we hereby approve and accept it for ourselves and for our people, and in testimony of this, having no knowledge of writing, do affix our marks below it.

We, the undersigned witnesses, do hereby solemnly declare that the King and Chiefs whose names are placed opposite their respective marks have, in our presence, affixed their marks of their own free will and consent, and that _____, on behalf of the Company, has, in our presence, affixed his signature.

I, _____, for and on behalf of the Company, do hereby approve and accept the above Treaty, and hereby affix my hand.

Declaration by Interpreter.

I, _____, native of _____, do hereby solemnly declare that I am well acquainted with the _____ language, and that on the _____ day of _____, 18____, I truly and faithfully explained the above Treaty to all the native signatories, and that they understood its meaning.

Witnesses to the above _____ mark or signature :

Done in triplicate at _____, this _____ day of _____, 18____.

TREATIES under Various Forms.

Territory.	No.	Date.
Ageyeh	304	April 8, 1885.
Akassa	3	November 20, 1884.
Bassama	314	February 3, 1890.
Batsurror	187	May 30, 1885.
Bautshi	316	April 1, 1888.
Borgu (Boussa) *.....	303	January 20, 1890.
Dampara	309	October 16, 1889.
Demsa	315	January 5, 1890.
Donga	320	" 2, 1885.
Egovi (or Egorie)	156	November 13, 1884.
Gando (1st)†	236	June 13, 1885.
Gando (2nd)‡	318	April 7, 1890.
Gandy	159	June 4, 1885.
Ilorin	302	August 9, 1890.
Jibu	308	October 15, 1889.
Lafiaji	301	March 31, 1885.
Lapai.....	300	" 28, "
Nupé (1st)	322	" 19, "
" (2nd)	323	December 26, 1889.
Shonga	299	April 15, 1885.
Sokoto (1st)§.....	237	June 1, "
" (2nd)|| .....	319	April 15, 1890.

* See p. 128.

† See p. 124.

‡ See p. 129.

§ See p. 122.

|| See p. 130.

[Niger Coast Protectorate.]

Note.—On the 21st March, 1887, the Royal Niger Company forwarded to the Foreign Office a List of the Treaties of the Company, showing :—

1. Which Treaties were inside of the British Protectorate as then already proclaimed, and which partly inside and partly outside ; and

2. Which Treaties were included in the 37 referred to in the Charter of 10th July, 1886, and which, on the other hand, required the assent of the Secretary of State, under § 12 of the Charter.

The 37 Treaties referred to in the Charter are marked with an asterisk. (See pp. 131–137.)

On the 10th April, 1894, the Royal Niger Company submitted to the Secretary of State (the Earl of Kimberley), for approval, a revised and completed List of 306 Treaties, which had been concluded by the Company with the Kings, Chiefs, and Peoples of various territories in the basin of the River Niger in addition to the 37 Treaties enumerated in the Schedule to the Charter. With few exceptions, all these Treaties had been duly communicated by the Company to the Secretary of State in previous letters. On the 23rd of April the general approval of these Treaties by the Secretary of State was conveyed to the Company, subject to certain specified conditions, all of which were accepted by the Company on the 27th of the same month.

No. 16.—*NOTIFICATION of the British Protectorate of the Niger Coast ; to be known as the “ Niger Coast Protectorate,” and no longer as the “ Oil Rivers Protectorate.” London, 13th May, 1893.*

Foreign Office, May 13, 1893.

WITH reference to the Notification in the “ London Gazette ” of the 18th October, 1887 (**No. 11**), respecting the British Protectorate of the Niger Districts, and to certain agreements entered into between the British and German Governments,* it is hereby notified, for public information, that the portion of the Protectorate under the administration of Her Majesty’s Commissioner and Consul-General will, from the date of this notification, form a separate Protectorate, under the name of the “ Niger Coast Protectorate,” and will cease to be known as the “ Oil Rivers Protectorate.”

The eastern limit of the line of coast of the Niger Coast Protectorate is defined in the Agreement between the British and German Governments of the 14th April, 1893.†

Note.—On the 5th June, 1885, a Notification (**No. 8**)‡ was published in the “ London Gazette ” of the establishment of the British Protectorate of the “ Niger Districts,” but no allusion was made to the “ Oil Rivers,” but on the 1st January, 1891, Major (now Sir Claude Maxwell) Macdonald, who, in June, 1889, was sent on a Special Mission to the Niger Districts, and in the following year to Berlin, with reference

* See p. 865.

† See p. 910.

‡ See Return, p. 487.

[Gandu.]

to the delimitation of the boundary between the Oil Rivers Protectorate and the German Colony of Cameroons, was gazetted as Her Majesty's Commissioner and Consul-General in the Oil Rivers Protectorate and adjoining native territories, &c. The term "Oil Rivers Protectorate" was also employed in the Instructions issued by the Secretary of State on the 22nd February, 1890, under the Order in Council of 15th October, 1889, and in the Agreement between Great Britain and Germany of 14th April, 1893. (See GREAT BRITAIN AND GERMANY, p. 910.)

The Oil Rivers are the Benin, Escarvos, Warri, Forcados, Brass, St. Nicholas, St. Barbara, St. Bartholomew, Sombrero, New Calabar, Bonny, Andorio (St. Antonio), Opobo, Quo Ibo, Akpayafi, Qua, Cross, and Old Calabar.

No. 17.—TREATY. *Royal Niger Company and Gandu. Jurisdiction over Foreigners, &c. 4th July, 1894.*

In the name of the most merciful God !

TREATY made on July 4, 1894, between Omoru, Sultan of Gandu, on the one hand, and Mr. Wallace, on the other hand, for and on behalf of the Royal Niger Company (Chartered and Limited).

I, THE Undersigned Omoru, Sultan of Gandu, hereby confirm the Treaties made between the Sultan Maleki, whom I succeeded, and Thomson and King, on behalf of the Royal Niger Company (Chartered and Limited), the latter Treaty made on the [7th] day of April, 1890 (page 129). I now confirm these Treaties.

2. With my own hand I bind myself with Wallace, on behalf of the Company, and accept this following Treaty, made on the 4th day of July, 1894.

3. With the view of bettering the condition of my people, and having considered and taken counsel with my Chiefs, I give to the Company and their successors for ever full power and rights in perpetuity over foreigners in my country, whether travelling or resident, including right of just taxation as they may see fit. My Chiefs are in no way to interfere, and are to recognize no one but the Company.

4. I give to the Company and their successors for ever all power in any part of my dominions as to mining rights.

5. The Company bind themselves not to exercise any monopoly of trade.

6. I recognize that the Company received their power from the Queen of Great Britain, and that they are Her Majesty's Representatives to me. I will not recognize any other white nation, because the Company are my help.

7. I state that the country of Illorin and the country of Gurma are included in my dominions, the latter extending to Libtako.

8. The Company undertake not to interfere with the customs of the Mussulmans, but to maintain friendly relations.

9. In recognition of the Treaties between us, the Company have

[Gandu.]

paid me a subsidy of 2,000 bags, as hitherto annually for the past nine years. They have acted honourably towards me, and as I should desire.

I hereby confirm the previous Treaties, and accept this Treaty for myself, for my heirs and for my successors. No one after me is to alter this Treaty; it stands unchangeable for ever.

_____ (Arabic signature.)

We, the Undersigned, do hereby declare that this Treaty was this day read and translated in our presence before the Sultan of Gandu, who stated that it was given with his own hand, and was approved and accepted by him and was thereupon handed over by him to W. Wallace.

W. WALLACE.

T. M. TEED.

Q. F. GOMES.

T. F. JOSEPH.

_____ (Arabic signature.)

4th July, 1894. _____

I, W. Wallace, for and on behalf of the Company, do hereby approve and accept the above confirmation of previous Treaties and Treaty now made, and hereby affix my hand.

W. WALLACE.

No. 18.—*NOTIFICATION of the Revocation of the Charter of the Royal Niger Company. London, 28th December, 1899.**

Foreign Office, 28th December, 1899.

THE Queen has been pleased, by Letters Patent under the Great Seal, dated 28th December, 1899, to revoke the Royal Charter dated 10th July, 1886 (**No. 10**), granted to the Royal Niger Company Chartered and Limited, then the National African Company Limited.

* "London Gazette," 29th December, 1899.

To face page 156.

O Greenwich

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MAP OF WEST AFRICA

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Railways
in construction

Telegraphs

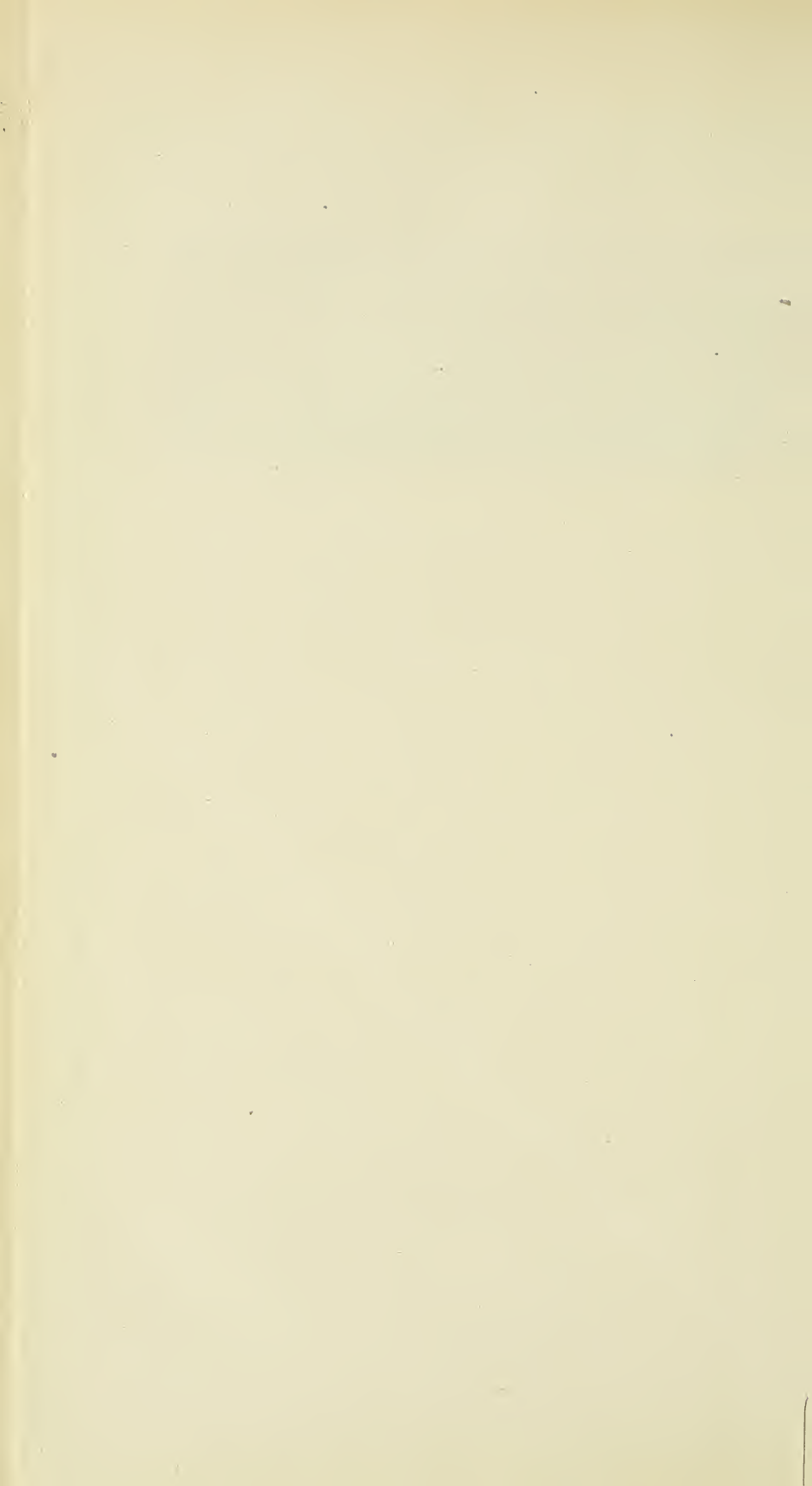
- British
- French
- German
- Portuguese
- Liberian
- Spanish

Scale 1:3,360,000 or 1 inch to 100 Miles

MILES 100 200 300

G.S.G.S., No. 2434

Litho at the Intell. Div. War Office, April 1903
 Additions & corrections, 1904, Oct. 1905, March 1907, Jan. 1908, Feb. 1909



BRITISH SOUTH AND CENTRAL AFRICA.

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Note.—The South African Customs Union is composed of:—

- Cape Colony.
- Basutoland.
- Bechuanaland Protectorate.
- Natal.
- Orange River Colony.
- Transvaal.
- Southern Rhodesia.
- Swaziland.
- North-Western Rhodesia.

BRITISH SOUTH AFRICA.

COLONY OF THE CAPE OF GOOD HOPE, viz.:

CAPE OF GOOD HOPE.

BRITISH BECHUANALAND.

GRIQUALAND EAST.

PONDOLAND.

TEMBULAND (including Bomvanaland and Emigrant Tembuland).

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No. 19.—*Notes on the CAPE OF GOOD HOPE.* 1652—1908.*Cape of Good Hope. Cession to Great Britain.*

In 1652, Table Bay was taken possession of by the Dutch East India Company.

On the 16th September, 1795, the Dutch Colony was forcibly occupied by the English.

By Art. VI of the Treaty of Amiens, of 25th March, 1802, it was stipulated that the Port of the Cape of Good Hope should remain to the Batavian Republic, in full sovereignty, in the same manner as it did previous to the war ; but it was evacuated in the following year.

On the 19th January, 1806, the Settlement was again captured by the English,* and by the 3rd Additional Article to the Convention with the Netherlands of 13th August, 1814, the Cape of Good Hope was ceded in full sovereignty to His Britannic Majesty King George III. (See GREAT BRITAIN AND THE NETHERLANDS, p. 976.)

On the 23rd May, 1850, Letters Patent were issued constituting a Parliament for the Cape of Good Hope.

On the 3rd April, 1852, a Cape Ordinance was issued for carrying out the same, with certain amendments ; and on the 11th March, 1853, an Order in Council was passed confirming the above Ordinance.

Kafraria.

In 1834 the great Kafir War broke out.

Eastern Boundary of the Cape Colony.

On the 10th May, 1835,† after the submission of the Kafirs, a Proclamation was issued by the Governor of the Cape of Good Hope, declaring that the Eastern Boundary of the Colony was, thenceforward, extended eastward to the right bank of the Kei River.

On the 16th June following,† another Proclamation was issued by the Governor of the Cape of Good Hope, declaring the Eastern Boundary of the colony to be “ a line commencing at the source of the Kei River in the Stromberg Mountains, and thence along that river to the sea.”

Annexation of Congo, Gaika, and T'Slambie Territories to the Cape Colony.

On the 17th September, 1835,‡ Treaties were also entered into between the Governor of the Cape of Good Hope and various Kafir Chiefs of the tribes of Congo, Gaika, and T'Slambie, by which the territories belonging to those Chiefs were declared to be annexed to the Cape Colony.

* For Articles of Capitulation, signed on the 18th January, 1806, and ratified on the following day, see “London Gazette,” 15th April, 1806, and “Bulletins,” 1806, p. 51.

† S.P., vol. xxv, p. 825.

‡ S.P., vol. xxxiii, pp. 1004—1012.

[Kaffraria, Fingoland, &c.]

North-Eastern Boundary of the Cape Colony.

On the 14th October, 1835,* another Proclamation was issued, declaring the North-Eastern Boundary of the Colony to be “a line drawn from the source of the Kei River, in the Stromberg range of mountains, to the source of the Kraai River on the northern side of the same range of mountains, thence down the left bank of the Kraai to its confluence with the Orange River, and thence down the latter until it joins the Stromberg River, hitherto the boundary of the Colony.”

Renunciation of British Authority over the said Territories.

But on the 5th December, 1836,* another Proclamation was issued by the Governor of the Eastern Division of the Cape of Good Hope, in which it was declared that His Majesty had been pleased to direct that His Majesty's sovereignty over the said territory annexed to the said Colony by the above-cited Proclamations, and the allegiance of the said Chiefs and tribes, be renounced, and that these Proclamations and Treaties were accordingly thereby repealed and annulled.

New Boundaries of the said Territories.

The territory of these Kafir Chiefs having thus been restored to them by the Proclamation of the 5th December, 1836, fresh Treaties were, on the same day, concluded between the Lieutenant-Governor of the Eastern Division of the Cape of Good Hope and the Chiefs of the Kafir tribes of Congo, Gaika, and T'Slambie, in which the boundaries between the said Colony and the Kafir nation was defined.†

Kafirs. Gaikas, &c.

On the 2nd—30th January, 1845,‡ other Treaties were concluded between the Colony and the Kafir Chiefs in which it was declared that all former Treaties made between them and the Colony were annulled; but the stipulations with regard to boundaries, which appeared in the Treaties of 5th December, 1836, were again inserted in the Treaties of 1845.

British Kaffraria.

On the 27th March, 1865, an Act was passed providing for the incorporation of British Kaffraria with the Cape Colony.§

Fingoland, Idutywa Reserve, and Nomansland (Kaffraria).

On the 12th June, 1876,|| Letters Patent were issued authorizing the annexation to the Cape of Good Hope of certain territories, known as Fingoland (the country situated between the Bashee and the Kei); the Idutywa Reserve; and the country situated between the Umtata and the Umzimkulu, commonly known as Nomansland.

* S.P., vol. xxv, p. 825.

† S.P., vol. xxv, p. 826; and vol. xxxiii, pp. 1017, 1026.

‡ H.T., vol. ix, p. 96.

§ H.T., vol. xii, p. 1060; S.P., vol. lv, p. 1290.

|| H.T., vol. xv, p. 502.

[Ichaboe and Penguin Islands.]

The Letters Patent ran as follows :—

“Whereas it is expedient that certain territories, commonly known as Fingoland and the Idutywa Reserve, and as Nomansland, should be annexed to and form part of our Colony of the Cape of Good Hope : And whereas the Legislative Council and House of Assembly of our said Colony have expressed their desire for such annexation, and have passed the following joint Resolution, bearing date the 11th day of June, 1875, in the 38th year of our reign :—‘That in the opinion of this House it is expedient that the country situated between the Bashee and the Kei, known as Fingoland, and the Idutywa, Reserve, and the country situated between the Umtata and the Umzimkulu, commonly known as Nomansland, should be annexed to this Colony, and that the Government take such preliminary steps as may place it in a position to introduce a Bill to effect such annexation.’ Now we do, by these our Letters Patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, authorize our Governor for the time being of our said Colony of the Cape of Good Hope, by Proclamation under his hand and the public seal of the said Colony, to declare that, from and after a day to be therein mentioned, the said territories, or so much thereof as to him, after due consideration and consultation with his Ministers, shall seem fit, shall be annexed to and form part of our said Colony.

“2. And we do hereby authorize and direct our said Governor to determine, and by Proclamation to signify, the limits of the said territories so annexed : Provided always that he, our said Governor, issues no such Proclamation as aforesaid until the Legislature of our said Colony of the Cape of Good Hope shall have passed a law providing that the said territories shall, on the day aforesaid, become part of our said Colony, and subject to the laws in force therein : Provided also, that the application of the said laws to the said territories may be modified either by such Proclamation as aforesaid, or by any law or laws to be from time to time passed by the Legislature of our said Colony for the government of the said territories so annexed.”

In the following year, an Act of the Cape of Good Hope was passed (No. 38, 1877),* which was assented to by Her Majesty, by an Order in Council, dated 18th April, 1878, to provide for such annexation, which took effect on the 11th October, 1879.

Ichaboe and Penguin Islands. 1861—1886.

On the 21st June, 1861,† Ichaboe Island was taken possession of in the name of Her Majesty Queen Victoria.

On the 12th August, 1861,‡ a Proclamation was issued by the Governor of the Cape of Good Hope, for bringing under the Dominions of Her Majesty the Island of Ichaboe and a cluster of small islands or rocks adjacent thereto, known as the Penguin Islands, “subject to Her Majesty’s confirmation and disallowance” ; but this Proclamation was not confirmed by the British Government.

* H.T., vol. xv, pp. 503, 517.

† H.T., vol. xv, p. 497.

‡ S.P., vol. lx, p. 1123.

[Pondoland.]

On the 5th May, 1866,* the following islands known as the Penguin Islands were also taken possession of in the name of Her Majesty:—Hollansbird, Mercury, Long Island, Seal Island, Penguin Island, Halifax, Possession, Alabatross Rock, Pomona, Plum Pudding and Roast Beef or Sinclair Island.

On the 16th July, 1866,* the Island of Ichaboe and the Penguin Islands were, by Proclamation of the Governor, declared to be annexed to and to form part of the Cape of Good Hope.

As doubts, however, were entertained touching the legality of the said annexation by Proclamation, Royal Letters Patent were issued on the 27th February, 1867,† appointing the Governor of the Colony of the Cape of Good Hope to be Governor of the Island of Ichaboe and the Penguin Islands, and authorizing the annexation of the aforesaid islands to that Colony, should the Legislative Council and House of Assembly of the said Colony, by resolution or otherwise, request the said Governor of the said Island of Ichaboe and Penguin Islands to transfer the same to the Colony of the Cape of Good Hope for the purpose of their being annexed thereto.

In 1873, an Act was passed by the Colony of the Cape of Good Hope entitled the “Annexation of Ichaboe and Penguin Islands Act, 1873,” in ignorance of the doubts which had arisen respecting the legality of such annexation by the Proclamation of 16th July, 1866. In 1874,‡ another Act was therefore passed by the Colony repealing the Act of 1873, and for the annexation of these islands to the Colony, in accordance with the Letters Patent of 27th February, 1867.§

But on the 15th July, 1886, an Agreement was entered into between the British and German Governments for the settlement of the question respecting these Islands, and other matters. (See GREAT BRITAIN AND GERMANY, p. 877.)

Amaponda. (Pondoland.) Boundaries.

“On the 7th October (23rd November), 1844,|| a Treaty was concluded between the Governor of the Cape of Good Hope, &c., and Faku, paramount Chief of the Amaponda nation, by Article XII of which that Chief was acknowledged to be the paramount Chief of the whole territory lying betwixt the Umtata River, from its mouth up to the Waterfall Wagon Ford, thence along the ancient line of boundary between the Amaponda and Tambookie nations, to the Kahlamba Mountain on the west, and the Unzimkulu from its mouth along the principal western branch, to its source in the Kahlamba Mountains on the east, and from the coast inland to a line to be drawn along the base of the Kahlamba range of mountains between the sources of the said rivers.”

* H.T., vol. xv, p. 497.

† H.T., vol. xv, p. 496. S.P., vol. lxxv, 554.

‡ H.T., vol. xv, p. 500.

§ H.T., vol. xv, p. 496.

|| S.P., vol. xxxiii, p. 1083.

[Pondoland, St. John's River.]

Pondoland.

ON the 17th July, 1878,* an Agreement was entered into between the Government of the Cape of Good Hope and Nquiliso, Chief of Pondoland, which contained the following stipulations :—

Umzimkulu River.

“ **Art. I.**—The Chief Nquiliso hereby cedes to the Government of the Cape Colony all sovereign rights which he now possesses, or is entitled to claim, over the waters and navigation of the Umzimkulu River.

Umzimaribu River.

“ **II.**—That the Chief Nquiliso hereby agrees to cede to the Government of the Cape Colony such portions of lands as may hereafter be agreed upon, for the erection of a Custom-house or other buildings on the banks of the Umzimaribu. The land to be paid for at a fair valuation.

Roads. Umzimvulu to Natal.

“ **III.**—The Chief Nquiliso hereby agrees to roads being made and maintained through his country from the Umzimvulu to the main wagon-road from the Colony to Natal.

Chief Nquiliso independent of Umquikela.

“ **IV.**—From the date hereof the Government of the Cape of Good Hope will acknowledge the Chief Nquiliso as Chief in his territory, entirely independent of Umquikela, from whose attack he will be protected as long as he maintains his present friendly relations with the Government of the Cape of Good Hope.”

Port and Tidal Estuary of St. John's River.

ON the 4th September, 1878,† a Proclamation was issued by the High Commissioner for South Africa, for the annexation to Her Majesty's South African Possessions of the Port and Tidal Estuary of the St. John's River, which Proclamation ran as follows :—

“ The various tribes of Pondos having been protected from the Zulus and other enemies by the British Government, and having by their friendly conduct shown their gratitude for such protection, were admitted by Sir Peregrine Maitland, Governor and Commander-in-Chief of the Cape Colony, to Treaty Arrangements with the British Government in 1844.‡

“ The terms of the Treaty were extremely favourable to the Pondos, securing to them the friendship and protection of the British Govern-

* H.T., vol. xv, p. 864. S.P., vol. lxx, p. 332.

† S.P., vol. lxx, p. 709. This Proclamation was approved, 13th February, 1879; and was referred to in the Notification of the British Protectorate over the whole coast of Pondoland, published in the Cape of Good Hope Government Gazette of 5th January, 1885.

‡ H.T., vol. xvii, p. 7.

[Pondoland, St. John's River.]

ment, and in return, the Pondos bound themselves to a position of allegiance to the British Crown, undertaking, among other conditions, to afford no shelter to the enemies of the British Government, and to surrender to justice all criminals accused of offences in British territory, who might take refuge in Pondoland.

“To this Treaty, Faku, who was then paramount Chief, and his son Damas, both since deceased, were parties.

Rebellious Conduct of Chief Umquikela.

“When Umquikela succeeded Faku as paramount Chief, he was admitted to all the rights and privileges enjoyed by his father.

“But of late years, Umquikela has not followed in his father's footsteps, by behaving as his father did towards the British Government.

“He has knowingly harboured criminals who had committed murder in British territory.

“He has repeatedly refused to deliver such murderers up to justice, assigning no good cause for his refusal, and treating the demands of the British Government and its officers with neglect, and has evinced in many ways an unfriendly and hostile disposition towards the Government.

“Lately, when rebellion was attempted in a neighbouring British district, he not only gave friendly shelter to one of the rebel leaders, but sent him back into British territory with an escort, which took part in acts of plunder and threats of murder to European colonists, joined the rebel camp, and after hostilities had commenced, and Colonial subjects had been plundered, made prisoners and murdered, only surrendered and laid down their arms when they saw that resistance to the force embodied by the magistrate, Captain Blyth, for the restoration of order was hopeless.

“Even then Umquikela made no offer of reparation, amends, or even of apology, but maintained his attitude of contemptuous disregard of the remonstrances and demands of the British Government, till a force of Her Majesty's troops approached his borders, he then, through his agents, admitted his breach of his Treaty engagements, and offered to pay a fine of 1,000 head of cattle.

“But Her Majesty's Government does not desire to take his cattle. The ingratitude and misbehaviour of Umquikela and his servants would have justified the forfeiture of all the power and property he possesses as a Chief, but, bearing in mind the former good conduct of the late Faku and his people, the Government decides to inflict only such punishment as is absolutely necessary to obtain security against any repetition of such misconduct in future.

Deposition of Chief Umquikela. British Government the sole paramount Authority.

“The following terms are the terms, therefore, which are imposed on Umquikela :—

[Pondoland, St. John's River.]

“ He will no longer be recognized as paramount Chief of the Pondos. The sons of Damas, and all other Chiefs formerly subordinate to Faku, who have behaved loyally to Her Majesty's Government, and who now desire to come under direct relations with that Government, will be allowed to deal directly with the British Government as the sole paramount authority in Pondoland, through Residents or Magistrates, who will be appointed to manage all relations between the Pondos and the Government.

Port and Tidal Estuary of St. John's River.

“ Umquikela will not be permitted to exercise any control or authority over the navigation of the St. John's River. The sovereignty over the Port and Tidal Estuary of that river is declared to be vested henceforth solely in Her Majesty's Government, and officers will be appointed on behalf of that Government to control its navigation, and to levy any customs or port dues which it may be determined to impose.

“ All Chiefs and people are hereby required to obey any orders of Her Majesty's Government which they may receive through the Resident.

“ As long as the Pondos are loyal to Her Majesty's Government they will be protected in the peaceful enjoyment of their lives and property, and will be aided in every way to advance their own prosperity.”

On the 10th October, 1881,* Letters Patent were issued for annexing to the Colony of the Cape of Good Hope the Port and Estuary of the St. John's River, from which the following is an extract :—

“ Whereas the port and tidal estuary of the St. John's River in South Africa, and certain lands on the banks of the said river, are now part of our dominions, and it is expedient that the same should be annexed to, and form part of, our Colony of the Cape of Good Hope :

“ We do by these our Letters Patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, authorize our Governor or other officer for the time being administering the Government of our Colony of the Cape of Good Hope, by Proclamation under his hand and the Public Seal of the said Colony, to declare that from and after a day to be therein mentioned the said port and tidal estuary, and all territory belonging to us upon or near the said St. John's River, shall be annexed and form part of our said Colony ; and also by Proclamation to signify the limits of the said territory so annexed † : Provided always that he, our said Governor, issues no such Proclamation as aforesaid until the Legislature of our said Colony of the Cape of Good Hope shall have passed a Law providing that the said port, estuary, and territory shall, on the day aforesaid, become part of our said Colony, and subject to the laws in force therein : Provided also, that the application of the said Laws to the said port, estuary, and territory may be modified either by such Proclamation, as aforesaid, or by Law or Laws to be from time

* S.P., vol. lxxiv, p. 242 ; H.T., vol. xvii, p. 9. See Proclamation, 4th September, 1878, p. 167.

† Proclaimed, 15th September, 1884.

[Pondoland, St. John's River, Xesibeland.]

to time passed by the Legislature of our said Colony for the government of the said territories so annexed."

St. John's River Territories.

ON the 22nd July, 1884, an Act was passed to provide for the annexation to the Cape of Good Hope of the St. John's River Territories.*

Coast of Pondoland. British Protectorate.

ON the 5th January, 1885,† a notification was inserted in the Cape of Good Hope Government Gazette announcing that the whole coast of Pondoland had been placed under British Protection.

The following is a copy of the notification :—

"The High Commissioner is directed by the Right Honourable the Secretary of State for the Colonies to notify for public information that Her Majesty's Government exercises a Protectorate over the whole coast of Pondoland, in pursuance of Sir Bartle Frere's Proclamation of the 4th September, 1874, and Sir Peregrine Maitland's Treaty of the 7th October, 1844.‡

"By his Excellency's command,

"GRAHAM BOWER,

"Secretary to the High Commissioner.

"Government House, Cape Town,

"January 5, 1885."

Xesibe Country. Mount Ayliff. Annexation to Cape Colony.

ON the 23rd August, 1886,§ Royal Letters Patent were issued for the annexation to the Colony of the Cape of Good Hope of the territory situated between the district of Kokstad, in Griqualand East and Pondoland, known as the Xesibe Country, and comprised in the district then called Mount Ayliff. It ran as follows :—

Whereas it is expedient that certain territory in South Africa, commonly known as the Xesibe Country, should be annexed to and form part of our Colony of the Cape of Good Hope : And whereas the Legislative Council and House of Assembly of our said Colony have expressed their desire for such annexation, and have, on the 30th day of April, 1886, and the 22nd day of April, 1886, respectively, passed the following resolution :—"That in the opinion of this House it is expedient that the country situated between the district of Kokstad in Griqualand East and Pondoland, known as the Xesibe Country, and comprised in the district now called Mount Ayliff, should be annexed to this Colony, and that the Government take such steps as may be necessary to effect such annexation." Now, we do by these our Letters Patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, authorize our Governor for the time being

* S.P., vol. lxxv, p. 408 ; H.T., vol. xvii, 23.

† H.T., vol. xvii p. 27 ; S.P., vol. lxxvi, p. 720.

‡ H.T., vol. ix, p. 83.

§ H.T., vol. xvii, p. 46.

[Xesibeland.]

of our said Colony of the Cape of Good Hope, by proclamation under his hand and the public seal of the said Colony, to declare that, from and after a day to be therein mentioned, the said territory, or so much thereof as to him, after due consideration and consultation with his Ministers, shall seem fit, shall be annexed to and form part of our said Colony. And we do hereby authorize and direct our said Governor to determine, and by proclamation to signify, the limits of the said territory so annexed.”

An Act was also passed by the Government of that Colony to provide for such annexation,* which was assented to by Her Majesty by an Order in Council, dated 24th September, 1886.

Annexation of Xesibe Country to Griqualand East.

On the 25th October, 1886,† a Proclamation was issued by the Acting High Commissioner for South Africa annexing the Xesibe Country to that portion of the Colony of the Cape of Good Hope known as Griqualand East, and defining the limits of the country to be as follows :—

“ From a beacon on the Ingeli Mountain common to the district of Mount Currie, Griqualand East, and the Colony of Natal, to the nearest source of the Umtamvuna River ; down that river to a point opposite a beacon overlooking it, and bearing northwards one and a half miles from the junction of the Goxe River with the Umtamvuna ; thence down to the Goxe River in the direction of Cikicane Hill ; thence up the Goxe River to where a small stream called the Umzimvubu joins it ; thence up the latter stream to its source in the Boqo, a small bush near Fute’s old kraal under the Tende Hill, and thence to a beacon on the summit of that hill. From the beacon on the Tende Hill the line proceeds to a beacon on the Lenkobe Hill, and thence across the main wagon road between East Griqualand and Pondoland to a beacon placed on a rocky point between the Bulembu and Bulenjana Bushes ; thence along the watershed past the Umpepeto Bush over the Sonkana Hill to a beacon on the Umgiqi Hill, thence crossing the Umzimhlavana River in a straight line to a beacon on the Nxolubeni Hill, thence in a straight line across the Isipeto Valley to a beacon on the stony hill below Gaga’s Kraal, thence to a beacon on Gaga’s Kraal in a straight line through a small patch of bush north of the Tonti Forest to a beacon overlooking the said forest, thence to the summit of the Tonti Mountain, thence following the watershed, and over a conical peak to a beacon on a bluff above the Umzimhlavana River, thence across the Umzimhlava Gorge to a beacon on the Inqwashu Hill, thence along the watershed to a beacon on the Roro Hill, thence down into the Pungana Stream to its junction with the Umnceba River, thence to a beacon at a remarkable bushy bluff called the Luxweso, thence along the ridge to a beacon tree on the Isibiza Hill, thence in a straight line across the Umncetyana, and the main

* H.T., vol. xvii, p. 45 ; S.P., vol. lxxvii, p. 950.

† H.T., vol. xvii, p. 47.

‡ H.T., vol. xvii, p. 48 ; S.P., vol. lxxvii, p. 953.

[Pondoland. Rode Valley. St. John's River. Xesibeland.]

road to the Colony to a beacon above Bumuka's old kraal on the watershed between the Rode and Umncetyana, thence along the watershed to the nearest beacon of the Pondo Rode border on the summit of the Insizwa Mountain; thence along the southern boundary of the Mount Currie District, Griqualand East, back to the beacon on Ingeli, first-mentioned, shall, under the name, designation, and title of the district of Mount Ayliff, be annexed to and become part of that portion of the Colony known as Griqualand East, and be subject to the laws for the time being in force in such portion of the Colony; and I do hereby proclaim, declare, and make known that the said law shall be in force in the said district of Mount Ayliff, from and after the date hereof."

Rode Valley. St. John's River Territory, Xesibeland, &c.

On the 9th December, 1886,* an Agreement was entered into between the Colony of the Cape of Good Hope and the Pondo Chief Umquikela, relating to the road to the St. John's River Mouth; the cession of Rode Territory; the St. John's River Territory; Xesibeland, &c.; and the following is a copy of that Agreement:—

"Unto all whom these presents shall come. Be it known and hereby made manifest that on this the 9th day of December, in the year of our Lord, 1886, the following articles of agreement have been made and entered into between Walter Ernest Mortimer Stanford, Esq., in his capacity as Chief Magistrate of East Griqualand, and as such acting for and on behalf of the Government of the Colony of the Cape of Good Hope of the first part, and the Chiefs "Sigcan," "Masipula," "Hamu," "Manundu," "Umhlangaso," and Josiah Jenkins (as their secretary), acting for and on behalf of the Pondo Chief Umquikela, his heirs, and successors, and on behalf of the Pondo nation of the second part: Witnesseth

"Whereas differences have arisen between the said Colonial Government and the said Pondo Chief Umquikela, with reference to the unsatisfactory condition of the border in the neighbourhood of Mount Ayliff and Mount Frere, the hindrance of traffic through Eastern Pondoland, owing to the unwillingness felt by the Pondos for the construction of a road from East Griqualand to the port of St. John's, and as to the compensation about to be awarded them for the annexation of St. John's River Territory and the Xesibe Country. Now, therefore, for finally concluding and adjusting the same, it is hereby agreed by the said Chiefs, acting for and on behalf of the said Chief Umquikela and the Pondo nation, as follows:—

Mount Ayliff and Mount Frere Districts.

"1. The said Umquikela, for himself, his heirs, and successors, and on behalf of the Pondo nation, hereby undertakes to properly control the border of his territory in the neighbourhood of Mount Ayliff and Mount Frere, to suppress stock or other thefts by following up spoor, capturing thieves, and punishing them according to Pondo

* H.T., vol. xvii, p. 50; S.P., vol. lxxvii, p. 948.

[Pondoland, Rode Valley, Xesibeland.]

law, restoring stolen stock, to make compensation to owners, and further engages to hand over to the Colonial Government all thieves, other criminals, and suspects who may take refuge in Eastern Pondoland, and undertakes generally to promote the interests of justice and good order between the said Colonial Government and the Pondo nation.

Road through Eastern Pondoland to the Mouth of the St. John's River.

“ 2. The said Umquikela, for himself, his heirs, and successors and on behalf of the Pondo nation, hereby concedes to the Colonial Government the right to enter in, make, construct, and maintain the road through Eastern Pondoland to the mouth of the St. John's River, following the existing line as far as practicable, granting unto them all such outspans and grazing rights as may be required, and the free and undisturbed use of such road exempt of all tolls or other charges whatever.

Cession of the Rode Territory to the Cape Colony.

“ 3. The said Umquikela, for himself, his heirs, and successors, and on behalf of the Pondo nation, owing to existing complications between the Fingo headman Nota, and the Pondo residents in that portion of his territory called the Rode, and in order to conclude the same, hereby cedes, assigns, transfers, and absolutely alienates for ever unto, and on behalf of, the said Colonial Government the said Rode, being all that piece of ground lying to the north and west of the main wagon road, from the Muceba to the wagon drift known as Venus or Dabulas on the Umzimvubu River, the said wagon road to constitute the boundary, with the right to enter in, take possession of, and govern the same for and in consideration of the payment by the said Colonial Government to the said Umquikela, his heirs, or successors, of the sum of 600*l.* sterling.

Payment to Umquikela for St. John's River and Xesibe Territories.

“ 4. The said Umquikela, for himself, his heirs, or successors, and on behalf of the Pondo nation, hereby renounces all claim to any compensation he may have heretofore had to the territories known as St. John's River and Xesibeland in consideration of the payment to him, his heirs, or successors, of an annual subsidy of 200*l.* sterling for St. John's territory, and a lump sum of 1,000*l.* for Xesibeland.

“ 5. The said Walter Ernest Mortimer Stanford, in his aforesaid capacity, and acting for and on behalf of the Colonial Government in order to promote the better control, good order, and administration of justice on the said border, hereby reciprocates the several stipulations and conditions in Clause 1, hereinbefore agreed upon.

“ 6. For and in consideration of the cession of the Rode to the Colonial Government the said Watler Ernest Mortimer Stanford, in his aforesaid capacity, on behalf of the said Colonial Government, undertakes to pay the said Umquikela, his heirs, or successors, the sum of 600*l.*; for and in consideration of the renunciation by him of all

[Pondoland, Rode Valley.]

claim against the Colonial Government for the annexation of St. John's River territory, an annual subsidy of 200*l.* sterling; and for and in consideration of the renunciation of all claim against the Colonial Government for the annexation of Xesibeland, a lump sum of 1,000*l.* sterling. In witness whereof, the said parties have hereunto set their hands at Ntola's kraal, in Eastern Pondoland, the day, month, and year aforesaid, in the presence of the undersigned as witnesses."

It was explained in a note that the word "outspans" used in Clause 2 did not mean defined areas, but merely the use of pasturage, firewood, and water.

The above Agreement was confirmed by the British Government by a telegram dated 21st January, 1887, and by a despatch dated 27th January, 1887. It was ratified and confirmed by the Chief Umquikela, 10th February, 1887, and was communicated to the German Government in May following.

Rode Valley. Annexation to Cape Colony.

On the 29th July, 1887,* Royal Letters Patent were issued for the annexation to the Cape of Good Hope of the country situated between the districts of Mount Ayliff and Mount Frere, East Griqualand, and Eastern Pondoland, commonly called the Rode Valley. It ran as follows :—

"Whereas it is expedient that certain territory in South Africa, commonly known as the Rode Valley, should be annexed to and form part of our Colony of the Cape of Good Hope :

"And whereas the Legislative Council and House of Assembly of our said Colony have expressed their desire for such annexation, and have, on the 15th day of June, 1887, and the 9th day of June, 1887, respectively, passed the following resolution :—'That in the opinion of this House it is expedient that the country situated between the districts of Mount Ayliff and Mount Frere, East Griqualand, and Eastern Pondoland, commonly called the Rode Valley, ceded to the Colonial Government by purchase by the Pondo Chief Umquikela, under the Treaty of the 9th December, 1886,† should be annexed to the Colony, and that the Government take such steps as may be necessary to effect such annexation.'

"Now we do, by these our Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, authorize our Governor for the time being of our said Colony of the Cape of Good Hope, by proclamation under his hand and the public seal of the said Colony, to declare that, from and after a day to be therein mentioned, the said territory, or so much thereof as to him, after due consideration and consultation with his Ministers, shall seem fit, shall be annexed to and form part of our said Colony. And we do hereby authorize and direct our said Governor to determine, and by proclamation to signify, the limits of the said territory so annexed.

* H.T., vol. xvii, p. 53 ; S.P., vol. lxxviii, p. 1055.

† See p. 172.

[Walfisch Bay.]

“ 2. And we do hereby direct our said Governor not to issue any such proclamation as aforesaid unless the Legislature of our said Colony of the Cape of Good Hope shall have passed a law providing that the said territory shall, on the day aforesaid, become part of our said Colony, and subject to the laws in force therein : Provided always, that the application of the said laws to the said territory may be modified either by such proclamation as aforesaid, or by any law or laws to be from time to time passed by the Legislature of our said Colony for the government of the said territory so annexed.”

In the same year an Act was passed by the Government of the Cape of Good Hope (No. 45, 1887)* to provide for such annexation, and was assented to by an Order in Council, which was passed on the 15th September, 1887.†

British Sovereignty over Pondoland.

On the 20th March, 1894, a Proclamation was issued by the High Commissioner for South Africa, declaring the sovereignty of Her Britannic Majesty over the territory of Pondoland, consisting of Eastern and Western Pondoland; on the 7th June, 1894, Letters Patent were issued for the annexation of Pondoland; and on the 12th June it was announced in the “London Gazette” that provision had been made for the annexation of Pondoland to the Cape Colony, which was notified to the German Government on the 30th June, 1894.

Walfisch Bay.

On the 12th March, 1878, the following Proclamation was issued, announcing that the Port or Settlement of Walfisch Bay had been taken possession of in the name of Her Britannic Majesty :—

PROCLAMATION by Richard Cossantine Dyer, Esquire, Staff-Commander in command of Her Majesty’s ship *Industry*, at present lying at anchor off the Port or Settlement of Walfisch Bay.‡

WHEREAS it is expedient that the Port or Settlement of Walfisch Bay, together with a certain portion of the territory surrounding the same, shall be taken possession of on behalf of Her Britannic Majesty Queen Victoria, and, subject to the pleasure of Her Majesty in that behalf, be declared a Dependency of the United Kingdom of Great Britain and Ireland : Now, therefore, I, Richard Cossantine Dyer, the officer in command of Her Majesty’s ship *Industry*, at present lying at anchor off the said settlement, do, in the name of Her said Britannic Majesty, Queen Victoria, take possession of the said port or settlement of Walfisch Bay, together with the territory hereinafter described and defined, in token whereof I have this day hoisted the British flag over the said port, settlement, and territory, and I do proclaim, declare, and make known that the sovereignty and dominion

* H.T., vol. xvii, p. 52; S.P., vol. lxxviii, p. 1044.

† H.T., vol. xvii, p. 54.

‡ H.T., vol. xv, p. 516.

[Walfisch Bay.]

of Her said Britannic Majesty shall be and the same are hereby declared over the said port, settlement, and territory of Walfisch Bay; and I do further proclaim, declare, and make known that the said territory of Walfisch Bay so taken possession of by me as aforesaid shall be bounded as follows: that is to say, on the south by a line from a point on the coast 15 miles south of Pelican Point to Scheppmansdorf; on the east by a line from Scheppmansdorf to the Rooibank, including the Plateau, and thence to 10 miles inland from the mouth of the Swakop River; on the north by the last 10 miles of the course of the said Swakop River.

This Proclamation of Her Majesty's sovereignty and dominion shall take effect forthwith, but shall be subject to Her Majesty's gracious confirmation and disallowance.

God save the Queen!

Given under my hand and seal at Walfisch Bay, this 12th day of March, 1878.

RICHARD C. DYER,
Staff-Commander in Command.

This Proclamation was confirmed by Letters Patent, 14th December, 1878.*

On the 22nd July, 1884, an Act was passed by the Government of the Cape of Good Hope (No. 35 of 1884), "to provide for the annexation to that Colony of the Port or Settlement of Walfisch Bay, and of certain territories surrounding the same."†

On the 7th August, 1884, a Proclamation was issued by the Governor of the Cape of Good Hope, &c., annexing Walfisch Bay to the Cape Colony, within the boundaries described in the Proclamation of 12th March, 1878;‡ and on the 18th December following the British flag was hoisted.§

On the 5th September, 1884,|| the German Consul at Cape Town officially notified to the Governor of the Cape Colony, that the South West Coast of Africa, from 26° south latitude up to Walfisch Bay, and from Walfisch Bay northward up to Cape Frio, had been placed under the protection of the German Empire, and that the German flag had been hoisted in Sandwich Harbour, to the north of Walfisch Bay, and at Cape Frio, at which three places posts had been erected with the German colours. The German Government, however, on the 23rd of the same month, expressed their regret at this proceeding, which they stated was irregular, as the German Government held firmly to the opinion that they entertained direct international affairs only with the British Government itself, and not with the Colonial Government. (See GERMANY, p. 691.)

* H.T., vol. xv, p. 516; S.P., vol. lxx, p. 495.

† H.T., vol. xvii, p. 23; S.P., vol. lxxv, p. 408.

‡ H.T., vol. xvii, p. 1126; S.P., vol. lxxv, p. 407.

§ H.T., vol. xvii, p. 1127.

|| S.P., vol. lxxv, p. 549.

[Griqualand West, Transkei, Tembuland, Galekaland, Bomvanaland, &c.]

On the 1st July, 1890, an Agreement was entered into between Great Britain and Germany, by which it was arranged (among other things) that the delimitation of the southern boundary of Walfisch Bay should be reserved for arbitration (see p. 902). The question has not yet been settled (December, 1908).

Griqualand West.

In 1877, an Act of the Cape of Good Hope was passed (No. 39 of 1877), making provision for the annexation to the Colony of the Province of Griqualand West, within the boundaries fixed and determined in 1864. This Act, which ran thus, was approved by an Order in Council on the 22nd February, 1878.*

“Whereas it is expedient that the province of Griqualand West should be annexed to, and form part of, the Colony of the Cape of Good Hope, and that provision should be made by the Legislature of the said Colony for such annexation, and for the representation in the Parliament of the said Colony of the inhabitants of the said province, as hereinafter is provided :

“Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly, as follows :—

“2. From and after the taking effect of this Act, the said province of Griqualand West, within the boundaries thereof as then (in 1864) fixed and determined, shall become annexed to, and thenceforth be portion of the Colony of, the Cape of Good Hope.

* * * * *

“33. This Act shall commence and take effect when and so soon as the Governor, with the advice of the Executive Council, shall, by Proclamation† published in the Government Gazette, declare and announce that all matters and things necessary to be done and to happen in order to enable the said annexation to be completed and perfected have been done and happened.

“34. This Act may be cited as ‘The Griqualand West Annexation Act, 1877.’”

On the 15th October, 1880, a Proclamation was issued by the Governor of the Cape of Good Hope, &c., announcing the annexation of the Province of Griqualand West to the Cape Colony, and a Notification of this annexation (dated 24th January, 1881) was inserted in the “London Gazette” of 25th January, 1881.‡

Transkei ; Tembuland, Emigrant Tembuland, Galekaland, and Bomvanaland.

On the 28th October, 1875,§ the Tembus were taken over by the Colonial Government and became British subjects under certain conditions, which were agreed upon.

* Proclaimed 15th October, 1880. See H.T., vol. xv, pp. 506—516.

† H.T., vol. xv, pp. 506—516 ; S.P., vol. lxix, pp. 105—106 ; S.P., vol. lxxi, p. 300.

‡ S.P., vol. lxxii, p. 893.

§ S.P., vol. lxx, p. 327 ; H.T., vol. xv, p. 859.

[British Bechuanaland.]

On the 6th August, 1880,* Letters Patent were issued for the annexation to the Cape Colony (under specified conditions) of certain British Possessions and Territories in the Transkei, known as Tembuland, Emigrant Tembuland, Bomvanaland, and Galekaland, but those Letters Patent were revoked by others which were issued on the 2nd October, 1884.†

On the 1st August, 1882, a Deed was signed by the paramount Chief of the Tembu Tribe for the transfer to the Cape Government of certain lands and territories known as the European settlement at Umtata.‡

On the 13th July, 1885,§ an Act was passed by the Cape Colony to provide for the annexation to that Colony of the above-mentioned territories; and on the 26th August following a Proclamation was issued declaring the territories to be so annexed.

British Bechuanaland. Boundaries. South African Republic.

On the 27th February, 1884, a Convention was concluded between Great Britain and the South African Republic, in which the boundaries between that Republic and the Batlapings and Barolongs in Bechuanaland were defined. (See TRANSVAAL, p. 227.)

Batlapings.

On the 3rd May, 1884, a Treaty was concluded between Great Britain and Mankoroa, Chief of the Batlapings, by which power and jurisdiction were conferred on Her Majesty in the country of the Batlapings.||

Barolongs.

On the 22nd May, 1884, a Treaty was concluded between Great Britain and Montsioa, Chief of the Barolongs, by which power and jurisdiction were also conferred on Her Majesty in the country of the Barolongs.¶

Bechuanaland and the Kalahari.

On the 27th January, 1885, an Order in Council was issued providing for the exercise of British jurisdiction over Bechuanaland and the Kalahari. In this Order the powers conferred upon Her Majesty by the above Treaties of 3rd and 22nd May, 1884, were set forth.**

Government of British Bechuanaland.

On the 29th September, 1885, a Royal Commission was issued appointing the Governor or the officer administering the Government of the Cape of Good Hope to be Governor of British Bechuanaland, and providing for the government thereof.††

* S.P., vol. lxxi, p. 191.

† S.P., vol. lxxv, p. 401; H.T., vol. xvii, p. 25.

‡ H.T., vol. xv, p. 867.

§ S.P., vol. lxxvi, p. 979; H.T., vol. xvii, p. 31.

|| H.T., vol. xvii, p. 21.

¶ H.T., vol. xvii, p. 22.

** H.T., vol. xvii, p. 27.

†† H.T., vol. xvii, p. 36.

[British Bechuanaland.]

Boundaries of British Bechuanaland.

On the 30th September, 1885,* a Proclamation was issued by the High Commissioner for South Africa declaring the territory bounded on the east by the South African Republic, on the south by the Colony of the Cape of Good Hope, on the west by the Molopo River, and on the north by the said Molopo River to its junction with the Ramathlabana Spruit, and thence by the said Spruit to the frontier of the South African Republic, to be British Territory under the name of British Bechuanaland.

Bechuanaland and the Kalahari. British Protectorate. Boundaries.

This Proclamation also declared the establishment of a British Protectorate over the Territory known as Bechuanaland and the Kalahari, extending over the parts of South Africa situate west of the boundary of the South African Republic, north of the Colony of the Cape of Good Hope, east of the 20° meridian of east longitude, and south of the 22nd parallel of south latitude, and not within the jurisdiction of any civilised Power. (See also BECHUANALAND PROTECTORATE, p. 190.)

British Bechuanaland.

By Royal Commission dated 1st July, 1891, the Governor of the Cape Colony was appointed to be Governor of the territory of British Bechuanaland; and by Order in Council dated 3rd October, 1895,† authority was given for the annexation of British Bechuanaland to the Colony of the Cape of Good Hope, the boundaries being given as follows:—

On the east by the South African Republic, on the south by the Colony of the Cape of Good Hope, on the west by the 20th meridian east of Greenwich to the point where that meridian intersects the Nosop or Oup River, and on the north by that river to its junction with the Molopo River thence by that river to its junction with the Ramathlabana Spruit, and thence by that river to the frontier of the South African Republic.

An Act having been passed by the Legislature of Cape Colony for the annexation of the territory, assent was given thereto by another Order in Council dated 3rd October, 1895.‡ By a Proclamation by the Governor of Cape Colony the territory became incorporated in that Colony on the 16th November, 1895.

Orange River Boundary. German Sphere of Influence.

By Art. III of the Agreement between Great Britain and Germany of the 1st July, 1890 (see GREAT BRITAIN AND GERMANY, p. 901), it was agreed that the German sphere of influence in South West Africa should be bounded to the south by a line commencing at the mouth of the Orange River, and ascending the north bank of that river to the point of its intersection by the 20th degree of east longitude. The exact definition of this boundary has not yet been determined (December, 1908).

* H.T., vol. xvii, p. 37.

† H.T., vol. xx, p. 149.

‡ H.T., vol. xx., p. 150.



BRITISH SOUTH AFRICA.
(BASUTOLAND.)

BASUTOLAND.

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No. 20.—Notes on BASUTOLAND. 1843—1908.

By a Treaty signed by the Governor of the Cape of Good Hope at Cape Town on the 5th October, 1843, and by Moshesh, Chief of the Basutos, at Thaba Bossi, on the 13th December, 1843, the tribe of the Basutos were admitted into the allegiance of Her Britannic Majesty.* The boundary of the territory was thus described :—

“ **Art. III.**—The territory of the Chief Moshesh is bounded on the west, from the junction of the Caledon with the Garief River to the sources of those rivers, near the Bouta Bouta ; on the south by the Garief River, from the junction aforesaid ; and on the north by a line extending from about 25 to 30 miles north of the Caledon River, excepting near to its source, and at its junction with the Garief, where the lands of Bethuli and the territory of Sikonyella come close upon the northern bank.”

In 1852 war ensued between Great Britain and the Basutos, in which Moshesh was defeated, when he sent in his submission.

On the 23rd February, 1854, a Convention was concluded between Great Britain and the Orange Free State, by which the independence of Basutoland was recognized by Great Britain. (See ORANGE RIVER COLONY, p. 212.)

In 1856 war ensued between the Orange Free State and the Basutos, in consequence of a boundary dispute, which war lasted till 1858.

In 1861 the Basutos petitioned for British protection, but their request was not acceded to.

In 1865 war was renewed between the Orange Free State and the Basutos, when British protection was again asked for ; no material assistance was granted, but a British Commissioner was sent to Basutoland to endeavour to settle the difference.

On the 3rd April, 1866, a Treaty of Peace was concluded between the Orange Free State and the Basutos, by which the Basutos agreed to become subject to that State ;

But in 1867 the war was renewed, and in January, 1868, an appeal was again made for British protection.

Basutoland, British Territory.

On the 12th March, 1868, a Proclamation was issued by the Governor of the Cape of Good Hope declaring the tribe of Basutos to be British subjects, and their territory to be British territory.†

Boundaries.

On the 12th February, 1869, a Treaty was concluded at Aliwal North between the Governor of the Cape of Good Hope and the Orange Free State, respecting the boundaries of Basutoland. (See ORANGE RIVER COLONY, p. 212.)

* H.T., vol. ix, p. 82. S.P., vol. xxxiii, p. 1075.

† H.T., vol. xv, p. 499.

[Basutoland.]

