

R. O. R. L.

10

FROM THE

SA

ELECT COMMITTEE

ON

DESIGINES (BRITISH SETTLEMENTS)

REPORT OF THE

MINUTES OF EVIDENCE

INDEX

Martis, 9^o die Februarii

Ordered, THAT a Select Committee be appointed to consider the Report adopted with regard to the Native Inhabitants of Countries made; and to the Neighbouring Tribes, in order to secure to them Justice, and the protection of their Rights; to promote the welfare of them, and to lead them to the peaceful and voluntary reception of the Christian Religion.

And a Committee was appointed of

Mr. Fowell Buxton.
Mr. Hardy.
Mr. Hawes.
Mr. Bagnaw.
Mr. Rufane Donkin.
Mr. Holland.
Mr. Charles Lushington.
George Grey.

Mr. Pease.
Mr. Baines.
Mr. Andros.
Mr. Hind.
Mr. Pitt.
Mr. W.
Colonel Th

Ordered, THAT the Committee have power to send for Persons, Papers or Documents.
Ordered, THAT Five be the Quorum of the Committee.

Veneris, 12^o die Februarii, 1836.

Ordered, THAT the Minutes of the Committee of last Session be read and approved.
Committee.

Ordered, THAT the Committee have power to report the Minutes of the Committee before them, together with their Observations thereon, from time to time.

Martis, 9^o die Februarii

Ordered, THAT Mr. Hardy be declared to be a Member of the Committee, and that he be added to the Committee.

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REPORT.

SELECT COMMITTEE appointed to consider what Measures ought to be adopted with respect to the Native Inhabitants of Countries where Settlements are made, and to the Neighbouring Tribes, in order to secure to them the due observance of Justice and the protection of their Rights; to promote the spread of Civilization among them, and to lead them to the peaceful and voluntary reception of the Christian Religion; to whom the Minutes of Evidence of the Committee of last Session were referred; and who were empowered to report the MINUTES OF EVIDENCE taken before them, together with their Observations thereupon, from time to time, to The House:—HAVE, pursuant to the Order of The House, examined the Matters to them referred, and have the Honour to read to the following REPORT:

YOUR Committee have proceeded to take Evidence, and their Inquiry has been extended to Southern Africa, the Canadas, Newfoundland, New South Wales and Van Diemen's Land. They have also received some Information relative to New Zealand and the South Sea Islands, which countries, though not British Possessions, are continually visited by Subjects of Great Britain, and on which many of them reside.

As a portion of the Evidence is not yet printed, Your Committee have endeavoured to prepare a well-digested Report.

Your Committee, therefore, suggest the propriety of directing that the Report be printed for the Information of The House, and of recommending that the Report be presented early in the next Session, in order that they may have an opportunity of receiving Evidence, and of meeting any Allegations already made, which in their discretion being reserved of admitting or rejecting the same, the Committee shall or shall not deem it to be expedient for the purposes of their Inquiry.

Your Committee are prepared at present to report, which merits the most careful consideration of The House.

PROCEEDINGS OF THE COMMITTEE

DIVISIONS.

Lunæ, 6^o die Junii, 1836.

MOTION made and Question put, That Dr. *Philip* be not examined before the Committee on any matter touching the Aborigines of the Cape of Good Hope.
Donkin.

The Committee divided.

Ayes, 1.
Sir Rufane Donkin.

Noes, 4.
Mr. Charles Lushington.
Mr. Andrew Johnston.
Mr. Wilson.
Mr. Holland.

Lunæ, 20^o die Junii, 1836.

Motion made and Question put, That *Tzatzoe* be not examined before this Committee upon any question of grievances which he may allege that he has endured, until it shall appear that the same have been communicated to the Government without delay.
William Gladstone.

The Committee divided.

Ayes, 4.
Mr. William Gladstone.
Sir Rufane Donkin.
Mr. Holland.
Mr. Bagshaw.

Noes, 4.
Mr. Charles Lushington.
Mr. Andrew Johnston.
Mr. Hindley.
Mr. Baines.

Chairman gave his casting vote in the negative.