On the 11th August, 1871, an Act was passed by the Government of the Cape of Good Hope (No. 12), for the annexation of Basutoland to that Colony, in which the new boundary of that territory was described to be as follows* :—

“From the junction of the Cornet Spruit with the Orange River, along the centre of the former to the point nearest to Olifants Been ; from that point to Olifants Been, to the southern point of Langeberg ; along the top of Langeberg to its north-western extremity ; from thence to the eastern point of Jammerberg ; along the top of Jammerberg, to its north-western extremity ; from thence by a prolongation of the same to the Caledon River ; along the centre of the Caledon River to its junction with the Klein Caledon ; along the centre of the Klein Caledon, to the heads of the Orange River, at the Mont Aux Sources ; thence westward along the Drakensberg, between the water-sheds of the Orange River and the St. John’s River, to the source of the Tees ; down the centre of that river to its junction with the Orange River ; and down the centre of the latter river to its junction with the Cornet Spruit.”

This Act was confirmed by an Order in Council on the 3rd November, 1871. It was, however, repealed by Act No. 34 of 1883.

On the 29th March, 1877, and 12th April, 1880, Proclamations were issued by the Governor of the Cape of Good Hope for the government of Basutoland. These, however, were repealed on the 29th May, 1884.

Disannexation of Basutoland from the Cape Colony.

A state of war, however, existed between the British Government and the Basutos from 1879 till 1883, and in the latter year the following Act was passed by the Cape of Good Hope Government for the disannexation of Basutoland from that Colony :—

“Whereas it is desirable that Basutoland should cease to form part of the Colony of the Cape of Good Hope ; and whereas Her Majesty’s Imperial Government has expressed its willingness to provide for the future government of Basutoland upon certain conditions ; and whereas it is expedient that due provision should be made for relieving this Colony from all responsibility for or in connection with the government of Basutoland :

“Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows :—

“1. The Act No. 12, 1871†, intituled ‘An Act for the Annexation to the Colony of the Cape of Good Hope of the territory inhabited by the tribe of people called the Basutos,’ shall be, and the same is hereby repealed.

“2. From and after the taking effect of this Act, there shall be paid annually to Her Majesty’s High Commissioner, or such other officer as Her Majesty may be pleased to appoint in that behalf, as a contribution towards any deficiency that may arise in the revenues of the Govern-

* H.T., vol. xvii, p. 4.

† H.T., vol. xvii, p. 10.

[Basutoland.]

ment of Basutoland, out of the public revenue of this Colony, such sum, not exceeding 20,000*l.*, as may be hereafter from time to time agreed upon by and between Her Majesty's Imperial Government and the Government of this Colony.

“3. This Act shall come into operation when the Governor shall, by Proclamation, declare that Her Majesty has been pleased to allow and confirm the same.

“4. The short title of this Act shall be ‘The Basutoland Disannexation Act, 1883.’” (No. 34.)

Direct British Authority over Basutoland.

On the 2nd February, 1884, an Order in Council was passed assenting to this Act, and providing for the exercise of Her Majesty's direct authority over the territory of Basutoland.*

This Order in Council was proclaimed at the Cape on the 18th March, 1884, and on the 29th May following the Proclamations of 29th March, 1877, and 12th April, 1880, were repealed.

On the 24th March, 1891, Basutoland was admitted into the South African Customs Union.

Boundary. Basutoland and Orange Free State.

On the 19th October, 1891,† a Proclamation was made by the High Commissioner for South Africa defining more particularly the common boundary between the territory of Basutoland and the Orange Free State as contemplated by the Treaty of Aliwal North of the 12th February, 1869.

This territory is now administered by a British Commissioner under instructions from Her Majesty's High Commissioner for South Africa.

Boundaries.

The territory is bounded on the north and west by the Orange River Colony and on the east and south by Natal and the Cape Colony.

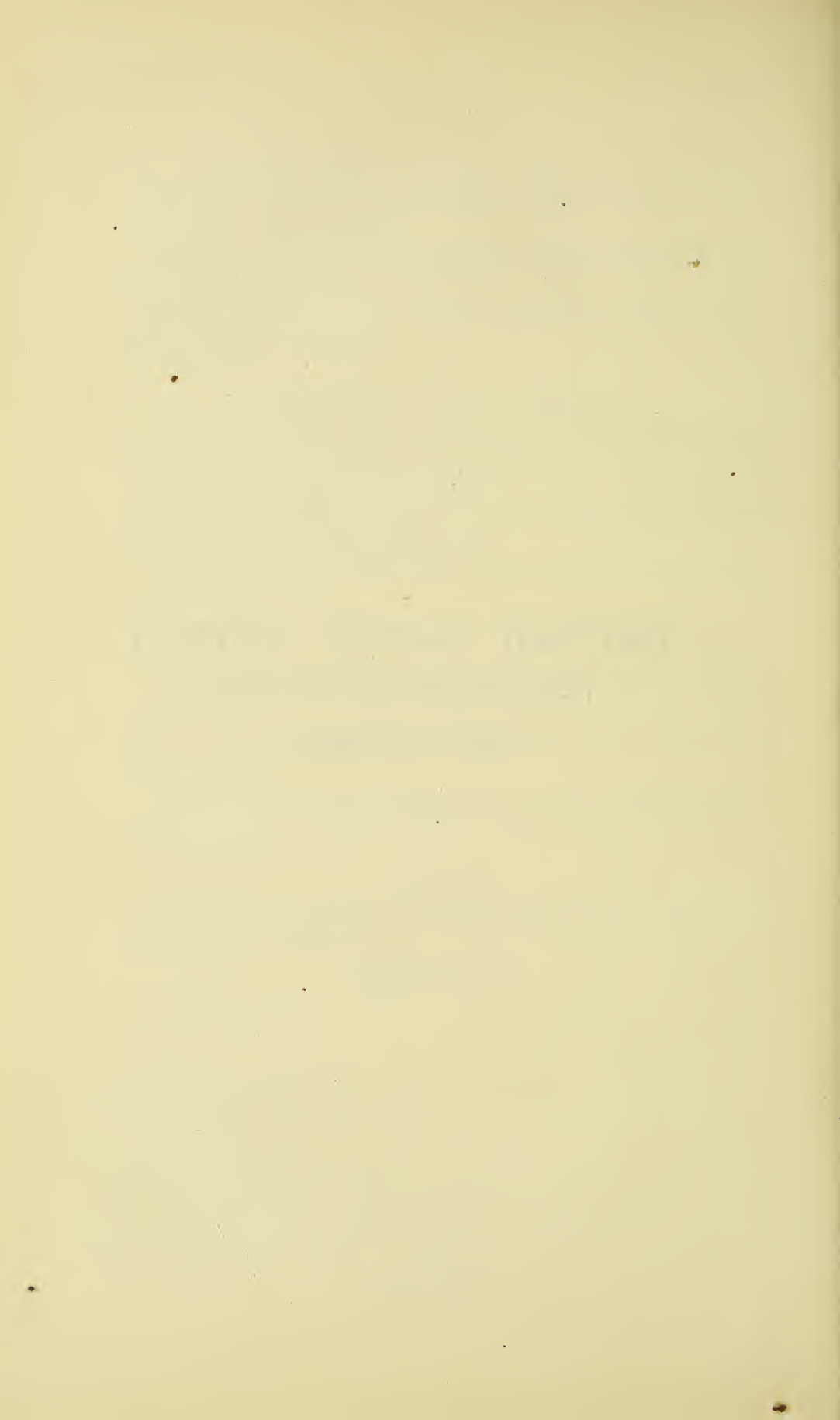
* H.T., vol. xvii, p. 11.

† H.T., vol. xix, p. 38.

BRITISH SOUTH AFRICA.

(BECHUANALAND PROTECTORATE.)

(SEE also RHODESIA.)



BECHUANALAND PROTECTORATE.

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1885—1908.

Boundaries of British Bechuanaland.

On the 30th September, 1885,* a Proclamation was issued by the High Commissioner for South Africa declaring the territory bounded on the east by the South African Republic, on the south by the Colony of the Cape of Good Hope, on the west by the Molopo River, and on the north by the said Molopo River to its junction with the Ramathlabana Spruit, and thence by the said Spruit to the frontier of the South African Republic, to be British Territory under the name of British Bechuanaland.

Bechuanaland and the Kalahari. British Protectorate. Boundaries.

This Proclamation also declared the establishment of a British Protectorate over the Territory known as Bechuanaland and the Kalahari, extending over the parts of South Africa situate west of the boundary of the South African Republic, north of the Colony of the Cape of Good Hope, east of the 20° meridian of east longitude, and south of the 22nd parallel of south latitude, and not within the jurisdiction of any civilised Power.

British South Africa Company.

It was declared in the Royal Charter of Incorporation granted to the British South Africa Company on the 29th October, 1889 (§1),† that the principal field of the operations of the Company should be the region of South Africa lying immediately to the north of British Bechuanaland, and to the north and west of the South African Republic, and to the west of the Portuguese Dominions.

Territory North of British Bechuanaland.

On the 30th June, 1890,‡ an Order in Council was passed providing for the administration of the territory north of British Bechuanaland, the limits of which were defined to be as follows :—

“The parts of South Africa situate north of British Bechuanaland ; west of the South African Republic and of Matabeland ; east of the German Protectorate ; and south of the River Zambesi ; and not within the jurisdiction of any civilised Power.” (See also RHODESIA, p. 265.) This Order was, however, revoked by a fresh Order in Council passed on the 9th May, 1891.

The Bechuanaland Protectorate was admitted into the South African Customs Union in 1891.

* H.T., vol. xvii, p. 37.

† See p. 271.

‡ “London Gazette,” 4th July, 1890. H.T., vol. xviii, p. 156.

[Bechuanaland Protectorate.]

Territory North of the Limpopo.

On the 13th April, 1891, a Proclamation was issued prohibiting any unauthorized attempt to occupy or establish an independent form of Government in the Territory of the British South Africa Company north of the Limpopo.

Bastards or Griqua Country.

On the 8th May, 1891, another Proclamation was issued by the High Commissioner for South Africa, declaring the Queen's sovereignty over and the annexation to Bechuanaland of the Bastards or Griqua country.

The boundary of British Bechuanaland was thereby extended westward, "from the point of intersection of the 20° meridian of east longitude and the 25th parallel of south latitude, along the 25th parallel to where it intersects the Nosop River, and then down the centre of the Nosop River to its junction with the Molopo."

On the 9th May, 1891,* an Order in Council was passed providing for the exercise of British jurisdiction in territories north of British Bechuanaland, and revoking the Order in Council of the 30th June, 1890. The limits of the Order were described as follows: the parts of South Africa bounded by British Bechuanaland, the German Protectorate, the Rivers Chobe and Zambesi, the Portuguese Possessions, and the South African Republic. A Proclamation under this Order, dated 27th June, 1891, is given on p. 192 (No. 22).

The north eastern portion of the territory described by the above limits was, however, under the administration of the British South Africa Company, but it was provided by Order in Council of the 20th October, 1898,† that the powers and authorities conferred on the High Commissioner for South Africa by the Order in Council of 1891 should continue in force concurrently with the powers conferred on the Company. (See RHODESIA, p. 265.)

Land Grants and Concessions in the Bechuanaland Protectorate.

On the 7th March, 1893, a Notification, dated 10th January, 1893‡, was inserted in the "London Gazette" to the effect that a Proclamation had been issued by the Governor of the Cape of Good Hope, &c., announcing the appointment of a Commission, entitled "The Concession Commission for the Bechuanaland Protectorate," to enquire into and report upon certain alleged land grants and mineral and other concessions claimed in the Bechuanaland Protectorate, and on the 14th of the same month a further notice upon the same subject appeared in the "Gazette."

Boundaries.

The Protectorate is bounded on the west and north by the German possessions in South West Africa. (See Art. III of the Agreement of 1st July, 1890, GREAT BRITAIN AND GERMANY, p. 901.) A part of

* "London Gazette," 15th May, 1891. H.T., vol. xix, p. 30.

† H.T., vol. xxi, p. 188.

‡ H.T., vol. xix, p. 53.

[Bechuanaland, Tati District, &c.]

this boundary was delimited in 1898–1903. (See No. 16 of Table given at p. xlvii.) On the north east by Southern Rhodesia, on the east by the Transvaal and on the south by the Cape Colony.

The territory is governed by a Resident Commissioner under the direction of the High Commissioner for South Africa.

No. 22.—*PROCLAMATION of the Governor of the Cape of Good Hope, &c., with regard to the exercise of British Jurisdiction within certain protected Territories. Bechuanaland, Tati District, &c. 27th June, 1891.*

[After Preamble.]

1. Now, therefore, I do hereby proclaim, declare, and make known that the Resident Commissioners, Assistant Commissioners, and Magistrates within the protected territories defined in Her Majesty's Order in Council, dated the 9th day of May, 1891,* shall exercise jurisdiction and authority as follows :—

- (a.) The Resident Commissioner for Bechuanaland and the Tati District, within the Tati District, the territory known as the disputed territory lying between the Shashi and Macloutsie Rivers, excepting the area included in the Tuli District, and the territories lying between the Crown Colony of British Bechuanaland and the 22nd parallel of south latitude, and also such territories north of the 22nd degree as belong to the Chief Khama of the Bamangwato.
- (b.) The Resident Commissioner for Mashonaland shall exercise jurisdiction within the territories north of the 22nd parallel of south latitude, excluding the disputed territory, and all territories belonging to the Chief Khama of the Bamangwato, as well as the Tati District, and for an area of 10 miles round Tuli Fort.

2. The Assistant Commissioner and Magistrate for Bechuanaland shall exercise jurisdiction over the whole of Bechuanaland, including the Tati District and the territory known as the disputed territory, excepting the area included in the Tuli District, and shall hold Courts at Kanye, Ramoutsa, Gaberone's, Mochudi, and Molepolole.

3. The Magistrate for Bechuanaland and the Tati District shall exercise jurisdiction within Khama's country, the disputed territory, and the Tati District, excepting the area included in the Tuli District, and shall hold Courts at Macloutsie, Palapye, and Tati.

4. The Magistrate at Tuli shall exercise jurisdiction within a 10-mile radius of Tuli and within the whole area comprised between the Shashi and Lundi Rivers.

5. The Magistrate at Fort Victoria shall exercise jurisdiction in the

* See p. 191.

[Bechuanaland, Tati District, &c.]

area comprised between the Lundi River and the parallel of Fort Charter.

6. The Magistrate at Fort Salisbury shall exercise jurisdiction in the area comprised between the parallel of Fort Charter and the Portuguese Possessions on the Zambezi, excepting the district placed under the Magistrate of Hartly Hill.

7. The Magistrate of Hartly Hill shall exercise jurisdiction in the area included in the Hartly Hill District, the Gold Fields of Lo Magundi, and the Lower Umfati.

8. The Magistrate at Umtali shall exercise jurisdiction in the Manica District between the Odzi River and the Portuguese Possessions.

9. Every Assistant Commissioner or Magistrate shall have and exercise such jurisdiction in all matters and causes, criminal and civil, as is had and exercised by the Courts of Resident Magistrates of the Colony of the Cape of Good Hope.

God save the Queen !

Given under my hand and seal, at Cape Town, this 27th day of June, 1891.

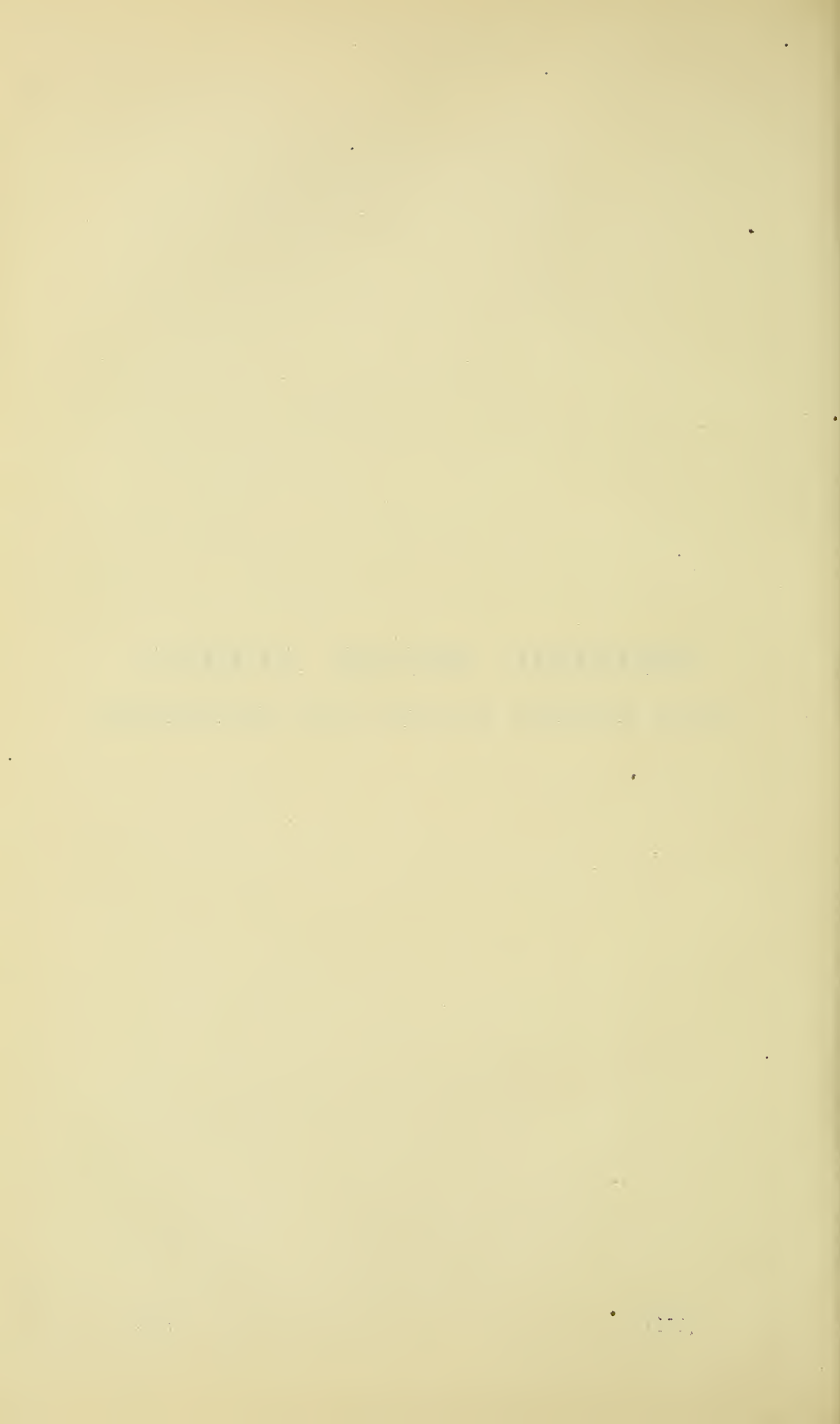
HENRY B. LOCH,
High Commissioner.

By command of his Excellency the High Commissioner.

GRAHAM BOWER,
Imperial Secretary.

BRITISH SOUTH AFRICA.

(NATAL, INCLUDING ZULULAND AND AMATONGALAND.)



NATAL, INCLUDING ZULULAND AND AMATONGALAND.

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No. 23.—*Notes on NATAL.* 1837—1908.*District of Port Natal. British Protectorate.*

In 1837 a body of Dutch Boers emigrated from the Cape into Natal. Owing to the frequent disturbances between the Boers and the Zulus the Governor of the Cape sent a military force into the district in 1842. The Boers submitted in July of that year and on the 12th May, 1843, a Proclamation was issued by the Governor of the Cape of Good Hope, which contained the following declaration:—

“ III.—That the district of Port Natal, according to such convenient limits as shall hereafter be fixed upon and defined, will be recognized and adopted by Her Majesty the Queen as a British Colony, and that the Inhabitants thereof shall, so long as they conduct themselves in an orderly and peaceable manner, be taken under the protection of the British Crown.”

Cession to Great Britain of Zoolah (Zulu) Territory including St. Lucia Bay..

On the 5th October, 1843,* a Treaty was concluded between Panda, King of the Zoolah nation, and the Hon. Henry Cloete, Esq., LL.D., Her Britannic Majesty's Commissioner for the territory of Natal, by which that King and Chief ceded to Her Majesty his territories and possessions, the boundaries of which were defined to be as follows:—

“ I, the Undersigned, Chief and King of the Zoolah nation, do hereby declare to cede all right and title which I heretofore had to the mouth of the River Umvaloosi, and to the bay there situate,† to and in favour of Her Majesty Queen Victoria, or the lawful Sovereign of Great Britain for the time being, for ever, with full liberty to visit, land upon, and occupy the shores along the said bay and mouth of the said River Umvaloosi, the Undersigned hereby agreeing and consenting to appoint, whenever he shall be thereto requested, two Indunas or Commissioners, for the purpose of defining and proving the limits and extent of the sea shore so ceded and given up to Her Majesty Queen Victoria, or the lawful sovereign of Great Britain, for the time being.”

Boundary between Natal and Zululand.

To this Treaty the following Declaration was attached:—

“ **Art. II.**—It is hereby agreed between the Undersigned that the respective boundaries between the territory of Natal and the Zoolah nation, shall be defined at the sea line by the mouth of the River Tugela, and from thence upwards until the junction of that stream with the junction with the Umsinyaatee (or Buffels River), from thence upwards by the said River Umsinyaatee (or Buffels River), or such other boundary line, along or near its banks, as may at any time hereafter be fixed upon by the Undersigned, Her Majesty's Commissioner for the territory of Natal, or such other Commissioner

* H.T., vol. xv, p. 848; S.P., vol. xxxiii, p. 1075.

† St. Lucia Bay. See p. 202.

[Nomansland.]

as Her Majesty may appoint, and by any two Indunas or Commissioners whom the undersigned Panda, King of the Zoolah nation, may appoint for that purpose ; and from thence northward to the foot of the Quathlamba (or Drakensberg) mountains.”

Annexation of Natal District to Cape Colony.

On the 31st May, 1844,* Letters Patent were issued for the annexation of the district of Natal to the settlement of the Cape of Good Hope ; and, on the 21st of August of the same year, a Proclamation was issued defining the territories which constituted the said district and the boundaries thereof.

South-western Boundary.

On the 11th April, 1850,† a Treaty was concluded between Faku, Chief of the Amapondas, and Walter Harding, Esq., on behalf of Her Britannic Majesty, by which the said Faku ceded to Her Majesty all the territory therein mentioned lying between the Umtamfuna and Umzimkulu Rivers, and between the Quathlamba Mountains and the sea.

Natal a Separate Colony.

On the 12th July, 1856, Natal was declared to be a separate colony.

Boundaries of Natal.

On the 3rd February, 1858,‡ an Order in Council was issued defining the boundaries of the Colony of Natal to be as follows :—

“ Within a line on the north-east from the mouth of the River Tugela, along the right bank of that river to the junction of the said river with the River Umzinyati, otherwise Buffalo ; from thence along the right bank of the said Umzinyati, otherwise Buffalo River, to the source of the first affluent, which it receives from the Drakensberg, or Quathlamba Mountains, issuing from the point where these mountains cease to be a continuous chain, and which is now known as Division Stream ; from thence along the crest or watershed of the said mountains to the source of the principal western branch of the Umzimkulu River ; from thence along the said branch to its junction with the other branch, or branches, of the said last-mentioned river ; from thence along the last-mentioned river to where it empties itself into the sea ; and from thence along the sea to the mouth of the Tugela River aforesaid.”

A Proclamation to this effect was issued on the 5th June, 1858.

Nomansland. Annexation to Natal.

On the 9th December, 1863,|| Royal Letters Patent were issued for the annexation to the Colony of Natal of the territory lying between

* Natal Ordinances, vol. ii, 1870—1878.

† H.T., vol. xviii, p. 665.

‡ H.T., vol. xviii, p. 661.

|| H.T., vol. xviii, p. 665.

[Amaquatis, Zululand.]

the Rivers Umzimkulu and Umtamfuna, the boundary of which was declared to be as follows :—

“ On the north-east, by the Umzimkulu River, from the mouth of the said river to its junction with the Ibisi ; on the north and north-west by a line drawn from the said junction to the nearest point of the ridge or watershed, dividing the waters of the Ibisi from those of the Umzimkuliwana ; thence along the said ridge to the Ingela range ; thence along the Ingela range, keeping the watershed to a large beacon recently erected by the Surveyor-General of the said Colony of Natal, and Sir Walter Currie, at the western extremity of the said range ; and thence straight to the nearest source of the Umtamfuna ; on the north-west of the Umtamfuna River from the said source thereof to the sea ; and on the south-east by the sea, from the mouth of the Umtamfuna to that of the Umzimkulu River.”

On the 7th September, 1865, a Proclamation was issued, fixing the 13th of that month as the day from and after which the territory in question should be annexed to, and form part of, the Colony of Natal.

Amaquatis. British Protection.

On the 10th December, 1875, the Chief of the Amaquatis placed his country and his tribe under British protection.*

Zululand. Conditions for Restoration of Cetewayo.

In 1879 war ensued between Great Britain and Cetewayo, King of the Zulus, which ended in his defeat. In August, 1882,† it was agreed that he should be restored to Zululand on certain specified conditions, one of which was (§ 6) that he would not make any Treaty or Agreement with any chief, people, or government outside his territory without the consent and approval of the British Government ; and another (§ 8) that he would not sell, or in any way alienate, or permit, or countenance, any sale or alienation of any part of the land in his territory.

Reserved Territory.

As an additional condition, Cetewayo declared that he would observe and respect the boundaries of the territory placed under the appointed Chief Usibedu, as also those of the territory which Her Majesty's Government had decided should be set apart as reserved territory, with a British Resident Commissioner.

He was accordingly reinstated in his former dominions, with the exception of the territory between the Umlatoosi and the Natal frontier, which was constituted a native reserve, under the superintendence of a British Commissioner, on the 29th January, 1883.

* H.T., vol. xv, p. 860.

† H.T., vol. xv, p. 869.

[St. Lucia Bay. Zululand.]

St. Lucia Bay.

On the 18th December, 1884*, the following Notification was issued of the hoisting of the British flag, and the taking possession, in the name of Her Majesty, of St. Lucia Bay :—

“ I, William John Moore, Lieutenant and Commander of Her Britannic Majesty’s ship ‘Goshawk,’ have this day hoisted the British flag on the shores of St. Lucia Bay, in right of the Treaty made by Panda, Chief and King of the Zulu nation, on the 5th day of October, in the year of our Lord, 1843 ; and I have this day taken possession of the said territory in the name of Her Most Gracious Majesty Queen Victoria of the United Kingdom of Great Britain and Ireland, Empress of India, &c.

“ Given under my hand, on board Her Britannic Majesty’s ship ‘Goshawk,’ at anchor in St. Lucia Bay, this 18th day of December, in the year of our Lord, 1884.

“ W. J. MOORE.”

On the 7th February, 1885, the German Government protested against this act of annexation ; but by an Arrangement, which was subsequently entered into between the British and German Governments (April—June, 1885) for defining their respective spheres of action in certain portions of Africa, the German protest was declared to be withdrawn, and Germany engaged to refrain from making acquisition of territory or establishing Protectorates on the coast between the Colony of Natal and Delagoa Bay. (See GREAT BRITAIN AND GERMANY, p. 868.)

On the 25th July, 1885,† the Notification of 18th December, 1884, was published by the High Commissioner of South Africa in a Notification from Cape Town, in which it was stated that Lieutenant-Commander Moore’s action was authorized, and that it had been ratified by Her Majesty’s Government.

Boundaries. Zululand and New Republic.

On the 22nd October, 1886,‡ an Agreement was entered into between Great Britain and the New Republic, in Zululand, respecting the boundaries between that Republic and the Zulu nation. (See TRANSVAAL, p. 237.)

Zululand declared a British Possession.

On the 14th May, 1887,§ a Proclamation was issued by the Governor of Natal and Special Commissioner for Zulu affairs, declaring Zululand to be a British possession, in the following words (after Preamble) :—

“ I do hereby proclaim, declare, and make known, that from and after the 19th day of May next the whole of Zululand, including the

* H.T., vol. xvii, p. 1127.

† H.T., vol. xvii, p. 1128.

‡ H.T., vol. xviii, p. 100.

§ H.T., vol. xvii, p. 1221 ; S.P., vol. lxxviii, p. 758.

[Zululand.]

territory known as the Zulu Reserve Territory, but excluding the territory known as the New Republic, and bounded as follows:— On the south and south-west by the Colony of Natal; on the west and north-west by the New Republic; on the north by Amatongaland; and on the east by the Indian Ocean—shall be, and shall be taken to be, a British possession, under the name of Zululand.”

This was notified to the Powers Signatories to the Berlin Act, on the 8th of July following.

On the 19th May, 1887, a Royal Commission was issued appointing the Governor, or the officer administering the Government of the Colony of Natal, to be Governor of the British Possession of Zululand, and providing for the government thereof.

The territory to be so administered was therein described as being “the territory of Zululand, in South Africa, including the territory heretofore known as the Zulu Native Reserve, but excluding the territory styled the New Republic.”*

Boundaries.

On the 8th July, 1887, it was notified to the Powers parties to the “Berlin Act” (No. 128) that the whole of Zululand, including the territory known as the Zulu Reserve Territory, but excluding the territory known as the New Republic, and bounded as follows:— On the south and south-west by the Colony of Natal; on the west and north-west by New Republic; on the north by Amatongaland; and on the east by the Indian Ocean—was a British possession, under the name of Zululand.†

South African Republic and the New Republic.

On the 14th September, 1887‡, a Treaty of Union, under the name of the “South African Republic,” was signed between the South African Republic and the New Republic, and, as the former Republic had engaged, by Article IV of the Convention concluded with Her Majesty, on the 27th February, 1884, not to conclude any Treaty or engagement with any State or Nation other than the Orange Free State, until the same had been approved by Her Majesty the Queen, a Convention was signed between Her Majesty and the South African Republic, on the 11th/₂₀ June, 1888,§ conveying Her Majesty’s consent to the above mentioned Treaty of Union. (See TRANSVAAL, p. 238.)

Extension of Boundaries of Zululand.

On the 9th December, 1888¶, a Notification was issued from Pietermaritzburg, of the inclusion within the boundaries of Zululand of the territories of the Chiefs Deamana (Umeamana) and Sibenda.

After alluding to the boundaries defined in the Proclamation of 14th May, 1887 (p. 202), the Notification proceeded thus:—

* H.T., vol. xvii, p. 671.

† S.P., vol. lxxviii, p. 759.

‡ H.T., vol. xviii, p. 108.

§ H.T., vol. xviii, p. 113.

¶ H.T., vol. xviii, p. 789

[Amatongaland.]

“ And whereas the tribes now under the Chiefs Deamana (Umeamana) and Sibenda, and the lands conquered by them have for many years been under the Zulu Kings and Chiefs, and, therefore, formed part of the Zulu Sovereignty now under Her Majesty’s Sovereignty.

“ The territories occupied by those Chiefs, and by their people are included within the boundaries of Her Majesty’s territory of Zululand.

“ Sibenda’s territory thus included in Zululand lies on the north side of the Umkuzi River, extends 45 miles, more or less, in a northerly direction along the coast from St. Lucia Bay, or Lake, towards the southern limits of Tongaland, and comprises the locality known as Sordwana Point, together with the lands and waters adjacent thereto.

“ Deamana’s (Umeamana’s) territory, thus included in Her Majesty’s territory of Zululand, adjoins Sibenda’s territory on the south-west, and extends 10 miles, more or less, in a northerly direction beyond the Umkugi River, towards the southern limit of Tongaland.”*

Tonga Country (Amatongaland).

On the 6th July, 1887, an Agreement was entered into between Sir Arthur Elibank Havelock, K.C.M.G., Governor of the Colony of Natal and of Zululand, of the one part, and “ Masololo ” and “ Umkonka,” Messengers of “ Zambile,” the Regent and Paramount Chief of the Tonga country, who were accompanied by a German resident of that country, viz., Mr. G. Brühem, of the other part, which contained the following stipulations :—

Boundary of the Tonga Country.

“ Whereas “ Zambile,” Regent and Paramount Chief, during the minority of her son “ Ungwanase,” in and over the country known as the Tonga country, which lies to the north of Zululand and is bounded by the Indian Ocean on the east, by the Portuguese territory of Lorenço Marques on the north, and by the Swazi country on the west, has frequently sent, by and with the advice and consent of her headmen and indunas, to request that she and her people may be acknowledged as British subjects, and that their said country may be taken under the dominion of Her Majesty the Queen of Great Britain and Ireland :

* * * * *

“ We, the undersigned, now hereby agree to the following Articles and conditions :—

“ That peace and amity shall continue for ever between Her Britannic Majesty, her subjects, and the Tonga people, and the contracting Paramount Chief engages to use her utmost endeavours to prevent any rupture of the same, and to cause the strict observance of this Treaty.

Non-conclusion of Treaties with Foreign States.

“ It is hereby further agreed that “ Zambile,” Regent and Paramount Chief in and over the Tonga country as aforesaid, on behalf

* H.T., vol. xviii, p. 789.

[Amatongaland.]

of herself and people, will refrain from entering into any correspondence or Treaty with any foreign State or Power to sell, alienate, or cede, or permit or countenance any sale, alienation, or cession of the whole or any part of the aforesaid Tonga country under her Paramount Chieftainship, or upon any other subject, without the previous knowledge and sanction of Her Majesty's High Commissioner for South Africa."

This Agreement, after having been approved by the Regent "Zam bile" and her principal indunas and headmen on the 13th of October, 1887, was approved and ratified by Sir Hercules Robinson as Her Majesty's High Commissioner for South Africa on the 29th November, 1887, and proclaimed on the 3rd December, 1887.

Railway. Amatongaland.

On the ^{24th July,}_{2nd August,} 1890,* a Convention was concluded between Great Britain and the South African Republic, in which it was recorded (Art. XII) that Her Majesty agreed to recognise conditionally the sovereignty of the South African Republic over a strip of land to be acquired from Amatongaland for the construction of a railway, or for other purposes. This Convention was, however, determined by the Convention of 1893. (See TRANSVAAL, p. 242.)

Amatongaland. British Protectorate.

On the 23rd April, 1895, British sovereignty was proclaimed over Amatongaland or Maputaland (see No. 24, p. 206), and on the 11th June of that year a British Protectorate over that territory was publicly notified. (See No. 25, p. 207.)

Amatongaland Annexed to Zululand. Zululand Annexed to Natal.

On the 31st December, 1897, a Notification was made that by Letters Patent dated 30th November, 1897, Amatongaland had been annexed to Zululand, and by Letters Patent of 1st December, 1897, Zululand had been annexed to Natal.

Annexation of Transvaal Districts to Natal.

On the 19th of November, 1902,† an Order in Council was issued ordering the preparation of a Warrant for passing under the Great Seal Letters Patent providing for the inclusion in Natal of the districts of Vryheid and Utrecht and parts of the district of Wakkerstroom, previously forming part of the Transvaal. Arts. I and II of the Letters Patent were as follows:—

"I. The boundaries of our said Colony of Natal shall from a date to be determined as hereinafter provided be altered so as to include within our said colony the districts known as Vryheid and Utrecht, together with parts of the district of Wakkerstroom all such districts to be more particularly defined and delimited by the Boundary Delimitation Commission heretofore appointed for that purpose.

* H.T., vol. xviii, p. 165.

† H.T., vol. xxiii, p. 130.

[Amatongaland.]

“II. The Governor of our said Colony of Natal shall when the said districts have been more particularly defined and delimited by such Commission as aforesaid declare by proclamation the boundaries of the Colony as altered as aforesaid and the boundaries so declared shall from the date of such proclamation be the boundaries thereof.”

The new territory was annexed to Natal in January, 1903.

Boundaries.

The only part of the colony conterminous with the territory of a Foreign Power is Amatongaland, the northern boundary of which lies next to the Portuguese possessions. The spheres of influence of the two countries in Tongaland were defined by Art. III of the Anglo-Portuguese Treaty of the 11th June, 1891, by a line following the parallel of the confluence of the River Pongolo with the River Maputo to the sea-coast. (See GREAT BRITAIN AND PORTUGAL, p. 1018.)

Notes were exchanged between the two Governments on the 24th September, and 5th October, 1895, (see p. 1033), definitely accepting the line, subject to its rectification by agreement in accordance with local requirements.

The boundary was surveyed in August-December, 1896; marked on the ground August to October, 1897; and the Protocol signed by the Commissioners on the 2nd October, 1897. (See p. 1066.) The frontier thus demarcated was definitively accepted by the two Governments by Notes exchanged at London on the 29th December, 1898, and 25th January, 1899. (See GREAT BRITAIN AND PORTUGAL, p. 1070).

No. 24.—PROCLAMATION. *British Sovereignty over Territories of certain Native Chiefs in Zululand (Amatongaland, Maputaland, or Tembeland).* 23rd April, 1895.

PROCLAMATION, in the name of Her Most Gracious Majesty, Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India, &c.

WHEREAS it is expedient that the territories bounded on the south and east by the Pongola River, on the North by the Maputa or Usutu River, and on the West by Swaziland and the South African Republic, being the territories of the Native Chiefs Umbegeza, Mdhlaheni, Sambane or Zambaan, and of other Native Chiefs therein residing, should be added to the dominions of Her Majesty Queen Victoria :

And whereas Her Majesty has been pleased to authorize me to take the necessary steps for giving effect to her pleasure in the matter :

Now, therefore, I, Walter Francis Hely-Hutchinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Territory of Zululand, do hereby, by command of Her Most Gracious Majesty Victoria, by the Grace of

[Amatongaland.]

God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India, &c., conveyed to me through Her Principal Secretary of State for the Colonies, proclaim and declare to all men that the full Sovereignty of the territories bounded on the south and east by the Pongola River, on the north by the Maputa or Usutu River, and on the west by Swaziland and the South African Republic, is vested in Her Most Gracious Majesty, Queen Victoria, her heirs and successors for ever.

God Save the Queen !

Given under my hand and seal at Pietermaritzburg, Natal, this 23rd day of April, 1895.

By command of His Excellency the Governor of Zululand,

H. M. TABERER,
Secretary for Zululand.

No. 25.—BRITISH NOTIFICATION. *British Protectorate over part of Amatongaland (Maputaland or Tembeland). Pietermaritzburg, 11th June, 1895.*

GOVERNMENT NOTICE.

HIS Excellency the Governor of Zululand directs it to be notified, for general information, that, on the 30th May, 1895, at Ngwanasi's Kraal, Mr. C. R. Saunders, the Resident Magistrate of the Eshowe District of Zululand, the officer selected by the Governor of Zululand to carry out the instructions of Her Majesty's Government to that effect, formally declared a British Protectorate over the territory variously known as Amatongaland, Maputaland, or Tembeland, bounded on the north by the southern boundary of the Portuguese territory, viz., by a line following the parallel of the confluence of the Pongolo River with the Usutu or Maputa River to the Indian Ocean ; on the east by the Indian Ocean ; on the west by the eastern boundary of the territories added to Her Majesty's dominions by the Zululand Proclamation of the 23rd April, 1895 (page 206), viz., by the Pongolo River ; and on the south by the territory of Zululand.

By his Excellency's command,

W. E. PEACHEY,
Acting Secretary for Zululand.

Government House, Pietermaritzburg,
Natal, 11th June, 1895.

No. 26.—*BRITISH NOTIFICATION. Non-recognition by Her Majesty's Government of certain concessions granted by Queen Regent of Amatongaland. London, 4th November, 1895.*

Downing Street, 4th November, 1895.

THE attention of Her Majesty's Secretary of State for the Colonies having been drawn to Notices in the London Gazette of the 29th of October, 1895, concerning two Concessions alleged to have been granted by the Queen Regent of Amatongaland on the 11th of May, 1888 :

It is hereby notified by Mr. Secretary Chamberlain, for the information of all whom it may concern, that the alleged Concessions are not recognized as valid by Her Majesty's Government, and that the Amatongaland Exploration Company (Limited), which claims to be the holder of these Concessions, was so informed at a date prior to that of the above-mentioned Notices.*

* "London Gazette," 5th November, 1895.

BRITISH SOUTH AFRICA.

(ORANGE RIVER COLONY, FORMERLY ORANGE
FREE STATE.)

ORANGE RIVER COLONY, FORMERLY ORANGE FREE STATE.

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No. 27.—*Notes on the ORANGE RIVER COLONY, 1848—1908.**British Sovereignty.*

On the 3rd February, 1848,* a Proclamation was issued by the Governor of the Cape of Good Hope, declaring the sovereignty of the Queen of England over the territories north of the Great Orange River “including the countries of Moshesh, Moroko, Molitsani, Sinkonyala, Adam Kok, Gert Taaybosch, and other minor Chiefs, as far north as to the Vaal River, and east to the Drakensberg or Quathlamba Mountains.”

Orange River Territory.

On the 22nd March, 1851,† Letters Patent were issued erecting the said territories into a separate Government, under the name of the “Orange River Territory.”

Renunciation of British Sovereignty.

But on the 30th January, 1854,‡ Orders in Council were issued revoking the Letters Patent of 22nd March, 1851, and declaring the abandonment and renunciation of the dominion and sovereignty of Great Britain over the Orange River Territory on and after the 1st of August of that year.

Independence of the Orange Free State.

On the 23rd February, 1854,§ a Convention was concluded between Great Britain and the Orange River Territory, for the recognition by Great Britain of the Independence of that State.

Basutoland. Boundaries.

And on the 12th February, 1869,|| a Treaty was concluded at Aliwal North between Great Britain and the “Orange Free State,” respecting Basutoland, which contained the following stipulations with regard to Boundaries, &c. :—

Boundary Line between Basutoland and the Orange Free State.

Art. I.¶—The boundary line between Basutoland, forming part of the British Empire by virtue of the Proclamation of His Excellency the High Commissioner of Her Britannic Majesty, dated 12th March, 1868,** and the Orange Free State, shall, subject to the provisions contained in Article VI hereof, be as follows :—From the junction of the Cornetspruit with the Orange River, along the centre of the former

* S.P., vol. lvi, p. 324.

† S.P., vol. liv, p. 1115.

‡ S.P., vol. lvi, pp. 327, 328.

§ S.P., vol. lvi, p. 331.

|| S.P., vol. lxx, p. 322.

¶ This boundary was altered. See Act, Cape of Good Hope, 11th August, 1871, p. 185; and Agreement, 13th July, 1876, p. 215.

** S.P., vol. lxix, p. 1178,

[Orange Free State. Boundary.]

to the point nearest to Olifantsbeen; from that point to Olifantsbeen; from Olifantsbeen to the southern point of Langberg; along the top of Langberg to its north-western extremity; from thence to the eastern point of Jammerberg: along the top of Jammerberg to its north-western extremity; from thence, by a prolongation of the same to the Caledon River; along the centre of the Caledon River to where the Putisani falls into it; along the centre of the Putisani to its source in the Drakensberg; from thence along the Drakensberg.

Art. II.—*Boundary Commission to be appointed.*

Basutos domiciled on Eastern Side of Boundary Line. British Subjects.

Art. III.—The Government of the Orange Free State hereby acknowledges the Basutos domiciled on the eastern side of the boundary line mentioned in Article I to be British subjects.

Natives allowed to establish themselves on Free State Side of Boundary Line. Subjects of Orange Free State.

Art. IV.—All natives who have been allowed or permitted by the Government of the Orange Free State to establish themselves on the Free State side of the boundary line mentioned in Article I are hereby acknowledged to be subjects of the Orange Free State.

Other Basutos on Western Side of Boundary Line to quit the State after 31st July, 1869.

Art. V.—Such Basutos, not falling within the terms of Article IV or Article VII, as at present live on the western side of the boundary line mentioned in Article I shall be allowed to remain on the said side until the 31st day of July, 1869, in order to enable them to reap and remove their crops; and after the said day, unless specially permitted by the Government of the Orange Free State to remain, shall be obliged to quit the territory of the said State. Such of them as may fail to comply herewith may be expelled by such means as the Government of the Orange Free State may think fit to adopt for that purpose.

Alteration of Boundary Line in event of Chief Molapo being allowed to become a British Subject.

Art. VI.*—Upon the written request of the Chief Molapo to the Volksraad of the Orange Free State for himself and his people to be relieved from their subjection to that State, and to become British subjects, the Volksraad shall grant the said request; whereupon the land between the Putisani, the Caledon River, and the Drakensberg shall cease to form part of the territory of the Orange Free State; and the boundary line mentioned in Article I, instead of running along the centre of the Caledon River to where the Putisani falls into it, along the centre of the Putisani to its source in the Drakensberg, and from thence

* This boundary was altered. See Cape of Good Hope Act, 11th August, 1871, p. 185; and Agreement, 13th July, 1876, p. 215.

along the Drakensberg, shall thereafter be taken to run along the centre of the Caledon River to its source in the Drakensberg.

Art. VII.—*French Missionary Establishments, Mequatling and Maboléle.*

Art. VIII.—*Free Intercourse between the White Inhabitants in the Orange Free State and Basutoland, subject to Laws and Regulations.*

Art. IX.—*No Natives in Basutoland to be allowed to enter or pass through the Orange Free State, and no Natives in the Orange Free State to be allowed to enter or pass through Basutoland, except in conformity with Regulations.*

Art. X.—*Special Convention to be concluded for Surrender of Criminals.**

Art. XI.—*Thefts of Cattle and other Property.*

Art. XII.—*Mutual Claims for Thefts and other Damages to be referred to Arbitration.*

Claim of Orange Free State to Compensation.

Art. XIII.†—In the same manner His Excellency the High Commissioner agrees to arbitration with regard to the claim of the Orange Free State to compensation for the abandonment of the land situate between the boundary line mentioned in Article I of the Treaty of Peace between the Orange Free State and the Chief Moshesh, dated 3rd April, 1866, and that mentioned in Article I of the present Convention, and in the case provided for by Article VI for the abandonment of the land situate between the Putisani, the Caledon River, and the Drakensberg.

Confirmation of Convention between Great Britain and Orange River Territory, of 23rd February, 1854, and of Proclamation of 12th March, 1868.

Art. XIV.—Nothing herein contained shall be construed to set aside or invalidate the Convention entered into on the 23rd February, 1854,‡ between Sir George Russell Clerk, Her Britannic Majesty's Special Commissioner, and the representatives delegated by the inhabitants of the Orange River Territory, nor any part of the same, nor shall the Proclamation of his Excellency the High Commissioner, dated 12th March, 1868,§ be held to have been a violation of said Convention.

Art. XV.—*Conditional Abrogation of certain Articles.*

[It was stated (among other things) in the Schedule attached to this Convention that the border between the Free State and Basutoland should be that recognized before the war of 1865.]

* Convention signed 1st—7th September, 1887. H.T., vol. xviii, p. 102.

† This boundary was altered. See Act, 11th August, 1871, p. 185; and Agreement, 13th July, 1876, p. 215.

‡ By this Convention the Independence of the Orange River Territory was recognised by Great Britain. S.P., vol. lvi, p. 331.

§ S.P., vol. lxix, p. 1178.

Boundaries.

On the 13th July, 1876,* another Agreement was entered into between the British Government and the Orange Free State, which contained the following stipulations with regard to frontiers, &c.

London, 13th July, 1876.

MEMORANDUM OF AGREEMENT between the Right Honourable the Earl of Carnarvon, Her Majesty's Secretary of State for the Colonies, representing Her Majesty's Government, and his Honour President Brand, for the Orange Free State, who, having met and fully communicated with each other for the purpose of arriving at an understanding with regard to the frontier line between the British and the Orange Free State Territories, and as to the sum to be paid by Her Majesty's Government to the Orange Free State in full settlement of all claims with respect to the Diamond Fields and the question of Sovereignty over the lands hitherto in dispute, hereby agree as follows :—

Art. I.—The frontier shall be known and recognized hereafter (subject to the provisions in paragraph No. 2) by a line drawn from Rama (Fountain), passing through David's Graf (close above the junction of the Riet and Modder Rivers) to the beacon standing on Tartantal Kop (and marked by De Villiers on the map referred to hereafter), thence by a straight line at right angles to the line from David's Graf to the summit of Platberg, and from the point where the two lines join, thence to the summit of Platberg, thence in a straight line to the point marked G on the said map, on the River Vaal, including the whole of the places known as the Diamond Fields.

Art. II.—The boundary line given shall be drawn so as to leave within the Free State territory the farm belonging to Gideon Joubert, and the four farms occupied by Commandant Dolf Erasmus, according to the boundaries of the said farms as registered in the Registry of Deeds Office at Bloemfontein, on the 27th October, 1871, but verified and certified by examination, and by marking of beacons, to be made on the spot by two experts, approved by the Right Honourable the Earl of Carnarvon and his Honour President Brand.

Art. III.—The map now in the hands of the Right Honourable the Earl of Carnarvon, drawn by Mr. Jonas de Villiers, of the Free State, and signed in duplicate by the Right Honourable the Earl of Carnarvon and his Honour President Brand, shows the line of boundary as herein set forth. But it is admitted that this map is to be verified and approved on the spot by the experts herein referred to, who will mark out the line of boundary by beacons, and make out two copies of the chart, and sign the same, which is to be completed within six months, unless prevented by unforeseen circumstances, or sooner if possible.

Art. IV.—The amount to be paid by Her Majesty's Government.

* S.P., vol. lxx, p. 330.

[British Annexation. Orange Free State.]

on the due fulfilment and carrying out of the details of this Agreement is hereby fixed at the sum of £90,000 sterling, payable as follows:—£20,000 payable at Bloemfontein on the completion of the surveys and settlement of the boundaries by beacons, in bills drawn by the Treasurer-General of the Orange Free State upon Her Majesty's Government in London at 60 days after sight, and the remainder (£70,000 sterling) by bills equal to cash in London on the completion of the documents exchanged there.

Boundary with Transvaal.

By Art. II of the Convention between Great Britain and the South African Republic of the 27th February, 1884,* stipulations were made for beaconing the amended south-west boundary of the Republic, a Referee to be appointed in case of disagreement. Under this provision an Award relating to the boundary was given by the Referee appointed by the Orange Free State on the 5th August, 1885.† (See also TRANSVAAL, p. 236.)

South African Customs Union.

On the ^{28th March,}_{5th April,} 1889, a Convention was concluded between the Colony of the Cape of Good Hope and the Orange Free State for a Customs Union.‡

Boundary with Basutoland.

On the 19th October, 1891,§ a Proclamation was made by the High Commissioner for South Africa defining more particularly the common boundary between the territory of Basutoland and the Orange Free State as contemplated by the Treaty of Aliwal North of the 12th February, 1169. (See BASUTOLAND, p. 186.)

Annexation of Orange Free State by Great Britain. Territories to be known as the Orange River Colony.

In consequence of an alliance entered into in 1889 between the Orange Free State and the South African Republic the Free State came to the assistance of the South African Republic in the war of 1899–1900. This led to the annexation of the country to the British Dominions by a Proclamation made on the 24th May, 1900, the text of which was as follows:—

Proclamation.

“Whereas, certain territories in South Africa, heretofore known as the Orange Free State, have been conquered by Her Majesty's Forces, and it has seemed expedient to Her Majesty that the said territories should be annexed to, and should henceforth form part of Her Majesty's dominions, and that I should provisionally, and until Her Majesty's pleasure is more fully known, be appointed Administrator of the said

* H.T., vol. xvii, p. 12.

† H.T., vol. xvii, p. 34.

‡ H.T., vol. xviii, p. 117.

§ H.T., vol. xix, p. 38.

[Government. Orange River Colony.]

territories with power to take all such measures and to make and enforce such laws as I may deem necessary for the peace, order and good government of the said territories.

Now, therefore, I, Frederick Sleigh, Baron Roberts of Kandahar, K.P., G.C.B., G.C.S.I., G.C.I.E., V.C., Field-Marshal and Commanding in Chief the British Forces in South Africa, by Her Majesty's command, and in virtue of the power and authority conferred upon me in that behalf by Her Majesty's Royal Commission, dated the 21st day of May, 1900, and in accordance with Her Majesty's instructions thereby and otherwise signified to me, do proclaim and make known that, from and after the publication hereof, the territories known as the Orange Free State are annexed to and form part of Her Majesty's dominions, and that provisionally, and until Her Majesty's pleasure is fully declared, the said territories will be administered by me with such powers as aforesaid.

Her Majesty is pleased to direct that the new territories shall henceforth be known as the *Orange River Colony*.

God Save the Queen.

Given under my hand and seal at the Head-quarters of the Army in South Africa, Camp south of the Vaal River, in the said territories, this *24th day of May, in the year of our Lord 1900.*

ROBERTS, Field-Marshal,
Commanding in Chief
Her Majesty's Forces in South Africa."

Constitution.

Provision was made by Letters Patent issued on the 24th June, 1902, for the administration of the Colony by a Governor and Lieutenant-Governor, with an Executive and a Legislative Council; and by Letters Patent dated the 5th June, 1907, the Colony was given a Responsible Government with a Constitution which was promulgated on the 1st July, 1907.

Boundaries.

The boundaries of the Colony do not anywhere touch the territories of a Foreign Power.

BRITISH SOUTH AFRICA.

(TRANSVAAL.)



TRANSVAAL.

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No. 28.—*NOTES on the Transvaal.* 1852—1908.*Independence of the Transvaal Boers.*

The Independence of the Transvaal Boers was recognized by Great Britain by a Convention which was signed at Sand River, on the 17th January, 1852,* between Her Majesty's Commissioners for settling and adjusting the affairs of the eastern and north-eastern boundaries of the Cape of Good Hope, and a deputation from the emigrant farmers residing north of the Vaal River.

The recognition was made in the following terms:—

“The Assistant Commissioners guarantee in the fullest manner, on the part of the British Government, to the emigrant farmers beyond the Vaal River, the right to manage their own affairs, and to govern themselves, without any interference on the part of Her Majesty the Queen's Government, and that no encroachments shall be made by the said Government on the territory beyond to the north of the Vaal River, with the further assurance that the warmest wish of the British Government is to promote peace, free trade, and friendly intercourse with the emigrant farmers now inhabiting or who hereafter may inhabit that country, it being understood that this system of non-interference is binding upon both parties. Should any misunderstanding hereafter arise as to the true meaning of the words ‘the Vaal River,’ this question, so far as regards the line from the source of that river over the Draakenberg, shall be settled and adjusted by Commissioners chosen by both parties.

“Her Majesty's Assistant Commissioners hereby disclaim all alliances whatever and with whomsoever of the coloured nations north of the Vaal River.”

This Convention (which related also to commerce, slavery, and other matters) was approved and confirmed by a Proclamation issued by Her Majesty's High Commissioner of the Cape of Good Hope, on the 15th April, 1852.†

Transvaal or South African Republic.

In February, 1858, the Transvaal territory became known by the style and title of the South African Republic.

Boundary between Portuguese Territory and the Transvaal.

On the 29th July, 1869,‡ a Treaty was concluded between Portugal and the Transvaal, Article XXIII, § 23 of which defined the boundaries of their respective States (**No. 29**).

Boundary between Bechuanaland and the Transvaal. Keate's Award.

On the 17th October, 1871, Lieutenant-General Keate pronounced his Award on the boundary line between the territory of the Barolongs

* S.P., vol. liv, p. 1112.

† This Proclamation was affirmed 24th June, 1852. S.P., vol. liv, pp. 1114, 1115.

‡ S.P., vol. lxiii, p. 605.

[Transvaal. Boundaries. Portuguese Territory.]

and Batlapins (in Bechuanaland) and the territory of the Transvaal, limited westward by the province of Griqualand West and extending as far as white occupation, whether on alleged Transvaal rights or otherwise, existed.

Modification of Boundaries between Portuguese Territory and the Transvaal.

On the 11th December, 1875,* another Treaty was concluded between Portugal and the Transvaal, by which their respective boundaries were modified and defined. This latter Treaty was eventually ratified by Her Britannic Majesty as Suzerain of the Transvaal on the 7th October, 1882 (No. 30).

The Transvaal declared to be British Territory.

But, in the meantime, that is to say, on the 12th April, 1877† (between the date of the signature of this Treaty and its ratification), a Proclamation was issued by Sir Theophilus Shepstone, Her Majesty's Special Commissioner for certain purposes in South Africa, declaring the Transvaal to be British territory.

After stating that the hopes and expectations upon which the mutual compact of the 17th January, 1852, was reasonably and honourably founded, had been disappointed; that numerous addresses, memorials, and letters had been received, as well as abundant assurances given, that a large proportion of the inhabitants of the Transvaal saw the urgency and imminence of the circumstances by which they were surrounded, and the ruined condition of the country, as the absence within it of any element capable of rescuing it from its depressed and afflicted state, the Proclamation went on to declare that for these and other reasons the South African Republic was, from that date, British territory.