Mercurii, 3^o die Augusti, 1836.

read:

to leave out all the words from "careful attention," in the Report, and insert the words, "and that they believe it will be practicable to deal with the uncivilized tribes, consonant to justice and humanity, and the character of Great Britain," instead thereof.—Mr. Walter Baines proposed that the words proposed to be left out stand part of the Report.

The Committee divided.

Noes, 2.
Mr. Bagshaw.
Mr. William Gladstone.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

<p><i>Veneris, 31^o die Julii, 1835.</i> Captain Robert Scott Aitchison - - p. 1</p> <p><i>Luna, 3^o die Augusti, 1835.</i> Archdeacon Broughton - - - p. 13 Thomas Philipps, Esq. - - - p. 25</p> <p><i>Mercurii, 5^o die Augusti, 1835.</i> Thomas Philipps, Esq. - - - p. 28 Captain Robert Scott Aitchison - - p. 37</p> <p><i>Veneris, 7^o die Augusti, 1835.</i> The Rev. William Shaw - - - p. 50</p> <p><i>Mercurii, 12^o die Augusti, 1835.</i> Andrew Stockenstrom, Esq. - - p. 39 William Parker, Esq. - - - p. 39</p> <p><i>Veneris, 14^o die Augusti, 1835.</i> Captain Stockenstrom - - - p. 43</p> <p><i>Luna, 17^o die Augusti, 1835.</i> Captain Spiller - - - p. 66 Thomas Philipps, Esq. - - - p. 73</p> <p><i>Mercurii, 19^o die Augusti, 1835.</i> Captain Stockenstrom - - - p. 81 Rev. William Shaw - - - p. 92</p> <p><i>Veneris, 21^o die Augusti, 1835.</i> Captain Stockenstrom - - - p. 95 The Rev. William Shaw - - - p. 124</p> <p><i>Mercurii, 26^o die Augusti, 1835.</i> Major William Bolden Dundas - p. 127</p> <p><i>Veneris, 28^o die Augusti, 1835.</i> Captain Richard Blakeman - - p. 143 Captain Andrew Stockenstrom - - p. 148 Captain Charles Bradford - - p. 159</p> <p><i>Luna, 31^o die Augusti, 1835.</i> The Rev. William Bannister, Esq. - - p. 174 Thomas Philipps, Esq. - - - p. 178</p> <p><i>Veneris, 12^o die Februarii, 1836.</i> Andrew Stockenstrom - - - p. 195</p>	<p><i>Sabbati, 13^o die Februarii, 1836.</i> The Rev. William Yate - - - p. 195</p> <p><i>Veneris, 19^o die Februarii, 1836.</i> Captain Andrew Stockenstrom - p. 207</p> <p><i>Veneris, 26^o die Februarii, 1836.</i> Captain Andrew Stockenstrom - p. 219</p> <p><i>Martis, 1^o die Martii, 1836.</i> Captain Andrew Stockenstrom - p. 230</p> <p><i>Veneris, 4^o die Martii, 1836.</i> Captain Andrew Stockenstrom - p. 244</p> <p><i>Veneris, 11^o die Martii, 1836.</i> Captain Andrew Stockenstrom - p. 250 Captain George de la Poer Beresford, p. 252</p> <p><i>Luna, 14^o die Martii, 1836.</i> Captain George de la Poer Beresford, p. 265 Major Dundas - - - p. 276</p> <p><i>Luna, 21^o die Martii, 1836.</i> Colonel Wade - - - p. 278</p> <p><i>Veneris, 25^o die Martii, 1836.</i> Colonel Wade - - - p. 299</p> <p><i>Luna, 18^o die Aprilis, 1836.</i> Captain Andrew Stockenstrom - p. 319 Sir Rufane Donkin, M.P. - - p. 324 Lieutenant-Colonel William Cox - p. 324</p> <p><i>Mercurii, 20^o die Aprilis, 1836.</i> The Rev. Hans Peter Hallbeck - p. 335 Lieutenant-Colonel Cox - - - p. 345 Major Cloete - - - p. 357</p> <p><i>Luna, 25^o die Aprilis, 1836.</i> Colonel Thomas Francis Wade -</p> <p><i>Mercurii, 27^o die Aprilis, 1836.</i> Walter Gisborne, Esq. - - -</p> <p><i>Luna, 2^o die Maii, 1836.</i></p>
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Lunæ, 9^o die Maii, 1836.