On the 29th September, 1879,‡ a Proclamation was issued by the General and Commander-in-Chief in and over the Transvaal territory (Sir Garnet J. (afterwards Lord) Wolseley), declaring the territory of the Transvaal to be for ever an integral portion of Her Majesty's dominions in South Africa; and, on the 8th November, 1879,§ British Letters Patent were issued for providing an Executive Council and a Legislative Assembly for the Transvaal province or territory; but in December, 1880, war broke out between Great Britain and the Transvaal, which lasted until the 21st March, 1881, when a Treaty of Peace was signed.

Guarantee of Self-government to the Transvaal, subject to the Suzerainty of Her Britannic Majesty.

On the 3rd August, 1881,|| a Convention was concluded at Pretoria, between Commissioners appointed by Her Majesty and representatives

* H.T., vol. xv, p. 301.

† S.P., vol. lxviii, p. 140.

‡ S.P., vol. lxx, p. 1258.

§ S.P., vol. lxx, p. 1259.

|| S.P., vol. lxxii, p. 900: H.T., vol. xv, p. 401.

[Transvaal. Boundaries.]

of the Transvaal burghers, guaranteeing, on behalf of Her Majesty, complete self-government, subject to the suzerainty of Her Majesty, to the inhabitants of the Transvaal territory, upon certain terms and conditions, and subject to certain reservations and limitations.

Boundaries.

The boundaries of the State were then described to be as follows:—

“ **Art. I.**—The said territory, to be hereinafter called the Transvaal State, will embrace the land lying between the following boundaries, to wit.:

Griqualand West.

“ Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg;

Natal Boundary.

thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called ‘Division Stream’; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinyati River; thence down the course of the Buffalo River to the junction with it of the Blood River;

Zululand Boundary.

thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I, situated on the spur of the N’Qaba-Ka-hawana Mountains; thence 80 yards to the N’Sonto River; thence down the N’Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers’ Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N’Yawos Hill in that range (Bea. XVI);

[Transvaal. Boundaries.]

Swaziland Boundary.

thence to the northern peak of the Inkwakweni Hills (Bea. XV); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Muzana River (Bea. XIV); thence to point on the slope near the crest of Matanjani, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII); thence to the N'gwangwana, a double-pointed hill (one point is bare the other wooded, the beacon being on the former), on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X); thence to the beacon known as 'Viljoen's,' or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called 'Joubert's Beacon,' and known to the Natives as 'Piet's Beacon' (Bea. IX); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umgwempisi River (Bea. VIII); thence to a beacon on the only flat-topped rock, about 10 feet high, and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon (Bea. VII); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI); thence to a flat-topped rock, eight feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V); thence to a low bare hill on the north-east of, and overlooking the Impulazi River, to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II); thence to the top of a rugged hill of considerable height, falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokasi (a sharp cone) by a deep neck (Bea. I). (On a ridge in the straight line between Beacons I and II is an intermediate beacon.) From Beacon I the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlabana Peak; thence in a straight

[Transvaal. Boundaries.]

line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range ;

Portuguese Boundary.

thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort ; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges ; thence about north-north-west to the nearest point of Serra di Chicundo ; and thence to the junction of the Pafuri River with the Limpopo or Crocodile River ;

Matabeleland Boundary.

thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to 'Derde Poort,' where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river ; thence, in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10 ; thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or 'Wildebeest Kop,' situated south-eastward of, and about $3\frac{1}{2}$ miles distant from a high hill, called Moripe ; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or 'koppie,' forming the eastern extremity of the range of hills called Moshweu, situated to the northward of, and about two miles distant from, a large isolated hill, called Chukudu-Chochwa ; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill, forming part of the same range, Moshweu ; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range ;

Bechuanaland Boundary.

thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range ; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or 'koppie,' near to and eastward of the Notwane River ; thence, in a straight line, to the junction of the stream called Metsi-Mashwane with the Notwane River (No. 2) ; thence, up the course of the Notwane River to Sengoma, being the Poort where the river passes through the Dwarsberg range ; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871,* by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall run to the summit of an isolated hill, called Leganka ; thence, in a straight line, passing north-east of a Native Station, near 'Buurman's Drift,'

* See p. 222.

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on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the Native Station to the new drift below; thence to 'Buurman's Old Drift;' thence, in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm 'Vleifontein,' No. 117;* thence, in a straight line, to the north-western corner beacon of the farm 'Mooimeisjesfontein,' No. 30; thence, along the western line of the said farm 'Mooimeisjesfontein,' and in prolongation thereof, as far as the road leading from 'Ludik's Drift,' on the Molopo River, past the homestead of 'Mooimeisjesfontein, towards the Salt Pans near Hart River; thence, along the said road, to a point thereon, eight miles north of the dwelling of Gouws, at the Salt Pan; thence, in a straight line, to a point one mile due west of the more northerly Pan, measured from its western edge; thence, in a straight line, to the most westerly beacon of the farm Rietpan, No. 150; thence along the line of the said farm to the drift on the Hart River, near the ruined house, known as 'Liebenberg's;,' thence down the Hart River to the drift about two-and-a-half miles below Manusa and opposite the dwelling-house of Theodor Doms; thence, in a straight line, to the summit of an isolated hill, known as 'Koppie Enkel,' situated between the Vaal and Hart Rivers, and about 36 miles from Mamusa, and about 18 miles north of the village of Christiana;

Griqualand West Boundary.

thence, in a straight line, to that point on the north-east boundary of Griqualand West as beacons by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Hart Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River."

* * * * *

Independence of the Swazis.

Art. XXIV.—The Independence of the Swazis within the boundary line of Swaziland, as indicated in Art. I of this Convention, will be fully recognized.

Note.—This Convention was ratified by the Volksraad on the 25th October, 1881.

Convention of London of 27th February, 1884.

The Convention of 1881 was replaced by a fresh Convention signed at London on the 27th February, 1884,† between the British High Commissioner in South Africa and Governor of the Cape of Good Hope, and Delegates from the Transvaal State, in which the south-western

* An Agreement upon this subject was signed between Lieut.-Colonel Moysey, R.E., the Royal Commissioner appointed to beacon off the south-west boundary of the Transvaal State, and the Boundary Chief Montsioa on the 1st September, 1881.

† H.T., vol. xvii, p. 12. S.P., vol. lxxv, p. 5.
(1714)

[Transvaal. Boundaries.]

boundary of the State was amended and other alterations made in the Convention of 3rd August, 1881.

The new Convention ran as follows :—

Preamble.

“ Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State, Stephanus Jacobus Du Toit, Superintendent of Education, and Nicholas Jacobus Smit, a member of the Volksraad, have represented that the Convention signed at Pretoria on the 3rd day of August, 1881 (page 223), and ratified by the Volksraad of the said State on the 25th October, 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved, and that the south-western boundaries fixed by the said Convention should be amended with a view to promote the peace and good order of the said State, and of the countries adjacent thereto; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, has been pleased to take the said representations into consideration: Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Cape of Good Hope, and on behalf of the Transvaal State (which shall hereinafter be called the South African Republic) by the above-named Delegates, Stephanus Johannes Paulus Kruger, Stephanus Jacobus Du Toit, and Nicholas Jacobus Smit, shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the Convention of 3rd August, 1881 (p. 223); which latter, pending such ratification, shall continue in full force and effect.

Boundaries.

“ **Art. I.**—The Territory of the South African Republic will embrace the land lying between the following boundaries, to wit :

Griqualand West Boundary.

“ Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg;

Natal Boundary.

thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing

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the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last-described beacon; thence to the nearest source of a small stream called 'Division Stream;' thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzin-yati River; thence down the course of the Buffalo River to the junction with it of the Blood River;

Zululand Boundary.

thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I, situated on a spur of the N'Qaba-Ka-hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II); thence to the source of the Pemvana River, where the road from Kambula-Camp to Burgers' Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI);

Swaziland Boundary.

thence to the northern peak of the Inkwakweni Hills (Bea. XV); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIV); thence to a point on the slope near the crest of Matajeni, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII); thence to the N'gwangwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former), on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mud-spruit (Bea. X); thence to the beacon known as 'Viljoen's,' or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called 'Joubert's Beacon,' and known to the natives as 'Piet's Beacon' (Bea. IX); and thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII); then to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the Great Usuto River; this

[Transvaal. Boundaries.]

rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon (Bea. VII); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI); thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west of the Impulazi River (Bea. V); thence to a low bare hill on the north-east of, and overlooking the Impulazi River, to the south of it, being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV); thence to the highest point of the Mapumula range, the watershed of the Little Usuto River, on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I). (On a ridge in the straight line between Beacons I and II is an intermediate beacon.) From Beacon I the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlabana Peak; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range;

Portuguese Boundary.

thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north-north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafori River with the Limpopo or Crocodile River;

Matabeleland Boundary.

thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to 'Derde Poort,' where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of the said range near to, and westward of, the banks of the river; thence in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10; thence in a straight line to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or 'Wildebeest Kop,' situated south-eastward of, and about $3\frac{1}{2}$ miles distant from a high hill, called Moripe; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or 'koppie' forming the eastern

[Transvaal. Boundaries.]

extremity of the range of hills called Moshweu, situated to the northward of, and about 2 miles distant from, a large isolated hill called Chukudu-Chochwa; thence, in a straight line to a beacon (No. 6) erected on the summit of a hill forming part of the same range Moshweu; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range;

Bechuanaland Boundary.

thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low bushy hill, or 'koppie,' near to and eastward of the Notwane River; thence, in a straight line, to the junction of the stream called Metsi-Mashwane with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the poort where the river passes through the Dwarsberg range; thence, as described in the award given by Lieutenant-Governor Keate, dated October 17, 1871 (see p. 222), by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatalabama, a pool on a spruit north of the Molopo River. From Ramatalabama the boundary shall run to the summit of an isolated hill, called Leganka; thence in a straight line, passing north-east of a native station, near 'Buurman's Drift,' on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the native station to the new drift below; thence to 'Buurman's Old Drift;'; thence, in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm 'Vleifontein,' No. 117; thence, in a straight line, to the north-western corner beacon of the farm 'Mooimeisjesfontein,' No. 30; thence, along the western line of the said farm 'Mooimeisjesfontein,' and in prolongation thereof, as far as the road leading from 'Ludik's Drift,' on the Molopo River, past the homestead of 'Mooimeisjesfontein,' towards the Salt Pans near Harts River; thence along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence, along the southern edge of the last-named road towards Lotlakane, until the first garden ground of that station is reached; thence, in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence skirting Kunana, so as to include it and its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs;

Stellaland.

thence, along the eastern side and clear of the road towards Taungs, till the line of the district known as 'Stellaland' is reached, about

[Transvaal. Boundaries.]

11 miles from Taungs ; thence, along the line of the district Stellaland to the Harts River, about 24 miles below Mamusa ; thence across Harts River to the junction of the roads from Monthe and Phokwane ; thence, along the western side and clear of the nearest road towards 'Koppie Enkel,' an isolated hill about 36 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill ; thence, in a straight line to that point on the north-east boundary of Griqualand West as beacons by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West ; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

Prevention of Encroachments upon Lands beyond the Boundaries.

“ **Art. II.***—The Government of the South African Republic will strictly adhere to the boundaries defined in the Ist Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachments upon lands beyond the said boundaries.

Commissioners to be appointed on Eastern and Western Borders.

“ The Government of the South African Republic will appoint Commissioners upon the eastern and western borders, whose duty it will be strictly to guard against irregularities and all trespassing over the boundaries. Her Majesty's Government will, if necessary, appoint Commissioners in the native territories outside the eastern and western borders of the South African Republic, to maintain order and prevent encroachments.

Amended South-West Boundary to be beaconed off.

“ Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article I of this Convention ; † and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article, and the decision of such referee thereon shall be final.

Barolong Water Supply.

“ The arrangement already made, under the terms of Article XIX of the Convention of Pretoria, of the 3rd August, 1881 (p. 223), between the owners of the farms Grootfontein and Valleifontein, on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

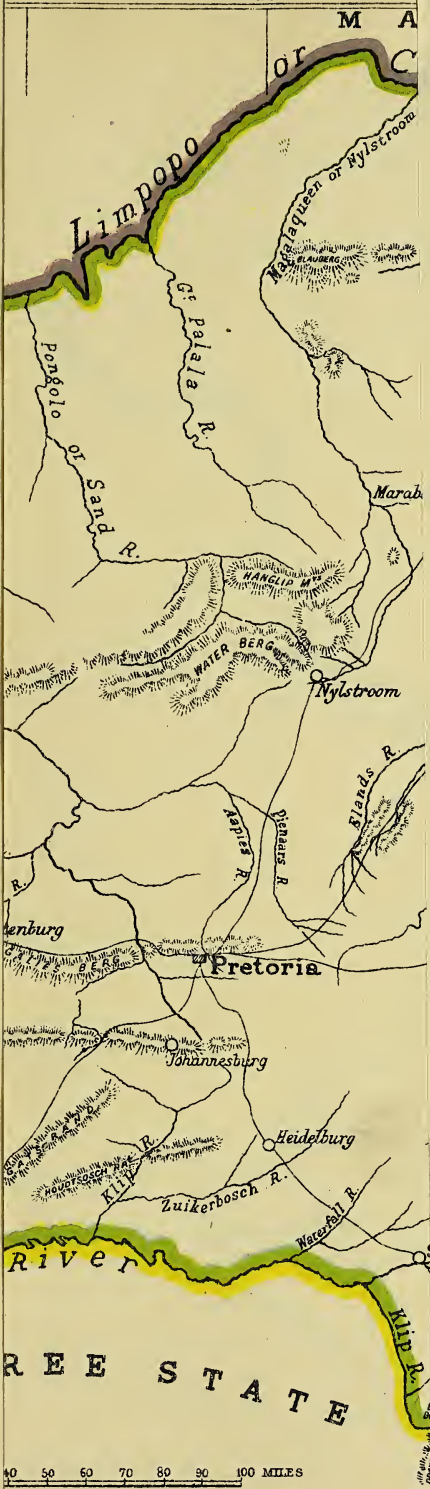
* Amended by Convention of 8th November, 1893, which was in turn superseded by a fresh Convention signed on 10th December, 1894, see p. 242.

† See Award, 5th August, 1885, p. 236.

28°

29°

M A



40 50 60 70 80 90 100 MILES

1 Inch = 5 1/2 Stat. Miles

28°

29°

25° 26° 27° 28° 29° 30° 31° 32°

MAP SHOWING THE BOUNDARIES OF THE SOUTH AFRICAN REPUBLIC

AS DEFINED BY
Article 1 of the Convention of London
dated February 27th 1884
BOUNDARY BY RIVER, ROAD, OR A RED LINE



23
24
25
26
27
28

23
24
25
26
27
28

PORTUGUESE POSSESSIONS

Sierra de Chicundo

Pokioens Kop

Lowest Komati Poort

Marango

Frans Point

Scale, 3263,070 or 1 Inch = 51 1/2 Stat. Miles

25° Long 26° E. of Gr. 27° 28° 29° 30° 31° 32°

[Transvaal. Boundaries.]

Protection and Assistance to be afforded to British Resident.

“ **Art. III.**—If a British officer is appointed to reside at Pretoria or elsewhere within the South African Republic, to discharge functions analagous to those of a Consular officer, he will receive the protection and assistance of the Republic.

Approval by Her Majesty of any Treaties made by the Republic with Nations other than the Orange Free State.

“ **Art. IV.***—The South African Republic will conclude no Treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

“ Such approval shall be considered to have been granted if Her Majesty’s Government shall not, within six months after receiving a copy of such Treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such Treaty is in conflict with the interests of Great Britain, or of any of Her Majesty’s Possessions in South Africa.

Liability of Republic for certain Debts.

“ **Art. V.**—The South African Republic will be liable for any balance which may still remain due of the debts for which it was liable at the date of annexation, to wit, the Cape Commercial Bank Loan, the Railway Loan, and the Orphan Chamber Debt, which debts will be a first charge upon the revenues of the Republic.†

Liability of Republic to British Government for £250,000.

“ The South African Republic will, moreover, be liable to Her Majesty’s Government for £250,000, which will be a second charge upon the revenues of the Republic.

Interest payable on Debts.

“ **Art. VI.**—The debt due as aforesaid by the South African Republic to Her Majesty’s Government will bear interest at the rate of $3\frac{1}{2}$ per cent. from the date of the ratification of this Convention, and shall be repayable by a payment for interest and sinking fund of six pounds and ninepence per £100 per annum, which will extinguish the debt in 25 years. The said payment of six pounds and ninepence per £100 shall be payable half-yearly, in British currency, at the close of each half year from the date of such ratification : Provided always

* See Exchange of Notes, ^{27th February,} 1884, p. 235. For Commercial Treaty between South African Republic and Italy, 6th October, 1886, see S.P., vol. lxxvii pp. 594, 597.

† See Convention, Great Britain and South African Republic, ^{24th July,} _{2nd August,} 1890, p. 242.

[Independence, Swaziland.]

that the South African Republic shall be at liberty at the close of any half year to pay off the whole or any portion of the outstanding debt.

“ Interest at the rate of $3\frac{1}{2}$ per cent. on the debt as standing under the Convention of Pretoria shall, as heretofore, be paid to the date of the ratification of this Convention.

“ **Art. VII.**—*Rights of Persons and Property.*

“ **Art. VIII.**—*Slavery not to be tolerated in the Republic.*

“ **Art. IX.**—*Religious Liberty.*

“ **Art. X.**—*Care and Preservation of Cemeteries.*

Land Grants issued outside the defined Boundary.

“ **Art. XI.**—All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the South African Republic, as defined in Article I, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the South African Republic; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the South African Republic such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the South African Republic for land excluded from the Transvaal by Article I of this Convention, or where permanent improvements have been made on the land, the High Commissioner will recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

Independence of Swaziland.

“ **Art. XII.***—The independence of the Swazis, within the boundary line of Swaziland, as indicated in Article I of this Convention, will be fully recognized.

“ **Art. XIII.**—*Import Duties. Prohibitions. Most-favoured-nation Treatment. Special Commercial Arrangements may be made between the South African Republic and any of Her Majesty's Colonies or Possessions.*

“ **Art. XIV.**—*Right of Foreigners to travel and reside in the Republic, to possess Houses, and to Trade, on payment of Taxes paid by Natives.*

“ **Art. XV.**—*Exemption of Foreigners from Military Service.*

“ **Art. XVI.**—*Extradition of Criminals.*

“ **Art. XVII.**—*Debts.*

“ **Art. XVIII.**—*Land Grants.*

“ **Art. XIX.**—*Freedom of Natives to acquire Land; Native Locations; Access to Courts of Law; Passports, &c.*

“ **Art. XX.**—*Convention to be ratified.”*

* Jurisdiction and Administration in Swaziland were exercised by the South African Republic under a Convention signed on the 10th December 1894 (see page 255). These rights, however, passed to Great Britain on the conquest and annexation of the Transvaal in 1900.

EXCHANGE OF NOTES. *Conclusion of Treaties between the Transvaal and the Netherlands and Portugal. February—March, 1884.*

(1.) *The Transvaal Deputation to the Earl of Derby.*

My Lord, *Albemarle Hotel, 27th February, 1884.*

ARTICLE 4 of the new Convention authorises the South African Republic to enter into Treaties with foreign powers subject to the approval of Her British Majesty. Like the whole Convention, this provision also will come into operation after the ratification by the Volksraad.

But there is a special reason why it should be very gratifying to us if we could at once avail ourselves of this new provision. The Deputation proceeds to the Netherlands and to Portugal, as your Lordship is aware, to settle financial and railway matters. As the State President is himself at the head of the Deputation, a peculiarly favourable opportunity now offers itself to the Republic, to treat with the said powers on commercial and other interests.

The Deputation relying on your Lordship's kindness, has the honour herewith to request that the provision contained in Article 4 may be considered now already in operation, so that the Deputation may proceed to conclude treaties, subject to Her Majesty's approval.

We have, &c.,

S. J. P. KRUGER.

S. J. DU TOIT.

N. J. SMIT.

The Earl of Derby.

(2.) *The Earl of Derby to the Transvaal Deputation.*

Gentlemen, *Downing Street, 3rd March, 1884.*

I HAVE the honour to acknowledge the receipt of your letter of the 27th February requesting that you may, during your visits to the Netherlands and to Portugal, avail yourselves of the provisions of the 4th Article of the new Convention, notwithstanding that, pending the ratification of the Convention by the Volksraad of the South African Republic, that article, with the others, is not at present in operation.

Her Majesty's Government will gladly assist, as far as they may properly do so, in removing any obstacles to the transaction of the business which you have in view, and they readily consent to waive those provisions of the Convention of Pretoria (3rd August, 1881, p. 223) which reserve to Her Majesty the conduct of the diplomatic intercourse of your State with Foreign Powers. You will therefore be at liberty to treat personally with the Governments of the Netherlands and of Portugal in respect of these commercial and other interests to which you allude.

If it should appear to you desirable for any reason that a treaty, the terms of which you may be prepared, and may have the power, to agree to on behalf of the South African Republic, should be com-

[South African Republic. S.W. Boundary.]

pleted before the new Convention has been ratified by your Volksraad, Her Majesty's Government would be willing (provided that it contains nothing in conflict with British interests) to conclude it in the name and on behalf of the Transvaal State, as provided in Article II of the Convention of Pretoria,* that being the only manner in which it could acquire validity. There is no other mode in which a treaty could be lawfully concluded during the period which must intervene before the ratification of the new Convention; but Her Majesty's Government have pleasure in leaving all preliminary negotiations in your hands.

I have, &c.,

DERBY.

*His Honour the President of the
South African Republic, and
Messrs. Du Toit and Smit.*

Award. South West Boundary of the South African Republic.

On the 5th August, 1885,† the Referee appointed by the President of the Orange Free State, under Article II of the Convention between Great Britain and the South African Republic of 27th February, 1884, respecting the South West Boundary of the South African Republic, pronounced the following Award :

“Whereas it is stipulated by Article II of a Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, signed in London on the 27th day of February, 1884, by the Representatives of the respective parties to the said Convention, that ‘Her Majesty's Government and the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article I of this Convention, and the President of the Orange Free State shall be requested to appoint a Referee, to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of the said Article,’ and that ‘the decision of such Referee shall be final’ :

“And whereas Her Majesty's Government did appoint Captain Claude Reignier Conder, R.E., and the Government of the South African Republic did appoint Tielman Niewoudt de Villiers, Esq., as such persons to proceed together to beacon off the said amended south-west boundary ;

“And whereas thereafter the President of the Orange Free State, being thereunto requested, did on the 5th day of June, 1885, appoint Meluis de Villiers, one of the Judges of the High Court of Justice of the Orange Free State, to be such Referee as aforesaid ;

* Treaty, 3rd August, 1881, Art. II. “Her Majesty reserves to herself, her heirs and successors . . . the control of the external relations of the said State, including the conclusion of treaties, and the conduct of diplomatic intercourse with Foreign Powers, such intercourse to be carried on through Her Majesty's Diplomatic and Consular Officers abroad.” H.T., vol. xv, p. 405.

† H.T., vol. xvii, p. 34 ; S.P., vol. lxxvi, p. 991.

[Boundary. New Republic and Zululand.]

“ And whereas the before-mentioned Captain Claude Reignier Conder, R.E., and Tielman Nieuwoudt de Villiers, Esq., did refer to the said Referee the following question on which they disagree respecting the interpretation of Article I of the said Convention, namely, what extent of ground to the west of the roads from Lotlakana to Kunana, and from Kunana to Taungs, as such roads have been accepted and agreed upon by the Commissioners of the Governments of Her Majesty and of the South African Republic respectively, was intended to be included in the South African Republic by the words ‘ skirting Kunana so as to include it and all its garden ground, but no more, in the Transvaal ’ ;

“ Now therefore I, the said Referee, do hereby decide and declare that the said words denote the ground included between the said roads and the following boundaries, namely, a straight line from a point on the road from Lotlakana to Kunana, as accepted and agreed upon by the respective Commissioners before-mentioned, 1 mile south-west of the point where that road crosses the ‘ spruit ’ known as ‘ Tlakayeng ’ to a point on the ‘ kopje ’ immediately behind Batubatu’s kraal where the line next to be mentioned reaches the summit of that ‘ kopje ’ thence a straight line to a point 200 yards north-west of an isolated hut whereof compass observations were taken by the British Commissioner in the presence of the Referee and of the Commissioner of the South African Republic, this straight line passing immediately behind the huts of Batubatu’s kraal so as to exclude them from the South African Republic ; next a straight line from the said point 200 yards from the said hut to the north-western corner of Ramatlane’s garden, of which similar observations were taken ; thence a straight line skirting the western side of the garden to its south-western corner, that point being very nearly magnetic north of a ‘ kopje,’ being the northernmost of three ‘ kopjes ’ forming the termination of a range of hills which is crossed by the road from Kunana to Marebogo, about 6 miles from the former place ; next a straight line from the said south-western corner of Ramatlane’s garden to the summit of the said ‘ kopje ’ ; thence a line along the ridge of the said range of hills to the point where the hill is crossed by the road last mentioned.

“ Dated at Kunana, this 5th day of August, 1885.

“ MELUIS DE VILLIERS.”

Boundary between the New Republic and Zululand.

On the 22nd October, 1886,* an Agreement was signed between Great Britain and the New Republic, in which the Boundary between the New Republic and Zululand was thus defined :—

“ Art. I.—It is agreed that a line of demarcation be drawn between the territory to remain in occupation and possession of the settlers of the New Republic in Zululand and the territory to be left in the undisturbed occupation and possession of the Zulu nation. This line to be as follows :—

* S.P., vol. lxxvii, p. 1280. H.T., vol. xviii, p. 100.

[South African Republic and Matabeleland.]

“ Beginning from the wagon drift where the road from the Inkandula Mountain crosses the Umhlatusi River ;

“ Thence along the wagon road to the Ulundi Drift over the White Umfolozi River ;

“ Thence following the south bank of the White Umfolozi River upwards to Beacon No. 1 of the line of the ‘ second inspection ’ ;

“ Thence to Beacon No. 2 on the Idhlebe Hill ;

“ Thence to Beacon No. 3, called the *Ceza*, on the Impembeni Mountains ;

“ Thence to Beacon No. 4 of the line of the ‘ second inspection ’ ;

“ Thence to the nearest source of the Impalaza Spruit ;

“ Thence down the north bank of the Impalaza Spruit to its junction with the Umkuzana Spruit ;

“ Thence down the north bank of the Umkuzana Spruit to its junction with the Umkuzi River ;

“ Thence down the north bank of the Umkuzi River to the Poort where it passes through the Libombo Mountains ;

“ Thence along the watershed of the Libombo Mountains to the Pongolo River Poort.”

South African Republic and Matabeleland.

On the 30th July, 1887, a Treaty was concluded between the South African Republic and Lo Bengula, paramount Chief of Matabeleland.

By Article I it was agreed that there should be between both parties a perpetual peace and friendship, and that no violation of territory on either side should take place.

By Article II the Chief Lo Bengula was acknowledged to be an independent Chief, and an ally of the South African Republic.

Union. South African Republic and the New Republic.

On the 14th September, 1887,* a Treaty of Union, under the name of the “ South African Republic,” was signed between the South African Republic and the New Republic and ratified on the 2nd July, 1888; and on the $\frac{11}{20}$ th June, 1888,† the following Convention was signed between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic and ratified on the 28th June, 1888.

Whereas, on or about the 14th day of September, 1887, a certain Treaty of Union was signed and executed by His Honour Stephanus Johannes Paulus Kruger, State President of the South African Republic, and the Honourable Willem Eduard Bok, State Secretary of the said Republic, as representatives of the Volksraad and Government of the said Republic, of the one part, and Mr. Lucas Johannes Meyer and Mr. Philippus Rudolph Spies, as representatives of the Volksraad and Government of a certain community therein styled the New

* H.T., vol. xviii, p. 108. S.P., vol. lxxviii, pp. 830, 833.

† H.T., vol. xviii, p. 113. S.P., vol. lxxix, p. 869.

[South African Republic and New Republic.]

Republic, of the other part, which Treaty of Union has not hitherto been completed and ratified by the Volksraads of the South African Republic and of the said community; and whereas by the fourth article of a Convention duly made and entered into on the 27th day of February, 1884 (p. 227), by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic, commonly called the Convention of London, the South African Republic did covenant and agree not to conclude any treaty or engagement with any State or nation other than the Orange Free State, until the same has been approved of by Her Majesty the Queen; and whereas Her Majesty the Queen has been pleased to accord Her approval to the said Treaty of Union, when completed and ratified by the aforesaid Volksraads in manner hereinafter set forth, provided this present Convention shall be duly executed, completed, and ratified by and between Her Majesty the Queen and the Government and Volksraad of the South African Republic; and whereas it is expedient and necessary in and by this Convention to add certain clauses to the definition of the boundaries of the South African Republic, as set forth in the first Article of the Convention of London, and to provide for a renunciation by the Government of the South African Republic on behalf of the said Republic and of the said community the territory whereof will, by the said Treaty of Union, be incorporated with and into the said Republic, of all claims which heretofore the Government of the said community may have advanced to exercise a Protectorate over the whole or any portion of the territory known as Zululand, and now annexed to and forming portion of Her Majesty's dominions; and whereas it is also expedient and necessary to make suitable provision for the proper care and preservation of the graves of certain Zulu Chiefs, which graves are situated within the boundaries hereinafter defined as including portion of the territory of the South African Republic:

Now, therefore, Her Majesty the Queen has been pleased to direct and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor of the Colony of the Cape of Good Hope, and on behalf of the South African Republic by His Honour Stephanus Johannes Paulus Kruger, State President of the said Republic, shall, as and from the date of the taking effect thereof, be deemed and taken to constitute a binding Treaty and engagement between Her Majesty the Queen and the South African Republic, and shall be read and construed in supplement of and together with the Convention of London aforesaid.

Art. I.—This Convention shall not take effect or come into force unless and until—

(a.) It shall have been duly completed and ratified by the Volksraad of the South African Republic,* and

* Ratified 2nd July, 1888.

[South African Republic. Boundary.]

(b.) The Treaty of Union signed and executed as aforesaid on the 14th day of September, 1887, shall have been completed and ratified by the Volksraad of the South African Republic, and by the Volksraad of the community styled in the said Treaty of Union "the New Republic"; unless such completion and ratification of this Convention and of the said Treaty of Union shall have taken place within six months from the date of execution hereof, this Convention shall become null and void to all intents and purposes.

Boundaries.

Art. II.—The territory of the South African Republic shall, in addition to the territory defined in the first article of the Convention of London, 27th February, 1884 (p. 227), embrace and include all land lying between the following boundaries to wit,—

Beginning from the point where the Pongolo River passes, through the Libombo range below Beacon XXXI, hereinafter described;

Thence up the Pongolo River to its junction with the Bivana River;

Thence up the Bivana River to its junction with the Penwana River;

Thence up the course of the Penwana River to its source where the road from Kambula Camp to Burgers Laager crosses;

Thence to a beacon on Kambula Hill;

Thence 800 yards to a white rock where the White Umfolosi rises;

Thence down the White Umfolosi to its junction with the N'Sonto River;

Thence up the N'Sonto River and 80 yards from the river to a beacon situated on a spur of the N'Qaba Kashwana Mountains;

Thence 80 yards to the source of the Dudusi River or Lynspruit;

Thence down the Dudusi to its junction with the Blood River;

Thence down the Blood River to its junction with the Umdhlenefu Stream;

Thence up the Umdhlenefu Stream to a beacon (Ityendhlovu Rock);

Thence down the Umvunyana River to its junction with the Nondweni River;

Thence up the Nondweni River to a beacon on the Igogo Hill;

Thence to a beacon and the source of the Umhlatuzi River in the Ibabanango Hill;

Thence down the Umhlatuzi River to a drift, where the waggon-road leading from Nkandhla Mountain crosses (Beacon I);

Thence along the waggon-road to Beacon II, on Ugaga or Ityele-nimbi Hill;

Thence about 2,000 yards to Beacon III;

Thence to Beacon IV, on Amazizi Range;

Thence to Beacon V, near the source of the Indhlovane Stream;

Thence by Beacons VI, VII, VIII, IX, X, XI, XII, XIII, to Beacon XIV, situated at Ulundi Drift of the White Umfolosi;

[South African Republic. Boundary.]

Thence along the White Umfolosi to Beacon XV, being the same as Beacon No. 1 of the line of "Second Inspection";

Thence to Beacon XVI, on the eastern spur of Capela Hill;

Thence to Beacon XVII, on a stony hill above Umhlahlane Neck;

Thence to Beacon XVIII, on the Umancanca Range;

Thence to Beacon XIX, on the south-east ridge of the Idhlebe Hill;

Thence to Beacon XX, being the same as Beacon No. 2 of the line of "Second Inspection" on Idhlebe Hill;

Thence to Beacon XXI, on Ugedhla or Umdaja Hill;

Thence to Beacon XXII, being the same as Beacon No. 3 of the "Second Inspection" on Ceza Hill;

Thence to Beacon XXIII, near northern extremity of the Ungalondi Spur;

Thence to Beacon XXIV, on Undindindi Range;

Thence to Beacon XXV, on the Umjabase Hill;

Thence to Beacon XXVI, being the same as Beacon No. 4 of the "Second Inspection," on the Isibuja Hill;

Thence to the source of the Impalaza Spruit called Magodogodo or Gotogoto;

Thence down the Impalaza Spruit to the junction with the Umkusana River;

Thence down the Umkusana River to its junction with the Umkusi River;

Thence down the Umkusi River to Beacon XXVII, at the Umkusi Poort; near the southern extremity of the Udonzagolo Ridge;

Thence along the watershed of the Libombo to Beacon XXVIII, on Umangwazana Hill;

Thence to Beacon XXIX, on Emadubeni Ridge;

Thence to Beacon XXX, on Uzibobalane Hill, on the edge of the krantz overlooking the western side of the mountain;

Thence to Beacon XXXI on Ngabeni Hill;

Thence along the watershed of the Libombo Range to the starting point where the Pongolo River passes through the Libombo Range.

Art. III.—The Government of the South African Republic on its own behalf and also on behalf of the community styled in the Treaty of Union aforesaid "the New Republic," hereby for ever renounces all claim heretofore advanced by the Government of the said community to exercise a Protectorate over the whole or any portion of territory known as Zululand, and now annexed to and forming portion of Her Majesty's Dominions.

Art. IV.—The Government of the South African Republic hereby agrees and engages to use every endeavour, and afford every assistance to the British officer appointed to reside in the South African Republic, with a view to making due provision for the proper care and preservation of the graves of certain Zulu Chiefs, which are situated in the territory hereinbefore defined, as hereinafter more specifically described and set forth, and to that end the said Government agrees and engages to endeavour to procure the consent of the several pro-

[South African Republic and Swaziland.]

prietors of the land whereon the said graves are situated to the expropriation of land and to the enclosure with stone walls of any or all of the said graves with suitable margin of adjacent ground, and further, to endeavour to procure the consent of such proprietors to the granting of free rights of way to any or all of the said graves, at all reasonable times, to such person or persons as may be approved of and appointed by Her Majesty's Commissioner for Zululand, to attend to and secure the proper care and preservation of any or all of the said graves; provided that the cost of such expropriation or enclosure of land and of caring for and preserving such graves shall not devolve upon or be borne by the Government of the South African Republic.

The following are the names of the Zulu Chieftains and Kings whose graves are situated in the Makosini district:—

- | | |
|----------------|------------------|
| 1. Umtombela, | 5. Umageba, |
| 2. Uzulu, | 6. Undaba, |
| 3. Nkosinkulu, | 7. Mjama, |
| 4. Mpungu, | 8. Senzangokona. |

Art. V.—This Convention, together with the Convention of London aforesaid (p. 227), shall have full force and effect in respect of the entire territory of the South African Republic, as defined by this Convention and by the Convention of London.

Art. VI.—The obligations which the South African Republic takes over from the New Republic with regard to Her Majesty's Government, are limited to the territory of the New Republic, and are subject to the same conditions upon which the engagements rest upon the New Republic.

Signed at Government House, Cape Town, this 20th day of June, 1888.

HERCULES ROBINSON,

High Commissioner.

GRAHAM BOWER,

Imperial Secretary.

Geteekend ten Gouvernements Kantoor te Pretoria, dezen Elfden dag van Juni, 1888.

S. J. P. KRUGER,

Staats President.

W. EDUARD BOK,

Staats Secretaris.

Swaziland.

In 1890 a Convention was signed at Cape Town, 24th July, and at Pretoria, 2nd August, between Great Britain and the South African Republic, for the settlement of the affairs of Swaziland. This Convention was determined by a Convention signed at Cape Town on 1st November, and at Pretoria on 8th November, 1893, with the exception of Articles X and XXIV; and the Convention of 1893 was

[British Annexation of Transvaal.]

superseded by a fresh Convention signed on 10th December, 1894, providing for the exercise by the South African Republic of jurisdiction and administration in Swaziland (No. 32). These rights passed to Great Britain on the conquest and annexation of the Transvaal in 1900.

As in the Conventions of 1893 and 1894, Articles X and XXIV of the Convention of 1890 were re-stated, it may be a convenience to give them here for reference :

Non-extension of South African Republic to North or North-West.

Art. X.—The Government of the South African Republic withdraws all claim to extend the territory of the Republic, or to enter into Treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company.

Inclusion of the " Little Free State " within the Republic.

Art. XXIV.—Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic. (See also SWAZILAND, p. 253.)

Annexation of Transvaal to British Crown.

The military occupation of the South African Republic which followed on the outbreak of war in 1899 resulted in the annexation of the Republic to the British Crown, the following Proclamation having been made by Lord Roberts, Commander-in-Chief of the British Forces, on the 1st September, 1900 :—

Proclamation of the Annexation of the South African Republic by Great Britain. September 1, 1900.

Whereas certain territories in South Africa, hitherto known as the South African Republic, have been conquered by Her Majesty's Forces, and it has seemed expedient to Her Majesty that the said territories should be annexed to, and should henceforth form part of Her Majesty's dominions, and that I should provisionally and until Her Majesty's pleasure is more fully known, be appointed Administrator of the said territories, with power to take all such measures, and to make and enforce such laws as I may deem necessary for the peace, order, and the good government of the said territories.

Now, therefore, I, Frederick Sleight, Baron Roberts of Kandahar and Waterford, K.P., G.C.B., G.C.S.I., G.C.I.E., V.C., Field-Marshal, Commanding-in-Chief of Her Majesty's Forces in South Africa, by Her Majesty's command, and in virtue of the power and authority conferred on me in that behalf by Her Majesty's Royal Commission, dated the fourth day of July, nineteen hundred, in accordance with Her Majesty's

[Government of Transvaal.]

instructions thereby and otherwise signified to me, from and after the publication hereof, do proclaim that the territories known as the South African Republic are annexed to and form part of Her Majesty's dominions, and that provisionally, and until Her Majesty's pleasure is fully declared, the said territories will be administered by me with such powers as aforesaid. Her Majesty is pleased to direct that the new territories shall henceforth be known as the Transvaal.

God Save the Queen.

Given under my hand and seal, at Head-quarters of the Army in South Africa, in the said territories, this first day of September, in the year of Our Lord nineteen hundred.

ROBERTS, Field-Marshal,
Commanding-in-Chief,
Her Majesty's Forces in South Africa.

Modus Vivendi between the Transvaal and the Portuguese Province of Mozambique.

On the 18th December, 1901, an Agreement was signed between the Representative of the High Commissioner for South Africa and the Governor-General of the Portuguese Province of Mozambique for the re-establishment of the *status quo ante bellum* between the Transvaal and the Portuguese Province, to which an additional Article was signed on the 15th June, 1904.

Government of the Transvaal.

Letters Patent were issued on the 21st June, 1902, providing for the government of the Transvaal, with an Executive and a Legislative Council appointed by the Crown; and on the 31st March, 1905, further Letters Patent were issued for the constitution of a Legislative Assembly of official and elected members.

This Constitution was, however, revoked when responsible Government was conferred upon the Transvaal by Letters Patent issued on the 6th December, 1906.

Boundary between Transvaal and Portuguese Possessions.

This was defined by Art. XXIII of the Treaty between Portugal and the Transvaal Republic of the 29th July, 1869 (No. 29), which was confirmed by Art. XXI of the Treaty of the 11th December, 1875 (No. 30). See also Convention of London of 27th February, 1884, between Great Britain and the South African Republic (p. 227).

The following is an extract from a despatch from Her Britannic Majesty's Agent at Pretoria to Her Majesty's High Commissioner at Cape Town, dated 16th September, 1893, respecting the boundary between Portugal and the South African Republic.

(Extract.)

Mr. von Wielligh says the boundary from Komati poort south to the beacon at or on Nellmapius road, to Lorenzo-Marquez, where it

[Boundary. Transvaal and Portuguese Territories.]

crosses the Lebombo Mountain, has been beaconed off in 1887, and is recognized by Portugal and the South African Republic, but not confirmed by formal Treaty. The point called Nellmapius road is marked "Matalhas poort" on Jeppe's map, and "Matingatinga" on the sketch map, marked A, I am sending.

From the above point at Nellmapius road, or Matalhas poort south, to the point on the Lebombo east of the "Mananga" Mountains, no boundary has been beaconed off, but the Transvaal claims only to the eastern summit or break of the mountain, and not to the foot of the eastern slopes, and no claim is made by the Transvaal to the foot of the eastern slopes at any part or portion of the boundary.

From Komati poort north to the Singwetse the boundary has been beaconed off in 1890, and is shown on sketch map B referred to; from there to the Limpopo it is still in dispute.

In speaking of the eastern summit of the Lebombo as the boundary claimed by the Transvaal (along the whole extent), Mr. von Wielligh explained that the Lebombo is a plateau varying from 1 to 20 miles in width, without any well-marked ranges or sudden descents on either side, but it falls with a steeper gradient to the east, and that break or brow being the best natural boundary has for that reason been taken as the line of demarcation, giving the Transvaal the tableland, but leaving to Portugal the whole of the eastern slopes.

The Portuguese boundary was delimited on the ground by a Portuguese and Boer Commission, 1887-1894, but the frontier has not yet been definitively accepted by the two Governments. (December, 1908.) See No. 19 of Table given at page xlvii.

No. 29.—*TREATY of Friendship, Commerce, and Boundaries, between Portugal and the Transvaal Republic. Signed at Pretoria, 29th July, 1869.*

[This Treaty was replaced by the Treaty of 11th December, 1875 (No. 30), except in so far as regarded the definition of the respective boundaries given in Art. XXIII, which were declared to be confirmed.]

District of Bay of Lorenzo-Marquez or Delagoa Bay.

Art. XXIII, § 2.*—The district of the Bay of Lorenzo-Marquez, which is denominated Delagoa Bay in the English hydrographic charts, being the most southern of the Portuguese Possessions in East Africa, it is understood that in those regions of the African continent the stipulations of this Treaty shall be executed, on the part of the Crown of Portugal, in the territories that belong to it which to the south have for their limits the line drawn from a point in 26° 30' south latitude in the direction due west up to the mountains of Le Bombo; thence along the summit of the said mountains as far as the pass of the river Comatie, where that river runs between the mountains

* S.P., vol. lxiii, p. 605.

[Boundary. Transvaal and Portuguese Territories.]

of Le Bombo ; thence to N.N.E. up to the mountain called Pokioenskop, which is the north of the river Oliphant, where it runs in those parts ; thence to N.N.W. to the nearest point of the ridge of Chicundo where the river Umbovo runs ; thence in a straight line as far as the junction of the rivers Pafori and Limpopo.

[See also GREAT BRITAIN AND PORTUGAL, p. 998.]

No. 30.—*TREATY of Friendship, Commerce, Boundary, &c., between the South African Republic and the King of Portugal, with Protocol annexed, relating to the Lorenzo-Marquez Railway. Signed at Lisbon, 11th December, 1875.**

[Ratified by Her Majesty as Suzeraine of the Transvaal State, and Ratifications exchanged at Lisbon, 7th October, 1882.†]

(Extract.)

(Translation.)

His Majesty the King of Portugal and of the Algarves, and the Government of the South African Republic, being animated with the desire of drawing closer, improving, and consolidating the relations of amity and friendship subsisting between their respective States, have determined to conclude a new Treaty for this purpose, and have appointed their Plenipotentiaries, namely :—

His Majesty the King of Portugal and of the Algarves, Senhor João de Andrade Corvo, his Councillor, a Peer of the Realm, Minister and Secretary of State for Foreign Affairs, &c., &c. ; and the Government of the South African Republic, Mr. Thomas Francis Burgers, President of that Republic ;

Who, after having communicated to each other their respective full powers, which were found in due and proper form, have agreed upon and concluded the following Articles :—

Boundary.

Art. XXI.—The stipulations of this Treaty shall be substituted for those of the Treaty concluded on the 29th July, 1869, between Portugal and the South African Republic, except as far as regards the definition of the respective boundaries, which shall continue to be regulated in accordance with the stipulations of the said Treaty of the 29th July, 1869 (**No. 29**).

Duration of Treaty.

Art. XXII.—This Treaty shall be in force during 20 years, reckoning from the date of the exchange of the ratifications thereof. Should either of the Contracting Parties fail to notify 12 months before the

* Signed in the Portuguese and Dutch Languages.

† H.T., vol. xv, pp. 295, 301.

[Lorenzo-Marquez Railway.]

expiration of that term its intention of causing the effects of the said Treaty to cease, it shall continue to be binding until the expiration of the term of one year, reckoning from the date when either of the two High Contracting Parties shall have notified its intention of terminating it.

Ratifications.

Art. XXIII.—The present Treaty shall be ratified in accordance with the formalities adopted in either of the two countries, and after the exchange of ratifications it shall come into force within the period which may be fixed upon by mutual agreement.*

PROTOCOL. 11th December, 1875.

Construction of a Railway from Lorenzo-Marques or elsewhere to Frontier of South African Republic.

THE Undersigned, inspired by the earnest wish which animates their respective Governments of facilitating the commercial relations between the Province of Mozambique and the South African Republic, and of promoting the development of the public wealth of the two countries, have thought it expedient to declare, on the occasion of the signature of the Treaty of the 11th of this month, what follows:—

The Government of His Majesty the King of Portugal consents to aid the construction of a railway from the Port of Lorenzo-Marques, or from a point on the right bank of the river of that name where there may be permanent navigation, and which will be definitely fixed with reference to the proper technical and administrative reports, as far as the frontier of the South African Republic, by according to the undertaking or Company which may be formed for this purpose, and which may offer sufficient guarantee that it is capable of effecting the construction in question—

1. A subvention which may be equal to one-half the cost of the works, in accordance with the estimate to be made in view of the plan, and subject to the technical conditions which may be definitely stipulated, which estimate and plan must be approved of beforehand by His Majesty's Government.

2. The land belonging to the State which may be required for the construction and working of the said railway.

3. Free importation during 15 years of any fixed and circulating materials for the construction and working of the said railway.

4. The right of preference, in an equality of circumstances, for the construction of any branch lines of railway.

5. The exclusive right of working of the said railway and of the electric telegraph pertaining to it during 99 years, at the expiration of which they will revert to the State without any compensation.

* Ratified by Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, &c., as Suzeraine of the Transvaal State, and Ratifications exchanged at Lisbon, 7th October, 1882. (See Great Britain and Portugal, p. 998.)

[Lorenzo-Marquez Railway.]

His Majesty's Government, however, reserves unto itself the right of redemption and the option of using it at such period and in such a manner as may be stipulated in the contract.

The Government of His Majesty the King of Portugal also consents to allow the importation, free of duty, of all the fixed and circulating materials for the construction and working of the continuation of the said line of railway in the territory of the South African Republic.

The Government of the South African Republic on its part declares—

1. That it binds itself to continue the line of railway from the Portuguese frontier as far as a centre of production and consumption which will insure the traffic of the line and the development of international trade.

2. That it will place at the disposal of the undertaking and Company which may be formed for the purpose, all the surveys and plans that shall have been made on account of the same Government.

3. That in case it should deem it expedient to accord the construction of the respective line of railway to the same undertaking or Company to which the construction of the Portuguese part may have been accorded, the Government of the South African Republic will grant the said undertaking or Company every facility, and especially—

(1.) The gratuitous concession of the land requisite for the purpose.

(2.) A guarantee of 5 per cent. on the capital employed, or else a subvention analogous to that promised by the Government of His Majesty the King of Portugal.

(3.) It likewise binds itself to use its best endeavours to induce the natives of the Republic to work in the construction of the said railway, and to adopt every means in their power for the speedy termination of the works.

In fine, the Undersigned declare that, in case the same Company should obtain the concession of the two parts of the said line of railway, and whereas the Company must be subject to the laws of each of the countries within their respective territory, the Government of His Majesty the King of Portugal and the Government of the South African Republic shall adopt, by mutual agreement, the means which they may deem most expedient and effectual in order that the Company may carry out its engagements, and in order to insure, from every point of view, the success of a work from which so many advantages must accrue to both countries.

In witness whereof the Undersigned have signed their names herein, and have affixed thereto the seals of their arms.

Done in Lisbon, the 11th December, 1875.

(L.S.) JOÃO DE ANDRADE CORVO.

(L.S.) THOMAS BURGERS,

*President of the State of the South
African Republic.*

[Lorenzo-Marquez Railway.]

On the 17th May, 1884,* a Treaty supplementary to the Treaty of 11th December, 1875, was concluded between Portugal and the South African Republic, with the object of facilitating the construction and working of the railway to be made to connect the Province of Mozambique with Pretoria, which was sanctioned by the British Government.

To this Treaty a Protocol was attached, bearing the same date, relative to a proposed Customs Union between the South African Republic and other States and Colonies; also a memorandum bearing the same date, and signed by the Portuguese Minister of Marine and Colonies, respecting the concession to a tramway between Lorenzo-Marquez and the Transvaal.

* H.T., vol. xvii, pp. 867—870.

BRITISH SOUTH AFRICA.

(SWAZILAND.)

SWAZILAND.

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No. 31.—NOTES on Swaziland, 1881—1908.

Independence of Swaziland.

On the 3rd August, 1881, a Convention was concluded between Great Britain and the Transvaal (South African Republic), by Article XXIV of which the Independence of the Swazis was recognized within certain boundaries which were described in Article I of that Convention (p. 223).

On the 27th February, 1884, another Convention was concluded between Great Britain and the South African Republic, to replace the Convention of 1881. By Article I of this Convention, the Boundary of Swaziland was fully described, and the independence of the Swazis declared (by Article XII) to be recognised, within the boundary line of Swaziland as indicated in Article I of that Convention (p. 227).

Administration of Swaziland by the South African Republic.

On the ^{24th July}_{2nd August}, 1890,* a Convention was signed between Great Britain and the South African Republic, for the settlement of the affairs of Swaziland (p. 242), and on the 8th November, 1893, a further Convention was signed with the same object; but on the 10th December 1894 (No. 32), another Convention was signed in substitution of those two Conventions, and confirmed Article X of the Convention of 1890 (which stipulated for the non-extension of the South African Republic, and the non-conclusion of Treaties with Native States or Tribes to the north or north-west of the existing boundary of the Republic), and Article XXIV (which provided for the inclusion of the "Little Free State" within the territory of the South African Republic).

Powers of South African Republic in Swaziland pass to Great Britain.

The powers of administration and jurisdiction in Swaziland which devolved on the South African Republic under the Convention of 1894 passed to Great Britain on the conquest and annexation of the Transvaal in 1900.

Government of Swaziland by Governor of Transvaal.

On the 25th June, 1903,† an Order in Council was passed for the Government of Swaziland by the Governor of the Transvaal, Art. 2 of which provided as follows:—

"2. In this Order, unless the contrary appears, 'Swaziland' means the territory known by that name bounded on the north, the west, and the south by the Transvaal, and on the east by the Colony of Natal and the Portuguese territories."

Admission of Swaziland to South African Customs Union.

Swaziland was admitted into the South African Customs Union by Protocol signed ^{September,}_{October,} 1904.

* H.T., vol. lxxxii, p. 1062.

† H.T., vol. xxiv, p. 67.

[Swaziland.]

Swaziland transferred to the Control of the High Commissioner.

On the grant of responsible government to the Transvaal the control of Swaziland was transferred to the High Commissioner for South Africa, provision to that effect being made by an Order in Council passed on the 1st December, 1906.

Boundary with Portuguese Possessions.

The boundary line was surveyed by Portuguese and Boer Commissions in 1888, 1894, and 1897, and marked on the ground in April, 1907. See No. 18 of Table given at page xlvii.

No. 32.—*CONVENTION between Great Britain and the South African Republic, respecting Swaziland. Signed 10th December, 1894.**

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Honour the State President of the South African Republic, as representing the Government of the said Republic, have agreed that it is expedient that they should enter into a Convention relative to the affairs of Swaziland in substitution of the Conventions of 1890 and 1893.

Now, therefore, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Honour the State President of the South African Republic, as representing the Government of the said Republic, hereby consent and agree that the following Articles, accepted finally by and between Her Majesty and his Honour shall, when duly signed, sealed, and executed by Her Majesty's High Commissioner for South Africa, on behalf of Her Majesty, and by his Honour the State President of the South African Republic, on behalf of the Government of the said Republic, and when duly ratified by the Volksraad of the South African Republic, constitute and be a Convention by and between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the South African Republic.

Conditional continuance in force of the Convention of 1890.

Art. I.—The provisions of the Convention of 1890 shall be continued in full force and effect from and after the date of the signing of this Convention by His Excellency Sir Henry Brougham Loch, Her Majesty's High Commissioner, on behalf of Her Majesty, and his Honour Stephanus Johannes Paulus Kruger, State President of the South African Republic, on behalf of the Government of the South African Republic, until the date of the ratification of this Convention by the Volksraad of the South African Republic; provided that should this Convention not be ratified before or during the next ordinary session of the said Volksraad, the provisions of the Convention of 1890, saving the provisions of Articles X and XXIV thereof,

* H.T., vol. xx, p. 131.

[Swaziland.]

which shall remain in full force and effect, may at any time thereafter be terminated by one month's notice, given either by Her Majesty's Government, or the Government of the South African Republic, and thereupon, at the expiration of the said month, in accordance with the Convention of 1884 (p. 227) all the provisions relative thereto in the said Convention shall be of full force and effect; and provided further that if at any time before the ratification in manner aforesaid, the assent of the Swazie Queen-Regent and Council to the draft Organic Proclamation already agreed to by Her Majesty's Government and the Government of the South African Republic be duly signified,* the Convention of November, 1893 (p. 242), shall, upon the signification of such assent, be and remain of full force and effect, subject to the terms of the said Organic Proclamation, and this Convention shall not thereafter be ratified, but shall be of no force and effect, and the provisions of the Convention of 1890 shall no longer be of any force or effect, saving the provisions of Articles X and XXIV thereof, which shall remain of full force and effect.

Rights of South African Republic over Swaziland secured, subject to certain Conditions.

Art. II.—Without the incorporation of Swaziland into the South African Republic, the Government of the South African Republic shall have and be secured in all rights and powers of protection, legislation, jurisdiction, and administration over Swaziland and the inhabitants thereof, subject to the following conditions and provisions, namely:—

1. That the young King Ungwane *alias* Uhili *alias* Ubonu, after he has become of age, according to native law, shall be and remain the Paramount Chief of the Swazies in Swaziland, with the usual powers of such Paramount Chief, in so far as the same are not inconsistent with civilized laws and customs.

2. That the payment by the Government of the South African Republics of monies derived from the collection of the private revenue of the King shall be regularly made in terms of concession or power of attorney, granted in that behalf by Umbandine, and confirmed by the judgment of the chief court.

3. That the management of the internal affairs of the natives shall be in accordance with their own laws and customs, including the laws and customs of inheritance and succession, and that the native laws and customs shall be administrated by the native chiefs entitled to administer the same in such manner as they are in accordance with the native law and custom at present administering, in so far as the said laws and customs are not inconsistent with civilized laws and customs, or with any law in force in Swaziland made pursuant to this Convention, and the natives are guaranteed in their continued use and occupation of land now in their possession, and of

* The Organic Proclamation was not assented to by the Swazie Queen-Regent and Council.

[Swaziland.]

all grazing or agricultural rights to which they are at present entitled ; provided that no law made hereafter in Swaziland shall be in conflict with the guarantees given to the Swazies in this Convention.

4. That in the administration and government of the country by the Government of the South African Republic, no hut tax or other tax shall be imposed upon the natives higher than the corresponding tax to which such of the Swazie people as are living within the borders of the Republic may be subject. In no case, however, shall such taxes be able to be imposed until after the expiration of three years from the date of the ratification of this Convention.

Appointment of an Administrator of Swaziland by South African Republic.

Art. III.—The Government of the South African Republic agrees to appoint an officer who shall administer Swaziland in terms of this Convention.

Powers and Jurisdiction of the Chief Court.

Art. IV.—The Government of the South African Republic agrees that the chief court heretofore established shall continue to exercise and possess all the powers and jurisdiction hitherto exercised or possessed by it ; the said court shall also have such powers and jurisdiction as may be conferred upon it, in accordance with Article II of this Convention, subject to the conditions of the said Article, with full power to decree against all persons, execution of every order, judgment, decree, or sentence made by it in the exercise of its jurisdiction.

Confirmation of Existing Swaziland Laws, Ordinances, &c.

Art. V.—The laws, ordinances, proclamations, and regulations at present in force in Swaziland shall continue to be of full force and effect therein until altered, amended, or repealed in accordance with the terms of this Convention ; and the power and jurisdiction heretofore exercised or possessed by Landdrost Courts and justices of the peace shall continue to be exercised and possessed by such courts and such justices of the peace respectively, unless and until other provision be made in accordance with the terms of this Convention.

Government Officers appointed under Convention of 1890.

Art. VI.—All Government officers appointed under and by virtue of the Convention of 1890 shall continue to hold and administer the offices to which they have been appointed, and shall be secured in the emoluments and fees of office at present enjoyed by them, until the date of the ratification of this Convention, or until other provision be made in that behalf by Her Majesty's Government or the Government of the South African Republic, and thereupon all such appointments shall cease and determine ; provided that on or after the date of ratification aforesaid the said officials or any

[Swaziland.]

of them may be reappointed to the said offices or any of them, in accordance with the terms of this Convention.

Confirmation of all Rights, &c., of British Subjects and their Property in Swaziland.

Art. VII.—All British subjects residing in Swaziland, or having in Swaziland any property, grant, privilege, or concession, or any right, title to, or interest in, any property, grant, privileges, or concession, shall be secured in the future enjoyment of all their rights and privileges of whatsoever nature or kind in like manner as burghers of the South African Republic, but shall obey the Government and conform to the laws established for Swaziland.

Political Privileges of every White Male resident in Swaziland on 20th April, 1893, subject to certain Conditions.

Art. VIII.—Every white male who shall have been a *bona fide* resident in Swaziland (even if temporarily absent from Swaziland) on the 20th April, 1893, shall become and be entitled to all the political privileges of a full burgher of the South African Republic as though he had been born in that Republic : provided, however—

(a) That every white male shall make application in writing to an officer to be appointed at Bremersdorp, in Swaziland, by the Government of the said Republic, to have his name enrolled upon a list of persons so entitled, and upon satisfactory proof by a true and solemn declaration of his *bona fide* residence in Swaziland on the aforesaid day, such declaration to be made within six months from the date of public notification of the appointment of such officer as aforesaid, such officer shall be bound to enrol his name on such list, and such list shall be the list of burghers of the South African Republic so admitted under this head of this article to the privileges aforesaid.

(b) That every white son of any person admitted to the privileges of a burgher under the preceding paragraph of this article, which son shall have been a minor on the aforesaid date, shall be entitled to the like political privileges which he would have had if his father had been a natural-born burgher of that Republic and he himself had been born therein, provided that the right under this section shall be claimed by such minor from the Government of the South African Republic by notice in writing within 12 months from his attaining his majority.

(c) That every person admitted as a burgher shall, while resident in Swaziland, be entitled to register his vote at any election when and where a burgher resident in some convenient district of the South African Republic adjoining Swaziland would be entitled to vote, such district to be determined by the Government of the South African Republic, and if thereafter he shall come to reside in any district of the South African Republic such person shall there be entitled to register his vote.

[Swaziland.]

Use of Dutch and English Languages in Courts of Law in Swaziland.

Art. IX.—The equal rights of the Dutch and English languages in all Courts of Swaziland shall be maintained. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provisions of this Convention.

Customs Duties on Articles imported into Swaziland.

Art. X.—The Customs duties shall not be higher in respect of any article imported into Swaziland than the duty thereon according to the tariff at present in force in the South African Republic, or the tariff at present in force in the South African Customs Union, whichever is now the higher. This provision shall be in force so long as the administration of Swaziland by the Government of the South African Republic continues under the provision of this Convention. Every exclusive right or privilege of or belonging to any individual or individuals, corporation or company, with regard to imposition of or exemption from customs duties on goods shall be liable to expropriation by the administering authority; provided that no such individual or individuals, corporation or company, shall be deprived of or interfered with in the enjoyment of any such exclusive rights or privileges as have been confirmed by the Chief Court prior to the 8th November, 1893, without due compensation being awarded. The amount of such compensation shall be assessed by means of arbitration in case of difference. Each party interested shall appoint an arbitrator, and the said arbitrators shall, before proceeding with the arbitration, appoint an umpire; should the said arbitrators be unable to agree upon an umpire such umpire shall, upon application of either party, after notice to the other, be appointed by the Chief Court; the decision of the majority of the persons so appointed shall, in case of difference, be final.

Prohibition against sale of Intoxicating Liquors to Swazies in Swaziland.

Art. XI.—The Government of the South African Republic agrees to prohibit the sale or supply of intoxicating liquor to Swazie natives in Swaziland.

Railways.

Art. XII.—No railway beyond the eastern boundary of Swaziland shall be constructed by the Government of the South African Republic save under the provisions of a further contemplated Convention between Her Majesty the Queen and the South African Republic, or with the consent of Her Majesty's Government.

Articles X and XXIV of Convention of 1890.

Art. XIII.—Articles X and XXIV of the Convention of 1890 are here again set forth for convenience of reference.

“Article X. The Government of the South African Republic withdraws all claims to extend the territory of the Republic, or to enter

[Swaziland.]

into treaties with any natives or native tribes to the north or north-west of the existing boundary of the Republic, and undertakes to aid and support by its favouring influence the establishment of order and government in those territories by the British South Africa Company within the limits of power and territory set forth in the Charter granted by Her Majesty to the said Company."

Inclusion of the Little Free State within the South African Republic.

"Article XXIV. Her Majesty's Government consent to an alteration of the boundary of the South African Republic on the east so as to include the territory known as the Little Free State within the territory of the South African Republic."

Diplomatic Representation in favour of Swazies, &c. British Rights Reserved.

Art. XIV.—Her Majesty's Government reserves the power of exercising diplomatic representation in favour of Swazie natives or British subjects in case any provision of this Convention shall not be fairly and faithfully observed.

Right Reserved to appoint a British Consular Officer in Swaziland.

Art. XV.—Her Majesty's Government reserves the right to appoint a British Consular Officer to reside in Swaziland.

Signed and Sealed on the border of Natal and the South African Republic, near Charlestown and Volksrust, this 10th day of December, 1894.

HENRY B. LOCH, *High Commissioner.*

Signed and Sealed on the border of Natal and the South African Republic, near Charlestown and Volksrust, this 10th day of December, 1894.

S. J. P. KRUGER, *State President of the
South African Republic.*

Dr. W. J. LEYDS, *Staats Secretaris, Z.A.R.*

Ratification by Volksraad.

[This Convention was ratified by the Volksraad of the South African Republic on the 13th February, 1895.]

BRITISH SOUTH AFRICA.

RHODESIA, VIZ. :—

- (1) SOUTHERN RHODESIA.
- (2) NORTHERN RHODESIA—
 - (i) Barotziland—North-Western Rhodesia.
 - (ii) North-Eastern Rhodesia.

RHODESIA.

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[British South Africa Company.]

No. 33.—*Notes on RHODESIA, being the territory administered by the British South Africa Company. 1889—1908.*

Field of Operations of the British South Africa Company.

The Royal Charter granted to the British South Africa Company on the 29th October, 1889, given on p. 271 (**No. 34**), defined the field of operations of the Company as “the region of South Africa lying immediately to the north of British Bechuanaland, and to the north and west of the South African Republic, and to the west of the Portuguese Dominions.”

Limits of British Jurisdiction.

On the 30th June, 1890, an Order in Council was issued, providing for the exercise of British jurisdiction in certain territories of South Africa, north of British Bechuanaland (see p. 190). The limits of this Order were declared to be :—

“The parts of South Africa situate north of British Bechuanaland ; west of the South African Republic and of Matabeleland ; east of the German Protectorate ; and south of the River Zambesi ; and not within the jurisdiction of any civilized Power.”*

But this Order was repealed by another Order which was issued on the 9th May, 1891,† and which contained the following as being the limits of its operation :—

“The limits of this Order are : the parts of South Africa bounded by British Bechuanaland (see p. 179), the German Protectorate (see GREAT BRITAIN and GERMANY, p. 865), the Rivers Chobe and Zambesi, the Portuguese Possessions (see GREAT BRITAIN and PORTUGAL, Agreement, 11th June, 1891, p. 1016), and the South African Republic (see TRANSVAAL, p. 221).

The north-eastern portion of the territory described by the above limits was under the administration of the British South Africa Company, but it was provided by Order in Council of the 20th October, 1898,‡ that the powers and authorities conferred on the High Commissioner for South Africa by the Order in Council of 1891 should continue in force concurrently with the powers conferred on the Company. (See BECHUANALAND PROTECTORATE, p. 191.)

Non-extension of South African Republic into territories of British South Africa Company.

On the ^{24th July,}_{2nd August,} 1890, a Convention was concluded between Great Britain and the South African Republic for the settlement of the affairs of Swaziland, in which it was recorded (Article X) that the Government of the South African Republic withdrew all claim to extend the territory of the Republic, or to enter into Treaties with any natives or native

* H.T., vol. xviii, p. 156.

† H.T., vol. xix, p. 30. See also Proclamation, 27th June, 1891, p. 192.

‡ H.T., vol. xxi, p. 188.

[Exclusion of Nyasaland from Chartered Territory.]

tribes to the north or north-west of the existing boundary of the Republic, and undertook to aid and support, by its favouring influence, the establishment of order and government in those territories by the British South Africa Company, within the limits of power and authority set forth in the charter granted by Her Majesty to the said Company. (See TRANSVAAL, p. 242.)

Concession to Company from Gungunhana, King of Gazaland.

On the 4th October, 1890, a Concession was granted by Gungunhana (or Ungugunyan), King of Gazaland, whose territories are situated to the east and south-east of Mashonaland, to Dr. A. Schulz, as representative of the British South Africa Company. In this concession Gungunhana bound himself, his successors, and nation not to enter into any Treaty of Alliance with any Chief, person, Company, or State, or to grant any concession of land without the consent of the Company in writing, it being understood that this covenant should be considered in the light of a Treaty of Alliance made between the said nation and the Government of Her Britannic Majesty Queen Victoria, the Company, on its part, undertaking and agreeing to protect the said King and nation from all outside interference or attacks, to support and maintain the said Chief and his lawful successors in the constitutional maintenance and exercise over his subjects of his powers and authority, and to hold its servants liable for any ill-treatment or interference with any of the King's native subjects.

Field of Company's operations extended North of the Zambesi. Nyasaland. Mr. H. H. Johnston, C.B., appointed Political Administrator.

On the 13th February, 1891, the British South Africa Company expressed its wish to extend the field of its operations to the north of the Zambesi, and that Mr. H. H. Johnston, C.B., who had been appointed Her Majesty's Commissioner and Consul-General in Nyasaland, should be appointed Political Administrator throughout the Company's sphere north of the Zambesi.

Before consenting to such extension, certain conditions were submitted by Her Majesty's Government to the Company for their acceptance (**No. 35**), among which were the following :—

That the Charter of the South Africa Company should extend over the territory under British influence north of the Zambesi, and south of the territories of the Congo Free State and the German sphere, under the following, among other, conditions :—

Nyasaland not included in the Chartered Territory.

That the chartered territory should not include Nyasaland; that the territory defined by that name would be bounded, where it adjoined the chartered territory, by a frontier which, starting on the south from the point where the boundary between the British and Portuguese spheres was intersected by the boundary of the conventional line of the Berlin Act, would follow that line to the point where it met the geo-

[North of Zambesi.]

graphical line of the Congo Basin, and would thence follow the latter line to the point where it reached the boundary between the British and German spheres (see GREAT BRITAIN AND GERMANY).

The Company having accepted these conditions (5th March, 1891) they were informed (2nd April, 1891) that the Secretary of State sanctioned the extension of the field of operations to the British sphere north of the Zambesi, exclusive of Nyasaland, the limits of which were defined in the Memorandum of Conditions, on the understanding that the provisions of the Charter were strictly observed and that the conditions attached to the sanction were duly respected.

It was agreed between Her Majesty's Government and the Company that 10,000*l.* a year should be paid by the Company to Mr. H. H. Johnston, to commence from the 1st February, 1891, the date of his appointment as Imperial Commissioner in Nyasaland, for administrative purposes within the Company's sphere and Nyasaland, such sum to be appropriated at his discretion; it being understood that Nyasaland included the Shiré Highlands and Lake Nyasa with its shores, covering the area occupied by the various Scotch and other missions.

This arrangement continued until the 30th June, 1895, when the Company undertook the direct administration of the extended territory, under the terms of an Agreement dated the 24th November, 1894. (No. 36.)

British Protectorate over Nyasaland.

On the 14th May, 1891, a notification was issued, announcing the establishment of a British Protectorate over Nyasaland. (See NYASALAND PROTECTORATE, p. 286.)

A copy of this Notification was communicated to the British South Africa Company,

African Lakes Company

and to the African Lakes Company; and in consequence of certain Treaties having been concluded in 1885 by the African Lakes Company with native Chiefs of the Shiré Highlands, and on Lake Nyasa, the British South Africa Company enquired of Her Majesty's Government whether the validity of these Treaties was recognized, when they were informed (24th August, 1891) that "Sovereign rights ceded by Treaties in the Nyasaland Protectorate were now vested in Her Majesty, by reason of that Protectorate."

The African Lakes Company subsequently ceded its land claims in the British Central Africa Protectorate (now Nyasaland Protectorate) to the British South Africa Company.

Trade in Fire-arms, Coinage, Weights and Measures.

On the 30th July, 1891, two Ordinances were issued by the British South Africa Company, one for regulating the trade in and delivery of fire-arms, and the other for regulating coinage and weights and measures, in each of which it was ordained that the limits of the Ordinance should be "Mashonaland, that is to say, Fort Tuli and an area 10 miles

[Matabeleland. Barotziland—N.W. Rhodesia.]

round that fort, and the territories north of the 22nd parallel of south latitude, but excluding the territory known as the disputed territory lying between the Shashi and Macloutsie Rivers, and all territories belonging to the Chief Khama of the Bamangwato and the territory known as the district of the Tati.”

Matabeleland.

On the 18th July, 1894, an Order in Council was passed providing for the administration of Matabeleland by the British South Africa Company.* The limits of the Order were defined by Art. 4 as follows :—

§ 4. The limits of this Order are the parts of South Africa bounded by the Portuguese Possessions, the South African Republic to a point opposite the mouth of the River Shashi, by the River Shashi, and the territories of the Chief Khama of the Bamangwato to the River Zambesi, and by that river to the Portuguese boundary, including an area of 10 miles radius round Fort Tuli, and excluding the area of the district known as the Tati districts, as defined by the Charter (No. 34).

This Order was, however, revoked by the “Southern Rhodesia Order in Council, 1898.”

Southern Rhodesia.

On the 20th October, 1898,† an Order in Council was passed for regulating British jurisdiction in Southern Rhodesia (“Southern Rhodesia Order in Council, 1898”). The limits of the Order were defined by Art. 4 as follows :—

4. The limits of this Order at the parts of South Africa bounded by the Portuguese Possessions, by the South African Republic to a point opposite the mouth of the River Shashi, by the River Shashi to its junction with the Tati and Ramaquaban Rivers, thence by the Ramaquaban River to its source, thence by the watershed of the Rivers Shashi and Ramaquaban until such watershed strikes the Hunter’s road (called the Pandamatenka road) thence by that road, to the River Zambesi, and by that river to the Portuguese boundary. The said limits include an area of ten miles radius round Fort Tuli, but exclude the area of the district known as the Tati district as defined by the Charter.

The territory for the time being within the limits of this Order shall be known as *Southern Rhodesia*.

This Order came into operation on the 25th November, 1898. It was amended by Order in Council of 16th February, 1903, which provided for the constitution of a Legislative Council.

Barotziland—North-Western Rhodesia.

On the 28th November, 1899,‡ an Order in Council was passed for regulating the administration, under the control of the High Commis-

* H.T., vol. xix, p. 67.

† H.T., vol. xxi, p. 188.

‡ H.T., vol. xxi, p. 210.

[North-Eastern Rhodesia.]

sioner for South Africa, of Barotziland—North-Western Rhodesia. Art. III defining the limits of the Order runs as follows :—

3. The limits of this Order are the parts of Africa bounded by the River Zambesi, the German South-West African Protectorate, the Portuguese possessions, the Congo Free State,* and the Kafukwe or Loengi River. Such limits further include so much of any territory belonging to the Bashukolumbe tribe as may lie east of the Kafukwe or Loengi River. The territory within the limits of this Order shall be known as Barotziland—North-Western Rhodesia.

North-Eastern Rhodesia.

On the 29th January, 1900,† an Order in Council was passed for regulating the Administration by the British South Africa Company of North-Eastern Rhodesia. The limits of the Order were defined by Art. IV as follows :—

4. The limits of this Order are the parts of Africa bounded on the west by the boundaries of the Congo Free State and of Barotziland—North-Western Rhodesia, as defined in “The Barotziland—North-Western Rhodesia—Order in Council, 1899”; on the south by the Kafukwe River and the River Zambezi down to its junction with the Luangwa River; thence by the mid-channel of the Luangwa River northwards to where it is cut by the 15th degree of latitude, and from this point by the Anglo-Portuguese boundary eastwards to the frontier of the British Central Africa Protectorate‡; on the east by the aforesaid frontier, on the north by the Anglo-German frontier, the south shore of Lake Tanganyika, and the southern frontier of the Congo Free State as far west as Lake Mweru, including the Island of Kilwa in the British sphere.

The territory for the time being within the limits of this Order shall be known as *North-Eastern Rhodesia*.

Boundaries.

The territory of Rhodesia comes into contact with the possessions of foreign States on the west with the Portuguese Province of Angola, on the north with Belgian Congo and German East Africa, and on the east with the Portuguese Province of Mozambique.

Boundary with the Portuguese Province of Angola.

The boundary with Angola (Barotziland), *i.e.*, the western line of division separating the British from the Portuguese sphere of influence in Central Africa, was generally agreed to by Art. IV of the Treaty between Great Britain and Portugal of the 11th June, 1891. (See Great Britain and Portugal, p. 1019.) The question of the limits of the Barotsi Kingdom was, however, submitted to arbitration under a Declaration signed on the 12th August, 1903 (p. 1072), and the Award was delivered on the 30th May, 1905 (p. 1074). The boundary has not yet been delimited.

* Now Belgian Congo.

† H.T., vol. xxi, p. 215.

‡ Now Nyasaland Protectorate.

[Boundaries.]

Boundary with Belgian Congo.

This line was defined by Art. I of the Agreement between Great Britain and the Congo State of the 12th May, 1894 (Boundary, North of the Zambesi). (See CONGO, p. 578.) The boundary has not yet been delimited.

Boundary with German East Africa (Nyasa-Tanganyika).

The line dividing the British and German spheres of influence was defined in Art. I, § 2, of the Anglo-German Agreement of the 1st of July, 1890. (See GREAT BRITAIN AND GERMANY, p. 906.) The boundary was delimited on the ground in 1898, and a Protocol was drawn up and signed by the Commissioners on the 11th November, 1898 (p. 916). After examination of the recommendations of their Commissioners the two Governments concluded an Agreement on the 23rd of February, 1901. (See GREAT BRITAIN AND GERMANY, p. 925.)

Boundary with the Portuguese Province of Mozambique.

The spheres of influence of Great Britain and Portugal in this part of Africa were generally defined in Arts. I and II of the Treaty of the 11th June, 1891 (see Great Britain and Portugal, p. 1017), and in the subsequent Agreement (*Modus Vivendi*) of the ^{31st May,}_{5th June,} 1893 (p. 1027).

The boundary, which has a length of nearly 1,000 miles, may be conveniently divided into the following sections, going from south (the Transvaal frontier) to north (Nyasaland):—

(1) From the Limpopo River to the Sabi River at its junction with the Lundi.

This line was delimited on the ground in 1902–03, and the tracing made by the Commissioners was accepted by the two Governments by exchange of Notes at Lisbon, 21st December, 1903, and 19th July, 1904 (p. 1073). This Agreement was confirmed by further Notes exchanged at Lisbon on the 3rd June, 1907 (p. 1078).

(2) From the Sabi River, at its junction with the Lundi, to 18° 30', south latitude (Manica Plateau).

Differences having arisen as to the interpretation of the Article of the Treaty of 1891 relating to this part of the boundary, it was resolved to submit the question to arbitration, and a Declaration to that effect was signed on the 7th January, 1895 (p. 1030). The Award of the Arbitrator was given on the 30th January, 1897 (p. 1036).

The boundary was surveyed in 1892, and marked on the ground in accordance with the Award in 1898 and 1899. Procès-Verbaux were signed by the Boundary Commissioners on the 5th and 28th June and 14th and 15th December, 1898 (p. 1069), and the boundary accepted as definitive by the two Governments by exchange of notes dated 3rd June, 1907 (p. 1078).

(3) From 18° 30' south latitude to the Mazoe River (Barué).

The line was surveyed in 1898 and Procès-Verbaux were drawn up and signed by the Commissioners 28th June to 6th December, 1898 (p. 1069). The understanding between the two Governments as regards

[Charter. British South Africa Company.]

proposed modifications in the line from the River Mazoe to Mount Karera was recorded in an exchange of Notes dated 4th March and 28th April, 1902 (p. 1071), and the line thus modified was accepted, and the line from Mount Karera to 18° 30' south latitude was agreed to by Notes exchanged on the 18th January and 12th April, 1904 (p. 1073).

(4) From the Mazoe River to the Zambesi (South Zambesi).

A provisional survey of the line was carried out in 1903-04, and the delimitation and demarcation in April-October, 1905. A Protocol was drawn up and signed by the Commissioners on the 24th October, 1905 (p. 1077).

(5) From the Zambesi to the Nyasaland frontier (North Zambesi).

This line was delimited and marked on the ground in 1904, and a Protocol was drawn up and signed by the Commissioners on the 21st November, 1904 (p. 1077).

The whole boundary line is awaiting final confirmation by the two Governments.

A reference to the table given at p. xlviii, Nos. 20 to 24, will show the progress made with the delimitation of the frontier.

No. 34.—*ROYAL CHARTER of Incorporation granted to the British South Africa Company. 29th October, 1889.**

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

To all to whom these presents shall come, Greeting.

Preamble.

Petition :—

Field of Operations of Company in "Region of South Africa lying to the North of Bechuanaland and to the West of Portuguese East Africa."

Concessions and Agreements made by Native Chiefs and Tribes inhabiting the said Region, and such other Concessions, &c., as the Petitioners may hereafter obtain within the said Region or elsewhere in Africa.†

Improvement of Condition of Natives. Slave Trade.

Advantages of a Royal Charter.

Subscriptions towards Enterprise.

* "London Gazette," 20th December, 1889. H.T., vol. xviii, p. 133.

† On the 11th February, 1888, an Agreement was entered into by Lobengula, Ruler of the tribe known as the Amandebele, together with the Mashona and Makakalaka, tributaries of the same, by which he agreed, on behalf of himself and people, that he would refrain from entering into any correspondence or Treaty with any foreign State or Power to sell, alienate, or cede, or permit or countenance any sale, alienation, or cession of the whole or any part of the said Amandebele country under his chieftainship, or upon any other subject, without the previous knowledge and sanction of Her Majesty's High Commissioner for South Africa (S.P., vol. lxxix, p. 868); and on the 30th October, 1888, a Concession was granted by Lobengula, King of Matabeleland, to the representatives of the British South Africa Company.

[Charter. British South Africa Company.]

Grant of Royal Charter of Incorporation.

Now, therefore, We having taken the said Petition into Our Royal consideration in Our Council, and being satisfied that the intentions of the Petitioners are praiseworthy and deserve encouragement, and that the enterprise in the Petition described may be productive of the benefits set forth therein, by Our Prerogative Royal and of Our especial grace, certain knowledge and mere motion, have constituted, erected, and incorporated, and by this Our Charter for Us and Our Heirs and Royal successors do constitute, erect, and incorporate into one body, politic and corporate, by the name of The British South Africa Company the said—

[Here follow the names.]

and such other persons and such bodies as from time to time become and are members of the body, politic and corporate, by these presents constituted, erected, and incorporated, with perpetual succession and a common seal, with power to break, alter, or renew the same at discretion, and with the further authorities, powers, and privileges conferred, and subject to the conditions imposed by this Our Charter: And We do hereby accordingly will, ordain, give, grant, constitute, appoint, and declare as follows (that is to say):—

Field of Operations of Company.

1. The principal field of the operations of the British South Africa Company (in this Our Charter referred to as “the Company”) shall be the region of South Africa lying immediately to the north of British Bechuanaland, and to the north and west of the South African Republic, and to the west of the Portuguese Dominions.*

Concessions and Agreements made by Native Chiefs.†

2. The Company is hereby authorized and empowered to use, and retain for the purposes of the Company, and on the terms of this Our Charter, the full benefit of the concessions and agreements made as aforesaid, so far as they are valid, or any of them, and all interests, authorities, and powers comprised or referred to in the said concessions and agreements. Provided always that nothing herein contained shall prejudice or affect any other valid and subsisting concessions or agreements which may have been made by any of the chiefs or tribes aforesaid.

District of Tati. Limits.

And, in particular, nothing herein contained shall prejudice or affect certain concessions granted in, and subsequent to, the year 1880, relating to the territory usually known as the district of the Tati;‡ nor shall anything herein contained be construed as giving any jurisdiction, administrative or otherwise, within the said district of the Tati,

* See Great Britain and Portugal, p. 983.

† See List of Treaties (Nyasaland), p. 289.

‡ See Map facing page 274. See also Proclamation, 27th June, 1891, p. 192.

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the limits of which district are as follows, viz., from the place where the Shashi River rises to its junction with the Tati and Ramaquaban Rivers, thence along the Ramaquaban River to where it rises and thence along the watershed of those rivers.

Acquisition of Territorial Rights, &c., by Treaties, Concessions, &c., from Natives.

3. The Company is hereby further authorized and empowered, subject to the approval of one of our Principal Secretaries of State (herein referred to as "Our Secretary of State") from time to time, to acquire by any concession, agreement, grant, or treaty, all or any rights, interests, authorities, jurisdictions, and powers of any kind or nature whatever, including powers necessary for the purposes of government, and the preservation of public order in or for the protection of territories, lands, or property comprised or referred to in the concessions and agreements made as aforesaid or affecting other territories, lands, or property in Africa, or the inhabitants thereof, and to hold, use, and exercise such territories, lands, property, rights, interests, authorities, jurisdictions, and powers respectively for the purposes of the Company, and on the terms of this Our Charter.

*Approval of Treaties, Concessions, &c., by Secretary of State.**

4. Provided that no powers of government or administration shall be exercised under or in relation to any such last-mentioned concession, agreement, grant, or treaty, until a copy of such concession, agreement, grant, or treaty, in such form and with such maps or particulars as our Secretary of State approves, verified as he requires, has been transmitted to him, and he has signified his approval thereof either absolutely or subject to any conditions or reservations ;

District of Tati.†

And provided also that no rights, interests, authorities, jurisdictions, or powers of any description shall be acquired by the Company within the said district of the Tati as hereinbefore described, without the previous consent in writing of the owners for the time being of the concessions above referred to relating to the said district, and approval of Our Secretary of State.

Company to be bound by Treaty Stipulations, &c.

5. The Company shall be bound by and shall fulfil all and singular the stipulations on its part contained in any such concession, agreement, grant, or treaty as aforesaid, subject to any subsequent agreement affecting those stipulations approved by Our Secretary of State.

* See List of Treaties, p. 289.

† See also Proclamation of 27th June, 1891, p. 192.

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Status of Company to be British.

6. The Company shall always be and remain British in character and domicile, and shall have its principal office in Great Britain, and the Company's principal representative in South Africa and the Directors shall always be natural born British subjects, or persons who have been naturalized as British subjects by or under an Act of Parliament of Our United Kingdom; but this Article shall not disqualify any person nominated a Director by this Our Charter, or any person whose election as a Director shall have been approved by Our Secretary of State, from acting in that capacity.

Submission of Differences between Natives and Company to Decision of Secretary of State.

7. In case at any time any difference arises between any chief or tribe inhabiting any of the territories aforesaid and the Company, that difference shall, if Our Secretary of State so require, be submitted by the Company to him for his decision, and the Company shall act in accordance with such decision.

Powers of Secretary of State. Dealings of Company with Foreign Powers.

8. If at any time Our Secretary of State thinks fit to dissent from or object to any of the dealings of the Company with any foreign Power, and to make known to the Company any suggestion founded on that dissent or objection, the Company shall act in accordance with such suggestion.

Powers of Secretary of State. Disputed Territorial Claims.

9. If at any time Our Secretary of State thinks fit to object to the exercise by the Company of any authority, power, or right within any part of the territories aforesaid, on the ground of there being an adverse claim to or in respect of that part, the Company shall defer to that objection until such time as any such claim has been withdrawn or finally dealt with or settled by our Secretary of State.

10. *Preservation of Peace and Good Order.*

11. *Abolition of Slave Trade and Slavery.*

12. *Traffic in Spirituous Liquors.*

13. *Freedom of Religious Worship.*

14. *Administration of Justice. Local Laws and Customs.*

Right of Secretary of State to object to Proceedings or System of Company.

15. If at any time Our Secretary of State thinks fit to dissent from or object to any part of the proceedings or system of the Company relative to the peoples of the territories aforesaid or to any of the inhabitants thereof, in respect of slavery or religion or the administration of justice, or any other matter, he shall make known to the Company his dissent or objection, and the Company shall act in accordance with his directions duly signified.



Ordnance Survey, Southampton.

Map shewing the position of
THE DISTRICT OF TATI

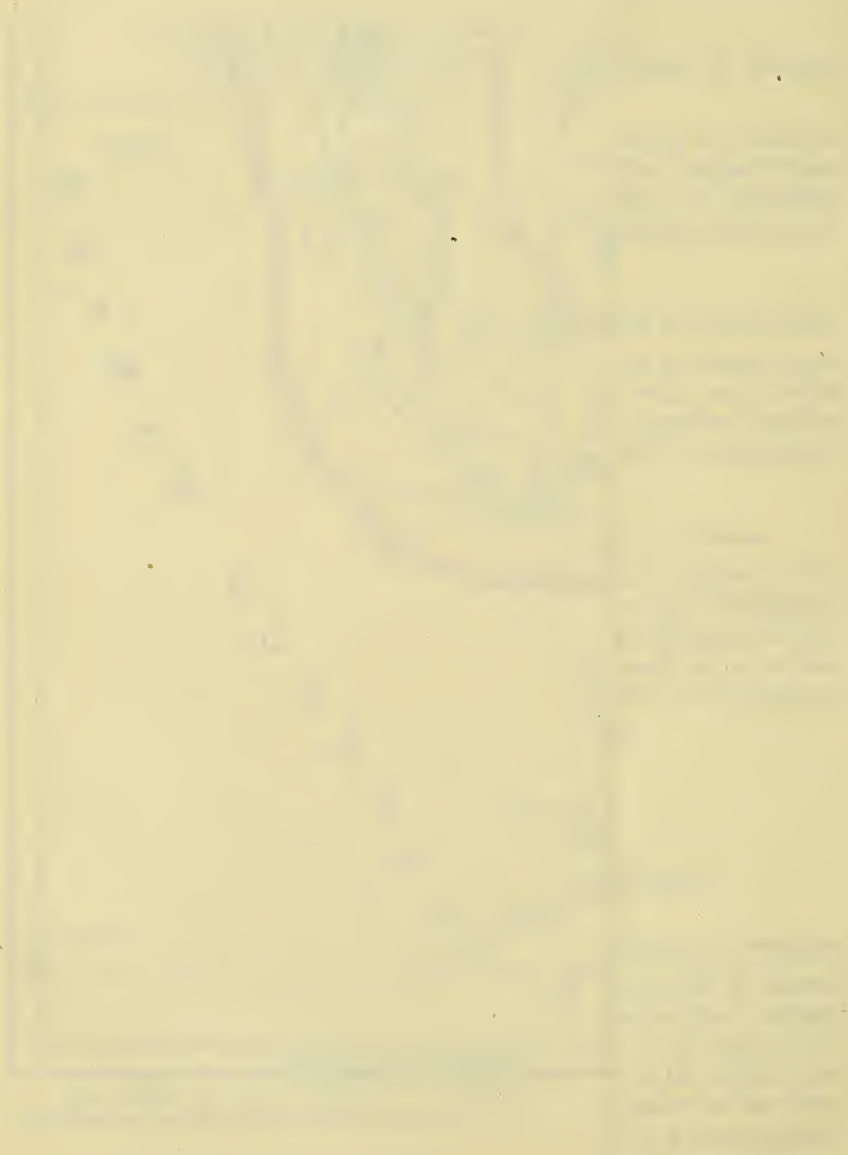
ALLUDED TO IN
 THE BRITISH SOUTH AFRICA CO'S CHARTER OF 29TH OCT^R, 1889.
 Order in Council 9th May, 1891 & Proclamation 27th June, 1891.

To face page 274



Scale: 1:1,000,000 or 1 Inch = 15.7 Stat. Miles
 0 10 20 30 MILES

Ordnance Survey, Southampton.



[Charter. British South Africa Company.]

16. *Facilities for British Ships of War in Harbours of Company.*
 17. *Annual Returns of Receipts and Expenditure to be made to Secretary of State.*
 18. *Officers of the Company.*

Flag.

19. The Company may hoist and use on its buildings and elsewhere in the territories aforesaid, and on its vessels, such distinctive flag indicating the British character of the Company as Our Secretary of State and the Lords Commissioners of the Admiralty shall from time to time approve.

No Monopoly to be granted. Concessions for Railways, Banks, &c., not deemed Monopolies.

20. Nothing in this Our Charter shall be deemed to authorize the Company to set up or grant any monopoly of trade ; provided that the establishment of or the grant of concessions for banks, railways, tramways, docks, telegraphs, waterworks, or other similar undertakings or the establishment of any system of patent or copyright approved by Our Secretary of State, shall not be deemed monopolies for this purposes.

*District of Tati.**

The Company shall not, either directly or indirectly, hinder any Company or persons who now are, or hereafter may be, lawfully and peaceably carrying on any business, concern, or venture within the said District of the Tati hereinbefore described, but shall by permitting and facilitating transit by every lawful means to and from the District of the Tati, across its own territories or where it has jurisdiction in that behalf, and by all other reasonable and lawful means, encourage, assist and protect all British subjects who now are, or hereafter may be, lawfully and peaceably engaged in the prosecution of a lawful enterprise within the said District of the Tati.

21. *Licences for killing Elephants and other Game. Reservation of Hunting Rights of Native Chiefs.*

Liability of Company. Jurisdiction. Administration of Justice.

22. The Company shall be subject to and shall perform and undertake all the obligations contained in or undertaken by Ourselves under any Treaty, Agreement, or Arrangement between Ourselves and any other State or Power whether already made or hereafter to be made. In all matters relating to the observance of this Article, or to the exercise within the Company's territories for the time being of any jurisdiction exercisable by Us under the Foreign Jurisdiction Acts, the Company shall conform to and observe and carry out all such directions as may from time to time be given in that behalf by Our Secretary of State, and the Company shall appoint all necessary officers

* See note, p. 272.

[Charter. **British South Africa Company.**]

to perform such duties, and shall provide such Courts and other requisites as may from time to time be necessary for the administration of justice.

23. *Share Capital of Company.*

Powers of the Company.

24. The Company is hereby further specially authorized and empowered for the purposes of this Our Charter from time to time :—

[Here follows a descriptive list of the powers conferred on the Company.]

Deed of Settlement.

25. Within one year after the date of this Our Charter, or such extended period as may be certified by Our Secretary of State, there shall be executed by the Members of the Company for the time being a Deed of Settlement, providing so far as necessary for :—

[Here follows a description of the provisions to be inserted.]

26. *Deed of Settlement to be approved.*

27. *Deed of Settlement may be altered or repealed.*

28. *Limited Liability of Members of the Company.*

29. *Directors of the Company.*

30. *Recognition of Charter by British Naval, Military, Consular, and Colonial Officers.*

31. *Construction of Terms of Charter most favourable to the Company.*

32. *Validity of Charter.*

Reservation of Right of Crown to revise Charter after 25 years and at end of every year as regards Administrative and Public Matters.

33. And We do further ordain and declare that it shall be lawful for Us, Our heirs and successors, and We do hereby expressly reserve to Ourselves, Our heirs and successors, the right and power by writing under the Great Seal of the United Kingdom at the end of 25 years from the date of this Our Charter, and at the end of every succeeding period of 10 years, to add to, alter, or repeal any of the provisions of this Our Charter, or to enact other provisions in substitution for, or in addition to, any of its existing provisions. Provided that the right and power thus reserved shall be exercised only in relation to so much of this Our Charter as relates to administrative and public matters.

Right of Crown to acquire Company's Buildings and Works on Payment of Compensation.

And We do further expressly reserve to Ourselves, Our heirs and successors, the right to take over any buildings or works belonging to the Company, and used exclusively or mainly for administrative or public purposes on payment to the Company of such reasonable compensation as may be agreed, or as, failing agreement, may be settled by the Commissioners of Our Treasury. And We do further appoint, direct, and declare that any such writing under the said Great Seal

[North of the Zambesi.]

shall have full effect, and be binding upon the Company, its members, officers, and servants, and all other persons, and shall be of the same force, effect, and validity as if its provisions had been part of and contained in these presents.

Rights of Crown. Protection or Government of Territories.

34. Provided always and We do further declare that nothing in this our Charter shall be deemed or taken in anywise to limit or restrict the exercise of any of Our rights or powers with reference to the protection of any territories or with reference to the government thereof should We see fit to include the same within Our dominions.

Rights of Crown in event of Company not fulfilling its Engagements.

35. And we do lastly will, ordain, and declare without prejudice to any power to repeal this Our Charter by law belonging to Us Our heirs and successors, or to any of Our Courts, Ministers or officers, independent of this present declaration and reservation, that in case at any time it is made to appear to Us in Our Council that the Company has substantially failed to observe and conform to the provisions of this Our Charter, or that the Company is not exercising its powers under the concessions, agreements, grants, and treaties aforesaid, so as to advance the interests which the Petitioners have represented to Us to be likely to be advanced by the grant of this Our Charter, it shall be lawful for Us, Our heirs and successors, and We do hereby expressly reserve and take to Ourselves, Our heirs and successors, the right and power by writing under the Great Seal of Our United Kingdom to revoke this Our Charter, and to revoke and annul the privileges, powers, and rights hereby granted to the Company.

No. 35.—*CONDITIONS on extending the Field of the Operations of the British South Africa Company to the North of the Zambesi. February, 1891.**

Extension of field of Company's operations North of the Zambesi.

THE Charter of the British South Africa Company (No. 34) shall extend over the territory under British influence north of the Zambesi and south of the territories of the Congo Free State and the German sphere, and accordingly the Company is hereby granted powers necessary for the purposes of good government and the preservation of public order in and for the protection of the said territory under British influence, but subject to the following conditions :—

Nyasaland excluded from Field of Operations.

1. The said field of operations shall not include Nyasaland.

* Conditions accepted by the Company, 5th March, 1891, and Agreement sanctioned by the Secretary of State, 2nd April, 1891.

[North of the Zambesi.]

Definition of Nyasaland Territory.

The territory defined by that name will be bounded, where it adjoins the Chartered territory, by a frontier which, starting on the south from a point where the boundary between the British and Portuguese spheres is intersected by the boundary of the Conventional line of the Berlin Act (**No. 128**), will follow that line to the point where it meets the geographical line of the Congo Basin, and will thence follow the latter line to the point where it reaches the boundary between the British and German spheres.

Powers of Government and Administration.

2. As regards the powers of government and administration by the Company, the Secretary of State shall, pursuant to the power reserved to him by Article IV of the Charter (**No. 34**) subject them to the condition that, until the 1st January, 1894, or until such earlier date as he shall direct, they shall be exercised for the Company by Her Majesty's Commissioner for Nyasaland in consultation with the Company, and accordingly, in this respect, the Company's officers shall be subordinate to the Commissioner.

After the 1st January, 1894, the arrangement shall be renewable, at the discretion of Her Majesty's Government, for a further period not exceeding two years.*

Preservation of Peace and Order. Police Force.

3. The duty of preserving peace and order incumbent on the Company under Article X of the Charter (**No. 34**) shall devolve on the said Commissioner so long as Article II hereof is in force. The Commissioner shall have the control of the police force, the establishment of which is authorized by Article X of the Charter, with power to employ it at his discretion in any part of the Company's field of operations north of the Zambesi and in Nyasaland.

*Payment for Police Force, including armed Boats, not less than 10,000*l.* a year.*

The Company shall raise, equip, and maintain (providing the necessary barrack accommodation) the police force (under which head armed boats shall be comprised), and defray all expenses connected with its employment, expending for these purposes through the said Commissioner not less than 10,000*l.* a year.

The said Commissioner shall be consulted as to the organization of the police, and especially as to the appointment by the Company of its officers.

* The Agreement was renewed for two years from the 1st January, 1894. See Memorandum, 24th November, 1894, p. 280, which provided for the direct administration by the Company of the portion of the British sphere over which its Charter was extended by the 1891 Agreement.

[North of the Zambesi.]

Administration of Justice.

4. Justice to the peoples and inhabitants within the Company's field of operations north of the Zambesi, under Article XIV of the Charter (No. 34) shall be administered by the said Commissioner so long as Article II hereof is in force.

5. The administration of justice shall be in conformity with the Africa Order in Council of the 15th October, 1889,* under which judicial powers will be conferred on the said Commissioner (so long as Article II hereof is in force), and on such other officers who may be employés of the Company as the Secretary of State shall, at the request of the Company nominate.

Goods passing through Nyasaland.

6. Goods passing through Nyasaland to or from the Chartered territory shall be treated as goods in transit, and shall be free from duty.

If, for the sake of convenience, duties are levied on them on the Nyasaland frontiers, they shall be accounted for to the Company.

Payment of Expenses of Administration in the Chartered Territory.

7. All expenses connected with the administration in the Chartered territory shall be borne by the Company either by a fixed payment, or by liquidation of accounts rendered by the Commissioner, but no expense beyond the before-mentioned 10,000*l.*, except for travelling expenses of the Commissioner and his agents, shall be incurred without the previous sanction of the Company.

Nyasaland. Material of War and Steamers belonging to the African Lakes Company.

8. The Company shall make arrangements under which the said Commissioner shall, in Nyasaland, be authorized to make use of material of war belonging to the African Lakes Company in case of necessity, and under which he shall be empowered to use, free of charge, for administrative purposes, the steamers belonging to that Company on Lake Nyasa, with due precautions against unreasonable interference with their employment for the Company's trade. †

Foreign Office, February 1891.

* H.T., vol. xviii, p. 1

† See also Agreement of 24th November, 1894, p. 280.

[North of the Zambesi.]

No. 36.—*MEMORANDUM of Agreement with the British South Africa Company respecting British Central Africa, supplementary to the Agreement of ^{February,}_{April,} 1891. 24th November, 1894.**

Direct Administration by the Company of portion of British Sphere north of the Zambesi.

The South Africa Company having intimated that it is prepared to undertake the direct administration of the portion of the British sphere north of the Zambesi over which its Charter was extended in 1891 (No. 35), the arrangement under which the administration was confided to Her Majesty's Commissioner and Consul-General, in consultation with the Company, till the 1st January, 1896, or such earlier date as the Secretary of State might direct, will terminate from the date of the assumption by the Company of direct administration, which shall not be later than the 30th June, 1895.

Administrative posts which have been placed by the Commissioner in the Chartered territory will be transferred, and will thenceforth be under the direct control of the Company. The expenditure of the Commissioner on their account will cease from the date of transfer.

Expense of Police Force.

2. The Company will, in accordance with the existing arrangement, pay into the hands of the Commissioner the annual contribution to the expense of police of 10,000*l.* up to the 1st January, 1896.

Steamers of African Lakes Company.

It will during the year 1895 pay 1,000*l.* in liquidation of the obligation, which it undertook in 1891 (§8, page 279), to afford to the Commissioner the use, free of charge, for administrative purposes, of the steamers on the lake belonging to the African Lakes Company.

Outstanding Accounts :—Police Force ; Steam Transport on Lake ; Expenses of Chartered Territory as distinct from the Protectorate.

3. The outstanding accounts between the Company and the Protectorate will be regulated by the accountants of the Foreign Office with those of the Company, on the basis that the Company is liable only for the annual police contribution of 10,000*l.*, for 5,000*l.* given in 1891 (page 278) for expenses connected with raising and organizing the police force, for expenditure in connection with steam transport on the lake for administrative purposes, and for amounts which can be shown to have been expended for the benefit of, or on account of, the Chartered territory as distinct from the Protectorate.

* Par. Pap., "Africa, No. 2 (1895)."

[North of the Zambesi.]

Sum expended for Operations against Makanjira.

4. It having been explained that Mr. Rhodes voluntarily authorized Her Majesty's Commissioner to spend on his behalf a maximum sum of 10,000*l.* for the operations against Makanjira, it is agreed that the sum actually expended on that account shall be ascertained by the above-mentioned accountants, and that the balance, if any, of the total amount of 10,000*l.*, if the whole amount shall be shown to have been drawn by the Commissioner, shall be repaid by Mr. Rhodes.

Conditional Confirmation of Treaties made by Company in Chartered Territory.

5. The Treaties made on behalf of the Company in the Chartered territory will be sanctioned, on the condition that no provisions in them will be confirmed which may conflict with the prohibition against monopolies contained in the Charter, and with the stipulations of the Act of Berlin (No. 128), in so far as they are applicable to the Chartered territory.

Claims based on Concessions.

It is understood that this sanction is without prejudice to certain claims based on Concessions said to have been obtained by Mr. Wiese, should the validity of such Concessions be hereafter established.

Mining Rights in Marimba.

6. The mining rights in the territory described as Marimba in the Commissioner's published map, purchased by the Company from the African Lakes Company, will be confirmed, subject to the terms accepted by the agent of the latter Company.

Mining Rights in Central Angoniland.

In the territory described in the above-mentioned map as Central Angoniland, the mining rights claimed by the Company will be confirmed, subject to the terms accepted by the agent of the African Lakes Company.

These confirmations will not include sanction of administrative powers, monopolies, nor the right to prevent the acquirement of land by settlers.

Company's Claim to Land and Minerals acquired from African Lakes Company.

7. The claim of the Company to land and minerals acquired from the African Lakes Company by purchase in the territory described in the Commissioner's map as North Nyasa,* will be examined when the titles obtained by the latter Company from the native Chiefs are produced for investigation.

* See Par. Pap., "Africa, No. 6 (1894)."

[North of the Zambesi.]

German Territory between Lakes Nyasa and Tanganyika to be guarded by Company against aggression.

8. It being necessary that the frontier between Lakes Nyasa and Tanganyika should be watched in order to prevent aggression by the natives on German territory, and the introduction of arms and ammunition in contravention of the prohibition which has been imposed, the Company agrees to take the requisite steps for guarding that frontier.

Customs Arrangements.

9. Customs arrangements between the Protectorate and the Chartered territory which experience may make it desirable to adopt for the purposes of the execution of the Berlin and Brussels Acts (**Nos. 128 and 130**), or for fiscal reasons, will be subject to the approval of the Secretary of State.

The Company undertakes to provide Customs posts, and to make suitable arrangements for insuring the proper observance, and preventing abuse, of the stipulations as to free transit in favour of countries adopting the Free Zone system of the Act of Berlin (**No. 128**).

H. PERCY ANDERSON.

(For the British South Africa Company),

C. J. RHODES.

24th November, 1894.

BRITISH CENTRAL AFRICA.

(NYASALAND PROTECTORATE.)

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NYASALAND PROTECTORATE.

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**No. 37.—Notes on the NYASALAND PROTECTORATE.
1883–1908.**

The missionary societies which were established on Lake Nyasa between 1874 and 1880, followed by the enterprise of the African Lakes Company, led to the appointment, on the 1st October, 1883, of a British Consul "in the territories of the African Kings and Chiefs in the districts adjacent to Lake Nyasa." On the 21st September, 1889, a British Protectorate was declared over the Makololo, Yao, and Machinga countries. (See Abstract of Treaties, p. 289.)

The conclusion of many Treaties with the native chiefs of Lake Nyasaland was followed by the following Notification of a British Protectorate :—

British Protectorate over Nyasaland Districts.

" Foreign Office, 14th May, 1891.*

" It is hereby notified for public information that, under and by virtue of Agreements with the native Chiefs, and by other lawful means, the territories in Africa, hereinafter referred to as the Nyasaland Districts, are under the Protectorate of Her Majesty the Queen.

" The British Protectorate of the Nyasaland Districts comprises the territories bounded on the east and south by the Portuguese Dominions ; and to the west by a frontier which, starting on the south from the point where the boundary of the Portuguese Dominions is intersected by the boundary of the Conventional Free Trade Zone defined in the 1st Article of the Berlin Act, follows that line northwards to the point where it meets the line of the geographical Congo Basin, defined in the same Article, and thence follows the latter line to the point where it touches the boundary between the British and German spheres, defined in the 2nd paragraph of the 1st Article of the Agreement of the 1st July, 1890." (See GREAT BRITAIN AND GERMANY, p. 900.)

" Measures are in course of preparation for the administration of justice and the maintenance of peace and good order in the Nyasaland Districts."

Nyasaland excluded from Extended Field of Operations of British South Africa Company.

On the 2nd April, 1891, sanction was given to the extension of the field of operations of the British South Africa Company over the territory under British influence north of the Zambesi and south of the territories of the Congo Free State† and the German sphere, but Nyasaland was expressly excluded from such field of operations. The extended territory was taken under the direct administration of the Company in 1895. (See RHODESIA, p. 277.)

* " London Gazette," May 15, 1891.

† Now Belgian Congo.

[Boundaries.]

Protectorate over Nyasaland Districts to be known as the "British Central Africa Protectorate."

On the 24th February, 1893, the following Notification appeared in the "London Gazette":—

Foreign Office, 22nd February, 1893.

"It is hereby notified for public information that the Nyasaland Districts which were declared by the Notification of the 14th of May, 1891, published in the 'London Gazette' of the 15th of May, 1891, as being a British Protectorate, will be hereafter officially known and described as the 'British Central Africa Protectorate.'"

Prohibition of Alcoholic Liquors.

On the 18th June, 1892, the Signatory Powers to the Brussels Act were informed that the British Protectorate of Nyasaland would be placed, from that date, under the terms of Art. XCI of the Brussels Act (No. 130) within the zone of prohibition of alcoholic liquors.

Limits of Protectorate.

On the 11th August, 1902, an Order in Council was passed entitled "The British Central Africa Order in Council, 1902," providing for the exercise of British jurisdiction in the Protectorate,* the limits of the Order being defined by Art. 1 as follows:—

The limits of this Order are the territories of Africa situate to the west and south of Lake Nyasa, and bounded by North-Eastern Rhodesia, German East Africa, and the Portuguese territories.

The said territories are in this Order referred to as "British Central Africa" and "the Protectorate."

The Protectorate to be known as the "Nyasaland Protectorate."

By Order in Council of 6th July, 1907, it was provided that "the territories heretofore known as the British Central Africa Protectorate shall be known as the Nyasaland Protectorate," and that the Protectorate "shall comprise the territories described in the first Article of 'The British Central Africa Order in Council, 1902.'"

Boundary to the North.

The boundary to the north forms part of the Nyasa-Tanganyika line (German East Africa) defined in Art. I, § 2, of the Anglo-German Agreement of the 1st July, 1890. (See GREAT BRITAIN AND GERMANY, p. 900.) The boundary was delimited on the ground in 1898, and a Protocol was drawn up and signed by the Commissioners on the 11th November, 1898. (See GREAT BRITAIN AND GERMANY, p. 916.) After examination of the recommendations of their Commissioners the two Governments concluded an Agreement on the 23rd February, 1901. (See GREAT BRITAIN AND GERMANY, p. 925.) [This line is also treated of under the Notes respecting Rhodesia, p. 270.]

* H.T., vol. xxiii, p. 22.

[Boundaries.]

Boundary to the West.

On the west the Protectorate is bounded by the territories of the British South Africa Company (North-Eastern Rhodesia).

Boundary to the South and East.

The spheres of influence of Great Britain and Portugal to the north of the Zambesi were defined by Arts. I and V of the Treaty of the 11th June, 1891. (See GREAT BRITAIN AND PORTUGAL, p. 1016.) By an Agreement effected by Notes exchanged on the 31st May and 5th June, 1893 (p. 102*i*), a *modus vivendi* till 1st July, 1896, was established relative to the spheres of influence of the two countries north of the Zambesi; this was prolonged to the 1st July, 1898, by an Agreement signed on the 20th January, 1896 (p. 1034), on the understanding that it should cease to operate as soon as the Delegates for defining the boundary should have completed their task. The boundary was surveyed and marked on the ground by a Provisional Boundary Commission in 1899 and 1900, the conclusions arrived at by the Commissioners being embodied in a series of Agreements dated from 31st July to 21st November, 1899, and by a further Agreement dated 8th December, 1900 (p. 1071). The line thus demarcated was provisionally confirmed with certain exceptions by exchange of Notes between the two Governments on the 15th September, 1906 (p. 1077). A local Commission to make some alterations in the provisional line and to settle the ownership of certain islands was appointed in 1907. (See No. 25 of the Table given at pages xlvi and xlix.)

Lease by Portugal to Great Britain of Land at Chinde.

In accordance with an understanding arrived at on the signature of the Treaty of 11th June, 1891, a lease was granted on the 7th May, 1892, by the Portuguese Government to the British Government of a piece of land on the right bank of the Chinde River to be used for the landing, storage, and transhipment of goods. (See Annex to Treaty, p. 1025.) The Concession was extended under Agreement of 12th September, 1898 (see page 1026).

Lease by Great Britain to Portugal of Land on Lake Nyasa.

A similar lease was signed on the same day by which the British Government granted to the Portuguese Government a piece of land at Leopard Bay on the west shore of Lake Nyasa for similar purposes. The Portuguese Government, however, in 1898, asked to be allowed to abandon the site chosen and to fix on a situation further south, in the south-west corner of the Lake. This was agreed to by the British Government, and an Agreement was signed by the Boundary Commissioners of the two Governments on the 12th January, 1901, for the concession of a tract of land on the western shore of the south-west arm of Lake Nyasa, to be known as Chipole, Rhoades Bay (p. 1071).

No. 38.—*ABSTRACT OF TREATIES concluded with Makololo, Yao and other Chiefs of the Shiré Highlands, 1889—1891.**

The following is a list of the Treaties concluded, between 1889 and 1891, in the name of Her Britannic Majesty, with Native Chiefs, containing engagements by those chiefs not to cede their territory or to conclude Treaties with any other Power than Great Britain, and defining the boundaries of their respective States :—

- | | |
|--------------------|---|
| 14th August, 1889. | Katunga's (Blantyre Port), River Shiré, Makololo Chiefs (Masea, Mulilima, and Katunga). |
| 15th " " | Katunga's, River Shiré, Makololo Chief (Kampata). |
| 24th " " | Yao Chiefs, Mudi, Blantyre (Shiré Highlands). Socho and Ndilandi Districts. |

The boundaries in the last Treaty were thus defined : “ On the south, west, and north by the Makololo country, on the north-east by the lands of the Zomba Chiefs, and on the east by Kumpama's territory.

21st September, 1889.† Makololo, Yao, and Machinga. British Protectorate.

British Protectorate over the Makololo, Yao, and Machinga Countries.

“ To all whom it may concern,

“ I hereby declare that the Makololo, Yao, and Machinga Countries, within the limits cited below, are, with the consent and at the desire of the Chiefs and People, placed under the protection of Her Most Gracious Majesty the Queen of Great Britain and Ireland, Empress of India, Defender of the Faith, &c.

“ Given at Mlomba, Makololo Country, this 21st day of September, 1889.

JOHN BUCHANAN,

Her Majesty's Acting Consul for Nyassa.

“ The above Declaration applies to the countries included within the following boundaries :—

“ Commencing on the left bank of the lower Shiré River at its confluence with the Ruo River, and following the Ruo to where it takes its rise in the Milanjé Mountains, thence the Milanjé Mountains to the most southerly point of Lake Shirwa, and northward along its eastern shores, including the northern slopes of the Zomba and Malosa Mountains, to the upper Shiré River ; and, on the right bank of the lower Shiré River, commencing at the lowermost point of the Makololo country, as at present opposite Mpassa's (this point, however, is subject

* Various other Treaties have been concluded with Native Chiefs.