Captain George Lambert, R.N. - p. 448
 Thomas Hodgkin, M.D. - - - p. 454
 Mr. Thomas Trapp - - - p. 459
 Captain Allen Gardiner - - - p. 467

Mercurii, 11^o die Maii, 1836.

Captain Allen Gardiner - - - p. 468

Mercurii, 18^o die Maii, 1836.

Mr. Henry Rutherford - - - p. 473
 Captain David Bucham - - - p. 475
 Dr. John Natterer - - - p. 479

Lunæ, 6^o die Junii, 1836.

Dandison Coates, Esq. }
 The Rev. John Beecham } - - p. 481
 The Rev. William Ellis }

Mercurii, 8^o die Junii, 1836.

Dandison Coates, Esq. }
 The Rev. John Beecham } - - p. 504
 The Rev. William Ellis }

Sabbati, 11^o die Junii, 1836.

Dandison Coates, Esq. }
 The Rev. John Beecham } - - p. 532
 The Rev. William Ellis }
 Mr. Elisha Bates - - - p. 543

Mercurii, 15^o die Junii, 1836.

The Rev. John Philip, D.D. - - p. 549
 Colonel Cox - - - p. 562

Lunæ, 20^o die Junii, 1836.

John Tzatzoe - - - - p. 563

Mercurii, 22^o die Junii, 1836.

John Tzatzoe - - - - p. 570

Lunæ, 27^o die Junii, 1836.

John Tzatzoe - - - - p. 579
 Andrew Stoffel - - - - p. 583

Mercurii, 29^o die Junii, 1836.

Mr. James Read - - - - p. 589
 The Rev. James Read - - - p. 597

Lunæ, 4^o die Julii, 1836.

The Rev. John Philip, D.D. - - p. 607

Lunæ, 11^o die Julii, 1836.

Thomas Hodgkin, M.D. - - - p. 635
 Mr. Richard King - - - p. 639
 The Rev. John Philip, D.D. - - p. 642

Mercurii, 27^o die Julii, 1836.

Sir Rufane Donkin, M.P. - - p. 648
 The Rev. John Philip, D.D. - - p. 648
 The Rev. Samuel Young - - - p. 659

Veneris, 29^o die Julii, 1836.

The Rev. John Williams - - - p. 662

Lunæ, 1^o die Augusti, 1836.

The Rev. John Philip, D.D. - - p. 676

 MINUTES OF EVIDENCE.

Veneris, 31^o die Julii, 1835.

T. F. BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Robert Scott Aitchison*, called in; and Examined.

1. YOU are an officer in the Cape Mounted Riflemen?—I am, at this moment.
2. How long have you been in that regiment?—Since October 1819.
3. Have you been in the Cape the greater part of that time?—I have been there many years. With the exception of two years, I have been there all the time.
4. Where is that regiment in general stationed?—Always on the frontiers; for upwards of 20 years on the frontiers. When it was regularly formed, shortly after the capture of the colony in 1806, for the sake of drills and, so forth, it was kept near Cape-town; it was subsequently removed to the frontiers. I believe no part of the regiment remained in Cape-town after 1811.
5. What is the strength of the corps?—At present 200 men.
6. What description of persons are they?—Hottentots, with a few European non-commissioned officers.
7. Have you found that the Hottentots are capable of making good soldiers?—For the sort of duty required, extremely good.
8. How long were you yourself stationed upon the frontier?—I have been stationed upon the frontier since 1819, with the exception of two years.
9. Had you been upon the frontier previous to 1819?—I had, as an officer of artillery.
10. Were you present at the interview between Lord Charles Somerset and Gaika?—I was.
11. Was that a verbal treaty, or was it a treaty committed to writing?—I believe perfectly verbal. I did not, upon that occasion, see any document whatever drawn out.
12. Did you understand at the time what the conditions of that treaty were?—Yes.
13. Will you be kind enough to state them?—That the boundary of the Great Fish River, which had before been considered the western boundary—
14. In what year was this?—He had the interview with Gaika about the 12th of October 1819.
15. Will you be kind enough to state the conditions of that treaty as well as you recollect?—Perhaps it would be better to state beforehand the Caffres had been extremely troublesome. There had been a large commando sent into Caffreland under Colonel Brereton, ordered in to make reprisals for sundry depredations which had been committed by the tribes of Caffres under the chief Llam. I think 20,000 head of cattle were taken, brought into the colony among such persons as had been robbed. This caused a great alarm in the country, and for a time the Caffres were again quiet.