† H.T., vol. xviii, pp. 130, 131.

[Treaties with Native Chiefs.]

to rearrangement by Her Majesty's Government), and following the Shiré at a distance of 50 miles inland from the river till it meets the Lisungwi River."

JOHN BUCHANAN,

Her Majesty's Acting Consul for Nyassa.

- 24th September, 1889. Mbewe. Makololo Chief, Mlanti (River Shiré).
 26th " " Chilomo (Ruo). Makololo Chiefs (Sons of the late Chipatala) (River Shiré).
 13th August, 1890. Wyanasa. Cession to Great Britain.

The following document was signed by the Wyanasa Chiefs and others: "We, the undersigned Sub-Chiefs, Headmen, and representatives of the deceased Chipoka, acting for and on behalf of the Wanyassa people living within the territories embraced between the Ruo River from its rise in the Milanje Mountains to the confluence of the Tuchila and the Mlosa River, and following the boundary of Chief Chikumbu's land as far as the Tuchila, as defined in Treaty made with him on the 11th August, 1890, by John Buchanan, Esq., Her Majesty's Acting Consul for Nyassa, most earnestly beseech Her Most Gracious Majesty the Queen of Great Britain and Ireland, Empress of India, Defender of the Faith, &c., to take our country, ourselves, and our peoples under her special protection, we solemnly pledging, and binding ourselves and our people, to observe the following conditions:—

1. That we give over all our country within the above described limits, all sovereign rights, and all and every other claim absolutely, and without any reservation whatever, to Her Most Gracious Majesty the Queen of Great Britain and Ireland, Empress of India, Defender of the Faith, &c., her heirs and successors, for all time coming."

14th September, 1890. Manica. Concession to British South Africa Company.

30th " " Kazembe's, in Lunda.

Boundaries thus defined: "Bounded on the west by Lake Moero and the Luapula River; on the south by latitude 10° 30' (or thereabouts); on the north by the Kalongwizi River and by latitude 9° 20' (or thereabouts); on the east by east longitude 30° (or thereabouts)."

16th October, 1890. Nsama's in Itawa.

Boundaries thus defined: "Bounded on the west by Lake Moero; on the east by Chungu's country (east longitude 30°, or thereabouts); on the north by south latitude 8° 25' (or thereabouts); on the south by the Kalongwizi River, and by south latitude 9° 20' (or thereabouts)."

15th June, 1891. Chikala. (Chief Kawinga.)

Boundaries thus defined: "On the east, the east side of Lake Shirwa, thence to Lake Chiuta and Namalamba; on the north, Masanje to Mfera at the River Shiré; on the west, Zineso's land and that of Mpimbi; and on the south, the boundary of Malemya."

[Treaties with Native Chiefs.]

The following description was given by Vice-Consul Buchanan of King Kawinga's Country: "Kawinga's head village is perched at an altitude of about 4,500 feet above sea-level on the northern face at the eastern end of Mount Chikala. His people are scattered in small hamlets round the bases of the Mountains Chikala and Chaoni, while his country, embracing the northern half of Lake Shirwa, extends to Lakes Chiuta and Amaramba and across to the Upper Shiré behind Zomba, forming a large tract of almost uninhabited land, there being comparatively few people outside the neighbourhood of Chikala and Chaoni."

(The British flag was hoisted at the principal village in Chief Kawinga of Chikala country, 15th June, 1891.)

21st July, 1891. Makanga and Machinjiri Chiefs. Act. Cession to Great Britain of Sovereignty over strip of country along right bank of the Shiré River.

The boundaries were thus defined: "On the north by the former Portuguese boundary, which, starting from opposite the confluence of the Ruo, ran due west to the water-parting between the basins of the Zambesi and the Shiré; on the west, by the dividing line of the said water-parting along the range of the Makanga and Sena Mountains; on the south, by a straight line running latitudinally between the said water-parting and a point on the right bank of the River Shiré, opposite Chiwanga, in about 17° 10' south latitude; and, on the east, by the centre of the course of the River Shiré, including thus such islands and islets as lie to the west of the centre of the said river." (The British flag was hoisted 15th July, 1891.)

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BRITISH EAST AFRICA.

(ZANZIBAR PROTECTORATE.)

ZANZIBAR PROTECTORATE.

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The dominions of Zanzibar were formerly a dependency of Muscat, but became independent under an Award delivered by the Governor-General of India on the 2nd April, 1861, for the settlement of differences between the Sultans of Muscat and Zanzibar. (See p. 326.)

Consular jurisdiction had been acquired by the United States of America as early as 1833 (see Treaty, p. 328), by France in 1844 (see p. 315), and by Great Britain and other European Powers later.

Recognition by Great Britain, France and Germany of Independence of Zanzibar.

On the 10th March, 1862, a Declaration was signed by Great Britain and France engaging reciprocally to respect the independence of the Sultans of Muscat and Zanzibar (see GREAT BRITAIN AND FRANCE p. 718); and by Agreements between Great Britain and Germany of the 29th October and 1st November, 1886, the sovereignty of the Sultan of Zanzibar was recognised (see GREAT BRITAIN AND GERMANY, p. 882); the Delegates of the three Powers, Great Britain, France and Germany, having previously on the 9th June, 1886, having signed a Procès-Verbal recording their unanimous opinion with reference to the maritime, littoral and continental possessions of the Sultan of Zanzibar. (See GREAT BRITAIN AND GERMANY, p. 874.)

Limits of Zanzibar Dominions.

On the $\frac{3^{\text{rd}}}{4^{\text{th}}}$ December, 1886, an Agreement was signed between Great Britain and Zanzibar defining the limits of the Sultan's dominions, viz. : Islands of Zanzibar, Pemba, Lamu, and Mafia, and on the coast from Tunghi Bay to Kipini and the Benadir Ports to the north. (See p. 394.)

Accession of Zanzibar to Berlin Act.

The Sultan of Zanzibar adhered to the "Berlin Act" of 1885, with a reservation as to free trade, 8th November, 1886 (p. 314), but the reservation was withdrawn and Zanzibar placed under the free trade provisions of Art. I of the Act on the 22nd June, 1892. (See p. 312.)

Concession to British East Africa Company.

The administration of the Sultan's territories on the mainland from Wanga (River Uмба) to Kipini was made over to the British East African Association by concession dated 24th May, 1887. (See EAST AFRICA PROTECTORATE, p. 339.) By a fresh Concession dated the 9th October, 1888, the administration of the same territories, including the islands embraced in such territory, was made over to the Imperial British East Africa Company,* and by a further Concession dated the 4th March, 1890, similar powers were given to the Company on the mainland between Kipini and Mruti, with the islands, and the

* The earlier Association incorporated by Royal Charter.

[British Protectorate.]

towns and places on the Benadir Coast. (See EAST AFRICA PROTECTORATE, pp. 350 and 362.) By the Agreement of the 5th March, 1891, the coast line from Wanga to Kipini, and the islands Lamu, Manda, Patta, and the territory at Kismayu were ceded to the Company in perpetuity instead of for the 50 years granted by the concession of 1888. (See EAST AFRICA PROTECTORATE, p. 365.)

Concession to German East Africa Company.

The administration of the Sultan's possessions on the mainland south of the River Umba was transferred to the German East African Association by Concession dated the 28th April, 1888. (See GERMANY, p. 695.) By Agreement between Great Britain and Germany, with the consent of the Sultan of Zanzibar, the coast line between the Rivers Umba and Rovuma, and the island of Mafia, were permanently ceded to Germany for the sum of four million marks (£200,000). (See Exchange of Notes, GREAT BRITAIN AND GERMANY, ^{27th}/_{28th} October, 1890, p. 907.)

Concession to Italy.

The administration of the ports to the north of Kismayu, Brava, Meurka, Magadiscio, and Warscheik (Benadir), acquired by the British East Africa Company under Concession from the Sultan of Zanzibar of the 9th October, 1888, above referred to, was transferred to the Italian Government, with the consent of the Sultan in 1890. (See ITALY (Benadir), p. 1083.) By Agreement between Great Britain and Italy dated the 13th January, 1905, the purchase by Italy of the Benadir Coast for the sum of £144,000 to be paid to the Government of Zanzibar was agreed to. (See GREAT BRITAIN AND ITALY, p. 954.)

British Protectorate.

The Sultan of Zanzibar accepted the Protectorate of Great Britain by Agreement dated 14th June, 1890 (see p. 308), and the Protectorate was publicly notified on the 4th November of that year. (See p. 310.) By an Agreement dated the 14th December, 1895, the administration of the mainland territories and islands was intrusted to officers appointed direct by the British Government. Those territories now form part of the East Africa Protectorate. (See EAST AFRICA PROTECTORATE, p. 382.)

Limits of Protectorate.

The present Protectorate of Zanzibar is limited to the Islands of Zanzibar and Pemba, including the territorial waters thereof, and any islets within those waters. (Zanzibar Order in Council, 1906, Art. 1.*)

Zanzibar placed within the Alcoholic Liquor Zone.

By a Notification dated the 24th January, 1902,† the Protectorate of Zanzibar was declared to be and to remain within the zone of total prohibition of alcoholic liquors under Art. XCI of the Brussels Act.

* H.T., vol. xxiv, p. 1111.

† H.T., vol. xxiv, p. 13.

No. 40.—*TREATY between Great Britain and Zanzibar, relating to Consular Jurisdiction, &c. Signed at Zanzibar, 30th April, 1886.**

Art. I.—*Peace and Friendship.*

Art. II.—*Commerce, Shipping, Trade, &c. Most-favoured-nation Treatment.*

Art. III.—*Appointment of Consular Officers. Protection, &c. Most-favoured-nation Treatment.*

Art. IV.—*Commerce and Navigation. Access to Ports. Right to travel, reside and trade in respective Dominions. Prohibition against Monopolies.*

Art. V.—*Acquisition of, and succession to Property, Wills, &c.*

Art. VI.—*Regulations. Customs, and other Dues in Zanzibar.*

Art. VII.—*5 per cent. Duty to be levied on Imports. Duty on Spirituous Liquors. Exemption of certain goods, &c., from Payment of Duty.*

Art. VIII.—*Special Duty may be levied on certain articles exported from Zanzibar.*

Art. IX.—*Special Duty to be levied in lieu of Monopoly Rights. Monopoly Taxes abolished.*

Art. X.—*Shipping, Harbour, and Tonnage Dues.*

Art. XI.—*Payment of Duties in cash or in kind.*

Art. XII.—*Movement of Goods in Transit. Erection of Customs House at Zanzibar.*

Art. XIII.—*Vessels in Distress. Shipwrecked Vessels.*

Art. XIV.—*Arrest and Surrender of Deserters from Ships of War and Merchant Vessels.*

Art. XV.—*Punishment for False Declaration as to Goods.*

British Rights of Exterritoriality in Zanzibar. Civil and Criminal Jurisdiction.

Art. XVI.†—Subjects of Her Britannic Majesty shall, as regards their persons and property, enjoy within the dominions of His Highness the Sultan of Zanzibar the rights of extrterritoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes between subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations, such questions, whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial and also the punishment of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all civil questions, claims, or disputes in which they are the defendants is expressly reserved to the British Consular authori-

* H.T., xvii, p. 1114; S. P., vol. lxxvii, pp. 54, 63.

† See Declarations, 2nd February, 1891, and 16th December, 1892, pp. 310, 313; and List of Orders in Council, 1866—1906, p. 298.

ties and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between a subject of His Highness the Sultan, or other non-Christian Power not represented by Consuls at Zanzibar, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or the complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunity afforded for the British Consul or his substitute to attend at the hearing and final decision.

*British Protected Persons.**

Art. XVII.—Subjects of His Highness the Sultan or any non-Christian nation not represented by Consuls at Zanzibar, who are in the regular service of British subjects, within the dominions of His Highness the Sultan of Zanzibar, shall enjoy the same protection as British subjects themselves. Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by their British employers or by order of the British Consuls to the authorities of His Highness the Sultan for trial and punishment.

Art. XVIII.—*Bankrupts.*

Art. XIX.—*Recovery of Debts.*

Art. XX.—*Intestate Property. Interference of British Consul.*

Art. XXI.—*Inviolability of Dwellings of British Subjects and others.*

Art. XXII.—*Local Taxation in districts or towns.*

Art. XXIII.—*Religious Liberty. Protection of Missionaries, Scientists, and Explorers.*

Art. XXIV.—*Application of Treaty to certain British Colonies.*

Art. XXV.—*Signature of Treaty in duplicate. Date of Commencement.*

Art. XXVI.—*Duration of Treaty. For 15 years, from 7th August, 1886. May then be revised.*

Art. XXVII.—*Ratifications.*

[TARIFF.]

Explanatory Note. Import Duties.

Produce of Estates held by British Subjects.

[*Note.*—This Treaty was abrogated by a Treaty between Great Britain and Zanzibar, signed on the 4th November, 1908.]

* See also Order in Council, 17th July, 1893, p. 314.

[Limits of Sultan's Dominions. Spheres of Influence of Great Britain and Germany.]

No. 41.—*AGREEMENT* between Great Britain and Zanzibar, defining the limits of the Sultan's Dominions; Spheres of Influence of Great Britain and Germany, &c. Zanzibar, $\frac{3^{\text{rd}}}{4^{\text{th}}}$ December, 1886.

(1) *Acting British Consul-General Holmwood to the Sultan of Zanzibar. Extent of Territory belonging to Sultan of Zanzibar.*

Sir,

Zanzibar, December 3, 1886.

I am instructed by Her Majesty's Government to communicate to your Highness the particulars of an Agreement which has been entered into between the Governments of Great Britain and Germany* for the purpose of delimitating the extent of the territory which they are prepared to recognize as under your Highness' sovereignty, and of defining on a mutual understanding the general basis upon which they may best extend their influence for the development of commerce and civilization in the interior of Eastern Tropical Africa.

Islands of Zanzibar, Pemba, Lamu, and Mafia.

1. Great Britain and Germany recognize the sovereignty of your Highness over the Islands of Zanzibar and Pemba, and the smaller islands within a radius of 12 nautical miles round those two islands, as well as over the Islands of Lamu and Mafia.

Zanzibar Limits on Mainland.

On the mainland they recognize a continuous line of coast from the Minengani River at the head of Tungi Bay to Kipini; the line commencing on the south at the mouth of the Minengani River, follows that river for 5 nautical miles, and continues thence on the line of latitude to the point where that line strikes the right bank of the Rovuma River, crossing the Rovuma and running down its left bank. The line has thence an internal depth of 10 nautical miles from the coast, measured direct into the interior from high-water mark.

Kau, Kismayu, Brawa, Meurka, Magadisho, and Washeik.†

The northern limit includes Kau. To the north of Kipini they recognize the stations of Kismayu, Brawa, Meurka, and Magadisho, with radii of 10 nautical miles, and of Washeik, with a radius of 5 nautical miles.

* See Procès-Verbal between Delegates of Great Britain, France, and Germany, of 9th June, 1886 (Great Britain and Germany, p. 874; Agreement between Great Britain and Germany, of $\frac{29 \text{ Oct.}}{1 \text{ Nov.}}$ 1886, p. 882); and Declaration of Adhesion of Sultan of Zanzibar to Anglo-German Agreement of October—November, 1886, of 4th December, 1886, p. 887.

† On the 3rd August, 1889, an Agreement was signed between Italy and the British East Africa Company, providing for the eventual concession of these Districts to the Company, to be administered by them in the Sultan's name (see Italy (Benadir)), p. 1088). See also Deed of Transfer, 18th November, 1889, p. 1091.

Proposed Lease of Customs at Dar-es-Salaam and Pangani to the German African Company.

2. Great Britain supports the wish of Germany that your Highness should lease to the German African Company the Customs duties at the ports of Dar-es-Salaam and Pangani in return for an annual payment by the Company, calculated on a percentage of the revenue collected, on a sliding scale.*

Spheres of Influence of Great Britain and Germany.

3. The two Powers agree to a delimitation of their respective spheres of influence on this portion of the East Coast of Africa as follows:—

Rovuma River to Tana River on Coast, and Limits Inland.

The territory to which the arrangement applies is bounded on the south by the Rovuma River, and on the north by a line drawn from the mouth of the Tana River, following that river or its affluents to the point of intersection of the Equator and the 38th degree of east longitude, thence striking diagonally to the point of intersection of the 1st degree of north latitude with the 37th degree of east longitude, where it terminates.

Wanga or Umbe River to Lake Victoria Nyanza.

The line of demarcation starts from the mouth of the River Wanga, or Umbe, runs direct to lake Jipé, passes along the eastern side and round the northern side of the lake, and crosses the Lumi River, after which it passes midway between the territories of Taveita and Chagga, skirts the northern base of the Kilimanjaro range, and thence is drawn diagonally to the point on the eastern side of Lake Victoria Nyanza where the 1st degree of south latitude strikes the lake.

The sphere of action of Great Britain lies to the north of this line of demarcation, and that of Germany to the south.

No Acquisition of Territory to be made by Sultan of Zanzibar within British Sphere of Influence.

Her Majesty's Government request that your Highness will acknowledge it as an obligation to respect the territories which have been by the foregoing Agreement reserved to British interests, and that your Highness will make no acquisitions in this region unless with the approval of Her Majesty's Government.

Proposed Withdrawal of Zanzibar Claim to Sovereignty in Kilimanjaro District.

4. Great Britain supports the wish of Germany that your Highness should withdraw, by means of an official declaration, your claims to sovereignty in the Kilimanjaro district, which your Highness has

* Agreed to by Sultan of Zanzibar, 4th December, 1886, §2. See p. 307.

[Limits of Sultan's Dominions, &c.]

never exercised, and should make the fact known in writing to the Chiefs of that district.*

Coast-line of Witu.†

5. The two Powers recognize the coast-line of Witu as commencing to the north of Kipini, and continuing to the northern extremity of Manda Bay.

Her Majesty's Government trust that your Highness will recognize the friendly spirit in which this Agreement has been arrived at, and that by a ready adhesion to its terms, your Highness will assist in bringing about the satisfactory solution of questions which cannot otherwise fail to jeopardize the interests of the Sultanate.

I have, &c.,

FREDC. HOLMWOOD.

(2.) *The Sultan of Zanzibar to Acting Consul-General Holmwood.*

(Translation.)

(After compliments.)

4th December, 1886.

WE have received your letter dated the 3rd December, and at the same time we received a letter from the Consul-General of the German Government, and we have understood them both as follows :—

Islands of Zanzibar, Pemba, Lamu, Mafia.

1. Great Britain and Germany have agreed to recognize our Sultanate over the Islands of Zanzibar, Pemba, Lamu, Mafia, and all the islands on the coast.

Zanzibar limits on Mainland.

They recognize our Sultanate over a continuous line of coast from the River Minengani, at the head of Tungi Bay, on the south, up to Kipini on the north; and the said line commences from the mouth of the Minengani River, and follows the said river for five nautical miles, thence following the line of latitude till the said line strikes the right side of the Rovuma River, and crossing the said river, runs down its left bank, from thence the line follows the coast with a breadth inland of 10 nautical miles from high-water mark.

Kau.

And the limit to the north includes Kau.

* See Sultan's Reply, 4th December, 1886, § 5, p. 308. See also Agreement, Great Britain and Germany, 25th July, 1893, respecting Kilimanjaro District, p. 911.

† Witu was placed under British Protection, 19th November, 1890. See East Africa Protectorate, p. 364.

[Limits of Sultan's Dominions.]

Kismayu, Brava, Meurka, Magadisho, and Washeik.*

To the north of Kipini the Governments recognize as belonging to us the places Kismayu, Brava, Meurka, and Magadisho, with a radius of 10 miles each, and Washeik, with a radius of five miles.†

Proposed Lease of Customs at Dar-es-Salaam and Pangani to the German African Company.

2. We agree to accept the demand of Germany to lease to the German African Company the Customs of Dar-es-Salaam and Pangani, the Company having to pay annually a rent calculated on a percentage of the revenue collected, on a sliding scale, as will be afterwards agreed.

Delimitation of British and German Spheres of Influence.

3. The Governments have agreed to delimitate the following countries, viz.,

Rovuma River to Tana River on Coast, and Limits Inland.

The whole territory bounded on the south by the Rovuma River, and on the north by a line commencing from the Tana River, following the said river or its affluents up to the point where the equator meets the 38th degree of east longitude, whence it goes diagonally to the point where the 1st degree of north latitude cuts the 37th degree east longitude, where it ends.

Wanga or Umbe River to Lake Victoria Nyanza.

This territory is divided between the Powers of Great Britain and Germany, by a line drawn from the mouth of the River Wanga or Umbe direct to Lake Jipé, passing along its eastern and around its northern shore it crosses the River Lumi, and passes midway between Taveita and Chagga, and round the north side of Kilimanjaro Mountains, and thence runs diagonally to the east shore of Lake Victoria Nyanza, to the place where the 1st degree south latitude strikes the lake. And seeing what they have agreed as to these places which are to be under the influence of Great Britain and Germany, we will not put our hand towards acquiring any fresh place in them without the consent of the two Governments.

* See Agreement between British East Africa Company and Italy, of 3rd August, 1889, for the joint occupation of Kismayu (§ 3), p. 1089. See also Deed of Transfer, 18th November, 1889, p. 1091, and Declaration of British Protectorate over Zanzibar dominions, excepting the territory lying to the south of River Umba, Mafia Island, and the Districts of Brava, Meurka, Magadisho, and Warsheik, 4th November, 1890, p. 310.

† On the 3rd August, 1889, an Agreement was signed between Italy and the British East Africa Company, providing for the eventual concession of these Districts to the Company, to be administered by them in the Sultan's name. (See Italy (Benadir), p. 1088. See also Deed of Transfer, 18th November, 1889, p. 1091.)

[British Protectorate of Zanzibar Dominions, &c.]

Withdrawal of Zanzibar Protection from Kilimanjaro District.

4. We agree to remove our protection from the district of Kilimanjaro, and will make an official declaration on the subject to the Chiefs.*

Coast-line of Witu.†

5. Great Britain, Germany,‡ and we recognize that the coast-line of Witu stretches from the north of Kipini to the north of Manda Bay, and we will remove all our officials from this piece of coast.

No. 42.—*PROVISIONAL AGREEMENT concluded between the Sultan of Zanzibar and Her Britannic Majesty's Agent and Consul-General (subject to the approval of Her Majesty's Government), respecting the British Protectorate of the Sultan's dominions, Succession to the Throne of Zanzibar, &c.*§ Zanzibar, 14th June, 1890.

British Protectorate.

Art. I.—His Highness Seyyid Ali-bin-Saïd, the Sultan aforesaid, accepts freely and unreservedly for himself, his subjects, and his dominions, the Protectorate of Great Britain, to commence from any date which may hereafter be fixed by Her Majesty's Government.

Relations of Zanzibar with Foreign Powers to be conducted through British Government.

Art. II.—His Highness Seyyid Ali-bin-Saïd further understands and agrees that all his relations, of whatever sort, with foreign Powers, shall be conducted under the sole advice and through the channel of Her Majesty's Government.

Sultan's Dominions lying between the Umba and Rovuma Rivers.

Art. III.—As regards that portion of His Highness the Sultan's dominions lying between the Umba and Rovuma Rivers, His Highness Seyyid Ali agrees to abide by any equitable arrangement that may be come to by Her Majesty's Government with Germany regarding its retention by the Germans, and leaves his just interests in this question entirely to the care of Her Majesty's Government.||

British Guarantee of Sultan's Throne to himself and his Successors.

Art. IV.—Colonel C. B. Euan-Smith, Her Majesty's Agent and Consul-General aforesaid, hereby guarantees, on behalf of Her Majesty's

* See § 4, p. 305.

† Witu was placed under British Protection, 19th November, 1890. See East Africa Protectorate, p. 364.

‡ See Agreement, Great Britain and Germany, October—November, 1886, § 5, p. 884.

§ See Notification of British Protectorate, 4th November, 1890, p. 310.

|| See Agreement, Great Britain and Germany, 1st July, 1890, Art. 1, §§ 1 and 2, pp. 899, 900.

[British Protectorate of Zanzibar Dominions, &c.]

Government, the maintenance of His Highness the Sultan of Zanzibar's throne to himself, Seyyid Ali, and also to his successors.

Succession to the Throne of Zanzibar.

Art. V.—Colonel C. B. Euan-Smith further guarantees to His Highness Seyyid Ali, on behalf of Her Majesty's Government, the right of nominating his own successor to the Throne, subject to the approval of Her Majesty's Government.

Agreement to be binding permanently.

Art. VI.—His Highness Seyyid Ali hereby declares that the above Agreement shall be for ever binding upon himself, his heirs and successors.

Done at Zanzibar, in duplicate English and duplicate Arabic copies, on the 14th day of June, in the year 1890.

(Signature in Arabic.)

Translation: ("This is true. Written by Ali-bin-Said with his own hand.")

Witness to the signature of His Highness the Sultan:

MOHAMMED-BIN-SAEF.

SALIM-BIN-ASSAN.

(L.S.) C. B. EUAN-SMITH, *Colonel,*
Her Britannic Majesty's Agent and
Consul-General.

Witness to the signature of Colonel Euan-Smith:

ERNEST J. L. BERKELEY,

Her Britannic Majesty's Vice-Consul.

The Sultan of Zanzibar to the Marquis of Salisbury.

(Translation.)

Zanzibar, 14th June, 1890.

We have heard from our true friend, your Consul-General Colonel Euan-Smith, all that your Lordship proposes to do for our good. And we know, indeed, that the English Government is always desirous of doing good to us, and we are very grateful to your Lordship in our heart, and we accept everything proposed. And now, please God, our interests will be safely in the care of the English.

This is from your friend.

ALI-BIN-SAÏD.

[Zanzibar Dominions. British Protectorate and Jurisdiction.]

No. 43.—*NOTIFICATION of the British Protectorate over certain Dominions of the Sultan of Zanzibar. London, 4th November, 1890.*

Foreign Office, 4th November, 1890.

British Protectorate over Sultan's Dominions.

IT is hereby notified, for public information, that in pursuance of an Agreement with the Sultan of Zanzibar,* the Dominions of His Highness are placed under the Protectorate of Her Britannic Majesty.

The Protectorate comprises the territory recognized as belonging to His Highness in the Articles of Agreement between Great Britain and Germany, recorded in the note from His Excellency Count Hatzfeldt of the 29th October, 1886, and in the note from the Earl of Iddesleigh of the 1st November following (**No. 264**)†,

Exceptions :—Territory lying to the south of River Umba, Island of Mafia, and Districts of Brava, Merka, Magadisho, and Warsheikh.

with the exception of the territory lying to the south of the River Umba, of the Island of Mafia, and of the districts of Brava, Merka, Magadisho, and Warsheikh.‡

[From the "London Gazette" of November 4th, 1890.]

No. 44.—*DECLARATION between Great Britain and Zanzibar relative to the Exercise of Judicial Powers in Zanzibar. Signed at Zanzibar, 2nd February, 1891.*§

WHEREAS it has been found desirable that judicial powers, under Article XVI of the Treaty of the 30th April, 1886 (**No. 40**), between Great Britain and Zanzibar, should, under certain circumstances, be conferred by Her Majesty's Government upon persons, within the territories of Zanzibar, who are not Consular officers :

It has been agreed between Her Britannic Majesty and His Highness the Sultan of Zanzibar that such judicial powers as are authorized by Article XVI of the aforesaid Treaty of the 30th April, 1886, may be conferred by Her Majesty's Government upon any person, whether such person be a Consular officer or not.

* 14th June, 1890, p. 308.

† See Great Britain and Germany, p. 882.

‡ On the 31st August, 1889, the administration of this territory was agreed to be handed over by the Sultan of Zanzibar to the British East Africa Company, to be administered by them in the name of the Sultan. See p. 359. The Rights and Privileges of the Company in the Ports of Brava, Meurka, Magadisho, Warsheikh and Mruti were transferred by the Company to the Italian Government by Deed of Transfer of 18th November, 1889. (See p. 1091.)

§ See also Declaration, 16th December, 1892, p. 313 ; and List of Orders in Council, p. 218.

[Zanzibar. Free Port.]

The present Declaration shall have the same force and duration as the Treaty to which it relates.

In witness whereof the Undersigned, duly authorized to that effect, have signed the same this 2nd day of February, 1891.

His Highness SEYID ALI, *Sultan of Zanzibar.*
C. B. EUAN-SMITH, *Her Majesty's Agent and*
Consul-General, Zanzibar.

No. 45.—*BRITISH NOTIFICATION. Free Port of Zanzibar.*
8th February, 1892.

*Foreign Office, February 8, 1892.**

NOTICE.

Free Port of Zanzibar.

INFORMATION has been received from Mr. Gerald Portal, C.B., Her Britannic Majesty's Agent and Consul-General at Zanzibar, that on the 1st instant he publicly declared that on and after that day import duties on all goods coming from foreign countries into the Port of Zanzibar would cease and be abolished.

The following articles are, however, for the public good, excepted from the terms of this declaration :—

1. Arms and munitions of war.
2. Alcoholic liquors, with the exception of beer and wines of lower strength than fifty degrees centigrade.
3. Kerosine and all other explosive oils or dangerous substances.

The duty on these latter articles will be remitted under certain conditions of storage.

All the above-mentioned articles will still remain subject to the duties leviable under existing treaties with foreign powers or under the provisions of the General Act of the Brussels Conference (No. 130), so soon as the latter shall come into force.

The above notice applies only to the Port of Zanzibar itself.

Reimposition of 5 per cent. ad valorem Import Duty.

Note.—A public Notification (Notice No. 1), dated 11th September, 1899, was issued by the Zanzibar Government as to the levy, on and after the 15th September, of a 5 per cent. *ad valorem* duty on all imports from foreign countries except on coins, coals, hippopotamus teeth, ivory, rhinoceros horns and hide, rubber, and tortoiseshell, exempted from duty.

Import Duties raised to 7½ per cent. ad valorem.

The general import duties were raised from 5 to 7½ per cent. *ad valorem* on the 1st January, 1908.

* "London Gazette," 9th February, 1892.

No. 46.—*NOTIFICATION to Treaty Powers. British Protectorate of Zanzibar placed under Free Trade Provisions of Berlin Act. 22nd June, 1892.*

Circular to Powers Signatories of Berlin Act.

MY LORD,

SIR,

Foreign Office, June 22, 1892.

I HAVE to request you to notify to the Government to which you are accredited that it has been decided to place the British Protectorate of Zanzibar, from the 1st July next, under the free zone provisions of Article I of the Act of Berlin. (**No. 128.**)

The conditions under which the finances of Zanzibar were administered at the date of the passage of the Act were not consistent with the adoption of the fiscal system of the free zone, but under the Protectorate of Great Britain a complete change has been effected. The finances have been placed under European control, reforms have been introduced in every branch of the Administration, and sufficient progress has been made to justify Her Majesty's Government in notifying the acceptance of the invitation tendered by the Powers in 1885 to the Governments established on the African Littoral of the Indian Ocean.

Import Duties.

The whole of the Sultan's dominions, including the Islands of Zanzibar and Pemba, and the mainland territory under the administration of the Imperial British East Africa Company, will, from the above-named date, be placed permanently in the same financial position as that in which the Congo Free State was placed by the provisions of the Berlin Act (**No. 128**), afterwards modified by the Declaration annexed to the Brussels Act (p. 517). The existing system under which the tariffs and duties are regulated by Commercial Treaties with individual Powers will be extinguished by the substitution for it of the system framed for the free zone by the assembled Powers in 1885.

Duties on Spirituous Liquors, Arms, Ammunition, and Explosives imported into Port of Zanzibar.

In making the above notification, your Excellency should explain that, although the stipulations of the Declaration annexed to the Act of Brussels will be applicable to the entire Protectorate, it is not proposed that the Sultan should avail himself at present, as regards the port of Zanzibar, of the right of levying import duties conferred by that Declaration. It has been decided that, until further notice, no such duties will be imposed in that port except upon spirituous liquors, arms, ammunition, and explosives.

5 per Cent. Duty on Imports in other Zanzibar Ports administered by British East Africa Company. Benadir Ports, &c.

In all the other ports of Zanzibar, including those under the administration of the Imperial British East Africa Company and the

[Great Britain. Consular Jurisdiction.]

Benadir ports, the 5 per cent. duty on imports now levied under Treaty will be replaced by a similar duty under the Declaration annexed to the Brussels Act (p. 517). This will be in accordance with the terms of the Agreement respecting the tariff of the eastern zone of the Conventional Basin of the Congo, signed at Brussels on the 22nd December, 1890, by the Delegates of Great Britain, Germany, and Italy (No. 131). The tariff will be subject to the modifications as regards arms and ammunition, spirits, and certain specified articles, in accordance with the terms of the Agreement.

I am, &c.,
SALISBURY.

No. 47.—*DECLARATION between Great Britain and Zanzibar amending Art. XVI of the Treaty of 30th April, 1886, respecting Consular Jurisdiction. 16th December, 1892.**

WHEREAS under Article XVI of the Treaty of 30th April, 1886 (No. 40), between Great Britain and Zanzibar, it is provided that should disputes arise between a subject of His Highness the Sultan or other non-Christian Power not represented by Consuls at Zanzibar and a subject of Her Britannic Majesty, in which the latter is the plaintiff or complainant, the matter may be brought before and decided by some person specially delegated by the Sultan for that purpose.

Now, therefore, it has been agreed between His Highness Seyid Ali, Sultan of Zanzibar, and Sir Gerald H. Portal, Her Britannic Majesty's Diplomatic Agent and Consul-General, acting on behalf of Her Majesty's Government, that in all cases arising within the British Protectorate of Zanzibar, in which the plaintiff or complainant is subject to the jurisdiction of the Protecting Power, and the defendant or accused is a subject of His Highness the Sultan or of other non-Christian Power not represented by Consuls, the Sultan hereby delegates all his judicial powers, as defined in the aforesaid Article No. XVI, to Her Britannic Majesty's Agent and Consul-General, or to any person or persons appointed by him, with the concurrence of the Secretary of State for that purpose. His Highness, however, retains the right to appoint a Kathi to be present at the hearing of such cases, and to act as assessor.

The present Declaration shall come into force from the day of its signature, and shall have the same force and duration as the Treaty to which it relates.

In witness whereof the Undersigned, duly authorized to that effect, have signed the same this 16th day of December, 1892.

SEYID ALI, *Sultan of Zanzibar.*

G. H. PORTAL, *Her Britannic Majesty's
Diplomatic Agent and Consul-General.*

* See List of Orders in Council, p. 298.

[Natives of British Protectorate, &c.]

No. 48.—ORDER IN COUNCIL. *Natives of British Protectorates outside Zanzibar to be deemed British Protected Persons when within Zanzibar; British Jurisdiction over Zanzibar Subjects; Enforcement of Treaties, &c., in Zanzibar.* Windsor, 17th July, 1893.*

[Extract.]

Natives of Protectorates outside Zanzibar to be deemed British Protected Persons when within Zanzibar.

2.—(1.) Natives of any Protectorate of Her Majesty which is outside Zanzibar shall when within Zanzibar be deemed to be British protected persons within the meaning of the Orders in Council relating to Zanzibar.

British Jurisdiction over Zanzibar Subjects.

(2.) Such of the provisions of those Orders as refer to British subjects shall extend also to Zanzibar subjects, but in so far only as by Treaty, Convention, grant, usage, or other lawful means Her Majesty has jurisdiction in Zanzibar in relation to Zanzibar subjects.

Enforcement of Treaties, &c., in Zanzibar.

7. The powers conferred upon the Consul-General by Article II of the Order of 1888 shall extend, and be deemed to have extended to regulations for enforcing the observance of any Treaty, Convention, or International Agreement to which Her Majesty is, or may hereafter be, a party, whether the Sultan of Zanzibar is or is not a party thereto.

[Repealed by Order in Council of 1897. See List, p. 298.]

No. 49.—ADHESION of the Sultan of Zanzibar to the Berlin Act, of 26th February, 1885 (with a reservation). Zanzibar, 8th November, 1886.†

(Translation.)

THE Sultan of Zanzibar and its dependencies, in conformity with Article XXXVII of the General Act of the Berlin Conference (No. 128) declares, by these presents, that he adheres to the stipulations of the said General Act, with the reservation that his adhesion to the said Act shall not entail or shall not be supposed to signify his acceptance of the principle of free trade, which, according to Article I of the said Act, shall not be applicable to his territories in the eastern zone which is therein defined, except in so far as he shall assent thereto.‡

Done at Zanzibar, the 8th day of November, 1886.

(L.S.) (Signature in Arabic.)

* "London Gazette," 21st July, 1893. See List of Orders in Council, &c., p. 298.

† S.P., vol. lxxvii, p. 816. Communicated by Count Hatzfeldt to the Marquis of Salisbury, January 24th, 1887. Zanzibar was a Signatory Party to the Brussels Act of 2nd July, 1890. See Africa (General), p. 488.

‡ On the 22nd June, 1892, it was notified by the British Government to the signatory Powers of the Berlin Act, that on the 1st July of that year Zanzibar would be under the Free Trade provisions of Art. I of that Act. (See p. 312.)

[Austria. Belgium. France. Consular Jurisdiction, &c.]

No. 50.—TREATY. *Austria-Hungary and Zanzibar. Consular Jurisdiction, &c. Signed at Zanzibar, 11th August, 1887.**

Appointment of Consuls. Most-favoured-nation Treatment.

(Translation.)

(Extract.)

“**Art. II.**—His Majesty the Emperor and King shall have the right to appoint Consuls in the dominions of His Highness the Sultan of Zanzibar. These Consuls shall be treated on the same footing, and shall enjoy the same privileges, immunities, and exemptions as those of the most favoured nation.

“His Highness the Sultan of Zanzibar shall likewise on his side have the right to appoint Consuls in Austria-Hungary, who shall enjoy the same rights, immunities, and privileges as those of the most favoured nation.”

Note.—The exercise of jurisdiction by Austro-Hungarian Consuls in Zanzibar ceased on the 11th May, 1907. Notes exchanged between Great Britain and Austria-Hungary, May 1st, 1907.

No. 51.—TREATY. *Belgium and Zanzibar. Consular Jurisdiction, &c.† Signed at Zanzibar, 30th May, 1885.‡*

(Translation.)

(Extract.)

Appointment of Consuls. Most-favoured-nation Treatment.

“**Art. II.**—His Majesty the King of the Belgians may appoint Consuls in the dominions of His Highness the Sultan of Zanzibar. These Consuls shall be treated on the same footing, and shall enjoy the same privileges, immunities, and exemptions as those of the most favoured nation.”

Note.—Belgian Consular jurisdiction in Zanzibar was surrendered under Notes exchanged between the British and Belgian Governments, May 7th, 1907.

No. 52.—TREATY. *France and Muscat. Consular Jurisdiction, &c. Signed at Zanzibar, 17th November, 1844.§*

(Translation.)

Purchase and Sale, &c., of Lands and Houses.

(Extracts.)

“**Art. III.**—The French shall have the power of buying, selling, and leasing land, houses, and warehouses in the dominions of His Highness the Sultan of Muscat. No one shall, under any pretext enter the houses, warehouses, or other property belonging to or occupied by French subjects, or by persons in the employ of French subjects, or visit them without the consent of the occupier, unless with the intervention of the French Consul.

* S.P., vol. lxxviii, p. 942. Ratified at Vienna, 22nd October, 1888.

† Signed also in the Arabic language. S.P., vol. lxxvi, p. 290.

‡ Ratifications exchanged at Zanzibar, 15th October, 1886.

§ S.P., vol. xxxv, p. 1011. Ratifications exchanged, 4th February, 1846.

[France. Consular Jurisdiction, &c.]

Non-detention of Frenchmen.

“ Frenchmen shall on no account be detained against their will in the dominions of the Sultan of Muscat.

French Protected Persons.

“ **Art. IV.**—The subjects of His Highness the Sultan of Muscat who shall be in the service of Frenchmen shall enjoy the same protection as Frenchmen themselves; but, if the subjects of His Highness are convicted of any crime or infraction punishable by law, they shall be dismissed by the French in whose service they may be, and handed over to the local authorities.

Appointment of Consuls. Most-favoured-nation Treatment.

“ **Art. V.**—The High Contracting Parties reciprocally recognize the right of appointing Consuls and Consular Agents to reside in their respective dominions. Moreover, these Agents shall only enter on their duties with the exequatur of the Sovereign in whose dominions they reside. These Agents shall enjoy the same rights and privileges as those of the most favoured nation.

Hoisting of French Flag.

“ The French Consuls and Consular Agents shall be at liberty to hoist the French flag over their dwellings.

Exterritorial Jurisdiction.

“ **Art. VI.**—The officials of His Highness the Sultan of Muscat shall not interfere in disputes between Frenchmen, or between Frenchmen and subjects of other Christian nations. In disputes between a subject of His Highness and a Frenchman, the complaint, if made by the former shall be made to the French Consul, who will adjudicate the matter; but if the complaint is made by a Frenchman against any of the subjects of His Highness, or of any other Mussulman Power, the case shall be judged by His Highness the Sultan of Muscat, or by such person appointed by him for the purpose. In this case, the decision shall only be given in the presence of the French Consul, or of such person whom he shall appoint for the purpose. In disputes between a Frenchman and a subject of His Highness the Sultan of Muscat, the depositions of an individual, who shall have been convicted of perjury on a previous occasion, shall not be accepted, either if the case is tried by the French Consul or by His Highness the Sultan or his representative.

Property of Deceased Frenchmen.

“ **Art. VII.**—The property of a Frenchman, who has died in the dominions of His Highness the Sultan of Muscat, or of a subject of His Highness, who has died in France, shall be handed over to

[Suppression of French Consular Jurisdiction in Zanzibar.]

their heirs or executors, or failing them to the Consul or Consular Agent of the nation to which the deceased belonged.

Bankruptcies.

“ **Art. VIII.**—If a Frenchman becomes bankrupt in the dominions of the Sultan, the French Consul shall take possession of all the goods of the bankrupt, and shall remit them to his creditors to be divided between them. That being done, the bankrupt shall have the right to a complete acquittance from his creditors. He shall not be further bound to make good the deficit, and the property which he may acquire afterwards shall not be considered as liable to be appropriated to this purpose ; but the French Consul shall not neglect to avail himself of any opportunity to seize, on behalf of the creditors, everything which may belong to the bankrupt in other countries, and to certify that he abandoned without reserve everything that he possessed at the time that he was declared a bankrupt.

Recovery of Debts.

“ **Art. IX.**—If a subject of His Highness the Sultan of Muscat refuses or evades the payment of a debt owing to a Frenchman, the officials of His Highness shall afford the creditor every help and facility to recover what is due to him ; and in like manner the French Consul shall afford every assistance to the subjects of His Highness in the recovery of debts which they may claim from Frenchmen.”

No. 53.—*EXCHANGE OF NOTES between the British and French Governments agreeing to the Suppression of French Consular Jurisdiction in Zanzibar and the closing of the French Post Office there. London, ^{13th}/_{18th} May, 1904.*

M. Cambon to the Marquess of Lansdowne.—(Received 14th May.)

*Ambassade de France, Londres,
le 13 Mai, 1904.*

M. le Marquis,

LES récents entretiens que nous avons eus au sujet de la fermeture du Tribunal Consulaire de France à Zanzibar, paraissent avoir dissipé les quelques doutes qui subsistaient de part et d'autre sur les conséquences exactes de cette mesure, et qui en avaient retardé jusqu'ici l'exécution.

Nos deux Gouvernements se trouvent d'accord pour reconnaître—et cela résulte notamment, en ce qui concerne le Gouvernement de Sa Majesté, des lettres du Marquis de Salisbury en date des 13 Octobre, 1899, et 15 Février, 1900—que la reconnaissance par le Gouvernement de la République dans les Iles de Zanzibar et de Pemba, ainsi que dans la partie continentale du Sultanat de Zanzibar placée sous le Protectorat Britannique, des Tribunaux Anglais institués par les Ordres

[Suppression of French Consular Jurisdiction in Zanzibar.]

en Conseil de 1899, aura pour effet de restreindre à l'avenir les immunités résultant pour les citoyens ou sujets Français et les protégés Français des Arts. III et IV du Traité de 1844 entre la France et Mascate, dans la mesure nécessaire à l'administration de la justice par les dits Tribunaux.

Le Consul de France ne pourra s'opposer à ce que les actes de procédure régulièrement faits par ces Tribunaux soient exécutés par les fonctionnaires chargés de leur exécution, ni faire lui-même des actes de procédure ou mettre à exécution des actes de procédure émanant de toute autorité Française.

La juridiction des Tribunaux Britanniques à l'égard des citoyens ou sujets Français et des protégés Français sera complète, entraînant le droit pour les officiers de justice de pénétrer, à condition que ce soit en vertu d'actes émanant régulièrement de l'autorité judiciaire Britannique, dans les maisons d'habitation, magasins, et autres propriétés, possédés ou occupés par des citoyens ou sujets Français ou des protégés Français, et de les retenir contre leur gré dans les États du Sultan.

Hormis cette exception, les immunités, privilèges, ou prérogatives stipulés par le Traité de 1844 en faveur de la France lui sont maintenus conformément à la Déclaration signée à Londres le 5 Août, 1890 (No. 228), notamment en ce qui concerne l'administration des successions, dans la mesure toutefois où cette disposition ne serait pas de nature à entraîner, soit directement, soit indirectement, un retour à l'exercice de la juridiction Consulaire. Toute contestation relative à l'étendue des immunités, privilèges, ou prérogatives ci-dessus sera réglée par la voie diplomatique.

Enfin, les affaires pendantes devant notre Tribunal Consulaire à la date fixée pour la clôture seront réglées par lui conformément à la législation Française.

Nos deux Gouvernements se trouvent également d'accord pour régler dans les conditions suivantes la question de l'exercice par la France du droit de protection à Zanzibar :—

La qualité de protégé Français s'étend (ainsi que le reconnaissait le Marquis de Salisbury dans sa lettre précitée du 13 Octobre, 1899)—

1. Aux individus originaires des pays de Protectorat Français ;
2. Aux personnes qui sont " au service de Français," conformément aux stipulations du Traité de 1844. Cette qualification ne comporte pas de distinction d'emploi, de qualité ou de fonction, mais ne s'applique qu'à ceux qui sont réellement et " bonâ fide " au service des Français. Comme il est possible que certaines immatriculations d'indigènes qui ne rentreraient pas absolument dans les deux catégories ci-dessus aient été accordées en vertu de tolérances ou de coutumes locales antérieures, on procédera à leur égard ainsi qu'il a été fait en Tunisie à propos des indigènes Tunisiens inscrits au Consulat d'Angleterre.

Le Consul de France à Zanzibar arrêtera immédiatement et *ne varietur* une liste des protégés de cette catégorie inscrite actuellement et en donnera communication au Représentant de Sa Majesté à Zanzibar. Cette liste sera d'ailleurs aussi réduite que possible, le nombre des

[Suppression of French Consular Jurisdiction in Zanzibar.]

protégés y figurant ne devant pas dépasser vingt-cinq et ne devant pas être renouvelé.

Enfin, conformément aux principes applicables à l'ensemble des droits réservés par la France, toute contestation en matière de protection sera réglée par la voie diplomatique.

Votre Seigneurie a fait observer à ce sujet que les délais nécessaires à un pareil règlement pourraient avoir des conséquences préjudiciable, soit à l'intérêt public, soit aux intérêts mêmes de l'individu dont la qualité de protégé Français serait discutée, et elle a proposé qu'en pareil cas on donnât à l'intéressé le bénéfice du doute en le considérant provisoirement comme ayant droit à la compétence des Tribunaux Britanniques : mon Gouvernement se rallie volontiers à cette manière de voir.

Il en est de même en ce qui concerne les mesures d'expulsion par voie administrative. Mon Gouvernement avait mentionné au cours des pourparlers présents qu'une pareille procédure ne serait pas applicable à nos nationaux et ressortissants. Il ne s'opposerait pas cependant à ce que dans des cas particuliers et avec l'assentiment du Consul de France il put être dérogé à cette règle à titre tout à fait exceptionnel.

L'accord se trouvant ainsi établi, j'ai l'honneur de faire savoir votre Seigneurie que mon Gouvernement a décidé de prescrire la fermeture, à la date du 15 Septembre prochain, du Tribunal Consulaire Français à Zanzibar : je serais très reconnaissant à votre Seigneurie de vouloir bien m'accuser réception de cette communication, afin que mon Gouvernement, sur l'avis que je lui en donnerai, puisse faire parvenir sans retard à son Représentant à Zanzibar les instructions nécessaires à l'exécution de cette mesure.

J'ajoute qu'en ce qui concerne notre office postal, mon Gouvernement prendra des dispositions pour qu'il soit procédé sans retard au règlement de ses opérations en cours et ensuite à sa fermeture.

Veillez, &c.,

PAUL CAMBON.

The Marquess of Lansdowne to M. Cambon.

*Foreign Office, London,
18th May, 1904.*

Your Excellency,

I HAVE the honour to acknowledge the receipt of your note of the 13th instant, recapitulating the conditions of the Agreement which has been arrived at between His Majesty's Government and the Government of the French Republic for the closure of the French Consular Court at Zanzibar, and the recognition by the French Government of the British Tribunals established by the Orders in Council of 1899 for the Islands of Zanzibar and Pemba, and the continental portions of the Sultanate of Zanzibar placed under British protection.

I have pleasure in confirming the Agreement thus come to, the terms of which are correctly described in your Excellency's note.

His Majesty's Government take note of your statement that it has

[Germany. Consular Jurisdiction, &c.]

been decided to close the French Consular Court at Zanzibar on the 15th September next.

His Majesty's Government will make such arrangements as are required on their part for the due execution of those portions of the Agreement which relate to French protégés, and, without entering into the juridical question of the right of the Zanzibar Government to expel the Nationals or protégés of foreign Powers by administrative process, they are willing to give an assurance that no such action shall be taken against French citizens or protégés without the concurrence of the French Consul.

I take note with satisfaction of your Excellency's statement that it is the intention of the French Government to take measures without delay for winding up and closing the French Post Office at Zanzibar.

I have, &c.,

LANSDOWNE.

No. 54.—*TREATY. Germany and Zanzibar. Consular Jurisdiction, &c. Signed at Zanzibar, 20th December, 1885.**

Appointment of Consuls. Most-favoured-nation Treatment.

(Translation.)

(Extract.)

Art. III.—The High Contracting Parties acknowledge reciprocally the right of appointing Consuls to reside in each other's dominions wherever this may be deemed to be desirable in the interest of commerce or otherwise. The Consuls of the High Contracting Parties, together with their assistants and those in their service, shall enjoy with regard to their persons, houses, and also in the exercise of their official duties, in addition to the rights herein stipulated, the same honours and privileges as are, or in future shall be, enjoyed by Consuls and Consular officers of the most favoured nation.

In the event of a riot or other disturbance of the public peace, the Consuls at their request shall be provided with a guard, in order to guarantee their safety and the inviolability of the Consular Office and dwelling.

Consular Jurisdiction. Civil and Criminal Cases.

Art. XVI.—Subjects of His Majesty the German Emperor shall enjoy within the dominions of His Highness the Sultan of Zanzibar the rights of extraterritoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes between German subjects amongst themselves or between them and members of other Christian nations; such disputes, whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial and punishment of all crimes and offences, punishable by law, of which German subjects,

* S.P., vol. lxxvi, pp. 247—257.

[Germany. Consular Jurisdiction, &c.]

within the dominions of His Highness the Sultan, may be accused, shall be removed from the jurisdiction of the authorities of His Highness the Sultan, and are expressly reserved to the German Consular authorities.

Should disputes arise between a subject of His Highness the Sultan or other non-Christian Power, not represented by Consuls at Zanzibar, and a German subject, in which the German subject is the plaintiff, the matter shall be brought before and decided by the highest authority of the Sultan or some person specially delegated by him for this purpose.

The proceedings and final decision in such a case shall not, however, be considered legal, unless notice has been given and an opportunity afforded for the German Consul, or his substitute, to attend the same in person or by a person delegated by him for this purpose.

If, on the contrary, a German subject should appear in such a dispute as the defendant, the matter shall be brought before the competent German Consular authority and be decided by the Consul, or by a Consular Court, as the case may be. At the request of the German Consular authority, the Government of His Highness the Sultan shall place police assistance at the disposal of the former, to assist in effecting arrests, or in the execution of other official duties.

Protection of Persons in German employ.

Art. XVII.—Subjects of His Highness the Sultan or any non-Christian nation, not represented by Consuls at Zanzibar, who are in the regular service of German subjects within the dominions of His Highness the Sultan of Zanzibar, shall enjoy the same protection as German subjects themselves. But should they be charged with having committed a crime or a serious offence, punishable by law, they shall, on sufficient evidence being shown, be handed over by their German employers or by order of the German Consulate to the authorities of His Highness the Sultan for trial and punishment, and shall for this purpose be dismissed from the service of the German subjects.

Bankruptcies.

Art. XVIII.—Should a German subject residing in the dominions of His Highness the Sultan of Zanzibar become bankrupt, the German Consul shall seize, recover, and realize all available property and assets of such bankrupt to be dealt with and distributed according to the provisions of the German Bankruptcy Law.

Recovery of Debts.

Art. XIX.—Should a subject of His Highness the Sultan of Zanzibar resist or evade payment of the just and rightful claims of a German subject, the authorities of His Highness the Sultan shall afford to the German creditor every aid and facility in recovering the amount due to him. In like manner the German Consul shall afford every aid and facility to subjects of His Highness the Sultan of Zanzibar in recovering debts justly due to them from German subjects.

[Italy. Consular Jurisdiction, &c.]

Property of Deceased German Subjects.

Art. XX.—Should a German subject die, leaving property within the dominions of His Highness the Sultan of Zanzibar, the German Consul shall be authorized to collect, realize, and take possession of the estate of the deceased, to be dealt with according to the provisions of the German law.

Inviolability of Domicile.

Art. XXI.—The houses, dwellings, warehouses, and other premises of German subjects, or of persons actually in their regular service within the dominions of His Highness the Sultan of Zanzibar, shall not be entered or searched by officials or functionaries of His Highness the Sultan without the consent of the occupier, unless with the cognizance and assistance of the German Consul or his substitute.

Note.—Germany renounced, conditionally, her rights of extra-territoriality in Zanzibar by Art. VII of the Convention of the 14th November, 1899. The condition having been fulfilled, German subjects were placed under the jurisdiction of the British Courts by Imperial German Order of the 11th June, 1907. See GREAT BRITAIN AND GERMANY, p. 920.

No. 55.—*TREATY of Commerce, Consular Jurisdiction, &c., between Italy and Zanzibar. Signed at Zanzibar, 28th May, 1885.**

[Ratifications exchanged at Zanzibar, 10th October, 1885.]

(Translation.)

(Extract.)

Rights of Italian Subjects. Inviolability of Domicile.

Art. II.—The subjects of His Majesty the King of Italy shall be at liberty to buy, sell, or hire lands, houses, and magazines within the States of His Highness the Sultan of Zanzibar. No one may under any pretext enter the houses, magazines, or property of Italians or of persons in their service without the consent of the owner, unless this should be done with the intervention of the Consul of His Majesty the King of Italy.

Italians cannot under any pretext be detained against their will within the States of His Highness the Sultan of Zanzibar.

The subjects of His Highness the Sultan of Zanzibar shall enjoy within the States of His Majesty the King of Italy the same rights as are granted to Italians in this article.

Appointment of Consuls.

Art. IV.—His Majesty the King of Italy and His Highness the Sultan of Zanzibar shall have the reciprocal right of appointing Consuls or Consular Agents in their respective States, and these Consuls or Consular Agents shall enjoy the same privileges, immunities, and exceptions as are granted to those of the most favoured nation.

* S.P., vol. lxxvi, p. 269.

[Italy. Consular Jurisdiction, &c.]

Italian Consular Jurisdiction in Zanzibar.

Art. V.—The authorities under His Highness the Sultan of Zanzibar shall never intervene in questions which may arise between Italian subjects, or between them and others of another Christian nation.

In differences between a subject of His Highness the Sultan of Zanzibar and an Italian, if the complaint is made by the former, the question shall be judged by the Consul of His Majesty the King of Italy; but if the complaint is made by an Italian against one of the subjects of His Highness or of another Mussulman Power, the dispute shall be adjudicated by His Highness the Sultan of Zanzibar or by a person designated by him. In this case, however, the accused party shall not be proceeded against save in the presence of the Italian Consul or his substitute.

In lawsuits between an Italian and a subject of His Highness the Sultan of Zanzibar, the evidence of a person convicted of perjury in a previous action shall be rejected, whether the case is tried before the Italian Consul or before His Highness the Sultan or his representative.

Property of Deceased Subjects.

Art. VI.—The property of an Italian dying within the dominions of His Highness the Sultan of Zanzibar, or of a subject of His Highness dying within the dominions of His Majesty the King of Italy, shall be remitted to the heirs or testamentary executors, or, in default of them, to the Consuls or Consular Agents of the nation to which the deceased belonged.

Bankrupts.

Art. VII.—If an Italian becomes bankrupt within the States of His Highness the Sultan of Zanzibar, the Italian Consul shall have the right to take possession of the property of the bankrupt and hand it over to his creditors to be divided amongst them. By this process the bankrupt shall be understood to be exempted from all ulterior obligation towards his creditors; and even when he shall acquire new possessions thereafter, these can never be devoted to the completion of his payments.

It is well understood that the Italian Consul will use every means in his power to effect, in the interests of the creditors, the seizure of all property owned by the bankrupt in other countries, and to establish the fact that at the moment when the bankrupt is declared insolvent he has given up without reserve all his possessions.

Art. VIII.—If a subject of His Highness the Sultan of Zanzibar refuses or seeks in any way to avoid payment of a debt contracted towards an Italian, the authorities under His Highness the Sultan shall afford the creditor all the assistance necessary for him to obtain that which is due to him; and on the other hand the Italian Consul shall give all his aid to subjects of His Highness the Sultan in obtaining payment of the debts due to them from an Italian.

[Italy. Consular Jurisdiction, &c.]

Importation and Exportation.

Art. X.—Within the dominions of His Highness the Sultan of Zanzibar no article of commerce shall be forbidden either for importation or exportation. Commerce shall be perfectly free, and shall be subject to no duties excepting those contained in Article IX.

Monopolies Forbidden.

Italians shall have full liberty of buying, selling, and making contracts with whom they please in all the dominions of His Highness the Sultan of Zanzibar; this freedom can never be hampered by any monopoly or exclusive privilege of buying or selling.

ADDITIONAL ARTICLE.—*Italy and Zanzibar, Clauses of Treaty of 28th May, 1885, to be interpreted and applied, subject to Laws in force in the Kingdom. 10th October, 1885.**

In the act of proceeding, with the reserve of the approval of the Italian Parliament,† to the ratification of the Treaty of Commerce concluded the 28th May, 1885 (14th Sciaabban of the year 1302 of the Hegira) (p. 322) between His Majesty Humbert I, King of Italy, and His Highness Saïd Burghash, Sultan of Zanzibar, the undersigned Plenipotentiaries have stipulated and agreed upon the following Additional Article, which will be understood to form an integral part of the said Treaty:—

Additional Article.—In order that no doubt may remain as to the value and signification of any of the clauses of the Treaty stipulated at Zanzibar between the Kingdom of Italy and the Sultanate of Zanzibar, and signed there on the 28th May, 1885 (14th Sciaabban of the year 1302 of the Hegira) (p. 322), it is expressly understood and agreed that the entire Treaty, and particularly Articles II, VII, and X, are to be interpreted and applied in as far as concerns Italian subjects and Italian territory subject to the precise observance of the laws in force in the kingdom.

* S.P., vol. lxxvi, p. 273.

† Approved by the Chamber of Deputies, 30th November, 1886; and by the Senate, 21st December, 1886.

[Cessation of Italian Consular Jurisdiction in Zanzibar.]

No. 56.—*EXCHANGE OF NOTES between Great Britain and Italy respecting the Cessation of Italian Consular Jurisdiction in Zanzibar. Rome, 5th and 9th July, 1905.*

(1) *The British Embassy at Rome to the Italian Minister for Foreign Affairs.*

HIS BRITANNIC MAJESTY'S Embassy has the honour to state that a telegram has been received from the Marquess of Lansdowne saying that the purchase money for the Bénadir Ports has been paid into the Bank of England, and asking whether the Royal Representative at Zanzibar has received any instructions with regard to the surrender of Italian extra-territorial jurisdiction.

His Majesty's Embassy would be very glad to be supplied with information which will render it possible to answer this enquiry.

Rome, 5th July, 1905.

(2) *The Italian Minister for Foreign Affairs to the British Embassy at Rome.*

(Translation.)

THE Ministry of Foreign Affairs of His Majesty the King of Italy has the honour to inform His Britannic Majesty's Embassy, in reply to their *note verbale* of the 5th instant, that the law of the 2nd instant, relating to the purchase of the Benadir Colony in accordance with the Agreement of the 13th January, 1905 (**No. 293**), between Italy and Great Britain, having been published to-day [?], the 8th instant, in the "Royal Official Gazette," telegraphic instructions have been sent to His Majesty's Consul-General in Zanzibar to inform His Britannic Majesty's Agent that from the 8th instant the extra-territorial jurisdiction, up to now exercised by Italy in the dominions of His Highness the Sultan of Zanzibar, should cease, and be transferred to His Britannic Majesty's Court in Zanzibar.

Rome, 9th July, 1905.

[Muscat and Zanzibar. Independence.]

No. 57.—*AWARD of the Governor-General of India for the Settlement of Differences between the Sultan of Muscat and the Sultan of Zanzibar. Recognition of the Independence of their respective States. 2nd April, 1861.**

The Governor-General of India to the Sultans of Zanzibar and Muscat.†
Fort William, 2nd April, 1861.

BELOVED AND ESTEEMED FRIEND—

I address your Highness on the subject of the unhappy differences which have arisen between yourself and your Highness's brother, the Imam of Muscat, and for the settlement of which your Highness has engaged to accept the arbitration of the Viceroy and Governor-General of India.

Having regard to the friendly relations which have always existed between the Government of Her Majesty the Queen and the Government of Oman and Zanzibar, and desiring to prevent war between kinsmen, I accepted the charge of arbitration between you, and in order to obtain the fullest knowledge of all the points in dispute, I directed the Government of Bombay to send an officer to Muscat and Zanzibar to make the necessary inquiries. Brigadier Coghlan was selected for this purpose, an officer in whose judgment, intelligence, and impartiality the Government of India reposes the utmost confidence.

Brigadier Coghlan has submitted a full and clear report of all the questions at issue between your Highness and your brother.

I have given my most careful attention to each of these questions.

The terms of my decision are as follows :—

1st. That his Highness Syud Majeed be declared ruler of Zanzibar and the African dominions of his late Highness Syud Saeed.

2nd. That the ruler of Zanzibar pay annually to the ruler of Muscat a subsidy of 40,000 crowns.

3rd. That his Highness Syud Majeed pay to his Highness Syud Thowaynee the arrears of subsidy for two years, or 80,000 crowns.

I am satisfied that these terms are just and honourable to both of you ; and, as you have deliberately and solemnly accepted my arbitration, I shall expect that you will cheerfully and faithfully abide by them, and that they will be carried out without unnecessary delay.

The annual payment of 40,000 crowns is not to be understood as a recognition of the dependence of Zanzibar upon Muscat, neither is it to be considered as merely personal between your Highness and your brother Syud Thowaynee. It is to extend to your respective successors, and is to be held to be a final and permanent arrangement, compensating the ruler of Muscat for the abandonment of all claims upon Zanzibar and adjusting the inequality between the two inheritances

* This Award was accepted by the Sultan of Muscat on the 15th May, and by the Sultan of Zanzibar on the 25th June, 1861. (See S.P., vol. lvi, pp. 1397, 1398.)

† Similar letters were addressed by the Governor-General of India to H. H. Syud Majeed, Sultan of Zanzibar, and to H. H. Syud Thowaynee Bin Saeed bin Sultan, of Muscat.

[Portugal. Consular Jurisdiction, &c.]

derived from your father, his late Highness Syud Saeed, the venerated friend of the British Government, which two inheritances are to be henceforward distinct and separate.

I am, &c.,

CANNING.

*H. H. Syud Majeed, Sultan of Zanzibar.**H. H. Syud Thowaynee Bin Saeed bin
Sultan, of Muscat.*

No. 58.—*TREATY between Portugal and Zanzibar. Consular Jurisdiction, &c. Signed at Zanzibar, 25th October, 1879.**

[Ratifications exchanged at Zanzibar, 18th June, 1883.]

(Translation.)

(Extract.)

Appointment of Consuls.

Art. X.—His Majesty the King of Portugal shall have power to nominate Consuls to reside in the principal ports of trade in the dominions of His Highness the Sultan of Zanzibar; these Consuls shall be always placed on the same footing as Consuls of the most-favoured nation, and enjoy the same privileges, immunities, and exemptions as within the same dominions are granted to similar public functionaries of other countries.

Property of Deceased Portuguese Subjects.

Art. XI.—The Portuguese Consuls shall have authority to receive the goods of Portuguese citizens who may die within the dominions of His Highness the Sultan, and to remit the same to the heirs, paying in the first place the debts that may be due to the subjects of His Highness the Sultan.

Extraterritoriality. Consular Jurisdiction.

Art. XII.—The authorities of His Highness the Sultan of Zanzibar shall not interfere in disputes between Portuguese, or between them and others, subjects of Christian nations.

In disputes between a subject of His Highness and a Portuguese, if the complaint shall be made by the former, it shall be dealt with by the Portuguese Consul, who shall give judgment; on the other hand, if the claim shall be made by a Portuguese subject against a subject of His Highness, or of any Mussulman Power, the cause shall be decided by the highest authority of His Highness the Sultan, or by some one named by him, the matter being for this purpose brought before the knowledge of His Highness by the Portuguese Consul. In the event of the case being judged by some one named by His Highness, it shall

* S.P., vol. lxx, p. 1246.

[United States. Consular Jurisdiction, &c.]

not be proceeded with unless in the presence of the Consul above referred to, or of some one named by him.

Should, however, a Portuguese subject be in the service of the Government of His Highness, and have previously given his subjection to the jurisdiction of the country and declared to this effect at the Portuguese Consulate, he shall be tried by His Highness in like manner as the subjects of His Highness in the service of the Portuguese Consulate shall be tried by that Consul.

Art. XIII.—Should a Portuguese become bankrupt within the dominions of His Highness the Sultan of Zanzibar, the Portuguese Consul shall take account of all the goods of the bankrupt and give them over to his creditors for division among them. This being done, the responsibility of the bankrupt shall cease towards his creditors, and he shall not be required to pay the deficit out of any goods which he may subsequently acquire; but the Portuguese Consul shall, in the interest of the creditors, make every endeavour to secure the delivery of all the goods which the bankrupt may possess without reserve at the time that he shall have been declared insolvent.

Art. XIV.—If a subject of His Highness the Sultan of Zanzibar shall refuse or evade payment of a debt due to a Portuguese, the authorities of His Highness shall render the creditor every help and facility in order that he may obtain what is due. In the same way the Portuguese Consul shall give all help to the subjects of His Highness in the recovery of debts which they may have to claim from Portuguese.

Art. XV.—His Highness the Sultan of Zanzibar shall have the power to nominate Consuls in the towns and harbours of the dominions of Portugal for the protection of his own interests and those of his subjects, and such Consuls shall enjoy the same rights, liberties, and privileges as may be granted to the Consuls of the most-favoured nation.

Note.—The right of jurisdiction acquired under this Treaty was surrendered by the Portuguese Government by authority of Royal Portuguese Decree of the 28th February, 1907.

No. 59.—*TREATY between Muscat and the United States, respecting Consular Jurisdiction. 21st September, 1833.**

Appointment of United States Consuls. Jurisdiction, Privileges, Inviolability of Domicile, &c.

(Extract.)

Art. IX.—The President of the United States may appoint Consuls to reside in the Ports of the Sultan where the principal commerce shall be carried on, which Consuls shall be the exclusive judges of all disputes or suits wherein American citizens shall be engaged with each other. They shall have power to receive the property of any American

* S.P., vol. xxii, p. 587. Ratifications exchanged at Muscat, 30th September, 1835. Treaties concluded by Muscat with Foreign Powers before 10th March, 1852, are applicable also to Zanzibar. See also Treaty, 3rd July, 1886, p. 329.

[Renunciation by United States of Extraterritorial Jurisdiction
in Zanzibar.]

citizen dying within the Kingdom, and to send the same to his heirs first paying all his debts due to the subjects of the Sultan. The said Consuls shall not be arrested, nor shall their property be seized, nor shall any of their household be arrested, but their persons and property, and their houses, shall be inviolate. Should any Consul, however, commit any offence against the laws of the Kingdom, complaint shall be made to the President, who will immediately displace him.

Note.—The United States renounced extraterritorial jurisdiction in Zanzibar by a Convention with Great Britain signed at Washington on the 25th February, 1905 (see below).

No. 60.—*TREATY between the United States and Zanzibar, enlarging and defining the Stipulations of the Treaty between the United States and Muscat of 21st September, 1833,* respecting Consular Jurisdiction, &c. Signed at Zanzibar, 3rd July, 1886.*

[Ratifications exchanged at Zanzibar, 29th June, 1888.]

Art. I.—*Import Duties. Spirituous Liquors.*

Consular Jurisdiction.

Art. II.—The Consuls of the United States appointed under the stipulations of the IXth Article of the Treaty above mentioned (21st September, 1833, **No. 59**) shall, in addition to the rights, powers, and immunities secured by said Article, enjoy all the rights, privileges, immunities, and jurisdictional powers which are now or may hereafter be enjoyed by the Consuls and Consular Agents of the most-favoured nations, and, conversely, the Consuls and Consular Agents which His Highness the Sultan may appoint to reside in the United States shall have the treatment of Agents of like grade of the most-favoured nation.

[See Note to previous document as to renunciation of Consular jurisdiction in Zanzibar by the United States.]

No. 61.—*CONVENTION between Great Britain and the United States of America respecting the Renunciation by the United States of Extraterritorial Jurisdiction in Zanzibar. Signed at Washington, 25th February, 1905.*

[Ratifications exchanged at Washington, 12th June, 1905.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, and the United States of America have, for the purposes hereinafter stated, appointed as their Plenipotentiaries, namely :

* S.P., vol. lxxviii, p. 777.

[Renunciation by United States of Extraterritorial Jurisdiction
in Zanzibar.]

His Britannic Majesty, the Right Honourable Sir Henry Mortimer Durand, G.C.M.G., K.C.S.I., K.C.I.E., his Ambassador Extraordinary and Plenipotentiary near the Government of the United States; and

The President of the United States of America, the Honourable John Hay, Secretary of State of the United States of America;

Who, after having communicated each to the other their respective full powers, found in good and due form, have agreed upon the following articles:—

Art. I.—The United States of America agrees to renounce in the British Protectorate of Zanzibar, and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which lies within the Protectorate of British East Africa, the extraterritorial rights secured to it by the treaty of September 21, 1833 (**No. 59**), between the United States and the Sultan of Muscat, and the treaty of July 3, 1886 (**No. 60**), between the United States and Zanzibar.

The jurisdiction exercised thereunder by Consular courts of the United States in the British Protectorate of Zanzibar and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which is under British protection, and all the exceptional privileges, exemptions, and immunities enjoyed by citizens of the United States as a part of or appurtenant to such jurisdiction, shall absolutely cease and determine. It being understood, however, that this renunciation shall not take effect until such time as the rights of extraterritoriality enjoyed in Zanzibar by other nations shall have been likewise renounced.*

Art. II.—In consideration of this renunciation by the United States of America, the Government of His Britannic Majesty agrees to empower the competent British courts which have been established in the British Protectorate of Zanzibar and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which is under British protection, to exercise jurisdiction over citizens of the United States the same as over British subjects and British protected persons, and that citizens of the United States shall have in and before said courts all the rights and privileges that belong and are accorded therein to British subjects and to British protected persons.

Art. III.—The present Convention shall be ratified by His Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and the ratification shall be exchanged at Washington as soon as possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate at the City of Washington this 25th day of February, in the year of our Lord 1905.

(L.S.) H. M. DURAND.

(L.S.) JOHN HAY.

* This condition being fulfilled instructions were given for closing the American Consular Court in Zanzibar and arrangements made for the transfer of jurisdiction to the competent British Courts. Exchange of Notes between the British and United States Governments, April 22, 29, 1907.

BRITISH EAST AFRICA.

(EAST AFRICA PROTECTORATE.)

EAST AFRICA PROTECTORATE.

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No. 62.—*Notes on the BRITISH EAST AFRICA PROTECTORATE. 1887—1908.*

Boundaries of the British Sphere of Influence on the East Coast of Africa.

The following reference to the boundaries of the British sphere of influence on the East Coast of Africa was made in a Despatch addressed, by the Marquis of Salisbury to Mr. (afterwards Sir Gerald) Portal, British Commissioner and Consul-General, on the 22nd March, 1892, which was laid before Parliament with the "Papers relating to the Mombasa Railway Survey and Uganda" (Africa No. 4 (1892)).

"The boundaries of the British sphere north of the German sphere on the East Coast of Africa are defined in the 1st Article of the Anglo-German Agreement of the 1st July, 1890 (No. 270), and in the Anglo-Italian Agreement of the 24th March, 1891 (No. 288).

"There are three distinct divisions of the territory comprised in the British sphere of influence on the East Coast of Africa.

"1. The dominions of the Sultan of Zanzibar leased to the British East Africa Company, extending from Wanga to Kipini, with an inland frontier 10 miles from the coast, and including the islands of Lamu, Patta, and Manda. (See Concessions, 24th May, 1887 (No. 63); 9th October, 1888 (No. 65); 4th March, 1890 (No. 68); and 5th March, 1891 (No. 70)).

"2. The territory administered by the Company under its Charter (3rd September, 1888 (No. 64)).

"3. The territory not at present administered by the Company."

Territory leased by the Sultan of Zanzibar to the British East Africa Company.

"1. The limits of this territory are described in the note written by Acting Consul-General Holmwood to the Sultan on the 3rd December, 1886 (No. 41). The note refers, in addition, to ports north of the Juba.

Territory administered by the Company under its Charter.

"2. The second includes territory held by the Company under Grants, Concessions, Agreements, or Treaties, in accordance with clause 1 of the Charter, subject to the provisions of clause 3, which stipulates that no power shall be exercised under such Grants, Concessions, Agreements, or Treaties until copies shall have been furnished to the Secretary of State, and he shall have signified his approval, absolutely or conditionally. The claims of the Company are recorded in letters and Treaties, all of which have received the formal approval of the Secretary of State. Under the 2nd clause of the Charter, the Company is authorized and empowered to extend its territory from time to time, but such extension is subject to the approval of the Secretary of State and to the conditions of the 3rd clause.

[British Protectorate.]

Territory not administered by the Company.

“ 3. The third division comprises all territory not included in the other two divisions. This is liable to diminution in proportion to the extension of the Company’s administration.”

The Instructions to Mr. (afterwards Sir Gerald) Portal then said :—

“ The administration of justice, as regards Europeans and others, not natives of the country, will be exercised under the Order in Council of 15th October, 1889.*

* * * * *

“ The Order in Council does not apply to the Sultan’s dominions, in which the administration of justice is governed by His Highness’ Treaties.

* * * * *

“ It will not be your duty, in the portion of your district outside of the dominions of the Sultan of Zanzibar, to undertake judicial administration as regards natives. This should, for the present, remain in the hands of the Chiefs ; but you should check abuses, and let the Chiefs understand that, under British influence, injustice will not be tolerated. In special cases, where no other remedy may appear adequate, you will be justified in obtaining the delegation to you of the Chiefs’ powers, in order that you may undertake the direct administration of justice. Such cases should always be reported by you.” (See also UGANDA PROTECTORATE, p. 391.)

British Protectorate.

The Charter granted to the Imperial British East Africa Company on the 3rd September, 1888 (p. 345), empowered the Company to hold and retain the full benefit of the grants, concessions, &c., obtained from the Sultan of Zanzibar and the Native Chiefs in the British sphere of influence. In 1895 the Company withdrew and on the 15th June of that year a British Protectorate was notified over the territories lately administered by the Company (p. 380). The formal transfer of territory took place on the 1st July, 1895 (p. 380). By Agreement between Great Britain and Zanzibar of the 14th December, 1895, all assets purchased by the Sultan’s Government from the Company at the time of its surrender of its Concessions became the property of the British Government. (See p. 332.)

On the 31st August, 1896, a Notification was published to the effect that the territories should be known as the “ East Africa Protectorate ” (p. 383).

Protectorate placed within Alcoholic Liquor Zone.

By a Notification dated the 24th January, 1902,† the East Africa Protectorate (comprising among other districts the mainland dominions of the Sultan of Zanzibar, the Sultanate of Witu, and the adjacent

* H.T., vol. xviii, p. 1.

† H.T., vol. xxiv, p. 13.

territory extending northwards to Kismayu) was declared to be and to remain within the zone of total prohibition of alcoholic liquors under Art. XCI of the Brussels Act.

Administration of Protectorate.

By Order in Council passed on the 22nd October, 1906,* provision was made for the administration of the East Africa Protectorate by a Governor, with an Executive and a Legislative Council.

Territorial Arrangements with Germany, Italy and Abyssinia.

With Germany.

The inauguration of a colonial policy by Germany in 1885 led to the signature, on the 9th June, 1886, of the Procès-Verbal between Great Britain, France and Germany relative to the maritime, littoral and continental possessions of the Sultan of Zanzibar. (See GREAT BRITAIN AND GERMANY, p. 874.) This was followed by an Agreement between Great Britain and Germany, signed on the 29th October and 1st November, 1886, respecting the Sultanate of Zanzibar and the opposite East African mainland, and the British and German spheres of influence in that region. (See GREAT BRITAIN AND GERMANY, p. 882.) The spheres of influence of the two countries in East Africa were defined more exactly by Art. I of the Agreement of the 1st July, 1890. (See GREAT BRITAIN AND GERMANY, p. 899.)

The boundary line between the East Africa Protectorate and German East Africa may be divided into two portions, viz. :—

- (1) From the Coast to Lake Jipe and around the Kilimanjaro ;
- (2) Thence to Lake Victoria.

The first section was surveyed in 1892, and Protocols were signed by the Commissioners on the 27th October, and 24th December, 1892 (see p. 909), and an Agreement between the two Governments was signed on the 25th July, 1893 (see p. 911). A further survey was carried out in 1897, and in 1900 the boundary was partly beaconsed and Protocols relating to the boundary at Jassin and in the bend of the Umba River were signed on the 28th January, 14th February, and 3rd and 25th of April, 1900. (See p. 921.)

The second section, viz., from the south end of Lake Jipe to Lake Victoria was surveyed and marked on the ground in April, 1904, to January, 1906, and an Agreement was signed at Berlin by the Representatives of the two Governments on the 18th July, 1906. (See p. 942.) The Agreement has not yet been finally approved (December, 1908). (See Nos. 29 and 30 of Table given at p. xlix.)

With Italy.

The spheres of influence of Great Britain and Italy in East Africa from the River Juba to the Blue Nile were defined by a Protocol of Agreement between the two Governments signed at Rome on the 24th March, 1891. (See GREAT BRITAIN AND ITALY, p. 948.) The boundary has not yet been delimited.

* H.T., vol. xxiv, p. 35.

[Concession. Mrima. Wanga to Kipini.]

With Abyssinia.

The southern frontier of Abyssinia was surveyed by expeditions in 1900-01 and 1902-03. By Notes exchanged between the British and Italian Governments on the 29th January, and 9th February, 1903, it was agreed that in the negotiations respecting the Abyssinian frontier the Protocol of the 24th March, 1891, above referred to, relative to the spheres of influence of the two countries should be observed. (See GREAT BRITAIN AND ITALY, p. 953.) An Agreement between Great Britain and the Emperor Menelek defining the frontiers between British East Africa, Uganda and Ethiopia, was signed at Adis Ababa on the 6th December, 1907. (See ABYSSINIA, p. 445.)

Lease to Italy of piece of Land at Kismayu.

By the Protocol of Agreement of the 24th March, 1891, above referred to, Kismayu, with its territory on the right bank of the River Juba, remained to England. An Agreement between Great Britain and Italy was signed on the 13th January, 1905, for the lease to the Italian Government of a small piece of land for a warehouse, &c., on the east side of Kismayu. (See GREAT BRITAIN AND ITALY, p. 958.)

No. 63.—*CONCESSION granted by the Sultan of Zanzibar to the British East African Association. 24th May, 1887.**

Preamble. Concessions to Association for 50 Years.

His Highness the Sayyid Barghash-bin-Said, Sultan of Zanzibar and its East African Dependencies, hereby grants the following concessions for a term of 50 years† to the Corporation or Association under the presidency of Mr. William Mackinnon, hereinafter to be called the British East African Association, or the Association, who, on their part, agree to accept the accompanying obligations.

Administration by Association of Sultan's Territories on Mainland from Wanga to Kipini, in Sultan's Name.

Art. I.—His Highness the Sultan makes over to the British East African Association all the power which he possesses on the mainland in the Mrima,‡ and in all the territories and Dependencies from Wanga to Kipini inclusive, the whole administration of which he concedes to

* See also Concession of 9th October, 1888, p. 350.

† Altered to "in perpetuity" by Agreement with Sultan of 5th March, 1891, p. 365.

‡ "Mrima" signifies "mainland." Part of the Mrima Coast was included in the German sphere of influence by the Anglo-German Agreement of October—November, 1886, p. 882.

[Concession. Mrima. Wanga to Kipini.]

and places in their hands to be carried out in His Highness' name, and under his flag, and subject to His Highness' sovereign rights ;

Non-payment by Sultan of Blood Money or other Claims.

But it is understood that the Association is to be responsible for all the affairs and administrations of that part of His Highness' dominions included in this Concession, and that His Highness the Sultan shall not be liable for any expenses connected with the same, nor for any war or "diya" (blood money), or for any claims arising therefrom, none of which His Highness shall be called upon to settle.

Purchase of Public Lands.

No other but themselves shall have the right of purchasing public land on the mainland, or anywhere in His Highness' territories, Possessions, or Dependencies within the limits above named except through them, as is the case now with His Highness.

Levying of Taxes.

He also grants to the Association, or to their Representatives, the faculty of levying taxes upon the people of the mainland within the limits above named.

Support to be given by Sultan to Acts of the Association.

His Highness further agrees to do all acts and deeds that may be necessary to give full effect to the terms of this Concession, to aid and support the Association, or their Representatives, with all his authority and force, so as to secure to them the rights and powers hereby granted.

*Treaties between Zanzibar and Foreign Powers to be respected.**

It is further agreed upon by the Contracting Parties that nothing contained in the following Articles of Concession shall in any way infringe on or lessen the rights accorded by His Highness to the subjects or citizens of Great Britain, the United States of America, France, Germany, or any other foreign Powers having Treaty relations with His Highness,† or the obligations which are or may be imposed upon him by his adhesion to the Berlin General Act (No. 128).‡

Power to Association to appoint Commissioners to administer Districts.

Art. II.—His Highness authorizes the Association, or their Representatives, to appoint in his name and on his behalf Commissioners to administer over any districts in His Highness' possessions included in the limit of territories above named, except as hereinafter provided ;

Subordinate Officers.

To appoint such subordinate officers as may be required ;

* See also Art. IV, p. 342.

† See Zanzibar, p. 297.

‡ February 26, 1885. See p. 468.

[Concession. Mrima. Wanga to Kipini.]

Laws for Government of Districts.

To pass laws for the government of districts ;

Courts of Justice.

To establish Courts of Justice ; and generally to adopt such measures as may be necessary for the protection of the districts and interests under their rule.

Treaties with Native Chiefs.

His Highness further authorizes the Association, or their Representatives, to make Treaties with subordinate and other native Chiefs, such Treaties and engagements to be ratified and confirmed by him in such cases as they are made in the name of His Highness.

Cession to Association of Rights over Lands (except "Shambas").

His Highness also agrees to cede to the Association, or to their Representatives, all the rights which he himself possesses over the lands in the whole of his territory on the mainland of Africa within the limits of this Concession, only excepting the private lands or "shambas,"

Forts and Buildings.

And gives the Association all forts and unoccupied public buildings, excepting such buildings as His Highness may wish to retain for his own private use, a schedule of such buildings, plantations, or properties to be drawn up and agreed to between His Highness and the Association.

Lands not yet occupied.

Further, he authorizes them to acquire and regulate the occupation of all lands not yet occupied ;

Taxes, Dues, and Tolls.

To levy and collect local or other taxes, dues, and tolls ;

Local Government, Justice, Roads, Debts, &c.

To do all these and such other acts as may be necessary for the maintenance and support of such local Governments, forces, administration of justice, the making and improving of roads or water communications, or other public works, defensive or otherwise, and for the liquidation of debts and payment of interest upon capital expended.

Appointment of Judges.

The Judges shall be appointed by the Association, or their Representatives, subject to the Sultan's approval, but all "Kathis" shall be nominated by His Highness.

[Concession, Mrima. Wanga to Kipini.]

Administration of Laws.

In aboriginal tracts the law shall be administered by the Association or their officials.

Stipends of Officials.

The stipends of the Governors, and all other officials in the territories occupied and controlled by the Association, or their Representatives, shall be paid by them.

Right to trade, to hold Property, to acquire Lands, to erect Buildings, &c.

Art. III.—His Highness grants to the Association, or to their Representatives, the right to trade, to hold property, to erect buildings, and to acquire lands or buildings by purchase or negotiation anywhere within His Highness' territories included in the limits of this Concession, with the consent of the proprietors of any such lands and houses.

Trade, Commerce, Navigation, Fisheries, Roads, Railways, Telegraphs, &c.

Art. IV.—His Highness grants to the Association, or to their Representatives, special and exclusive privileges and powers, to regulate trade and commerce; also the navigation of rivers and lakes, and control of fisheries, the making of roads, tramways, railways, canals and telegraphs, and to levy tolls and dues on the same;

Importation of Arms, Ammunition, Intoxicating Liquors, &c.

Also the power to control or prevent the importation of any merchandize, arms, ammunition of all sorts, intoxicating liquors, or any other goods which, in the opinion of the Association, or their Representatives, are detrimental to law, order, and morality, and in whatsoever His Highness is not bound towards other Governments.

Treaties between Zanzibar and Foreign Powers to be respected.

But it is clearly understood that all exercise of these privileges and powers shall be in conformity with existing Treaties between His Highness and foreign States.*

Ports at Mouths of Rivers. Custom Houses. Duties, &c., on Vessels and Goods. Smuggling.

Art. V.—His Highness authorizes the Association, or their Representatives, to occupy in his name all ports at the mouth or mouths of any river or rivers, or elsewhere in his dominions included in the limits of this Concession, with the right to establish Custom Houses and to levy and collect dues on any vessels, goods, &c., arriving at, or departing from, such port or ports, and to take all necessary measures for the prevention of smuggling, subject in all cases to the Treaties above named.

* See also Art. I, p. 340, and Zanzibar, p. 297.

[Concession. Mrima. Wanga to Kipini.]

Working of Mines.

Art. VI.—His Highness grants to the Association, or to their Representatives, the exclusive privilege to search for and work, or to regulate, lease, or assign, in any part of His Highness' territories within the limits of this Concession, any mines or deposits of lead, coal, iron, tin, copper, gold, silver, precious stones, or any metal or mineral, or mineral oils, whatsoever; also the exclusive right to trade in the same, free from all taxes and dues, excepting such moderate royalty on minerals only, not exceeding 5 per cent. on the first value of the articles, less working expenses, as may be hereinafter agreed by the Association and their representatives to be paid to His Highness.

Forest Trees and other Woods.

Also the right to use all forest trees and other woods and materials of any kind whatsoever for the purpose of the works aforesaid, and also for trade. But the wood used for building and for burning, commonly known as "borti," may be cut on the mainland by others, as now, by payment of such dues to the Association, or to their Representatives, as they may agree upon; but no such dues shall be required for wood cut for His Highness' use.

Establishment of Banks.

Art. VII.—His Highness grants the Association, or their Representatives, the right to establish a bank or banks anywhere in His Highness' territories above mentioned with the exclusive privilege of issuing notes.

Duration of Powers and Privileges for 50 years.

Art. VIII.—All the aforesaid powers and privileges to extend over and be available for the purposes and objects of the Association, or their representatives, during the whole of the term of 50 years* next, and dating from the time of this Concession being signed.

At the conclusion of the said term all the public works, buildings, &c., shall report to the Sultan, his heirs, and successors, if desired, at a valuation, to be fixed by Arbitrators chosen by both parties.

Régie or Lease of Customs to Association.

Art. IX.—His Highness grants to the Association, or to their Representatives, the "Régie" or lease of the Customs of all the ports throughout that part of His Highness' territories above defined, for an equal period of time to the other Concessions, upon the following terms, namely:—

Guarantee to Sultan of Customs Duties now received.

The Association hereby guarantee to pay to His Highness the Sultan the whole amount of the Customs duties which he now receives

* Altered to "in perpetuity" by Agreement of 5th March, 1891, p. 365.

[Concession. Mrima. Wanga to Kipini.]

both from the import and export trade of that part of His Highness' dominions included in this Concession.*

Customs Duties not to be paid twice over.

But it is understood that His Highness shall not claim the duty on any part of this trade twice over, and that the Association shall therefore be entitled to claim a drawback for the amount of any duties which may hereafter be paid direct to His Highness on any imports to, or exports from, the ports included in this Concession.

Fifty per cent. of Additional Customs Revenues to be paid to Sultan.

And the Association further guarantees to pay to His Highness 50 per cent. of the additional net revenue which shall come to them from the Customs duties of the ports included in this Concession.

Rights of Association over Territorial Waters. Transit and Shipment of Merchandize, &c.

And His Highness grants to the Association all rights over the territorial waters in or appertaining to his dominions within the limits of these Concessions, particularly the right to supervise and control the conveyance, transit, landing, and shipment of merchandize and produce within the said waters by means of a coast-guard service both on land and water.

One Founder's Share allotted to Sultan.†

Art. X.—In consideration of the foregoing Concessions, powers, and privileges being granted by His Highness, the Association, or their Representatives, allot to His Highness, free of cost, one founder's share, which will entitle him to such proportion of the net profits, as shown by the books of the Company, after interest at the rate of 8 per cent. shall have been paid upon the shareholders' paid-up capital, as shall attach to the said one founder's share.

Exclusion from Concession of Islands of Zanzibar and Pemba, and certain other of the Sultan's Territories.

Art. XI.—These Concessions do not relate to His Highness' Possessions in the Islands of Zanzibar and Pemba, nor to his territories south of Wanga or north of Kipini.

Powers of Association to be exercised in name of the Sultan.

And it is understood that all public, judicial, or Government powers and functions herein conceded to the Association, or to their Representatives, shall be exercised by them only in the name and under the authority of the Sultan of Zanzibar.

* See Agreement, 21st December, 1889, p. 361.

† See also Concession, 9th October, 1888, p. 350.

[Charter. British East Africa Company.]

Duration of Concession.

Art. XII.—It is hereby agreed by both Parties that these Concessions and corresponding obligations, as set forth, shall be binding upon both Parties, their heirs, successors, and assigns, during the term of 50 years* for which they have been agreed upon.

Zanzibar, 24th May, 1887.

E. N. MACKENZIE.

(For the British East African Association.)

I witness the above signature of Mr. E. N. Mackenzie.

FREDC. HOLMWOOD.

Registered No. 1464 A.

FREDC. HOLMWOOD.

British Consulate-General, Zanzibar,

25th May, 1887.

No. 64.—*ROYAL CHARTER granted to the Imperial British East Africa Company. 3rd September, 1888.*†

VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To all whom these presents shall come, Greeting ;

Whereas a humble Petition has been presented to us in our Council, by

[Here follow the names.]

And whereas the said Petition states amongst other things :

That the Petitioners and others are associated for the purpose of forming a Company or Association, to be incorporated, if to us should seem fit, for the objects in the said Petition set forth under the corporate name of the Imperial British East Africa Company.

Concession from Sultan of Zanzibar of 24th May, 1887.

That His Highness the Sayyid Barghash Bin-Said, Sultan of Zanzibar and its East African Dependencies, by his grants or concessions dated the 24th May, 1887 (**No. 63**), granted and conceded to the Petitioners, or some of them, under the name or description of the British East African Association, all his powers, and the rights and duties of administration ;‡

* Altered to "in perpetuity" by Agreement of 5th March, 1891, p. 365.

† S.P., vol. lxxix, p. 641.

‡ An Abstract of Treaties was communicated to the Foreign Office, 5th March, 1891. See p. 376.

[Charter, British East Africa Company.]

Territory on Mainland.

And other privileges specially named on the mainland of East Africa, in the Territory of the Mrima,* and also on the Islands embraced in such territory ;

Wanga to Kipini, on the Coast.

And in all his territories and Dependencies on the Coast of East Africa, from Wanga to Kipini, both inclusive, such powers, rights, and duties to be exercised and performed in his name and under his flag, and subject to the provisions of the said Grants and Concessions.

Agreements with Native Chiefs.

That divers preliminary Agreements have been made on behalf of the Petitioners with Chiefs and tribes in regions which adjoin or are situate to the landward of the territories included in the said Grants or Concessions, and which are included in the sphere of British influence, agreed on behalf of ourselves and the Government of His Majesty the Emperor of Germany, in 1886 (No. 264), by which powers of government and administration in such regions are granted or conceded to or for the benefit of the Petitioners.

Promotion of Trade, Commerce, and Good Government.

That the Petitioners desire to carry into effect the said Grants, Concessions, and Agreements, and such other Grants, Concessions, Agreements, and Treaties as they may hereafter obtain within the districts already referred to as being within the sphere reserved for British influence, and elsewhere, as we may be pleased to allow, with the view of promoting trade, commerce, and good government in the territories and regions which are or may be comprised in such Grants, Concessions, Agreements, or Treaties, as aforesaid, and the Petitioners believe that, if the said Grants, Concessions, Agreements, or Treaties can be carried into effect, the condition of the natives inhabiting the aforesaid territories and regions would be materially improved, and their civilization advanced, and an organization established which would tend to the suppression of the Slave Trade in such territories, and the said territories and regions would be opened to the lawful trade and commerce of our subjects and of other nations.

Mombassa.

That the possession by a British Company of the coast-line, as above defined, and which includes the Port of Mombassa, would be advantageous to the commercial and other interests of our subjects in the Indian Ocean, who may otherwise become compelled to reside and trade under the government or protection of alien powers.

* "Mrima" signifies "mainland." Part of the Mrima Coast was included in the German sphere of influence by the Anglo-German Agreement of October—November 1886, p. 882.

[Charter, British East Africa Company.]

Royal Charter prayed for.

That the success of the enterprise in which the Petitioners are engaged would be greatly advanced if it should seem fit to us to grant them our Royal Charter of Incorporation as a British Company under the said name or title, or such other name or title, and with such powers as to us may seem fit for the purpose of more effectually carrying out the objects aforesaid.

Sums of Money subscribed for.

That the Petitioners have already subscribed large sums of money for the purposes of the intended Company, and are prepared to subscribe or to procure such further amount as may hereafter be found requisite for the development of the said enterprise in the event of our being pleased to grant to them our Royal Charter of Incorporation as aforesaid.

Royal Charter Granted.

Now, therefore, we having taken the said Petition into our Royal consideration in our Council, and being satisfied that the intentions of the Petitioners are praiseworthy and deserve encouragement, and that the enterprise in the Petition described may be productive of the benefits set forth in the said Petition by our prerogative Royal, and of our especial grace, certain knowledge, and mere motion have constituted, erected, and incorporated, and by this our Charter for us and our heirs and Royal successors do constitute, erect, and incorporate into one body politic and corporate by the name of the Imperial British East Africa Company the said William Mackinnon, the Right Honourable Lord Brassey, K.C.B., General Sir Donald Stewart, Bart., G.C.B., G.C.S.I., C.I.E. ; Sir John Kirk, G.C.M.G. ; William Burdett-Coutts, M.P. ; Robert Palmer Harding ; George Sutherland Mackenzie ; and such other persons and such bodies as from time to time become and are members of that body, with perpetual succession and a common Seal, with power to break, alter, or renew the same at discretion, and with the further authorities, powers, and privileges conferred, and subject to the conditions imposed by this our Charter ;

Imperial British East Africa Company.

And we do hereby accordingly will, ordain, grant, and declare as follows (that is to say) :—

1. The said Imperial British East Africa Company (in this our Charter referred to as “ the Company ”) is hereby authorized and empowered to hold and retain the full benefit of the several Grants, Concessions, Agreements, and Treaties aforesaid, or any of them, and all rights, interests, authorities, and powers necessary for the purposes of government, preservation of public order in, or protection of the said territories, or otherwise of what nature or kind soever, under or by virtue thereof, or resulting therefrom, and ceded to or vested in the

[Charter. British East-Africa Company.]

Company, in, over, or affecting the territories, lands, and property comprised in those several Grants, Concessions, Agreements, or Treaties, or in, over, or affecting any territories, lands, or property in the neighbourhood of the same, and to hold, use, and exercise the same lands, property, rights, interests, authorities, and powers respectively for the purposes of the Company, and on the terms of this our Charter.

Power of Company to acquire and possess Lands, &c., in Africa, by Treaties or Concessions.

2. The Company is hereby further authorized and empowered, subject to the approval of one of our principal Secretaries of State (herein referred to as our Secretary of State) to acquire and take by any Grant, Concession, Agreement, or Treaty, other rights, interests, authorities, or powers of any kind or nature whatever in, over, or affecting the territories, lands, or property comprised in the several Grants, Concessions, Agreements, or Treaties, as aforesaid, or any rights, interests, authorities, or powers of any kind or nature whatever in, over, or affecting other territories, lands, or property in Africa, and to hold, use, enjoy, and exercise the same for the purposes of the Company and on the terms of this our Charter.*

3. Provided that none of the powers of this our Charter shall be exercised under or in relation to any Grant, Concession, Agreement, or Treaty as aforesaid, until a copy of such Grant, Concession, Agreement, or Treaty in such form and with such maps or particulars as our Secretary of State approves and verified as he requires, has been transmitted to him, and he has signified his approval thereof, either absolutely or subject to any conditions or reservations.

4. The Company shall be bound by and shall fulfil all and singular the stipulations on their part contained in any such Grant, Concession, Agreement, or Treaty, as aforesaid, subject to any subsequent Agreement affecting those stipulations approved by our Secretary of State.

Company to be British in Character and Domicile. Officers and Directors.

5. The Company shall always be and remain British in character and domicile, and shall have its principal office in Great Britain, and the Company's principal Representative in East Africa, and all the Directors shall always be natural born British subjects or persons who have been naturalized as British subjects by or under an Act of Parliament of our United Kingdom.

Company precluded from transferring Concessions.

6. The Company shall not have power to transfer wholly or in part the benefit of the Grants, Concessions, Agreements, or Treaties aforesaid, or any of them, except with the consent of our Secretary of State.

* See List of Treaties, p. 374.

[Charter. British East Africa Company.]

Differences between Sultan of Zanzibar and Native Chiefs to be submitted to Secretary of State.

7. In case at any time any difference arises between the Sultan of Zanzibar, or the Chiefs or tribes which are included in the sphere of British influence, as hereinbefore recited, and the Company, that difference shall on the part of the Company be submitted to the decision of our Secretary of State, if he is willing to undertake the decision thereof.

Dealings of Company with Foreign Powers.

8. If at any time our Secretary of State thinks fit to dissent from or object to any of the dealings of the Company with any foreign power and to make known to the Company any suggestion founded on that dissent or objection, the Company shall act in accordance therewith.

Any Objections on part of Secretary of State to be deferred to by Company.

9. If at any time our Secretary of State thinks fit to object to the exercise by the Company of any authority or power within any part of the territories comprised in the several Grants, Concessions, Agreements, or Treaties aforesaid, or otherwise acquired by the Company, on the ground of there being an adverse claim to that part, the Company shall defer to that objection until such time as any such claim has been withdrawn or finally dealt with or settled by our Secretary of State.

10. *Abolition of Slave Trade and Slavery.*

11. *Freedom of Religious Worship, &c.*

12. *Justice. Local Laws and Customs.*

13. *Right of Secretary of State to object to Proceedings or System of the Company.*

14. *Facilities for British Ships in Company's Harbours.*

Places where Company's Flag may be hoisted.

15. Except in the Dominions of His Highness the Sultan of Zanzibar (within which it is required to use His Highness' flag), the Company may hoist and use on its buildings and elsewhere in its territories and on its vessels, such distinctive flag indicating the British character of the Company as our Secretary of State and the Lords Commissioners of the Admiralty shall from time to time approve.

16. *Monopolies forbidden.*

17. *No differential treatment of Subjects of any Power as to Trade or Settlement.*

18. *Import and Export Duties, and Taxes. Company to conform to Treaty Stipulations between Zanzibar and other Powers.**

19. *Taxes on Foreigners. Company to conform to Treaty Stipulations between Zanzibar and other Powers.*

* See Zanzibar, p. 297.

[Concession. Mrima. Wanga to Kipini, and Islands.]

20. *Suppression of the Slave Trade. Tax on Caravans and Porters passing through Company's Territory.*

21. *Licences to take and kill Elephants. Export Duty on Elephants' Tusks or Ivory.*

Company to be bound by Treaties between the British Government and Foreign Powers.

22. The Company shall be subject to and shall perform and undertake all the obligations contained in or undertaken by ourselves under any Treaty, Agreement, or Arrangement between ourselves and any other State or Power, whether already made or hereafter to be made.

Jurisdiction: Company to conform to Directions given by the Secretary of State.

In all matters relating to the observance of this Article, or to the exercise within the Company's territories for the time being, of any jurisdiction exercisable by us under the Foreign Jurisdiction Acts, the Company shall conform to and observe and carry out all such directions as may from time to time be given in that behalf by our Secretary of State, and the Company shall appoint all necessary officers to perform such duties and shall provide such Courts and other requisites as may from time to time be necessary for the administration of justice.

Powers of the Company.

23. The Company is hereby further specially authorized and empowered for the purposes of this our Charter—

[Here follows a description of the Powers of the Company.]

No. 65.—*CONCESSION given by His Highness the Sayyid Khalifa, Sultan of Zanzibar, to the Imperial British East Africa Company, 9th October, 1888.**

Preamble.

WHEREAS His Highness Sayyid Barghash-bin-Said, the late Sultan of Zanzibar, granted certain Concessions by a deed, document, or agreement, dated the 24th day of May, 1887 (**No. 63**), to an Association or Company, under the presidency of William Mackinnon, and which Association or Company, now known as the Imperial British East Africa Company, hereinafter referred to as the said Company, has been duly incorporated by a Charter granted by Her Majesty Victoria of the United Kingdom of Great Britain and Ireland Queen, Empress of India, 3rd September, 1888 (**No. 64**).

* S.P., vol. lxxxix, p. 373.

[Concession. Mrima. Wanga to Kipini, and Islands.]

One Founder's Share allotted to Sultan.

And whereas the said Company, in consideration of the rights, powers, and privileges and authorities made over by such Concession, entered into certain obligations towards His Highness, his heirs, successors, and assigns, has formally apportioned or allotted to His Highness one founder's share in the said Company, whereby His Highness, his heirs, successors, and assigns, has become entitled to one-tenth of the net profit made by the Company, as shown by the books of the Company, after payment, or making provision for all the interests, working and other expenses, and depreciations, of and incidental to the carrying out of the objects of the Company, and after allowing interest at the rate of 8 per cent. per annum on the capital called and paid up from time to time by the shareholders in the Company. And the right and title to such founder's share is evidenced by the certificates which have been issued by the Company to His Highness the Sultan Sayyid Khalifa as the successor of His Highness the Sultan Sayyid Barghash-bin-Said.

Extension of Rights, Powers, and Privileges to Company.

And whereas the said Company has applied to His Highness to grant further facilities to the said Company for the more beneficial and effectual exercise of the rights, powers, privileges, and authorities already granted by the Concession before mentioned, in order that the objects for which the Company has been established may be fully carried out, and that certain provisions in the said concession may be more clearly defined, so that no dispute or discussion may at any time arise as to the true meaning thereof.

Now, it is hereby witnessed, that in consideration of the premises, His Highness Sayyid Khalifa, Sultan of Zanzibar and its East African Dependencies, hereby declares and agrees that these presents and the following Articles shall be read with the Concession to the Company of the 24th May, 1887 (No. 63), as if the same were a part thereof:—

Administration by Company of Zanzibar Territory on the Mainland in the Mrima, and from Wanga to Kipini, including the Islands.†*

Art. I. His Highness the Sultan makes over to the Imperial British East Africa Company all the powers and authority to which he is entitled on the mainland in the Mrima and all his territories and Dependencies from Wanga to Kipini inclusive, also the islands embraced in such territory,‡ the whole administration of which he concedes to, and places in their hands, to be carried out in His Highness' name and under his flag and subject to His Highness' sovereign rights.

* Part of the Mrima Coast was included in the German Sphere of Influence by the Anglo-German Agreement of October—November, 1886, p. 882. See also Agreement. Great Britain and Germany, 1st July, 1890, p. 899.

† See Map facing p. 366.

‡ Mombasa, &c. See also Concession, 4th March, 1890, p. 362.

[Concession. Mrima. Wanga to Kipini, and Islands.]

Non-payment by Sultan of Blood-Money or other Claims.

But it is understood that the Company will conduct all the affairs and administration of that part of His Highness' dominions included in this Concession, and that His Highness the Sultan shall not be liable for any expenses connected with the same, nor for any war or "diya" (blood-money), or for any claim arising therefrom, none of which His Highness shall be called upon to settle.

Purchase of Public Lands.

No other but themselves shall have the right of purchasing or dealing with public lands on the mainland or anywhere in His Highness' territories, Possessions, or Dependencies within the limits above named, except through them, as is the case now with His Highness.

Levy of Taxes.

He also grants to the Company, or to their Representatives, the sole right and power of levying taxes upon the people of the mainland within the limits above named.

Support to be given by Sultan to Acts of the Company.

His Highness further agrees to do all acts and deeds that may be necessary to give full effect to the terms of this Concession, to aid and support the Company, or their Representatives with all his authority and force, so as to secure to them the rights and powers hereby granted.

Treaties between Zanzibar and Foreign Powers to be respected.

It is further agreed upon by the Contracting Parties that nothing contained in the following Articles of Concession shall in any way infringe on or lessen the rights accorded by His Highness to the subjects or citizens of Great Britain, the United States of America, France, Germany, or any other foreign Powers having Treaty relations with His Highness,* or the obligations which are or may be imposed upon him by his adhesion to the Berlin General Act, 26th February, 1885 (No. 128).

Power of Company to appoint Commissioners to administer Districts.

Art. II.—His Highness authorizes the Company, or their Representatives to appoint in his name and on his behalf Commissioners to administer any district in His Highness' Possessions included in the limit of territories named above, except as hereinafter provided ;

Subordinate Officers.

To appoint such subordinate officers as may be required ;

* See Zanzibar, p. 297.

[Concession. Mrima. Wanga to Kipini, and Islands.]

Laws for Government of Districts.

To pass laws for the government of districts ;

Courts of Justice.

To establish Courts of Justice, and generally to adopt such measures as may be necessary for the protection and government of the districts and interests under their rule.

Treaties with Native Chiefs.

His Highness further authorizes the Company, or their Representatives, to make Treaties with subordinate and other native Chiefs, such Treaties and engagements to be ratified and confirmed by him in any cases in which they are made in the name of His Highness ;

Cession to Company of Sultan's Rights over Lands (except "Shambas").

His Highness also agrees to cede to the Company, or their Representatives, all the rights which he himself possesses over the lands in the whole of his territory on the mainland of Africa within the limits of this Concession, only excepting the private lands or "shambas."

Forts and Buildings.

And gives the Company all forts and public buildings, excepting such buildings as His Highness may wish to retain for his own private use, a schedule of such buildings, plantations, or properties to be drawn up and agreed to between His Highness and the Company.

Lands not yet occupied.

Further, he authorizes and empowers them to acquire, and regulate, and dispose of the occupation of all lands not yet occupied ;

Taxes, Dues, Tolls.

To levy and collect local or other taxes, dues, and tolls ;

Local Governments, Justice, Roads, Debts, &c.

And to do all these and such other acts as may be necessary for the maintenance and support of such local governments, forces, administration of justice, the making and improving of roads or water communication, or other public works, defensive or otherwise, and for the liquidation of debts and payment of interest upon capital expended.

Appointment of Judges.

The Judges shall be appointed by the Company or their Representatives, and the Sultan shall confirm all such appointments, but all "Kathis" shall be nominated by His Highness.

[Concession. Mrima. Wanga to Kipini, and Islands.]

Administration of Laws.

In aboriginal tracts the law shall be administered by the Company or their officials.

Stipends of Officials.

The stipends of the Governors and all other officials in the territories occupied and controlled by the Company, or their Representatives, shall be paid by them.

Right to trade, to hold Property, to erect Buildings, to acquire Lands, &c.

Art. III.—His Highness grants to the Company, or to their Representatives, the right to trade, to hold property, to erect buildings, and to acquire lands or buildings by purchase or negotiations anywhere within His Highness' territories included in the limits of this Concession, with the consent of the proprietors of any such lands and houses.

Commerce, Navigation, Fisheries, Roads, Railways, Telegraphs, &c.

Art. IV.—His Highness grants to the Company, or to their Representatives, special and exclusive privileges and powers to regulate trade and commerce, also the navigation of rivers and lakes and control of fisheries, the making of roads, tramways, railways, canals, and telegraphs, and to levy tolls and dues on the same ;

Importation of Arms, Ammunition, Intoxicating Liquors, &c.

Also the power to control or prevent the importation of any merchandize, arms, ammunition of all sorts, intoxicating liquors, or any other goods which, in the opinion of the Company, or their Representatives, are detrimental to law, order, and morality, and in whatsoever His Highness is not bound towards other Governments.

Treaties between Zanzibar and Foreign Powers to be respected.

But it is clearly understood that all exercise of these privileges and powers shall be in conformity with existing Treaties between His Highness and foreign States.*

Ports and Forts at Mouths of Rivers. Custom Houses. Duties, &c., on Vessels and Goods. Smuggling.

Art. V.—His Highness authorizes the Company, or their Representatives, to occupy, in his name, all ports and forts at the mouth or mouths of any river or rivers, or elsewhere in his dominions included in the limits of this Concession, with the right to establish Custom Houses and to levy and collect dues on any vessels, goods, &c., arriving at, or departing from, such port or ports, and to take all necessary measures for the prevention of smuggling, subject in all cases to the Treaties above named.

* See Zanzibar, p. 297.

[Concession. Mrima. Wanga to Kipini, and Islands.]

Working, &c., of Mines.

Art. VI.—His Highness grants to the Company, or to their Representatives, the exclusive privilege to search for, and work, or to regulate, lease, or assign, in any part of His Highness' territories within the limits of this Concession, any mines or deposits of lead, coal, iron, copper, tin, gold, silver, precious stones, or any metal or mineral, or mineral oils whatsoever; also the exclusive right to trade in the same, free from all taxes and dues, excepting such moderate royalty on minerals only, not exceeding 5 per cent. on the first value of the article, less the working expenses, as may be hereinafter agreed by the Company and their Representatives to be paid to His Highness;

Forest Trees and other Woods.

Also the right to use all forest trees and other woods, and materials of any kind whatsoever for the purpose of the works aforesaid, and also for trade. But the wood used for building and for burning, commonly known as "borti," may be cut on the mainland by others, as now, by payment of such dues to the Company, or to their Representatives, as they may agree upon, but no such dues shall be required for wood cut for His Highness' use.

Establishment of Banks.

Art. VII.—His Highness grants to the Company, or to their Representatives, the right to establish a bank or banks anywhere in His Highness' territories above mentioned, with the exclusive privilege of issuing notes.

Duration of Powers and Privileges limited to 50 Years.

Art. VIII.—All the aforesaid powers and privileges to extend over, and be available for the purposes and objects of the Company, or their Representatives, during the whole of the term of 50 years next,* and dating from the time of this Concession being signed.

At the conclusion of the said term all the public works and buildings may revert to the Sultan, his direct heirs, and successors nominated by him, if desired, at a valuation, to be fixed by arbitrators chosen by both parties, subject to conditions of Article XIV.

Régie or Lease of Customs granted to Company.

Art. IX.† His Highness grants to the Company, or to their Representatives, the "régie," or lease of the Customs of all the ports throughout that part of His Highness' territories above defined, for an equal period of time to the other Concessions, upon the following terms, namely:—

* Altered to "in perpetuity" by Supplementary Agreement, 5th March, 1891, p. 365.