Captain
R. S. Aitchison
 31 July 18

8

2 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Captain
R. S. Aitchison,
31 July 1835.

16. May I ask were those cattle taken from persons who actually made irruptions?—That I cannot answer. The chiefs, Gaika and Llambi, had quarrelled, and Gaika had been taken under the protection of the British Government.

17. Was it chiefly for the purpose of assisting Gaika?—And also to remunerate the frontier farmers who had been robbed.

18. Those were the previous circumstances?—Yes. Upon this occasion 20,000 head of cattle were brought out of Caffreland, a large proportion of which Gaika got. For a short time after this the Caffres were tolerably quiet, but towards the beginning of summer they again became troublesome, and entered the colony in great force. To check these, the burgher force from the different districts were kept near Graham's-town. Before it had got ready to enter Caffreland, the Caffres attacked the head-quarters at Graham's-town, with a force of from 7,000 to 9,000: they were very roughly handled; they lost about 500, and were repulsed.

19. All this was in 1820?—In 1819. After the commando went in to punish the Caffres, not only for the attack on Graham's-town but for previous bad conduct, Lord Charles Somerset then came up. Those troops that were collected from the different districts entered Caffreland in July 1819. Colonel Wiltshire commanded, and remained in Caffreland till the following October. In October of that year, Lord Charles Somerset joined the commando, and entered into a treaty with Gaika, solely acknowledging him as chief of the Caffres. The treaty was verbal, as far as I have been aware, and I was present during the whole time. It was then stipulated that the Keiskamma River should be the eastern boundary of the colony, instead of the Great Fish River, which had heretofore been so, about 25 miles to the westward of the Keiskamma. The Keiskamma, from the sea to the confluence of a small stream called the Chumie, I should think about 70 miles from the sea, and from the junction of this stream, the Chumie, to a place called Gaika's-hill, was to have been the boundary, and thence to a very large hill called the Winterburg. The water which flows on the eastern side of this range was to be considered as belonging to the Caffres, and that to the westward as belonging to the colony. That was the compact which I understood Lord Charles Somerset entered into with Gaika in October 1819.

20. And previously to that the Great Fish River was the boundary?—Yes.

21. Perhaps you will state what was the area of that country which by that treaty was taken away from the Caffres?—The distance at the mouth, from the Keiskamma to the Great Fish River, is nearly 30 miles; but there are parts where they approach within six or eight miles; it is a very unequal space, and the distance from the sea to Gaika's-hill must be from 60 to 70 miles.

22. But the Winterburg would be the extreme point?—That was hardly inhabited by the Caffres. I should say, taking the medium, or the average altogether, you may say from about 15 to 18 miles.

23. Fifteen to 18 miles broad and 60 to 70 long?—I should think that is very near it.

24. Did this territory belong to Gaika previously?—Not to Gaika solely; the chief Llambi and several others had occupied that part of the country as well as Gaika's people; but Gaika was the only chief that the British Government acknowledged.

25. But was he, in point of fact, a sovereign of the soil, or were there not other independent chieftains who had locations in it?—Gaika was descended from the oldest family among the Caffres. You could trace his origin further back than any of the others; and this Llambi was uncle to Gaika, who had, during the minority of Gaika, been a sort of regent among them; and, when this young man became fit to undertake his own business, the other declined yielding up the power to him, and then they came to quarrel.

26. But were there not some other independent chieftains besides Llambi and Gaika?—No, I think not. They were in some degree independent, but still it belonged to Llambi or Gaika's people. There were dozens of others, but I think they were at all independent.

I conceive that Gaika had a right to reign over that portion of the colony without the assent of other persons who were certainly not.

28. Now,

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ON ABORIGINES (BRITISH SETTLEMENTS.)