† See Agreement, 21st December, 1889, p. 361, (1714)

[Concession. Mrima. Wanga to Kipini, and Islands.]

Guarantee to Sultan of Customs Duties now received.

The Company hereby guarantees to His Highness the whole amount of the Customs duties which he now receives, both from the import and export trade of that part of His Highness' dominions included in this Concession. The definitive amount of the annual average shall be fixed after one year's experience.

Arrangement with regard to Customs Duties.

During the first year the Imperial British East Africa Company shall have the right to claim all and every pecuniary or other advantages connected with the administration of the Coast and Customs, which is guaranteed, under similar circumstances, to the German Company in their Concession.*

For the first year also the Company guarantees to His Highness the amount of the Customs which he now receives, as shown by the books, to be paid by monthly instalments, *post numerando*, according to the Arab reckoning of the year.

After the first year's experience the annual average of the sum to be paid to His Highness by the Company shall be fixed. The Company, however, shall have the right at the end of every third year, according to the results of the previous three years, as shown by their books, to enter into fresh negotiations with His Highness in order to fix a revised average.

Duties not to be paid Twice over. Drawbacks.

Further, it is understood that His Highness shall not claim the duty on any part of this trade twice over, and that the Company shall therefore be entitled to claim a drawback for the amount of any duties which may hereafter be paid direct to His Highness on any imports to, or exports from, the ports included in this Concession ;

Fifty per Cent. of Additional Customs Revenue to be paid to Sultan.

And the Company further guarantees to pay to His Highness 50 per cent. of the additional net revenue which shall come to them from the Customs duties of the ports included in this Concession after payment of all expenses ;

Company's Rights over Territorial Waters. Transit and Shipment of Merchandise, &c.

And His Highness grants to the Company all rights over the territorial waters in or appertaining to his dominions within the limits of these Concessions, particularly the right to supervise and control

* An Undertaking was given to the Sultan, on the 3rd October, 1888, that it was not intended that the Company should charge His Highness 170,000 Rs. for administering the coast, or that he should be responsible for this payment. See "McDermott on British East Africa," p. 275. See also Concession to German East Africa Company, 28th April, 1888. GERMANY, p. 695.

[Concession. Mrima. Wanga to Kipini, and Islands.]

the conveyance, transit, landing, and shipment of merchandize, and produce within the said waters by means of a coastguard service both on land and water.

Privileges, &c., granted to German East Africa Company extended to British East Africa Company.

Finally, in addition to all that is stated in the foregoing Article, the Imperial British East Africa Company shall have the right to claim and exercise every right, privilege, or power granted by His Highness the Sultan to the German East African Association* in Article IX, or in any other Article of their Concession.

Allotment to Sultan of Capital of Company equal to one Founder's Share, or one-tenth of Net Profits, less certain Deductions.

Art. X.—In consideration of the foregoing Concessions, powers, and privileges being granted by His Highness, the Company, or their Representatives, allot to His Highness the dividend on the value or that part of the Company's capital which is corresponding to one founder's share of the Imperial British East Africa Company free of cost, which shall entitle him to one-tenth of the net profits, as shown by the books of the Company, after payment of all expenses, interests, and depreciations, and after interest at the rate of 8 per cent. shall have been paid upon the shareholders' paid-up capital.

Privileges, &c., granted to any other Company to be extended to British East Africa Company.

Art. XI.—The Imperial British East Africa Company shall enjoy all the rights, privileges, immunities, and advantages which are, or hereafter may be, enjoyed by, or accorded to, any other Company or particular person to whom His Highness may have given, or may give, Concessions in any other part of his dominions, similar to those granted by this Concession to the Imperial British East Africa Company, or of a different character.

Exclusion from Concession of Islands of Zanzibar and Pemba, and certain other of the Sultan's Possessions South of Wanga and North of Kipini.

Art. XII.—These Concessions do not relate to His Highness' Possessions in the islands of Zanzibar or Pemba, nor to his territories south of Wanga or north of Kipini.

Powers of the Company to be exercised in name of the Sultan.

And it is understood that all public, judicial, or Government powers and functions herein conceded to the Company or to their Representatives, shall be exercised by them only in the name, and under the authority, of the Sultan of Zanzibar.

* See Concession, 28th April, 1888. GERMANY, p. 695.

[Concession. Mrima. Wanga to Kipini, and Islands.]

Obligations of Concessions to be binding on both Parties for 50 Years.

Art. XIII.—It is hereby agreed by both Parties that these Concessions, and the corresponding obligations set forth, shall be binding upon both Parties, their heirs, successors, and assigns, during the term of 50 years* for which they have been agreed upon.

Railways, Canals, Telegraphs, and other Public Works.

Art. XIV.—All railways, tramways, caravanserais (resthouses), roads, canals, telegraphs, waterworks, gasworks, and other works of public utility; also mines constructed by the Company, or by parties authorized by them, with all their lands, buildings, and appurtenances, shall be the property of the contracting Company in perpetuity, or of any Company which may be formed by the said Company to make them, and they shall be free for ever from taxation of any kind, excepting only the royalties on minerals previously provided for in Article VI.

Temporary Occupation and Administration of Territories and Revenues by Sultan's Officials.

Art. XV.—Pending such reasonable period after the date of the final ratification of this Agreement as may be required by the Imperial British East Africa Company to make their arrangements for administering the territories and revenues conceded to them herein, the officials and troops of His Highness the Sultan of Zanzibar shall continue in possession of such territories until the aforesaid Company intimate their readiness to take over the whole administration, including the collection of revenues.

Responsibility of Company to Sultan from date of their Administration.

The Company shall be responsible to the Sultan for the payment of the amount to which he may be entitled under the provision in Article IX of this Agreement only from the date on which they may take over charge of the administration as above specified.

Transfer of Customs, &c., to be made before 1st July, 1889.

It is further understood that the time of transfer of the Customs, lands, and buildings aforesaid shall be fixed by special Agreement; but it is understood that such transfer shall be made before the 1st January, 1889, at latest.

English Text of Agreement to decide any point in Dispute.

Art. XVI.—The present Agreement has been made out in four copies, two of which are written in the Arabic language. All these copies have the same issue and meaning. Should differences, however, hereafter arise as to the proper interpretation of the English and

* Altered to "in perpetuity" by Supplementary Agreement, 5th March, 1891, p. 365.

[Lease of Sultan's Possessions to British East Africa Company.]

Arabic texts of one or other of the stipulations of this Concession, the English copy and meaning shall be considered decisive.

In faith whereof His Highness the Seyyed Khalifa-bin-Saïd, and George Sutherland Mackenzie, Director on behalf of the Imperial British East Africa Company, have signed this Concession and affixed their seals.

Done at Zanzibar, this 9th day of October, 1888.

(L.S.) Signature of SULTAN OF ZANZIBAR.

(L.S.) GEORGE SUTHERLAND MACKENZIE,
*Director, Imperial British East Africa
Company.*

Witness to the above :

LLOYD WILLIAM MATHEWS,
In command of Zanzibar Troops.

I certify the above seals and signatures of His Highness the Sultan of Zanzibar and Mr. George Sutherland Mackenzie, a Director of the Imperial British East Africa Company.

C. B. EUAN-SMITH, *Colonel,*
Her Britannic Majesty's Agent and Consul-General.
Zanzibar, 9th October, 1888.

No. 66.—*AGREEMENT between the Sultan of Zanzibar and British Acting Agent and Consul-General, respecting the Administration by the British East Africa Company of certain of His Highness' Possessions on the Mainland and Islands lying off the Coast. Zanzibar, 31st August, 1889.**

HIS Highness Seyyid Khalifa-bin-Saïd, with the concurrence of the English Government, hereby grants a lease of his Possessions to the Imperial British East Africa Company on the following conditions :—

*Sultan's Possessions and Islands, &c., to be administered by the Company.
Kipini to Mruti, except Witu.*

Art. I.—His Highness hands over to the Imperial British East Africa Company all his towns, lands, and possessions on the mainland from Kipini to Mruti, or Marote, excepting Witu,

Lamu, Manda, Patta, Kiwhyu, &c.

including the Islands of Lamu and Manda, and Patta and Kiwhyu,† and all other islands in that vicinity, and in Manda Bay and any other islands on that coast, and the ports of

* See Concession, Zanzibar to British East Africa Company, 4th March, 1890, p. 362.

† See Concessions, Zanzibar to British East Africa Company, 4th March, 1890, p. 362, and 5th March, 1891, p. 365.

[Lease of Sultan's Possessions to British East Africa Company.]

Kismayu, Brava, Merka, Magadishu, Warsheikh, and Mruti.

Kismayu, Brava, Merka, Magadishu, Warsheikh, and Mruti, to be at the disposition and in the hands of the Company.

Administration of Possessions.

Art. II.—These possessions are to be held by the Company as His Highness' "Wakil" (Plenipotentiary and Agent), and they are to be administered according to the Sheriâl (Mahommedan laws and customs).

Flags.

His Highness' flag, and the Liwalis, Askaris, and Kathis will be maintained.

Sultan's Authority.

His Highness' authority will be respected as now, but these officials will be under the orders of the Company in all fiscal matters and for the maintenance of public order, but His Highness will have the right of veto in matters of public polity in so far as concerns his own subjects.

Customs Duties.

Art. III.—The Customs duties in the above-mentioned places are to be levied in conformity with the existing Treaties between His Highness and foreign States, and His Highness' subjects will be liable to the same duties.

Buildings, Forts, &c.

Art. IV.—In the above-mentioned places the Company will have the right to select for their own use, during the period of this Concession, any building, fort, &c., belonging to His Highness.

Acquisition of Lands and Buildings.

The Company will have the right to acquire land and buildings by purchase or negotiation with the consent of the proprietors.

*Duration of Agreement for Five Years.**

Art. V.—This Agreement is for five years from the date of its signature. After these five years have elapsed the Sultan shall give another Concession for more than five years, according to the Agreement between himself and the Company.

Custom Houses.

Art. VI.—For five years the employés of His Highness will remain in the Custom Houses. After the lapse of this period, His Highness will hand over the Customs entirely to the Company, and all increase on net profit shall be divided equally between His Highness and the Company.

* See Concession, British East Africa Company, 4th March, 1890, p. 362.

[Customs Revenues. Wanga to Kipini.]

In faith whereof His Highness Seyyid Khalifa-bin-Said and Gerald Herbert Portal, British Acting Agent and Consul-General, on behalf of the Imperial British East Africa Company, have signed this Agreement and affixed their Seals.

Done at Zanzibar, this 31st day of August, 1889.

(Arab Seal.)

Subject to concurrence of the Imperial British East Africa Company.
(Seal.) G. H. PORTAL.

I certify the above Seals and Signatures of His Highness the Sultan of Zanzibar and Mr. G. H. Portal, Acting British Agent and Consul-General.

LLOYD W. MATHEWS,

In command of Zanzibar Troops.

Zanzibar, 31st August, 1889.

[See also Notification of British Protectorate over Territories in East Africa, late in possession of the British East Africa Company, of the 15th June, 1895, p. 380.]

No. 67.—*AGREEMENT between the Sultan of Zanzibar and the Imperial British East Africa Company, respecting the Customs Dues levied in 1888, and the Ports lying between Wanga and Kipini. 21st December, 1889.*

(Translation.)

Customs Duties levied in 1888.

It has this day been agreed between His Highness Sayyid Khalifa, Sultan of Zanzibar, and George S. Mackenzie, the duly authorized representative of the Imperial British East Africa Company, that the Customs duties collected last year, and payable to His Highness for the revenues of the territory lying between the ports of Wanga and Kipini,* as verified by the accounts of the first 12 months, amounts to 56,000 dollars, Zanzibar currency, as arranged for in the Concession granted by His Highness to the Imperial British East Africa Company, dated the 9th October, 1888 (**No. 65**).

The above sum to be paid in advance, in four quarterly sums of 14,000 dollars each, and in addition to this sum His Highness shall be paid half of the net increase that may hereafter be collected on the above-named revenues, but His Highness shall not be responsible for any expenses connected with the collection of the revenues.

It is also understood that the Company shall not (*vide* Article IX)† levy duty on merchandize, &c., which has previously paid duty in Zanzibar or other coast ports belonging to His Highness, and the Sultan on his part undertakes not to charge duty on merchandize, &c., which

* See Map facing p. 366.

† Page 355.

[Concession. Kipini to Mruti, Lamu, Manda, Patta, Kwyho, Kismayu. Benadir Coast:—Kismayu, Brava, Meurka, Magadisho, Warsheikh, &c.]

has previously paid duty at any ports under the jurisdiction of the Company. His Highness retains to himself the right of having a representative, to be paid by himself, at each and all the Custom Houses, who will keep a copy of the Custom House books on behalf of His Highness, who shall, in conjunction with the Company, agree their respective accounts at the close of each year.

Signature and Seal of Sultan of Zanzibar.

GEORGE S. MACKENZIE, *Director,*

Imperial British East Africa Company.

Zanzibar, 21st December, 1889.

Certified that the above translation has been made by us, and is the true and correct purport of the document in Arabic on the other side.

LLOYD WM. MATHEWS, *Brigadier-General.*

ESAU-BIN-MAHDI.

I hereby certify that the foregoing is a duplicate of the Agreement between His Highness Sayyid Khalifa-bin-Saeed, Sultan of Zanzibar, and Mr. George S. Mackenzie, Director of the Imperial East Africa Company, registered at the office of Her Majesty's Agency and Consulate-General, Zanzibar, under Nos. 1218 and 1219 of 1890.

C. B. EUAN-SMITH, *Her Britannic Majesty's*

Agent and Consul-General.

British Agency and Consulate-General, Zanzibar.

23rd December, 1889.

No. 68.—*CONCESSION by the Sultan of Zanzibar to the British East Africa Company of certain Islands, and of certain places on the Benadir Coast. 4th March, 1890.**

(Translation.)

Coast between Kipini and Mruti. Islands of Lamu, Manda, Patta, Kwyho, and Places on Benadir Coast—Kismayu, Brava, Mervice [Meurka], Magadisho, Warsheikh, Mruti, &c.

1. His Highness Seyyid Ali, Sultan of Zanzibar and its East African Dependencies, hereby declares and agrees to concede to the Imperial East Africa Company all the powers and authority to which he is entitled on the mainland lying between Kipini and Mruti, also the islands embraced in such territory, including Lamu, Manda, Patta, Kwyho, and all the other towns and places on the Benadir coast, viz., Kismayu, Brava, Mervice [Meurka], Magadisho, Warsheikh, Mruti, and the islands in their vicinity belonging to His Highness. The same to be administered and held for the same period, and on the same terms and

* Modified by Supplementary Agreement of 5th March, 1891, p. 365.

[Concession. Wanga to Kipini, Lamu, Manda, Patta, Kwyho, Kismayu, Benadir Ports:—Kismayu, Brava, Meurka, Magadisho, Warsheikh, &c.]

conditions, as the Imperial British East Africa Company's Concession, dated the 9th October, 1888, for (No. 65) the territories lying between Wanga and Kipini.*

Payment to be made by Company to Zanzibar Customs Revenue.

2. The Imperial British East Africa Company undertake to pay His Highness, as in the case of their Mombasa Concession† above named, the gross revenue of the Customs as collected by them: the amount to be paid by His Highness shall be fixed by the experience of the sum collected the first year, but in the event of any abnormal loss arising in the first year's collection, through disturbances on the coast, or from any cause whatever, His Highness shall not suffer loss thereby.

Gross Revenue of Customs.

3. Be it known that the revenue which His Highness now receives from the Benadir ports is 90,000 dollars, and the revenue of Lamu is 13,000 dollars yearly. Therefore, the Imperial British East Africa Company agrees, should the collection for the first year be less than the above named sum, to make good the difference to His Highness.

50 per cent. of Additional Net Revenue to be paid to the Sultan.

4. The Imperial British East Africa Company further guarantees to pay to His Highness 50 per cent. of the additional net revenue which may come to them from the customs duties of the ports above named after deduction of the entire charges of the administration, and the fixed revenue as in the case of their Mombasa Concession.

GEO. S. MACKENZIE,

*Director and Administrator-in-Chief.
Imperial British East Africa Company.*

Witness:

E. J. L. BERKELEY,
Her Majesty's Vice-Consul.

*The Sultan of Zanzibar to Colonel Euan-Smith.
Benadir Ports.*

(Translation.) (After compliments.)

13th Rajab, 1307 (5th March, 1890).

WE have the honour to inform you that we have looked in the letter which our brother the late Seyyid Khalifa wrote on the 11th Jamad-el-Aawal, 1307, to the Italian King regarding the matter of

* The period fixed by the Concession of 9th October, 1888, was for 50 years, but by a Supplementary Agreement, dated 5th March, 1891, it was modified, and the privileges granted in perpetuity, with the exception of Brava, Meurka, Magadisho, Warsheikh, and Mruti, which, it was declared, should remain undisturbed. (See p. 365.) But by a Concession, dated 12th August, 1892, the Benadir Ports were placed under the administration of the Italian Government. (See p. 1094.)

† 24th May, 1887, Article IX, p. 343.

[British Protectorate. Witu, Patta, Manda, &c.]

Kismayu. And now you know what has happened between us and our friends, the English Company. That we have given to them the concession of all Benadir ports, &c., and now we agree if the Italian Company will arrange with our friend Mr. Mackinnon we have no objection; our desire is to increase the friendship.

Written by his order, his slave, Abdul Aziz.

No. 69.—*NOTIFICATION. British Protectorate over Witu and other Territories and Islands lying off the East African Coast. London, 19th November, 1890.**

Foreign Office, 19th November, 1890.

IN pursuance of Article II of the Anglo-German Agreement of the 1st July, 1890 (**No. 270**), under the terms of which Germany withdrew, in favour of Great Britain, her Protectorate over Witu, and also withdrew her Protectorate over the adjoining coast up to Kismayu, as well as her claims to all other territories on the mainland to the north of the River Tana, and to the Islands of Patta and Manda, it is hereby notified, for public information, that the territory of Witu, the territories lying between that country and the River Juba, extending on the coast as far as Kismayu, the Islands of Patta and Manda, and all other islands in Manda Bay, are placed under the Protectorate of Her Majesty.

[Published in "London Gazette," 25th November, 1890.]

NOTE.—On the 5th March, 1891, an Agreement was entered into between the British Government and the British East Africa Company, respecting the administration of the territory of Witu by the Company (**No. 71**), and on the 20th of the same month the Company issued a notice to the effect that they had assumed the government and control of the territory hitherto known as the Sultanate of Witu (**No. 73**). But on the 31st July, 1893, the Company withdrew from the administration of the territory lying between the Rivers Tana and Juba, which was then placed under British protection; and on the same day a proclamation was issued announcing that the Administration of the British Protectorate north of the Tana, with the exception of the territories belonging to the Sultan of Zanzibar, which the Company still retained, had been delegated to the Sultan of Zanzibar. (See p. 379.)

Prohibition against Alcoholic Liquors.

On the 18th June, 1892, the Powers Signatories to the Brussels Act (**No. 130**) were informed that Her Majesty's Government had decided that the British Protectorate over Witu and the adjacent territory up to Kismayu, the British Protectorate of Nyasaland, and that portion of the Niger Protectorate lying on or to the north of the

* H.T., vol. xviii, p. 777. See also Agreement between Great Britain and Zanzibar, 3rd and 4th December, 1886, p. 304.

[Benadir Ports :—Brava, Meurka, Magadisho, Warsheikh ; and Mruti.]

7th degree of north latitude would be placed, from that date, under the terms of Art. XCI of the Act of Brussels within the zone of prohibition of alcoholic liquors. See p. 514.

See also Note respecting Witu on p. 369.

No. 70.—*SUPPLEMENTARY AGREEMENT concluded between His Highness Seyyid Ali, G.C.S.I., Sultan of Zanzibar, and Mr. George Mackenzie, Director and Acting Administrator-in-Chief of the Imperial British East Africa Company. 5th March, 1891.*

Modification of Concession of 4th March, 1890. Lamu, Manda, Patta, Kismayu, &c.

THE Concession, dated the 4th March, 1890 (**No. 68**), regarding the Benadir ports granted by His Highness Seyyid Ali to the Imperial British East Africa Company, is hereby modified by mutual consent, in so far as that Concession relates to the Islands of Lamu, Manda, Patta, &c., as well as to the port and territory belonging to Kismayu.

Benadir Ports :—Brava, Meurka, Magadisho and Warsheikh, and Mruti, undisturbed.

That portion of the Concession which relates to the ports belonging to His Highness lying on that coast to the northward of the River Juba, viz., Brava, Meurka, Magadisho and Warsheikh, and Mruti, shall remain undisturbed.

Coast Line from Wanga to Kipini, with Lamu, Manda, Patta, and territory at Kismayu, conceded to Company in perpetuity.

His Highness the Sultan Seyyid Ali hereby grants to the Imperial British East Africa Company the concession of his entire coast line from Wanga to Kipini, and, further, the Islands of Lamu, Manda, Patta, and his territory at Kismayu, in perpetuity, instead of for 50 years, from the date of and as stated in, first, the Concession signed by the late Seyyid Khalifa, and dated the 9th day of October, 1888 (**No. 65**); and, secondly, the Concession signed by His Highness Seyyid Ali, and dated 4th March, 1890 (**No. 68**).

Conditions.

The following are the conditions of this present modified Agreement :—

80,000 Dollars to be paid by the Company to the Sultan of Zanzibar, by quarterly payments in advance.

The Imperial British East Africa Company to pay as rental to His Highness the Sultan for the above coast-line and all the islands embraced therein, extending from the port of Wanga to that of Kismayu, both inclusive, under the conditions detailed in the Concession of the

[Benadir Ports: —Brava, Meurka, Magadisho, Warshoikh; and Mruti.]

9th October, 1888 (No. 65), the sum of 80,000 dollars annually, by quarterly payments, in advance, of 20,000 dollars each, the same to come into operation on and after the 1st June, 1891, this sum to cover absolutely and entirely all and every payment now or hereafter to be made by the Company to His Highness the Sultan on any account whatever, save only such payments as may become due to His Highness on the founder's share held by His Highness.

Territory still to be administered under Flag and in the Name of the Sultan of Zanzibar.

Nothing in this Agreement, excepting only in so far as relates to rents, revenues, and length of lease, is to be considered as running counter to the general provisions and principles of the Concession of the 9th October, 1888 (No. 65), under which the territory belonging to His Highness will continue to be administered under His Highness' flag and in His Highness' name.

Drawbacks and Customs Duties.

The provisions of Article IX* regarding drawbacks to remain in full force, and His Highness the Sultan shall only be called upon to refund to the Company the actual Customs duties which he has collected on their behalf for goods passing through and between His Highness' Custom House and the Company's ports.

His Highness is not to be responsible for more than he has received as Customs duties levied in accordance with the terms of the Customs Tariff on behalf of the Company.

Company not to put forward or to press, during lifetime of present Sultan, any claim to commute Annual Payment for a Lump Sum.

In consideration of the afore-mentioned modification of the Concession referred to, the Company bind themselves, during the lifetime of the present Sultan, His Highness Seyyid Ali-bin-Said, not to put forward or to press any claim to commute their annual payment for a lump sum paid down, save on the request or initiative of His Highness the Sultan, or with the consent and approval of Her Majesty's Government.

ALI-BIN-SAID.

Witness to His Highness the Sultan's signature :

C. B. EUAN-SMITH, Colonel,

Her Majesty's Agent and Consul-General.

Zanzibar, 5th March, 1891.

GEORGE S. MACKENZIE, Director,
Imperial British East Africa Company.

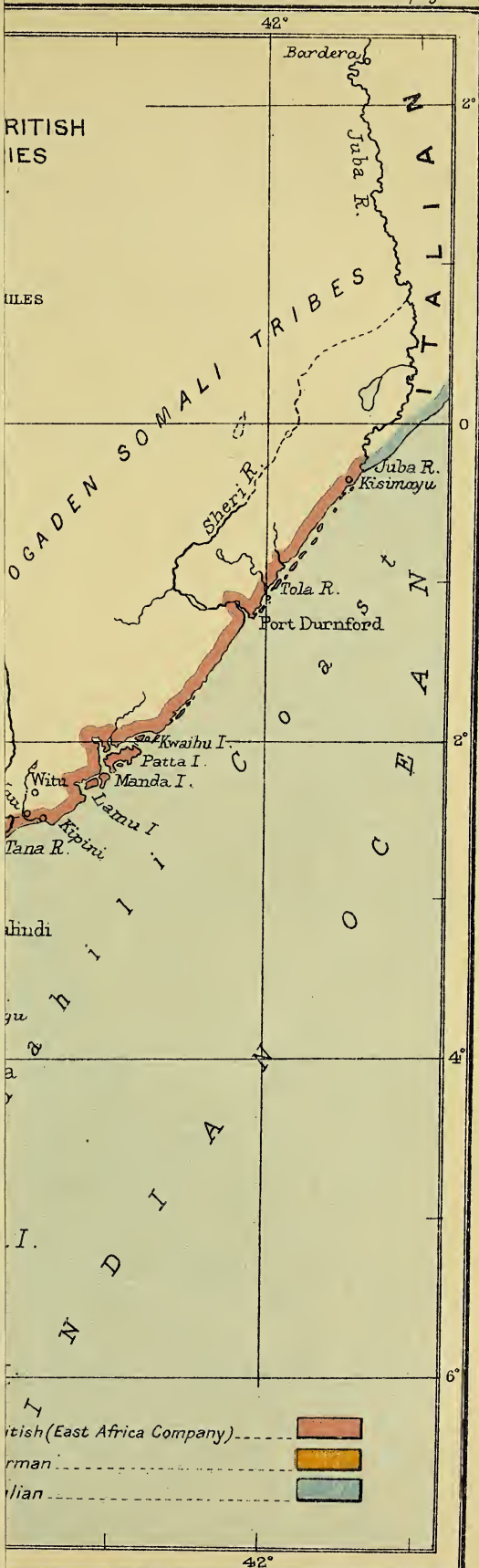
Witness to Mr. George S. Mackenzie's signature :

ERNEST J. L. BERKELEY,

Her Majesty's Vice-Consul.

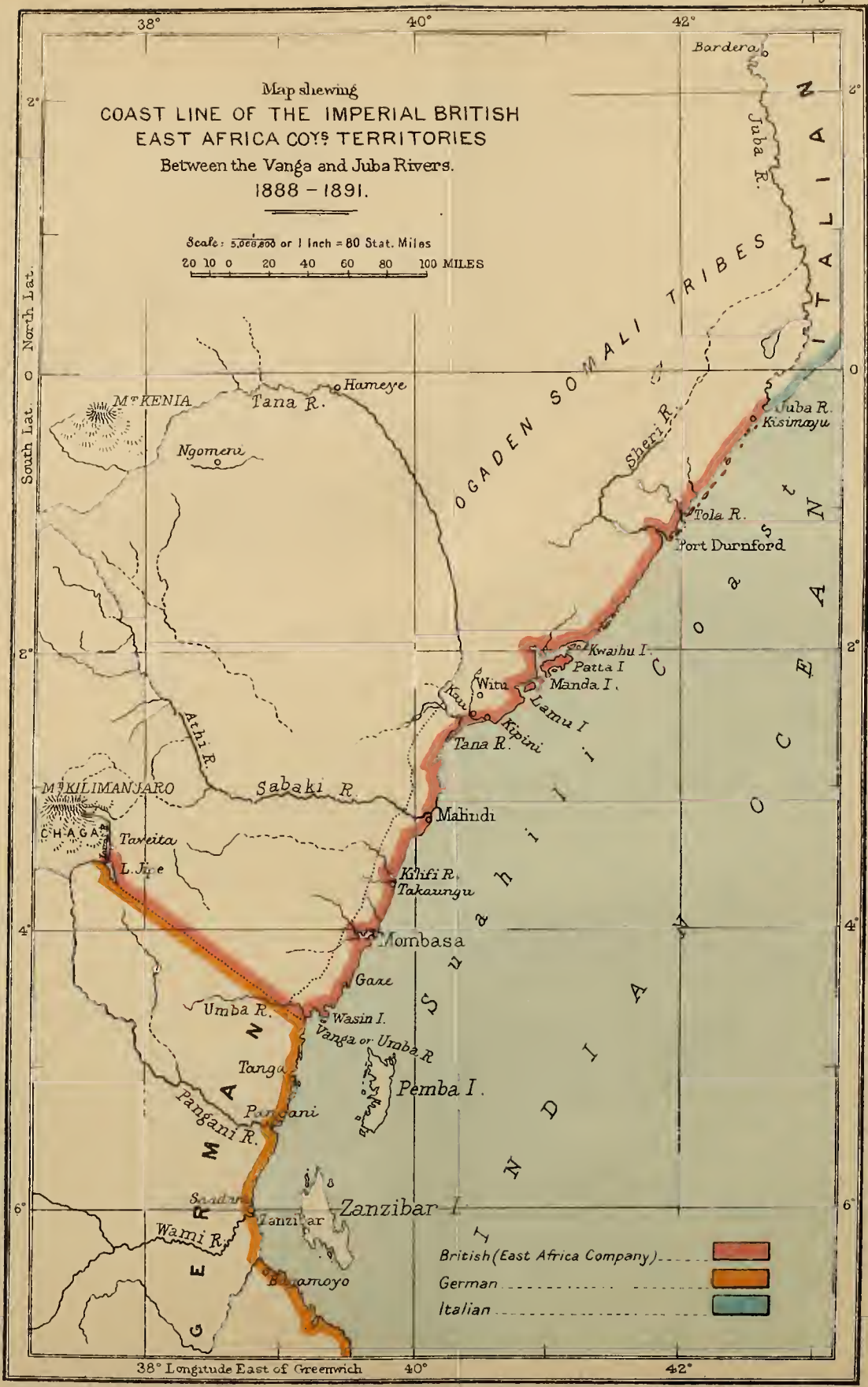
5th March, 1891.

* Concession of 9th October, 1888, p. 356.



Map shewing
COAST LINE OF THE IMPERIAL BRITISH
EAST AFRICA COY'S TERRITORIES
Between the Vanga and Juba Rivers.
1888 - 1891.

Scale: 5,000,000 or 1 Inch = 80 Stat. Miles
20 10 0 20 40 60 80 100 MILES



British (East Africa Company) - [Red Box]
German - [Orange Box]
Italian - [Blue Box]

38° Longitude East of Greenwich 40° 42°

[Witu.]

No. 71.—*AGREEMENT between the British Government and the British East Africa Company, respecting the Administration by the Company of the Territory of Witu. Zanzibar, 5th March, 1891.**

Preamble.

It is hereby mutually agreed between Colonel Sir Charles B. Euan-Smith, K.C.B., C.S.I., Her Majesty's Agent and Consul-General at Zanzibar, acting on behalf of Her Majesty's Government, on the one part; and between Mr. George Sutherland Mackenzie, Acting Administrator-in-Chief of the Imperial British East Africa Company, on the other part; both having been duly empowered to make and sign this Agreement, that the Imperial British East Africa Company shall take over and assume the charge and administration of the State and territory of Witu, under the following conditions:—

Administration of Witu by the Company.

Art. I.—The Imperial British East Africa Company, with the consent of Her Majesty's Government, will assume direct charge of the administration of the territory of Witu under the terms of their Charter† [3rd September, 1888. **No. 64**] from the earliest possible date, not later than the 31st March, 1891.

Responsibility of the Company for proper Government of the Province.

The sole responsibility regarding the administration and future proper government of the province will rest with the Imperial British East Africa Company.

Taxes and Customs Duties.

The Imperial British East Africa Company shall have power to raise revenue by the imposition of taxes and Customs duties, such revenue to be for the Imperial British East Africa Company's sole use and disposal, but the said taxes and Customs duties to be subject, if necessary, to revision by Her Majesty's Government.

Judicial Administration.

The judicial administration of the territory shall be in accordance with the procedure and provisions of the Indian Civil and Criminal Codes.

Administration of Territory under European Control.

Art. II.—The Imperial British East Africa Company bind themselves to institute an efficient administration in the territory of Witu under European control with the least possible delay,‡ and to maintain the same.

* This Agreement was terminated, 31st August, 1893, when the flag of the British Protectorate (the red Arab flag with a small Union Jack in the centre) was hoisted in Witu. See P. P. "Africa No. 9 (1893)."

† See Agreement, 18th March, 1891, p. 370; and Notice, 20th March, 1891, p. 372.

‡ See Agreement, 18th March, 1891, p. 370.

[Witu.]

Agreement between Sir C. Euan-Smith and the Witu Leaders.

Art. III.—The Imperial British East Africa Company bind themselves loyally to fulfil each and all of the conditions of pacification recently concluded by Sir Charles B. Euan-Smith with the Witu leaders, of which a copy is attached.*

Entrance of Europeans into Witu.

Art. IV.—The prohibition regarding the entry of Europeans into Witu territory to be withdrawn simultaneously with the assumption of administration by the Imperial British East Africa Company, who will exercise sole control in this respect.

Martial Law to be abolished.

Art. V.—Martial law, which was proclaimed and is now in force throughout Witu territory, to be abolished at the same time.†

Relations between Zanzibar and Witu.

Art. VI.‡—Her Majesty's Government reserve to themselves the right of deciding at any future time as to what extent, if any, the Sultan of Zanzibar shall be connected with Witu and the adjoining territory.§

Ultimate Sovereignty over Witu.

The question of the ultimate sovereignty over Witu is also reserved for their decision.

Flag.

Art. VII.—The Imperial British East Africa Company's flag may be flown throughout Witu territory as soon as they are in a position to protect the same.

C. B. EUAN-SMITH, *Colonel, Her Majesty's Agent and Consul-General.*

GEORGE S. MACKENZIE, *Administrator-in-Chief, Imperial British East Africa Company.*

Zanzibar, 5th March, 1891.

(Subject to proviso attached, relating to Article VI, and Memorandum attached to the Terms of Peace.)

G. S. M.

*Proviso relating to Art. VI.**Relations between Zanzibar and Witu.*

Should Her Majesty's Government at any time exercise the powers reserved to them under Article VI to the detriment of the Company the latter are to be recouped for all outlay connected with their administration.

G. S. M.

* See p. 369.

† Proclamation withdrawn by Official Notice, 14th March, 1891. See Art. IV of Agreement of 18th March, 1891, p. 370.

‡ See proviso on this page.

§ See Notice of 20th March, 1891, p. 372.

[Witu.]

*Terms of Peace signed, 25th January, 1891.**Submission of Witu People to British Government.*

[Referred to in Art. III of the preceding Agreement.]

Be it known that the people of Witu have sued for peace and pardon from the great English Government for all the evil that they have done. And the people of Witu promise to obey any future orders whatever that the great English Government may issue with regard to the territory and State of Witu ; and they will not oppose any measures whatever that the great English Government may consider it advisable to adopt in this matter. And it is understood that honourable treatment and subsistence will be accorded to Fumo Amari and his relatives. And when this paper has been signed by Fumo Amari and the people, all war and fighting shall cease ; and the people of Witu have permission to go where they please and attend to their business. And every person in Witu who stole or seized the property of Europeans shall return it forthwith. But certain people who have done very bad things, and whose names are given to the Envoys, will not be pardoned, and are not included in this general pardon.

Subsistence Allowance to Fumo Amari.

It is agreed that the amount of subsistence allowance to be accorded to Fumo Amari shall be fixed by the Imperial British East Africa Company, and shall not exceed a maximum payment of 4,200 rupees annually, such payment to be made conditional on his good behaviour and for nominal services to be rendered by him to the Company. The subsistence allowance to be limited to the life of Fumo Amari himself.

G. S. M.

Note.

Hostilities ensued between the British Government and Fumo Amari on the 31st July, 1893, when Pumwani, his stronghold, was stormed by the British Naval Brigade, and he retreated into the forest. On the 13th August, 1893, Jongeni was also destroyed. On the 31st August, 1893, the flag of the British Protectorate was hoisted in Witu. See Foot-note, p. 367. See Par. Paper "Africa, No. 9 (1893)," and "Africa, No. 1 (1894)."

See also Note on p. 364, and Proclamation of 31st July, 1893 (p. 379) as to the Administration by the Sultan of Zanzibar of the British Protectorate north of the Tana.

[Witu.]

No. 72.—*AGREEMENT between the Imperial British East Africa Company and Witu, 18th March, 1891.**

AGREEMENT entered into between Mr. Ernest J. L. Berkeley, Her Britannic Majesty's Vice-Consul at Zanzibar; Mr. George S. Mackenzie, Director, Imperial British East Africa Company; and the undersigned Representatives of the People of Witu, at Jongeni, in the Territory of Witu, on the 18th March, 1891.

(Swahili translation.)

Art. I.—Sheikh Fumo Amari, Bwana Avatulla, and the Notables of Witu, having duly received and read the letter addressed to them by Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General at Zanzibar, dated the 4th March, 1891, and having discussed all the matters therein referred to with Mr. Berkeley and Mr. Mackenzie aforesaid, do hereby, on behalf of themselves and the people of Witu, fully, freely, and loyally accept and recognize that the territory of Witu is henceforth under the control and administration of the Imperial British East Africa Company, and they further pledge themselves faithfully and loyally to serve, and support, and obey the said Company's administration.

Flag.

Art. II.—The flag of the Imperial British East Africa Company, and no other, shall be recognized throughout the territory of Witu.

Observance of Conditions of Peace with Witu People.

Art. III.—The Imperial British East Africa Company pledge themselves faithfully to observe each and all of the conditions of the peace concluded between the people of Witu and Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General, on the 23rd and 24th January, 1891.

Proclamation of Martial Law withdrawn.

Art. IV.—The martial law which, on the 21st October, 1890, was proclaimed throughout the territory of Witu by Admiral Fremantle, is withdrawn in accordance with the official notice to that effect signed on the 14th March, 1891, by Captain Hill, R.N., Senior Naval Officer on the East Coast of Africa.

Administration of Witu handed over to British East Africa Company.

Art. V.—Vice-Consul Berkeley, on behalf of Her Majesty's Government, hereby declares the Province of Witu to be duly and formally handed over to the Administration of the Imperial British East Africa Company aforesaid, under the terms of the Agreement entered into on the 5th March, 1891 (**No. 71**), between Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General at Zanzibar, and Mr. G. S. Mackenzie, Director, Imperial British East Africa Company.†

* See Parl. Pap., "Africa, No. 1 (1894)."

† This Agreement was terminated 31st July, 1893, when the flag of the British Protectorate was hoisted in Witu. See Parl. Pap., "Africa, No. 9 (1893)."

[Witu.]

Suppression of the Slave Trade and Slavery.

Art. VI.—The Notables and people of Witu, being aware of and desirous to support the efforts that have continuously been made by Her Majesty's Government and by the British Company to suppress the Slave Trade and slavery in East Africa, do hereby freely and solemnly pledge themselves henceforth to have no dealings of any kind or description with the Slave Trade, and to use their best endeavours to suppress and obstruct it. They further engage and declare that from this day forth all the inhabitants of Witu are free, and that, in the Province of Witu, the status of slavery is abolished, and shall no longer be recognized, but all the aforesaid inhabitants of Witu are now British-protected persons, and shall enjoy all the rights and privileges appertaining to such persons. And the Imperial British East Africa Company will use their best endeavours to ensure that while this provision regarding the freedom of all Witu subjects is put into full and legitimate execution, it shall not in any way injuriously affect the lawful rights of the subjects of His Highness the Sultan of Zanzibar resident in Lamu and the territories adjoining the Province of Witu.

Emancipation of Slaves.

But regarding the general emancipation of slaves above referred to, it is agreed, with a view to prevent an immediate and heavy loss to the owners of plantations, shambas, &c., at present worked solely by slave labour, to defer the actual process of liberating *bonâ fide* slaves thus employed for a period of five years: the slaves, nevertheless, retaining the usual right to purchase their freedom by mutual consent at any time. The total abolition of slavery throughout the Province of Witu is fixed to take place finally and absolutely on the 24th May, 1896.

Importation of Coolie Labour into Witu.

Art. VII.—In consideration of the provisions of Article VI, the Imperial British East Africa Company pledge themselves to use their best endeavours, should it be requisite, to obtain and encourage the importation into Witu territory of coolie labour for agricultural and other legitimate purposes.

Done in triplicate, in English and Swahili, at Jongeni, on the 18th day of March, 1891.

ERNEST J. L. BERKELEY, *Her Britannic Majesty's Vice-Consul.*

GEORGE S. MACKENZIE, *Director, Imperial British East Africa Company.*

Witness to the Signatures:

F. J. JACKSON.

What is written above is true:

FUMO AMARI-BIN-SULTAN ACHMED (with his own hand).

What is written above is true:

AVATULLA-BIN-HERO SOMALI (with his own hand).

Witness to above signatures:

SAID-BIN-HAMADI HIADA (with his own hand).

[Witu. Kipini to Kismayu.]

No. 73.—NOTICE of British East Africa Company, respecting the Administration of Witu, and the Coast from Kipini to Kismayu. Lamu, 20th March, 1891.

Administration by Company of Witu and Coast from Kipini to Kismayu.

NOTICE is hereby given, that under Agreement dated [5th] March, 1891 (**No. 71**), entered into between Sir Charles Euan-Smith, Her Britannic Majesty's Agent and Consul-General at Zanzibar, acting on behalf of Her Britannic Majesty's Government, and Mr. George S. Mackenzie, Director of the Imperial British East Africa Company, the said Company and their officers have, from the date hereof, assumed the government and control of the territory hitherto known as the Sultanate of Witu, as also the continuous coast-line from Kipini to Kismayu,* over which a British Protectorate was declared, as published in the "London Gazette" of Tuesday, the 25th November, 1890.†

Application to Witu of all Regulations in force in Company's Territories.

All the Regulations which are now in force in the Imperial British East Africa Company's other towns and territories (lying within the British sphere of influence) shall be recognized and made equally applicable to all people resident within the above mentioned territory now acquired by the said Company.

Disputes of Europeans and Foreigners with Natives. Claims.

To prevent disputes arising between Europeans and foreigners, of any nationality, and the natives, such as led to the late lamentable destruction of life and property, all parties are requested to lodge particulars of outstanding claims, with proofs in support of same, in order that the same may be investigated on the earliest possible date. But claims arising out of the destruction of life and property during the late troubles must be presented direct to the representatives at Zanzibar of the several Governments interested.

The Company will take no cognizance of any claims for compensation or other than ordinary mercantile debts which may have been incurred prior to the date hereof.

Claims to Lands, Houses, or Shambas.

Further, all foreigners claiming lands, houses, or shambas are required, within the space of six months from the date hereof, to notify same to the representatives of the Imperial British East Africa Company's resident in Lamu, and to accompany such notification with full and true copies of the title-deeds appertaining to same, in order that they may be examined and registered in the books of the Company.

* See Map, facing p. 366.

† See Notification of 19th November, 1890, p. 364.

[Witu. Kipini to Kismayu.]

Complaints of Europeans to be addressed to Company.

In order to remove all feelings of animosity which may exist in the minds of disaffected natives against Europeans in consequence of the late lamentable disturbances and the subsequent British punitive expedition, all Europeans, of any nationality whatever, are hereby specially cautioned against attempting, in cases of dispute, to take the law into their own hands, and so possibly bring about a breach of the peace. All complaints should be lodged at the nearest Agency of the Imperial British East Africa Company, whose representative will promptly institute a full and impartial inquiry into the case.

Pass to be granted by Company to Europeans and Foreigners proceeding Inland.

The said Company require that all Europeans and foreigners, when leaving the coast to proceed inland, should notify the same to the Company's principal representative in Lamu, who will furnish them with a pass commending them to the care and protection of the local Governor or Chief. Any complaints arising out of the neglect of this rule may, at the option of the Company's representative, prevent complaints being recognized or investigated.

Title-deeds to Land.

Hereafter lands for which proper title-deeds have not been registered (other than shambas and land under actual cultivation) cannot be bought, sold, or transferred by a native to a foreigner until the same has been duly notified to the representative of the Company, and the requisite sanction in writing be obtained from the principal European district officer.

Sale of Shambas and Lands.

There will be no hindrance whatever to the sale of shambas and lands actually under cultivation; the proprietors of them may deal with them as they please.

Abolition of double Duties on Imports and Exports.

The Company will in the exercise of their sovereign rights over the entire coast-line, abolish the collection of double duties on produce or imports and exports of any kind passing to and from the port of Lamu and the mainland.

Custom Houses.

No one other than the Company is entitled to establish a custom house, or collect duties or taxes of any kind, within the territory or coast-line specified in this notification.

Kidnapping. Tribute.

Kidnapping of any people or forcing them to work gratuitously is also forbidden. No tribute of any kind in produce or otherwise is to be collected from any of the people resident within the sphere of the Company's influence.

[Treaties with Native Chiefs.]

Catching and Selling Slaves.

The catching and selling of slaves is also illegal, and persons caught doing such will be severely punished.

British Protection over Province of Witu.

All the inhabitants of the Province of Witu are now under the rule and protection of the British Government.

Runaway Slaves.

And all the runaway slaves from other parts of the coast will, on the date of the Company assuming charge, found in Witu, be reckoned free people.

Domestic Slaves.

But domestic slaves, the lawful property of subjects of His Highness the Sultan of Zanzibar, flying to Witu after the date, will not be harboured there.

Judicial Administration of Territory.

The judicial administration of the territory shall be in accordance with the procedure and provisions of the Indian Civil and Criminal Codes, which shall be applicable to all parties holding lands and properties within the territory herein referred to.

GEORGE S. MACKENZIE, *Director,*
Imperial British East Africa Company.

Lamu, 20th March, 1891.

No. 74.—*LIST OF TREATIES concluded by the British East Africa Association with Native Chiefs, 1887—1891.**

- (1.) LIST OF TREATIES (Nos. 1—21) concluded in June, 1887, according to the following Form (a), and referred to in their Charter :—†

Form (a).

[*Name of Chief*] declares that he has placed all his country and peoples under the British East African Association.

“The whole country is voluntarily placed under the rule and government of the said Association, and I will hoist the flag of His Highness the Sultan of Zanzibar, as has been agreed by deed between His Highness and the Association.

[Signature of Chief.]

“ERNEST BERKELEY.

“*Her Majesty's Vice-Consul.*”

Witnesses.

“Let it be known to all whom it may concern that [*Name of Chief*] has placed himself, country, and peoples under the protection of the

* Parl. Pap. “Africa, No. 4 (1892).” “Papers relating to the Mombasa Railway Survey and Uganda.” See also Parl. Pap., “Africa, No. 2 (1894).”

† See Page 346.

[Treaties with Native Chiefs.]

British East African Association, and that the Undersigned is authorized in their name to give him and them protection.

“ E. N. MACKENZIE, *as Agent.*”

No.	Date of Treaty.	Names of Chiefs.	Tribes or Districts.
1	June 9, 1887	Mbaruk - bin - Raschid - bin - Salem-bin-Hamed	Duruma (Gunjoie country).
2	„ 20, 1887	Mearoni.....	} Wataveta.
		Tomwatu	
		Lodali	
		Mali Vishne	
3	„ 20, 1887	Salook	} Wateita.
		Mbogoli.....	
		Kamba	
4	„ 20, 1887	M'Taveta	} Wakamba.
		Nwilu Wagundu	
5	„ 20, 1887	Dungu Wagungaa	} Ditto.
		Mdega Maazow	
6	„ 20, 1887	Ketonga	} Wagiriama.
		Kirunu	
7	„ 20, 1887	Gona	} Wadurma.
		Mboja	
		Mehunja	
8	„ 20, 1887	Matamn	} Ditto.
		Mbogo Mpugulu	
9	„ 20, 1887	Mwezuiani	} Ditto.
		Muyka Wangomba	
10	„ 20, 1887	Demdego Mevero	} Ditto.
11	„ 20, 1887	Bonfo-bin-Kifui	
12	„ 20, 1887	Kubu.....	} Wadigo.
		Mzee Kilanda (Kaya Bsma)	
		„ Muazi (Fimboei)	
		„ Kallanko (Rabai Mpia)	
		„ Dymija (Kyeniblu)	} Warabai.
13	„ 20, 1887	Kirari	
14	„ 20, 1887	Makondi-bin-Fethair	Waribe.
15	„ 20, 1887	Cbiro Kiromunga	Wakambi.
16	„ 20, 1887	Koolay	Wachoni.
17	„ 20, 1887	Moti-bin-Omaro	Wagibana.
		Abigela-bin-Heribai	} Wasania.
18	„ 20, 1887	Ghara Babara	
		Godana Ghara (son of above Chief)	} Wagalla.
19	„ 20, 1887	Myogwe	
		Madgowa	
		Momchera.....	
		Mombazi	
		Mwenzayna	
		Magalonja	
		Makijumbe	
		Majego	
		Majunda	
		Marmzi	
		Wazaba.....	
		Dani	
		Magundu	
20	„ 20, 1887	Shanga	} Kauma.
		Kuse	
		Ndongere	
		Msami	
21	„ 20, 1887	Calgallo-bin-Abarofat.....	} Wagalla.
		Ohda-bin-Odalala	

[Treaties with Native Chiefs.]

(2.) LIST OF TREATIES (Nos. 22—62) concluded by the British East Africa Company with Native Chiefs, between March, 1888, and May, 1890 (after the Charter), according to the following Form (b), which were submitted to the British Government for approval, 5th March, 1891, and were approved, 30th June, 1891 :—

Form (b).

[*Name of Chief*] hereby declares that he has placed himself and all his territories, countries, peoples, and subjects under the protection, rule, and government of the Imperial British East Africa Company, and has ceded to the said Company all its sovereign rights and rights of government over all his territories, countries, peoples, and subjects, in consideration of the said Company granting the protection of the said Company to him, his territories, countries, peoples, and subjects, and extending to them the benefit of the rule and government of the said Company. And he undertakes to hoist and recognize the flag of the said Company.

As witness his hand, at this day of , 18 .

[Signature or Mark of Chief.]

Witnesses.

No.	Date of Treaty.	Names of Chiefs.	Tribes or Districts.
22	Mar. 18, 1889	Kyoi	Wapokomo (Masa).
23	„ 20, 1889	Mbaraka	„ (Ntuna), north bank of Tana.
24	„ 21, 1889	Bagilla	Wapokomo (Kidori or Kula), Tana.
25	„ 23, 1889	Golgalo	Wasania (Manyole).
26	„ 24, 1889	Delo	„ (Kikate).
27	„ 27, 1889	Koricha..... Bolotho..... (Joint Chiefs of Kurumse in Garisa.)	} Garisa.
28	April 1, 1889	Molongu Boro .....		Wapokomo (Korokoro). (Waraopa in Oto Bacirova).
29	„ 1, 1890	Sethe	Wagalas (Korokoro).
29A	„ 1, 1889	„	Deed of sale, land (Korokoro).
30	„ 17, 1889	Eribyindima.....	Baza, on Tana.
31	July 18, 1889	Avatula-bin-Khairo	Waboni.
32	„ 17, 1889	Nife	Wapokomo (Nderani).
33	„ 18, 1889	Makorani	„ (Guano).
34	„ 19, 1889	Gulo	„ (Kinekomba).
35	„ 20, 1889	Otha	„ (Ndura).
36	„ 22, 1889	Otha Wa Bobu	„ (Malalulu).
37	„ 30, 1889	Dada Komono	„ (Mwina).
38	„ 21, 1889	Aba Shora	Wasania (Karacha).
39	„ 21, 1889	Kayuwayu of Subaki.....	Wapokomo (Subaki).
40	Aug. 17, 1889	Daadi Aba Daada	King of the Gallas (Golbanti).
41	„ 25, 1889	Gura Wagadona	Chief of town and district of Kinakombe, on south bank of River Tana.
42	Sept. 25, 1889	Kasa Mudoni	Chief of town and district of Konne, on south bank of River Tana.

[Treaties with Native Chiefs.]

No.	Date of Treaty.	Names of Chiefs.	Tribes or Districts.
43	Ali Nahar	Murjerten.
44	Goolhed Mahomed	Kismayu.
45	In the month of Jumad Akhr 28, 1307	Sherwa Ismael	Murjerten (Kismayu).
46	Ismail Othman - bin - Sowak - hron	Kismayu.
47	Othman Kilidudoil	Ditto.
48	Mar. 29, 1889	Mze Saef	Chief of Wabagoni.
49	May 13, 1890	Omer Mahomed	} Murjerten Somalis (Kis- mayu).
50	" 18, 1890	Ismail Mahomed	
		Shurua-bin-Ismail	} Ditto.
		Othman-bin-Jamia	
51	April 24, 1890	Sumunta Abdalla	} Warsengli Somalis.
		Hadji-bin-Ohamid	
		Ali-bin-Shurwar	
52	May 9, 1890	Ubdi Arrala	} Doolbahanti Somalis.
		Abdulla Jama	
		Hussen-bin-Adoni	
53	April 22, 1890	Omer Ubdi	} Orguden Somalis.
		Ahmed-bin-Mahomed	
		Abdulla Isa	
54	May 15, 1890	Abdur-ah-mon-Ubseye	} Juba River.
		Mahomed-bin-Mahomed	
		Hadji Ali	
		Husson-bin-Ahamid	
55	April 25, 1890	Ali Brala	} Musugooro.
56	May , 1888	Umbari	
		Mazamboni	} Undussuma.
		Katto	
57	May , 1888	Kalenge	} Wanyankori and Mpororo.
		Uchunku, for Antari	
		Mpororo	
58	" , 1888	Mbiassi, of Kavalli	
		Mwite	
		Malai	} Between Iturik River and Nyanza.
		Ruguju	
		Musiri	
		Komubi	
		Katonza	
		Mpigwa	} Unyampaka and Kitag- wenda.
		Mpinga	
59	" , 1888	Bulemo Ruigi	} Ukonju and Semliki Valley.
60	" , 1888	Bevwa	
61	" , 1888	Ulegga	
		Bevwa	} Basongora.
		Kakuri	
62	Concession, March 4, 1890	Lamu.....	} From Sultan of Zanzibar.
		Manda	
		Patta.....	
		Kismayu, &c.	

[Treaties with Native Chiefs.]

(3.) LIST OF TREATIES (Nos. 63—73) concluded by the British East Africa Company with Native Chiefs between August, 1889, and July, 1890, according to the above Form (b) (p. 376), which were submitted to the British Government for approval, 28th May, 1891, and were approved, 30th June, 1891 :—*

No. 63.	With M'Boli, of Iwati, Ukambani	August	4, 1889.
„ 64.	„ Kamiri, of Kikyuyu.....	„	11, „
„ 65.	„ Menya Kisharia, of Lumbwa	October	13, „
„ 66.	„ Kitoto Jama, of Lower Kavirondo	„	23, „
„ 67.	„ Kiseru Punda Mero, of Kisumo.....	August	28, „
„ 68.	„ Kimaugichi, Elgon	February	2, 1890.
„ 69.	„ Sakwa, of Kisongo	March	6, „
„ 70.	„ Wakoli, of Akola	„	25, „
„ 71.	„ Majanja, of Kitosh	June	21, „
„ 72.	„ Mumiya, of Upper Kavirondo	„	23, „
„ 73.	„ Losora Lonon, Njempis	July	14, „

The following Treaties were approved on the 29th April, 1892 :—

No. 74.	Agreement with the Representatives of the People of Witu (No. 72)	March	18, 1891.
„ 75.	Treaty with King (Mwanga) and Chiefs of Uganda (per Captain Lugard)	December	26, 1890.
„ 76.	Treaty with Mbekirwas, of Busoga	„	10, „
„ 77.	} † Declaration with Ooguden Somalis. (See also No. 83 below)	August	13, 1891.
„ 78.			

LIST OF TREATIES (Nos. 79—84) concluded by the British East Africa Company with Native Chiefs in September and October, 1891, according to the above Form (b) (p. 376), which were submitted to the British Government for approval 11th January, 1892, and were approved, 23rd January, 1892.‡

No. 79.	With Watoro (El Gosha) Tribes of River Juba (Mirgow, &c.)	September	10, 1891.
„ 80.	„ Ditto (Macowah)	„	19, „
„ 81.	„ Ditto (Mgindo, &c.)	„	19, „
„ 82.	„ Ditto (Moosagoor)	„	19, „
„ 83.	„ Ooguden Somalis (between Tana and Juba Rivers)§	October	13, „
„ 84.	„ Reer Hursi Tribe of Somalis (River Juba)	„	15, „

* See Parl. Pap., "Africa, No. 4 (1892)," pp. 14 and 19.

† No. 77 was a Treaty with Kimangelia, of 19th May, 1891, but it was not submitted for approval, as it dealt with territory now in the German Kilimanjaro sphere of influence.