28. Now, state the conditions of the treaty?—Merely, as I said before, that the Caffres should remove to the eastward of the Keiskamma, and adhere strictly to the compact entered into. Gaika promised, in fact, that he would use his utmost endeavours to carry this treaty into effect, by seeing that no Caffres should come on this neutral territory. It was decreed, also, the territory the Caffres relinquished should not be occupied by British colonists.

Captain
R. S. Atchison
31 July 1835

29. Then this verbal agreement was that that space should be unoccupied?—Except by military posts; it was not to be occupied by settlers or farmers. Military posts were to be placed there.

30. But there were to be no European colonists?—We had no idea, in those days of Europeans settling there. We referred to the Boors.

31. That the Boors on the one hand, and the Caffres on the other, should not be at liberty to occupy the country?—Exactly.

32. Are you aware whether the circumstance of that treaty not having been a written one has been the cause of constant irritation from that period?—There has been a great deal of bad feeling caused by it. The Caffre does not care one farthing for any agreement; he has no principle about him. I believe there would have been the same quibbles if there had been a written agreement.

33. What was the motive for declaring this territory a neutral territory?—The banks of the Great Fish River, from the sea for a distance of 60 miles, are covered with almost impenetrable forests, which in many places are to the width of 15 miles, into which the Caffres come at any time during the night, cross this open country, and, to any number, conceal themselves, and watch their opportunities of plundering the colony.

34. It was called, in the first instance, the neutral colony; did it ever acquire the name of ceded territory?—I have heard it frequently termed a ceded territory; but I do not exactly recollect the time at which it got this name. I know it has latterly been termed ceded territory.

35. Do you recollect its being occupied, after the treaty was made, by the Boors in any numbers?—The northern part of it was; the Winterburg is now, in fact, occupied thinly by Boors; and, towards the sea, Sir Rufane Donkin established a sort of half military post called Frederickburg, within about 16 miles of the sea.

36. At that time were any of the burghers permitted to enter the neutral territory?—For some time afterwards, not.

37. Were they, at any subsequent period, allowed?—Yes.

38. What were the conditions upon which they were allowed so to enter?—The chief Macomo, upon representing the hardship of his being removed out of the country and giving up the Kat River, which was formerly his, was allowed to return again; but many robberies had been committed by his people, and traced to his kraals or huts. In 1822 or 1823, a large force, in which I was employed, surprised these kraals in the middle of the night, and we took from them 7,000 beasts.

39. From Macomo?—From Macomo.

40. Who was the chief of the Caffre force of 7,000 men who attacked Graham's-town in 1819?—Llambi; it was under his orders; but he was too old himself to be there; his sons and his principal men were there.

41. Was he really or nominally subordinate to Gaika?—The British Government looked upon him, and wished to make him to be considered as subordinate to Gaika; but he would not submit to that.

42. Was he included in the treaty with Gaika?—Gaika meant to answer for him as far as he could; but it was previous to the treaty that this attack was made upon Graham's-town.

43. Then this neutral country was not to be occupied either by the Boors or the Caffres?—No.

44. Then who were the possessors of this territory?—I fancy many years back the Hottentots were; but the Caffres had got it merely by the force of physical power, by driving the others from it.

45. Caffres were the possessors of it?—Long before we had any Caffres had it. In point of fact, the Caffres had a great part possess to the westward of the Great Fish River, where they were.

46. Then you cannot describe exactly who

10
4 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Captain
P. S. Aitchison.
21 July 1835.

territory at the time when the settlement was formed?—The Caffres had been the occupants, but how they came into possession of the country I cannot possibly say; they had it many years before this; the Caffres were the burghers.

47. The territory that we are now discussing, that is to say between the Great Fish River and the Keiskamma, that ceded to the British Government, did not entirely belong to Gaika?—Certainly not.

48. As far as his interests were concerned, he certainly ceded it to the British territory; but you are not perfectly aware that those other chiefs who had it, had, if not a separate, a joint interest with him in that land; you are not perfectly aware whether they were consenting parties to it?—I believe Llambi positively refused.