‡ In approving these six Treaties, the Company were informed that the Agreement annexed to Treaty No. 79, sent by them, did not accompany that sent home by Mr. (afterwards Sir Gerald) Portal, and, being outside the Treaty, was not included in the approval. They were also informed that Nos. 83 and 84 had been received through Her Majesty's Agent and Consul-General at Zanzibar.

§ See also Agreement signed by the Chief of the Ogaden tribe, placing his Country under British Protection, 1st September, 1896, p. 387.

[British Protectorate North of the Tana.]

No. 75.—*BRITISH PROCLAMATION.* Administration by the Sultan of Zanzibar of the British Protectorate north of the Tana, with the exception of the Territories belonging to His Highness, which are still retained by the British East Africa Company. 31st July, 1893.*

In the Name of the Queen.

A Proclamation.

Be it known to all whom it may concern, that the Imperial British East Africa Company having resigned the administration of the British Protectorate north of the Tana, with the exception of the territories belonging to the Sultan of Zanzibar, which the Company still retains, it falls to Her Majesty's Government to make further arrangements for the administration of that Protectorate ;

And that they have decided during pleasure to delegate the administration to their trusted friend, Seyyid Hamed-bin-Thwain, Sultan of Zanzibar, who has accepted this responsibility.

The Protectorate is not incorporated in His Highness' dominions, but remains independent of and distinct from them.

RENNELL RODD,

*Her Britannic Majesty's Acting Agent and
Consul-General at Zanzibar.*

July 31, 1893.

Note.—In the following month, Provisional Regulations were issued, by order of the Sultan of Zanzibar, for the government and administration of the British Protectorate lying between the Rivers Tana and Juba. A British Protectorate was proclaimed over the territories under the influence of Great Britain lying between the Protectorate of Uganda and the coast, and between the River Juba and the northern frontier of the German sphere, 15th June, 1895 (see p. 380) ; and a Notification was issued on the 31st August, 1896, to the effect that all the territories in East Africa under the Protectorate of Her Majesty, except the Islands of Zanzibar and Pemba and the Uganda Protectorate, were for the purposes of administration included in one Protectorate, under the name of the East Africa Protectorate. (See p. 383.)

* See Note, under Witu, p. 364.

[British Protectorate.]

No. 76.—*NOTIFICATION. British Protectorate over Territories in East Africa, late in possession of the British East Africa Company. London, 15th June, 1895.*

*Foreign Office, June 15, 1895.**

It is hereby notified for public information that the territories in East Africa under the influence of Great Britain, lying between the Protectorate of Uganda and the coast, and between the River Juba and the northern frontier of the German sphere, not being already under British protection, are placed under the protectorate of Her Britannic Majesty.

Ceremony of the formal Transfer of the Territory administered by the Imperial British East Africa Company to Her Britannic Majesty's Government.

SPEECH of Sir Lloyd Mathews, Wazir of the Sultan of Zanzibar at Mombasa, in the "baraza," held on the 1st July, 1895.

"Governor, Sheikhs, Elders, and all people of the country under our Lord, Seyyid Hamed-bin-Thwain,

"I have come here to-day by order of our Lord, Seyyid Hamed-bin-Thwain, to inform you all that the Company have retired from the administration of his territory, and that the great English Government will succeed it, and Mr. Hardinge, the Consul-General at Zanzibar will be the head of the new Administration, and will issue all orders in the territory under the sovereignty of His Highness. And all affairs connected with the faith of Islam will be conducted to the honour and benefit of religion, and all ancient customs will be allowed to continue, and his wish is that everything should be done in accordance with justice* and law."

SPEECH of Mr. A. H. Hardinge, H.M.'s Consul-General at Zanzibar, read in Arabic and translated into Swahili.

"In accordance with what you have heard from the letter of his Highness Seyyid Hamed-bin-Thwain, your Sultan, and with what his Wazir has just told you, I announce to you that from to-day:—

Administration of Sultan of Zanzibar's Dominions on the Mainland by Officers under Control of the British Consul-General at Zanzibar.

"I take over, in the name of the great Government, the administration of this country, and of all the countries inland as far as Kikuyu, and of the whole coast from Wanga to Kismayu.

* "London Gazette," 18th June, 1895.

[British Protectorate.]

Part belonging to Zanzibar to be under Sultan's Sovereignty, but under British Administration.

“ You know that a part of these territories belongs to your Lord the Seyyid ; this part is and remains under his sovereignty but, I shall be its Administrator and Governor, according to the Agreement which has been made between himself and my exalted Government.* And the regions of the interior will be placed under officers whom I shall appoint in obedience to the commands of the great Government, of which you will be informed at a future date.

Mahommedan Law and Religion. Religious Liberty to all.

“ And with respect to what the Wazir of the Sultan has told you about religion, let it be known to you that it will be protected and respected by the new Administration, and that all mosques and religious festivals, and Cadis and Ulema will receive all honour at our hands. The Mahommedan religion will remain the public and established creed in the Sultan's territory, and all cases and lawsuits between natives will continue to be decided according to the ‘Sheira,’ but although the Mahommedan is and remains the State religion, we intend that there shall be the fullest liberty for all others, and that all their adherents, whether they be Christians, or Parsees, or Hindoos, shall freely worship God according to their respective rites.

Projected Railway.

“ We are resolved to rule these territories in accordance with justice and equity, and to strive to promote the happiness of their inhabitants, and I trust that the new Administration, and especially the railway, which the High Government has now decided shall be made, will conduce to the welfare and prosperity of the country.

Confirmation of Company Officers in their positions.

“ Lastly, I confirm the present Administrator at Mombasa, and all Walis, Cadis, Akidas, and other officers of the former Company in their present positions pending further orders, and I enjoin upon you all to continue to obey them.”

[The standard of the Sultan, as territorial Sovereign, was then saluted with 21 guns by Her Majesty's ship “Phœbe,” and at the same moment the Imperial British East Africa Company's Flag was lowered from the top of the Government building on which it formerly flew, the Consular Union Jack being hoisted in its place. This concluded the ceremony of the transfer.]

Note.—See Agreement of 14th December, 1895 (p. 382), by which the Administration of Zanzibar Possessions on Mainland and Islands was transferred to the British Government.

* See Agreement, 31st August, 1889, p. 350.

[British Administration. Mainland Possessions of Sultan of Zanzibar.]

No. 77.—*AGREEMENT between Great Britain and Zanzibar, respecting the Possessions of the Sultan of Zanzibar on the Mainland and adjacent Islands, exclusive of Zanzibar and Pemba. Signed at Zanzibar, 14th December, 1895.*

Zanzibar Possessions on Mainland and Islands, exclusive of Zanzibar and Pemba, to be administered by British Government.

HIS Highness Seyyid Hamedb-in-Thwain, Sultan of Zanzibar, agrees for himself, his heirs and successors, that as regards his possessions on the mainland and adjacent islands, exclusive of Zanzibar and Pemba, the administration shall be entrusted to officers appointed direct by Her Britannic Majesty's Government, to whom alone they shall be responsible.

These officers shall have full powers in regard to executive and judicial administration, the levy of taxes, duties, and tolls, and the regulation of trade and commerce. They shall have control over public lands, forts, and buildings, over all roads, railways, waterways, telegraphs, and other means of communication, and shall regulate questions affecting lands and minerals. All custom duties, taxes, and dues shall be accounted for to, and shall be expended by, Her Britannic Majesty's Government.

All assets purchased by the Sultan's Government from the Imperial British East Africa Company at the time of the surrender of its Concessions shall be the property of Her Britannic Majesty's Government, who shall also retain as their own property all public works of any description which may be constructed by the officers administering under this Agreement.

Her Britannic Majesty's Government shall pay to the Sultan's Government annually the sum of £11,000, as well as of £6,000 representing interest at 3 per cent., on the sum of £200,000 disbursed by the latter for the surrender of the Company's Concessions, and for the purchase of its assets.

This Agreement shall not affect the sovereignty of the Sultan in the above-mentioned territories or the Treaty rights of foreign Powers.

Her Britannic Majesty's Government shall have the power of terminating this Agreement on giving six months' previous notice to the Sultan of Zanzibar of their intention to do so.

(Signature of Sultan in Arabic.)

ARTHUR H. HARDINGE,

*Her Britannic Majesty's Agent
and Consul-General.*

Zanzibar, 14th December, 1895.

[Boundary between Sultan's Mainland Territories and the remainder of East Africa Protectorate.]

No. 78.—NOTIFICATION. *East Africa Protectorate. London, 31st August, 1896.**

Foreign Office, 31st August, 1896.

It is hereby notified for public information that all the territories in East Africa, now under the Protectorate of Her Majesty, except the Islands of Zanzibar and Pemba and the Uganda Protectorate, are for the purposes of administration included in one Protectorate, under the name of the *East Africa Protectorate*.

This Protectorate includes the territories bounded on the north by the River Juba, on the east by the Indian Ocean, on the south by the German sphere, on the west by the Uganda Protectorate, and also all adjacent Islands between the mouths of the Rivers Juba and Umba.

[The limits of the Protectorate as here defined were subsequently embodied in the "East Africa Order in Council, 1897." See "Hertslet's Treaties," Vol. 20, p. 50. See also the East Africa Order in Council, 1902, p. 386.]

No. 79.—NOTES *exchanged between Great Britain and Zanzibar, relative to the Boundary between the Sultan's Mainland Territories and the remainder of the British East Africa Protectorate.—Zanzibar, 13th July, 1899.*

No. 1. *Mr. Basil Cave, Acting British Agent and Consul-General at Zanzibar, to Sir Ll. Mathews, First Minister of the Zanzibar Government.*

Sir,

Zanzibar, 13th July, 1899.

WITH reference to the despatch from Brigadier-General Raikes to Sir Arthur Hardinge of the 1st August last, accepting, on behalf of the Government of His Highness the Sultan of Zanzibar, the line of demarcation between His Highness' dominions on the mainland and the remainder of the British East Africa Protectorate as set out by Her Britannic Majesty's Agent and Consul-General, representing the Government of Zanzibar, and Mr. Whitehouse, the Chief Engineer of the Uganda Railway, on the 18th July, 1898, I am instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to inform you that Her Majesty's Government have formally assented to that line as the inland boundary of the mainland possessions of the Sultan of Zanzibar.

The point at which this line crosses the Uganda Railway is situated between the Mazeras and Mariacane stations, 19 miles 1,600 yards from Mombasa, and is marked by two white posts bearing the inscription "Boundary of Zanzibar Sultanate."

* "London Gazette," 1st September, 1896.]

[Boundary between Sultan's Mainland Territories and the remainder
of East Africa Protectorate.]

Her Majesty's Government, however, wish it to be clearly understood that, in agreeing to a boundary which has been fixed by measurement from the heads of creeks and estuaries, they have done so merely for the sake of mutual convenience, in order that no change may be made which could affect localities hitherto recognized as lying either within or without the Zanzibar dominions; the line must not be taken as having been laid out in strict accordance with the text of the Agreement between Great Britain and Germany, dated the 29th October and 1st November, 1886 (No. 264), and adhered to by the Sultan on the 4th December of the same year, or in conformity with the principles internationally accepted as governing the demarcation of boundaries similarly described.

I have, &c.,

BASIL S. CAVE.

Sir Ll. Mathews.

No. 2. *Sir Ll. Mathews to Mr. Basil Cave.*

Sir,

Zanzibar, 13th July, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of to-day's date, referring to the line of demarcation between His Highness' dominions on the mainland and the remainder of the British East Africa Protectorate, as set out by Her Britannic Majesty's Agent and Consul-General representing the Government of Zanzibar and Mr. Whitehouse, the Chief Engineer of the Uganda Railway, on the 18th July, 1898.

The boundary which was agreed to was not measured according to any hard and fast rule, but for mutual convenience in order that no changes might be made which could affect localities hitherto recognized as lying either within or without the Zanzibar dominions.

I have, &c.,

LLOYD WM. MATHEWS.

Basil S. Cave, Esq.

[East Africa Protectorate. Kisumu and Naivasha Provinces.]

No. 80.—*ORDER of the Secretary of State declaring Kisumu and Naivasha Provinces to form part of the British East Africa Protectorate. London, 5th March, 1902.*

THE following Order of the Secretary of State is published for general information.

C. ELIOT,

His Majesty's Commissioner and Consul-General.

Mombasa, 11th May, 1902.

ORDER OF THE SECRETARY OF STATE.

[No. 15 of 1902.]

Kisumu and Naivasha Provinces.

WHEREAS it was provided by Art. I of "The East Africa Order in Council, 1897,"* that if His Majesty were pleased to direct that any territories for the time being under the protection of His Majesty, and other than those previously enumerated in that Article, should form part of the East Africa Protectorate, those territories should, from and after a date fixed by an Order of the Secretary of State, be deemed to be within the limits of the said East Africa Order in Council, 1897;

And whereas His Majesty has been pleased to direct that the territories hitherto known as the Eastern Province of the Uganda Protectorate shall form part of the East Africa Protectorate, I do hereby order that from the 1st day of April, 1902, inclusive, the said territories shall be deemed to be within the limits of "the East Africa Order in Council, 1897," and shall be known as the Kisumu and Naivasha Provinces.

LANSDOWNE,

*His Majesty's Principal Secretary of State
for Foreign Affairs.*

Foreign Office, 5th March, 1902.

* See H.T., vol. xx, p. 50; S.P., vol. lxxxix, p. 357.

[Waters and Islands of portions of Victoria Nyanza.]

No. 81.—*The EAST AFRICA Order in Council, 1902. Buckingham Palace, London, 11th August, 1902.**

Limits of the Order.

Art. II.—The limits of this Order are the territories comprised in the *East Africa Protectorate*, which includes the territories bounded on the east and north-east by the Indian Ocean, the Juba River, the south-western boundary of the Italian sphere, on the north by the Abyssinian frontier, on the west by the Uganda Protectorate, and on the south by the German sphere, and includes all adjacent islands between the mouths of the Rivers Juba and Umba.

No. 82.—*BRITISH ORDER including the Waters and Islands of certain portions of the Victoria Nyanza within the Limits of the East Africa Order in Council, 1902. London, 15th July, 1904.*

THE following Order of the Secretary of State is published for general information.

D. STEWART, *Commissioner.*

Mombasa, 24th August, 1904.

ORDER OF THE SECRETARY OF STATE.

Victoria Nyanza.

WHEREAS it was provided by Art. I of "The East Africa Order in Council, 1902," that if His Majesty was pleased to direct that any territories for the time being under the protection of His Majesty, and other than those previously enumerated in that Article, should form part of the East Africa Protectorate, those territories should, from and after a date fixed by an Order of the Secretary of State, be deemed to be within the limits of the said East Africa Order in Council, 1902;

And whereas His Majesty has been pleased to direct that all the waters and islands contained in that part of the Victoria Nyanza which is under the protection of His Majesty being to the eastward of a line drawn from the mouth of the Sio River through the centre of the channel on the western side of Sumba Island, and on to the western point of the Island of Mageta, and from there to the most westerly islet adjacent to Mfwangano Island, and from there to the most westerly islet of the Ugingo Islands, and from there to the spot where the Anglo-German boundary reaches the easterly shore of the said lake, shall form part of the East Africa Protectorate, I do hereby order

* "London Gazette," 15th August, 1902.

[British Protection. Ogaden Country.]

that from and after the 1st day of August, 1904, inclusive, the said waters and islands shall be deemed to be within the limits of "The East Africa Order in Council, 1902."

LANSDOWNE.

*His Majesty's Principal Secretary of State
for Foreign Affairs.*

Foreign Office, 15th July, 1904.

No. 83.—*AGREEMENT signed by Ahamed Murgan, Chief of the Ogaden Tribe, placing his Country under British Protection. 1st September, 1896.*

I, Ahamed Murgan, the Chief of the Ogaden tribe, do hereby place myself, my people, and country, with its dependencies, under the protection of Her Britannic Majesty the Queen, and do hereby declare that I will not, nor shall my successors or any of my people, cede or alienate any portion of my territories or dependencies, or make any Treaties with any foreign State or person, without the previous knowledge and sanction of Her Majesty's Government.

Commercial arrangements between me and non-natives shall be subject to the approval of Her Majesty's Representative, who shall regulate all disputes, and by whose advice I will be guided in all my relations with non-natives.

(Signature in Arabic.)

Witnesses :

(Signatures in Arabic.)

Before me,

J. W. TRITTON.

A. C. W. JENNER, *Sub-Commissioner.*

1st September, 1896.

[See also Declaration of 13th August, 1891, and Treaty of 13th October, 1891, with Ogaden Somalis (between Tana and Juba Rivers), Nos. 77 (or 78) and 83 of List, p. 378.]

BRITISH EAST AFRICA.

(UGANDA PROTECTORATE.)

UGANDA PROTECTORATE.

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No. 84.—*Notes on the UGANDA PROTECTORATE.* 1890—1908.

Under the Anglo-German Agreement of the 1st July, 1890 (see GREAT BRITAIN AND GERMANY, p. 899), the territories now constituting the Uganda Protectorate came within the British sphere of influence, and were for a time under the administration of the Imperial British East Africa Company.*

On the 20th August, 1891, the Company announced its determination to withdraw from Uganda, which was definitely confirmed on the 17th May, 1892.

On the 30th March, 1892, a Treaty was concluded by Captain Lugard, on behalf of the British East Africa Company, with Mwanga, King of Uganda, by which the Company agreed (among other things) to afford protection to the Kingdom of Uganda, and the King (among other things) acknowledged the suzerainty of the Company;† but this Treaty was not ratified.

On the 29th May, 1893, Mwanga, King of Uganda, entered into a Provisional Agreement with Sir Gerald Portal, Her Britannic Majesty's Commissioner, in which it was recorded that the British East Africa Company had definitely withdrawn from Uganda, and that, pending the decision of Her Majesty's Government on the whole question of Uganda, Mwanga had bound himself to certain specified conditions, and entered into certain engagements, with the object of securing British protection, assistance, and guidance; one of which engagements was that he would make no Treaties or Agreements of any kind with any European, of whatever nationality, without the consent and approval of Her Majesty's Representative. (See p. 393.)

On the 18th June, 1894, a British Protectorate over Uganda was notified (see p. 394); and on the 27th August, 1894, a Treaty was signed at Kampala between Mwanga, King of Uganda, and Sir Henry Colvile, Acting British Commissioner, by which the King pledged and bound himself, his heirs, and successors, to the conditions contained in the Agreement of 1893 (Arts. 4 to 15). The Treaty was approved by the British Government, 4th January, 1895. (See p. 396.)

By Notification dated the 30th June, 1896, the Protectorate was extended over Unyoro, &c. (See p. 397.)

Agreements were signed in 1900 and 1901 with the Kabakas of Uganda, Toru, and Ankole, respecting the administration of their countries, in which the boundaries of their respective territories were set forth. (See pp. 397, 399 and 401.)

The territories constituting the Uganda Protectorate were described in Art. I of the Uganda Order in Council of 1902. (See p. 404.)

* For particulars of Concessions obtained by the Company in East Africa and the Charter granted to the Company, see East Africa Protectorate, p. 333.

† See Parl. Paper, "Africa," No. 1, p. 25 (1893).

[Agreement. Great Britain and Uganda.]

Protectorate placed within Alcoholic Liquor Zone.

By a Notification dated the 24th January, 1902,* the Protectorate of Uganda was declared to be and to remain within the zone of total prohibition of alcoholic liquors under Art. XCI of the Brussels Act.

Boundaries.

The southern boundary, *i.e.*, between the Protectorate and German East Africa, was generally defined in the Anglo-German Agreement of the 1st July, 1890. (See GREAT BRITAIN AND GERMANY, p. 899, and EAST AFRICA PROTECTORATE, p. 338.) The boundary from Lake Victoria westwards to the frontier of the Independent State of the Congo was delimited on the ground in 1902-04, and an Agreement was signed at Berlin by the Representatives of Great Britain and Germany on the 18th July, 1906. (See GREAT BRITAIN AND GERMANY, p. 942.) The Agreement has not yet been finally approved (December, 1908).

The boundary between Uganda and Belgian Congo was defined by Art. I of the Agreement of the 12th May, 1894, and Art. I of the further Agreement (Lado Enclave, &c.) of the 9th May, 1906. (See CONGO, pp. 578 and 584.) A Delimitation Commission is at present in the field (December, 1908).

In its north-eastern corner the Protectorate is conterminous with Ethiopia. An Agreement between Great Britain and the Emperor Menelek respecting the boundary was signed on the 6th December, 1907. (See ABYSSINIA, p. 445.)

No. 85.—*PROVISIONAL AGREEMENT between King Mwanga of Uganda, and Sir G. Portal. 29th May, 1893. †*

AGREEMENT between Mwanga, King of Uganda, and Sir Gerald Herbert Portal, Knight Commander of the Most Distinguished Order of St. Michael and St. George, a Companion of the Most Honourable Order of the Bath, Her Britannic Majesty's Commissioner and Consul-General for East Africa, &c.

1. Whereas the Imperial British East Africa Company have now definitely withdrawn from Uganda.

2. And whereas I, Mwanga, King of Uganda am profoundly and sincerely desirous of securing British protection for myself, my people, and dominions: as also assistance and guidance in the government of my country.

3. I, the said Mwanga, do hereby pledge and bind myself to the following conditions, with the object of securing the British protection, assistance, and guidance before mentioned:—

4. I undertake to make no Treaties or Agreements of any kind

* H.T., vol. xxiv, p. 13.

† See also Treaty signed at Kampala on the 27th August, 1894, by which King Mwanga pledged himself to the conditions contained in Arts. 4 to 15 of this Agreement, p. 396.

[Agreement. Great Britain and Uganda.]

whatsoever with any Europeans of whatever nationality without the consent and approval of Her Majesty's Representative.

5. I freely recognise that so far as I, the King, am concerned, the sole jurisdiction over Europeans and over all persons not born in my dominions, and the settlement of all cases in which any such persons may be a party or parties, lie exclusively in the hands of Her Majesty's Representative.

6. In civil cases between my subjects the Court of Her Majesty's Representative shall be a Supreme Court of Appeal, but it shall lie entirely within the discretion of the said Representative to refuse to hear such appeals.

7. In criminal cases where only natives are concerned, it is left to the discretion of Her Majesty's Representative to interfere, in the public interest and for the sake of justice, to the extent and in the manner which he may consider desirable.

8. And I, Mwanga, the King, undertake to see that due effect is given to all and every decision of the Court of Her Majesty's Representative under Articles 6 and 7.

9. I, Mwanga, fully recognise that the protection of Great Britain entails the complete recognition by myself, my Government, and people throughout my Kingdom of Uganda and its dependencies, of all and every international act and obligation to which Great Britain may be a party, as binding upon myself, my successors, and my said Government and people, to such extent and in such manner as may be prescribed by Her Majesty's Government.

10. No war or warlike operations of any kind shall be undertaken without the consent of Her Majesty's Representative, whose concurrence shall also be obtained in all serious matters of State, such as the appointment of Chiefs or officials, the political or religious distribution of territory, &c.

11. The assessment and collection of taxes, as also the disposal of the revenues of the country, are hereby made subject to the control and revision of Her Majesty's Government in such manner as they may from time to time direct.

12. The property of Her Majesty's Government and of their officers, and of all servants of Her Majesty's Government, shall be free from the incidence of all taxes.

13. Export and import duties on all goods leaving or entering Uganda and its dependencies shall be leviable by Her Majesty's Government for their sole use and benefit. These duties shall be fixed in accordance with the provisions of the General Acts of Berlin and Brussels of 1885 and 1890 (**Nos. 128** and **130**) respectively, and of any International Agreements arising from the same, and to which Great Britain is or may become a party.

14. The foreign relations of Uganda and its dependencies are hereby placed unreservedly in the hands of Her Majesty's Representative.

15. Slave trading or slave raiding, or the exportation or importation of people for sale or exchange as slaves, is prohibited. I, Mwanga,

[British Protectorate.]

also undertake, for myself and my successors, to give due effect to such laws and regulations, having for their object the complete ultimate abolition of the status of slavery in Uganda and its dependencies, as may be dictated by Her Majesty's Government.

16. In consideration of the above engagements on the part of Mwanga, King of Uganda, I, Gerald Herbert Portal, K.C.M.G., C.B., Her Britannic Majesty's Commissioner and Consul-General for East Africa, on behalf of Her Majesty's Government, do hereby agree to appoint and leave a British Representative with a sufficient staff to carry out the provisions of this Agreement, which is entirely subject to the approval and ratification of Her Majesty's Government,* and is therefore only binding until such time as the decision of Her Majesty's Government can be conveyed to, and reach Uganda. In the event of Her Majesty's Government being willing to assent to the above conditions and terms, Mwanga, the King, undertakes hereby, on behalf of himself and his successors, to make a Treaty in the above or a similar sense either in perpetuity or for such specified period as Her Majesty's Government may desire.

17. The present Agreement supersedes all other Agreements or Treaties whatsoever made by Mwanga or his predecessors.

18. This Agreement shall come into force from the date of its signature.

In faith whereof we have respectively signed this Agreement, and have thereunto affixed our seals.

Done in duplicate at Kampala, this 29th of May, A.D. 1893.

KABAKA (King).

G. H. PORTAL.

Witnesses to the signatures of King Mwanga and Sir Gerald Portal :

ERNEST J. L. BERKELEY.

KATI KIRO APOLLO.

Kampala, May 29, 1893.

No. 86.—NOTIFICATION. *British Protectorate over Uganda.*
London, 18th June, 1894.†

Foreign Office, June 18, 1894.

It is hereby notified, for public information, that under and by virtue of the agreement concluded on the 29th May, 1893 (page 393), between the late Sir G. Portal and Mwanga, King of Uganda, the country of that ruler is placed under the Protectorate of Her Majesty the Queen.

This Protectorate comprises the territory known as Uganda proper, bounded by the territories known as Usoga, Unyoro, Ankoli, and Koki.

* See Notification. British Protectorate over Uganda, 18th June, 1894, on this page.

† "London Gazette," 19th June, 1894.

[Treaty. Great Britain and Uganda.]

No. 87.—TREATY. *Great Britain and Uganda. British Protectorate. 27th August, 1894.*

[Approved by Her Majesty's Government, January 4, 1895.]

TREATY between Henry Edward Colvile, a Companion of the Most Honourable Order of the Bath, a Colonel in Her Majesty's army, Her Britannic Majesty's Acting Commissioner for Uganda, for and on behalf of Her Majesty the Queen of Great Britain and Ireland, Empress of India, &c., her heirs and successors, and Mwanga, King of Uganda, for himself, his heirs, and successors. 27th August, 1894.

1. WHEREAS Her Majesty's Government has sanctioned the Agreement between Mwanga, King of Uganda, and Sir Gerald Herbert Portal, K.C.M.G., C.B., Her Britannic Majesty's Commissioner and Consul-General for East Africa, made at Kampala on the 29th day of May, 1893 (page 393) ;

2. And whereas Her Britannic Majesty has been graciously pleased to bestow on the said Mwanga, King of Uganda, the protection which he requested in that Argeement :

3. I, the said Mwanga, do hereby pledge and bind myself, my heirs, and successors, to the following conditions :—

[Here follow, word for word, the same Articles, 4 to 15, as appear in the Treaty of 29th May, 1893, page 393.]

16. The present Treaty supersedes all other Agreements or Treaties whatsoever made by Mwanga or his predecessors.

17. This Treaty shall come into force from the date of its signature.

In faith whereof we have respectively signed this Treaty, and have thereunto affixed our seals.

Done in duplicate at Kampala this 27th day of August, 1894.

H. E. COLVILE, *Colonel.*
KABAKA, *King.*

Witnesses :

W. T. ANSORGE.

APOLLO, *Katikiro.*

MUGWANYA, *Katikiro.*

[Boundaries. Uganda.]

No. 88.—*NOTIFICATION. Territory of Unyoro, &c., placed within the Limits of the Uganda Protectorate. London, 30th June, 1896.**

Foreign Office, 30th June, 1896.

THE territory of Unyoro, together with that part of the British sphere of influence lying to the west of Uganda and Unyoro which has not hitherto been included in the Uganda Protectorate, is placed within the limits of that Protectorate, which includes, also, Usoga and the other territories to the east under the administration of Her Majesty's Commissioner and Consul-General for the Protectorate.

No. 89.—*AGREEMENT between Great Britain and the Kabaka, Chiefs, and People of Uganda, relating to Boundaries, Administration, &c. Signed at Mengo, 10th March, 1900.†*

WE, the Undersigned to wit, Sir Henry Hamilton Johnston, K.C.B., Her Majesty's Special Commissioner, Commander-in-Chief and Consul-General for the Uganda Protectorate and the adjoining territories, on behalf of Her Majesty the Queen of Great Britain and Ireland, Empress of India, on the one part; and the undermentioned Regents and Chiefs of the Kingdom of Uganda on behalf of the Kabaka (King) of Uganda, and the Chiefs and people of Uganda, on the other part; do hereby agree to the following Articles relative to the government and administration of the Kingdom of Uganda:—

I. The boundaries of the Kingdom of Uganda shall be the following: starting from the left bank of the Victoria Nile at the Ripon Falls the boundary shall follow the left bank of the Victoria Nile into Lake Kioga, and thence shall be continued along the centre of Lake Kioga, and again along the Victoria Nile as far as the confluence of the River Kafu, opposite the town of Mruli. From this point the boundary shall be carried along the right or eastern bank of the River Kafu, up stream, as far as the junction of the Kafu and Embaia. From this point the boundary shall be carried in a straight line to the River Nkusi, and shall follow the left bank of the River Nkusi down stream to its entrance into the Albert Nyanza. The boundary shall then be carried along the coast of the Albert Nyanza in a south-westerly direction as far as the mouth of the River Kuzizi, and thence shall be carried up stream along the right bank of the River Kuzizi to near its source. From a point near the source of the Kuzizi and near the village of Kirola (such point to be finally determined by Her Majesty's Commissioner at the time of the definitive survey of Uganda) the boundary shall be carried in a south-westerly direction until it reaches the River Nabu-

* "London Gazette," 3rd July, 1896.

† Approved by the British Government 15th June, 1900, with reservation of the right to propose amendments thereafter, &c.

[Boundaries. Uganda.]

tari, the left bank of which it will follow down stream to its confluence with the River Katonga. The boundary shall then be carried up stream along the left bank of the River Katonga, as far as the point opposite the confluence of the Chungaga, after which, crossing the Katonga, the boundary shall be carried along the right bank of the said Changaga River, up stream, to its source; and from its source the boundary shall be drawn in a south-easterly direction to the point where the Byoloba River enters Lake Kachira; and shall then be continued along the centre of Lake Kachira to its south-eastern extremity, where the River Bukova leaves the Lake, from which point the boundary shall be carried in a south-easterly direction to the Anglo-German frontier. The boundary shall then follow the Anglo-German frontier to the coast of the Victoria Nyanza, and thence shall be drawn across the waters of the Victoria Nyanza in such a manner as to include within the limits of the Kingdom of Uganda the Sese Archipelago (including Kosi and Mazinga), Ugaya, Lufu, Igwe, Buvuma, and Lingira Islands. The boundary, after including Lingira Islands, shall be carried through Napoleon Gulf until it reaches the starting-point of its definition at Bugungu at the Ripon Falls on the Victoria Nile. To avoid any misconception it is intended by this definition to include within the boundaries of Uganda all the islands lying off the north-west coast of the Victoria Nyanza in addition to those specially mentioned.

[Arts. II to XXI relate to the Government and administration of the Kingdom of Uganda.]

XXII.—In the interpretation of this Agreement the English text shall be the version which is binding on both parties.

Done in English and Luganda at Mengo, in the Kingdom of Uganda, on the 10th March, 1900.

H. H. JOHNSTON, *Her Majesty's Special Commissioner, Commander-in-chief, and Consul-General, on behalf of Her Majesty the Queen of Great Britain and Ireland, Empress of India.*

(Seal.)

APOLLO, *Katikiro, Regent.*

MUGWANYA, *Katikiro, Regent.*

MBOGO NOHO, his × mark.

ZAKARIA KIZITO, *Kangawo, Regent.*

SEBAUA, *Pokino.*

YAKOBO, *Kago.*

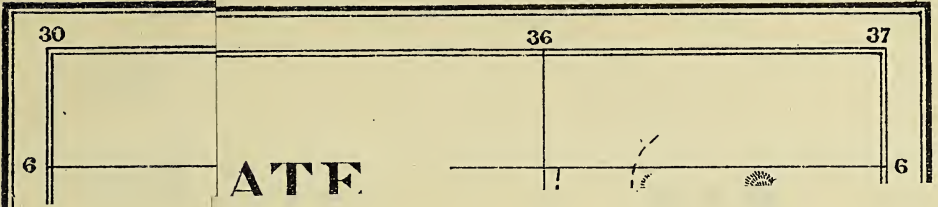
PAULO, *Mukwenda.*

KAMSWAGA, *of Koki, his × mark.*

(On behalf of the Kabaka, Chiefs, and people of Uganda.)

[Here follow the signatures of Witnesses.]


0 or 39.5 miles = 1 inch:

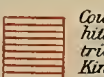



MAP OF UGANDA PROTECTORATE

To Illustrate Sir H. Johnston's Agreement with Kingdom of Uganda.



 Kingdom of Uganda as defined by Agreement and divided into Counties

 Countries hitherto tributary to Kingdom of Uganda, now only tributary to Protectorate.

 Boundary of Uganda Protectorate.

Administrative Counties of Kingdom of Uganda.

- | | | |
|----------------|----------------|---------------|
| 1. Kiagwe. | 8. Singo | 15. Buvuma. |
| 2. Bugerere. | 9. Busuju. | 16. 'Sese. |
| 3. Bulemezi. | 10. Gomba. | 17. Buddu. |
| 4. Buruli. | 11. Butumbala. | 18. Koki. |
| 5. Bugangadzi. | 12. Kiadondo. | 19. Mawogola. |
| 6. Buyaga. | 13. Busiro. | 20. Kabula. |
| 7. Bwekula. | 14. Mawokota. | |

H. Johnston

No. 90.—*AGREEMENT between the British Government and the Kabaka and Chiefs of the District of Toru respecting the Boundaries, Administration, &c., of the District. Signed at Fort Portal, 26th June, 1900.*

I. That portion of the district of Toru to which the present Agreement applies shall be divided into the following administrative divisions: (a) Toru, (b) Mwengi, (c) Kitawenda, (d) Kitakweta or West Chaka, (e) East Chaka, and (f) Nakabimba.

They shall be approximately bounded as follows: The administrative division of Toru shall be bounded on the north by the Semliki River; on the east by a line drawn from the Semliki River starting at a point called Dukala. From thence the line shall be carried past a place called Kisajia, due south to the rise of the Toru escarpment. From the summit of the Toru escarpment the line shall be carried for a distance of 10 miles eastward along the edge of the escarpment, and then shall be deflected south-east for a distance of 12 miles, and from this point shall be carried east-south-east to the right bank of the River Munobo, an affluent of the River Mpanga. From this point the eastern boundary shall follow the right bank of the River Munobo down stream to its confluence with the Mpanga, and thence shall follow the right bank of the Mpanga River down stream to its entrance into Lake Ruisamba. The southern boundary of the Toru sub-division shall be the northern coast of Lake Ruisamba, of Lake Kafaru, and of Lake Albert Edward. The western boundary of the Toru sub-division shall be the 30th degree of east latitude.

The administrative division of Mwengi shall be bounded as follows: On the north-west and north by the Semliki River and the coast of Lake Albert Nyanza; on the east and north by the left bank of the River Kuzizi or Misisi, from its entrance into Lake Albert Nyanza up stream to its confluence with the little River Kiji, about 12 miles to the west of Fort Roddy (Nakabimba). From this point the eastern boundary of the Mwengi sub-division shall follow the Kiji stream, up stream for about 14 miles, and from this point shall be carried west-south-west to the vicinity of the site of Fort Briggs. The southern boundary of the Mwengi district shall be a line drawn from the vicinity of the site of Fort Briggs in a west-north-westerly direction for about 36 miles, and from where this measurement ends shall be carried in a south-westerly direction to the vicinity of Mount Loamaja. From the northern flanks of Mount Loamaja the boundary shall be carried due west to the Mpanga River. The western boundary of the Mwengi sub-division shall be the River Mpanga and the eastern boundary of the Toru sub-division.

The Kitakwenda administrative division shall be bounded as follows: On the north by the left of the Mpanga River, by the southern boundary of the Mwengi sub-division, and thence by a line drawn from the northern flank of Mount Loamaja due east for a distance of 22 miles or until the Isajasi or Kasinga rivulet is reached. On the east by the Kasinga or Isajasi rivulet as far as its confluence with the River

[Uganda (Toru).]

Katonga. On the south by the River Katonga from its confluence with the Isajasi westwards to the vicinity of Fort Grant. From this point the southern boundary shall be drawn west-south-west and then westwards to the south coast of Lake Kafaru.

The administrative division of Kitakweta shall be bounded as follows : On the north and west by the eastern and southern boundaries of the Mwengi sub-division ; on the south by the northern boundary of the Kitakwenda sub-division ; and on the east by a line starting from the point where the northern boundary of the Kitakwenda sub-division touches the Isajasi or Kasinga rivulet north-westwards till it reaches the eastern boundary of the Mwengi district, in the vicinity of Mount Fumi.

The administrative division of East Chaka shall be bounded as follows : On the west by the eastern boundaries of the Kitakweta and Kitakwenda sub-divisions ; on the south by the Katonga River ; on the east by the Nabutari River and the frontier of the Uganda Province ; and on the north by the eastern boundary of the Mwengi sub-division and the southern boundary of the Nakabimba sub-division.

The administrative division of Nakabimba shall be bounded as follows : On the north by the Kuzizi or Misisi River ; on the east by the boundary of the Uganda Province, which is a line drawn from the left bank of the River Kuzizi near its source and about 10 miles north-westwards of the Mubende Mountain in a south-westerly direction for about 20 miles. From where this measurement of 20 miles ends along the Uganda frontier the southern boundary of the Nakabimba sub-division shall be carried in a west-north-westerly direction till it reaches the right bank of the River Kiji near the site of Fort De Winton. The western boundary shall be the course of the River Kiji down to its confluence with the River Kuzizi or Misisi.

II.—The above defined administrative divisions do not include the whole area of the district of Toru, but those portions of the district which border more closely on the Congo Free State will be subject to the same Regulations as those set forth in this Agreement, and will for the present be administered by the principal European official placed in civil charge of the Toru district.

[Arts. III to VII relate to the administration of the District of Toru.]

Signed by the within-named Sir Henry Hamilton Johnston and the Kabaka and Chiefs of Toru, at Fort Portal, on the 26th day of June, 1900.

HENRY HAMILTON JOHNSTON, *Her Majesty's Special Commissioner and Commander-in-chief for the Protectorate of Uganda.*

NZE DAUDI KABAKA KASAGAMA.

NZE NASANIRI KAGWA POKINO.

KAGORO LWEKULA.

BULEMO KATAMBALA.

MUGEMA KIAMBARANGA.

[Here follow signatures of Witnesses.]

No. 91.—*AGREEMENT between Great Britain and the Kabaka and Chiefs of the District of Ankole, relative to Boundaries, Administration, &c. Signed at Mbarara, 7th August, and at Entebbe, 25th October, 1901.*

I.—That portion of Ankole to which the present Agreement applies shall be divided into the following Administrative Divisions :—

- (a) Mitoma.
- (b) Nyabushozi.
- (c) Nshara.
- (d) Ishingiro.
- (e) Ruampara.
- (f) Buzimba.
- (g) Ngarama, Shema, and Kashari.
- (h) Igara.
- (i) Bwawezo, and
- (j) Bunyaraguru.

They shall be approximately bounded as follows :—

The Administrative Division of Mitoma shall be bounded on the north by the recognized Ankole-Toro and Ankole-Uganda boundaries, on the east by the recognized Ankole-Uganda boundary ; on the south by a line drawn due west between Rutunga on the north and Butaka on the south, to the Nyanza River, thence in a west-south-westerly direction north of Nyabisheche and south of Wakahaya to the Kabobo River, thence north-east to the Charutanga River, following the recognized boundary, *i.e.*, the portions of the Rivers Orwibu, Katho, and Charutanga, lying west of Ibanda, as far north as Port Grant site.

The Administrative Division of Nyabushozi shall be bounded on the north by the southern boundary of the Administrative Division of Mitoma ; on the east by the recognized Uganda-Ankole boundary to the present Government road ; on the south by a line drawn due west north of Nsongi, thence by a line drawn due south-west to Mbarara station ; on the west by a line drawn north-east by north from Mbarara station to south of Echitoma village, thence due west to the Rivers Kabari, thence north following the Rivers Kabari, Rubindi, and Chandahi to the River Kabobo.

The Administrative Division of Nshara shall be bounded as follows :—

On the north by the southern boundary of Nyabushozi ; on the east by the recognized Ankole-Uganda boundary ; on the south by a line passing through the centre of Lakes Kachera and Mazinga in a south-westerly direction, including the Islands of Shangi and Kabagarira (sometimes peninsulas) to the mouth of the Ruizi River, and thence westwards along that river to Mbarara station.

The Administrative Division of Ishingiro shall be bounded as follows :—

On the north by the River Orwizi ; on the south-east by Lake

[Uganda (Ankole).]

Mazinga ; on the south and south-west by the present Government road.

The Administrative Division of the Ruampara shall be bounded as follows :—

On the north by the River Orwizi ; on the north-east and east by the present Government road leading from Mbarara station to Charubikwa, leaving the Charubikwa shambas on the east, thence in a straight line due south to the Anglo-German boundary ; on the south by the recognized Anglo-German boundary ; on the west by the recognized Kazara-Ruampara boundary.

The Administrative Division of Buzimba shall be bounded as follows :—

On the north by the recognized Toro-Ankole boundary ; on the east by a line drawn from the site of Fort Grant in a south and south-easterly direction following the Rivers Charutanga, Katho (swamp), Bufunda, Kabari I, Kabobo, Rubindi, Chandahi, and Kabari II, to the village of Rubindi ; on the south by a line drawn due east and west from the village of Rubindi to Nyaruchika, including these two places ; on the west and south-west by the recognized Buwezu-Buzimba boundary.

The Administrative Divisions of Ngarama, Shema, and Kashari shall be bounded as follows :—

The Administrative Sub-Division of Ngarama shall be bounded on the north by Lake Mazinga ; on the east by the recognized Ankole-Bukanga boundary, *i.e.*, by a line drawn through the valley running due south from Lake Mazinga to the Anglo-German boundary east of, and at the foot of, the Hills Luametelengo and Luenkungulu ; on the south by the Anglo-German boundary ; on the west by the eastern boundary of the Administrative Division of the Ruampara.

The Administrative Sub-Divisions of Shema and Kashari shall be bounded on the north by a line running due east and west along the southern boundary of the Administrative Division of Buzimba to Echitoma village, leaving Echitoma village on the north ; on the east by a line drawn from the south of Echitoma village in a south by westerly direction to Mbarara station, leaving Chichasa on the east ; on the south by the Orwizi River ; on the west by the Shema-Igara and Shema-Buhwezo boundaries.

The Administrative Division of Igara shall be bounded as follows :—

On the north by a line drawn along the top of the chain of hills lying directly north of that forest known as the Bunyaraguru Forest in an easterly direction to the Bukwezho-Igara recognized boundary, thence south-east to the head waters of the Orwizi River ; on the east by the Shema-Igara boundary ; on the south by the recognized Igara-Kazara and Igara-Ruzumburu boundaries ; on the west by the recognized Igara-Ruzumbu, Igara-Ndusi, and Igara-Kamsusa boundaries.

The Administrative Division of Buhwezo shall be bounded as follows :—

On the north by Dweru Channel and Lake Dweru ; on the east by

[Uganda (Ankole).]

the recognized Buhwezo-Buzimba and Buhwezo-Shema boundaries ; on the south by the recognized Buhwezo-Igara boundary ; on the west by the River Chambura.

The Administrative Division of Bunyaruguru shall be bounded on the north-west by Dweru Channel ; on the east by the Chambura River, the recognized Bunyaruguru-Igara and Kamsusa-Igara boundaries ; on the south by the Rwenchwera River ; on the west by Lake Albert Edward.

2.—The above defined Administrative Divisions do not include the whole area of the district of Ankole, but those portions of the district which border more closely on the Congo Free State and German territory will be subject to the same Regulations as those set forth in this Agreement, and will for the present be administered by the principal European official placed in civil charge of the Ankole district, until such time as the Chiefs thereof voluntarily place themselves under the suzerainship of Kahia.

[Arts. III to VII relate to the administration of the District of Ankole.]

Signed by the within-named Frederick J. Jackson, Esq., at Entebbe, on the 25th day of October, 1901.

F. J. JACKSON.

And by the Kabaka and Chiefs of Ankole at Mbarara on the 7th day of August, 1901.

KAHAYA, his × mark.
 BAGUTA, ditto.
 KAIHURA, ditto.
 DUHARA, ditto.
 NDURU, ditto.
 BUCHUNKU, ditto.
 RUTASHARARA, ditto.
 MASIKO, ditto.
 MAZINYO, ditto.
 RUBAREMMA, ditto.
 MKOTANI, ditto.
 And his Regent
 BAKORAA, ditto.

[Here follows signatures of Witnesses.]

No. 92.—*The UGANDA Order in Council, 1902. London, 11th August, 1902.**

Limits of the Order.

Art. I.—The limits of this Order are the territories constituting the *Uganda Protectorate*, that is to say: (1) the Central Province, comprising the districts of Elgon, Karamojo, Busoga, Bukedi, and Lobar; (2) the Rudolf Province, comprising the districts of Turkwel, Turkana, and Dabossa; (3) the Nile Province, comprising the districts of Dodinga, Bari, and Shuli; (4) the Western Province, comprising the districts of Unyoro, Toro, and Achole; and (5) the Kingdom of Uganda, with the islands appertaining thereto.

* "London Gazette," 15th August, 1902.

BRITISH EAST AFRICA.

(SOMALILAND PROTECTORATE.)

SOMALILAND PROTECTORATE.

LIST OF TREATIES, &c.

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No. 93.—*Notes on the SOMALI COAST and the SOMALILAND PROTECTORATE.* 1840–1908.

Cession of the Island of Mussa to Great Britain.

On the 19th August, 1840, a Treaty was concluded between the East India Company and the Sultan of Tajourah, by which the Sultan engaged not to enter into any Bond or Treaty with any other Power which should prove detrimental or injurious to British interests, and on the same day a Deed was signed by which the Sultan acknowledged that he had sold the Island of Mussa (or Mushah) to the British Government for “10 bags of rice”* (See FRANCE, p. 631); but by an exchange of Notes on the $\frac{2^{\text{nd}}}{9^{\text{th}}}$ February, 1888, the British Government recognised the protectorate of France over the group of the Mushah Islands. (See GREAT BRITAIN AND FRANCE, p. 726.)

Cession of the Island of Bab to Great Britain.

On the 27th August, 1840, the Sultan of Tajourah sold to the British Government the Island of Bab, which was described in the Deed as being an island “situated at the entrance of Gobet-Corab,” but it was never occupied by British troops, and is now included in the French sphere of influence. (See FRANCE (East Africa), p. 625.)

By an exchange of Notes on the $\frac{2^{\text{nd}}}{9^{\text{th}}}$ February, 1888, the British Government recognised the Protectorate of France over this island. (See GREAT BRITAIN AND FRANCE, p. 726.)

Zaila. Island of Aubad.

On the 3rd September, 1840,† a Treaty was concluded between the East India Company and the Governor of Zaila, by which he engaged, among other things, not to enter into any Treaties with any other foreign Power, and ceded the Island of Aubad or Efat to Great Britain. The following are extracts from that Treaty:—

Non-conclusion of Treaties with Foreign Powers.

“III.—The Governor of Zaila engages not to enter into any Treaty or Bond with any other European nation or person, or allow other Europeans to settle in his territories, or pass through in any numbers, without bringing the subject, in the first instance, to the notice of the British Government at Aden, so that the same may be in no manner detrimental to his friends, the English, or their commerce, in return for which the English will do all in their power to assist the Governor of Zaila in improving his commercial resources.

“IV.—Any subjects of either Power having committed crime or offences are to be punished by their own laws and customs of the countries they belong to.

* S.P., vol. lxi, p. 195; H.T., vol. xiii, p. 7.

† S.P., vol. lxi, p. 197; H.T., vol. xiii, p. 9.

[British Protectorate. Native Tribes.]

Cession of Island of Aubad to Great Britain.

“ V.—Syud Mahomed Bar makes over the island, called Aubad, near Zaila, to the English Government, for the harbour of their ships and vessels without any prohibition whatever.

“ We, Syud Mahomed Bar, Governor of Zaila, and Captain Robert Moresby, of the Indian Navy, on the part of the English Government of India, do ratify and agree to keep faithfully the above Articles, that peace and friendship may be lasting between us. In witness whereof we have set our names and seals.”

Somali Coast.

On the 7th September, 1877,* an Agreement was entered into between the British and Egyptian Governments, by which the former engaged to recognize the jurisdiction of the Khedive, under the suzerainty of the Sublime Porte, over the Somali Coast as far as Ras Hafoun, on certain specific conditions, but these conditions were not fulfilled. The Agreement came to an end on the abandonment of the Somali Coast in 1884. (See EGYPT, p. 615.)

France and Tajourah, &c.

In 1884 France concluded Treaties of Cession and Protection with the Sultans of Gobad and Tajourah; and on the 11th February, 1885, it was notified to the Powers that France had annexed the Danakil and Somali Coasts from Ras Ali to Gubbet-Kharab. (See FRANCE (East Africa), p. 625.)

British Protectorate over Native Tribes.

Between 1884 and 1886, various Treaties were concluded by the British Government with the Tribes on the Somali Coast, by which they agreed (among other things) not to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of their territory, and they were placed under British Protection. The following is a list of them † :—

- Mijjertayn, 1st May, 1884.
- Habr-Awal, 14th July, 1884.
- Gadabursi, 11th December, 1884.
- Habr-Toljaala, 26th December, 1884.
- Eesa-Somal, 31st December, 1884.
- Habr-Gerhajis, 13th January, 1885.
- Warsangali, 27th January, 1886.
- Habr-Toljaala, 1st February, 1886.
- Habr-Gerhajis, 1st February, 1886.
- Habr-Awal, 15th March, 1886.

* H.T., vol. xviii, p. 359.

† H.T., vol. xviii, pp. 68–79; S.P., vol. lxxvi, pp. 99, 101, 102, 104–103; and vol. lxxvii, pp. 1263, 1265–1267.

[British Jurisdiction.]

Socotra.

On the 23rd April, 1886, a Treaty was concluded by Great Britain with the Sultan of Socotra, by which Socotra and its dependencies, lying off the north-east coast of Somali, opposite to Cape Guardafui, were placed under British Protection. (See SOCOTRA, p. 415.)

British and French Spheres of Influence.

On the 20th July, 1887, it was officially notified to the Powers that, by Agreements with certain tribes on the Somali Coast, a British Protectorate had been established from "Ras Jiburti (or Raz Djeboutil) on the southern coast of the Bay of Tajourah to Bunder Ziadeh, in the 49th meridian of east longitude (Greenwich)"* (see "Return," p. 487); and on the $\frac{2^{\text{nd}}}{9^{\text{th}}}$ February, 1888, an exchange of Notes took place between the British and French Governments for defining their respective spheres of influence on the Somali Coast. (See GREAT BRITAIN AND FRANCE, p. 726.)

British Jurisdiction over the Somali Coast.

On the 13th December, 1889,† an Order in Council was passed providing for the exercise of British jurisdiction on the Somali Coast, which contained the following clause:—

"3.—(1.) Subject as hereinafter provided, this Order shall apply to the places and territories for the time being comprised in the Protectorate of the Somali Coast, from Ras Jiburti on the south coast of the entrance to the Bay of Tajourah, eastwards to and including Bunder Ziadeh on the 49th meridian of longitude east of Greenwich, as notified on the 20th July, 1887 (see above), in pursuance of the General Act of the Conference at Berlin relative to the Congo, dated the 26th February, 1885 (No. 128), including such islands and territorial waters of the said coast as are not expressly excluded from the said Protectorate."

This Order in Council was, however, repealed by an Order in Council dated the 11th January, 1900, other provision having been made by Order in Council dated 7th October, 1899.

British and Italian Spheres of Influence.

On the 5th May, 1894, an Agreement was signed between the British and Italian Governments for defining their respective spheres of influence on the Somali Coast. (See GREAT BRITAIN AND ITALY, p. 951.)

British Jurisdiction. Somaliland Protectorate.

On the 7th October, 1899, an Order in Council was passed providing for the exercise of British jurisdiction in the Somaliland Protectorate,‡ in which, Art. I, the limits of the Order were defined as follows:—

* See § 6 of Memorandum annexed to Notes exchanged between Great Britain and Italy on the 19th March, 1907, as to the position of Bunder Ziadeh, p. 962.

† H.T., vol. xviii, p. 92.

‡ H.T., vol. xxi, p. 124.

[Boundaries.] }

The limits of this Order are the territories comprised in the *Somaliland Protectorate*, which includes the territories bounded on the north by the Gulf of Aden, on the east and south by the territories under the Protectorate of Italy, and on the west by the territories of the Emperor of Ethiopia, and the French Protectorate of Jibuti.

Protectorate placed within Alcoholic Liquor Zone.

By Notification dated 24th January, 1902,* the British Somaliland Protectorate was placed within the Alcoholic Liquor Zone under Art. XCI of the Brussels Act. (See AFRICA, GENERAL, p. 514).

Administration of Protectorate.

By Orders in Council dated the 23rd June, 1904,† and the 8th January, 1906,‡ provision was made respectively for the administration of the Protectorate by a Commissioner, and for legislation by Ordinances made by the Commissioner.

Boundaries of Protectorate.

The line separating the British and French spheres of influence on the Somali Coast was agreed to by Exchange of Notes between the two Governments on the 2nd and 9th February, 1888, referred to above. (See GREAT BRITAIN AND FRANCE, p. 726.)

The British and Italian spheres of influence on the Somali Coast were defined by Agreement between the two Governments signed on the 5th May, 1894. (See GREAT BRITAIN AND ITALY, p. 951.)

The frontier with Abyssinia was agreed to by the Treaty of the 14th May, 1897, and Exchange of Notes of 4th June, 1897. (See Abyssinia, pp. 423 and 428.)

* H.T., vol. xxiv, p. 13.

† H.T., vol. xxiv, p. 39.

‡ H.T., vol. xxiv, p. 46.

SOCOTRA.

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[British Protection.]

No. 94.—*TREATY between Great Britain and Socotra, extending British Protection to Socotra and its Dependencies. Signed at Kishn, 23rd April, 1886.**

THE British Government and Ali-bin-Abdalla-bin-Salim-bin-Saad-bin-Afrir, Sultan of Socotra and its Dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them, the British Government have named and appointed Brigadier-General A. G. F. Hogg, Political Resident at Aden, to conclude a Treaty for the purpose.

The said Brigadier-General A. G. F. Hogg and Sultan Ali-bin-Abdalla aforesaid have agreed upon and concluded the following Articles:—

Art. I.—The British Government, in compliance with the wish of the Undersigned, Sultan Ali-bin-Abdalla, hereby undertakes to extend to the Island of Socotra and its dependencies which are under his authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

Art. II.—The said Sultan Ali-bin-Abdalla agrees and promises on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, Agreement, or Treaty with any foreign nation or Power except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with the Island of Socotra and its dependencies.

Art. III.—The above Treaty shall have effect from this date.

In witness whereof the Undersigned have affixed their signatures or seals, at Kishn, this 23rd day of April, 1886.

(On behalf of Brigadier-General A. G. F. Hogg, Political Resident at Aden.)

CHAS. W. H. SEALY, *Second Assistant Resident.*

Witness :

M. S. JAFFER, *Native Assistant Resident.*

ALI BIN ABDALLA BIN SALIM BIN
SAAD BIN JA'WARI BIN AFRIR,
Sultan of Socotra and its Dependencies.

Witnesses :

SULTAN SALIM BIN AHMED BIN SAAD BIN AFRIR.

SAAD BIN MUBARAK, *Kadthi of Kishn.*

MAHOMED BIN SAAD, *Kadthi of Gollonsia and Socotra.*

DUFFERIN, *Viceroy and Governor-General of India.*

[British Protection.]

This Treaty was ratified by the Viceroy and Governor-General of India in Council, at Simla, on the 23rd day of June, 1886.

H. M. DURAND, *Secretary to the Government of India, Foreign Department.*

[The British flag was formally hoisted at Tamarida, on the 30th October, 1886. The island, with its dependencies the Abdal Kute and Bromers Islands, have been under the Government of Aden since 1876.]

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