49. Was Llambi the acknowledged owner of any particular part of this territory, or was it held in joint tenure?—The way the Caffres had that country is merely a sort of understood limit amongst themselves; in removing from one place to another, they say such and such a stream shall bound my territory.

50. Llambi being the aggressor, his part of the territory was taken from him as a matter of conquest?—Exactly.

51. But one of the motives for your negotiation in the war with Llambi was for the purpose of setting Gaika against him?—It was.

52. Pato was an independent tribe too?—Yes; a small tribe, who have always lived down towards the coast. There was the old chief, called Cobus Congo, he left three sons, who are now chiefs of a small tribe: those chiefs are called Kama, Pato and Cobus Congo.

53. Then they have also part of this territory?—Merely by indulgence.

54. They were afterwards to come there?—They were to have gone across the Keiskamma as well as the others: it was a better conducted tribe than the others.

55. So that in fact, they were allowed to remain on this neutral territory?—By sufferance merely.

56. Was that sufferance granted to them through Gaika?—I cannot speak positively as to that.

57. Then as this neutral territory, taking it upon the whole, was neither allowed to be occupied by the Dutch Boors or by the Caffres, but only to be taken military possession of by the English, it may in that sense be called a ceded territory, because the British were as military men only allowed to occupy it for military purposes?—Yes.

58. Do you know how it is stated in official documents; is it ceded or neutral?—I think indiscriminately; I have seen it many times both; it was at one time neutral.

59. Then it got the name of ceded?—Being occupied by the Frederickburg party may have given rise to the change of name. By some means or other the terms ceded and neutral became indiscriminately used.

60. Did not Sir Rufane Donkin make subsequently another treaty with Gaika, by which the territory was entirely ceded?—I believe Sir Rufane Donkin met Gaika, and entered into such explanations as led to the formation of Frederickburg, but I do not know what they were.

61. When you first went into that country, I think I understood you to say that a great proportion of that which now consists of British territory was in the occupation of the Caffres?—It was.

62. Do you remember in the year 1830, the settlement of a number of Hottentots with their families near the Kat River?—Certainly.

63. Please to describe a commando; how the orders are originally given, and the process?—A commando is merely a name attached to a force collected, either a regular military force, or partly military and partly civil. The magistrates in that country have power to order the farmers upon military duties when occasion requires. The commandant of the frontier, or the civil authority, demands assistance from the military and from the neighbouring counties, to check any inroad the Caffres may make, or to recover beasts that may have been stolen; these when collected are called a commando.

64. May not orders be given by persons in inferior stations to that of the magistrates?—Not to my knowledge.

Have ever been employed upon these commandos?—Very frequently.

What is the best step generally taken in those cases?—It depends upon

circumstances, whether to prevent incursions into our own country, or to punish for depredations.

How do you proceed in the case of the boundary upon the trace of stolen cattle we

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were to follow them as far as we could—but I ought to say, different governors vary so much in their opinions and take such extremely different views of a subject, that it was a difficult matter for those employed to know how to act.

67. Now you traced the cattle as far as you could?—Yes, generally, to some Caffre's kraal.

68. And if you do not find the cattle there, what do you do?—At one time we used to go to the first kraal we could and make reprisals; with those of course we returned to the colony, and they were given over to the civil authorities, to be disposed of as they thought fit. Upon other occasions we trace the cattle as far as we think proper, till we come to the kraal, and then point out to the chief of such kraal that the trace of such beasts had gone through his territory, and desired him to follow them up.

69. Suppose he denied all knowledge of them?—If you pointed out that the beasts had gone through and he refused to assist you, you took his cattle.

70. But supposing, without refusing to assist you, he declared his inability to do so?—That he could not do, because they have nothing else to do; and it is a country where if you once get on the trace of beasts, unless there has been a heavy rain, you cannot help following it.

71. Was it not the practice of these cattle stealers to drive the cattle which they plundered to the neighbourhood of some kraal, in order that the British force might make their attack upon that kraal?—They never could do it unobserved, the Caffres are never away from their kraals, not a single beast can go through the country without their knowing it; though they frequently professed not to know it, we were perfectly sure they knew all about it. They are the most observant persons in the world in that respect.

72. Were you present at any instance in which cattle were taken from the first kraal at which you arrived?—I do not recollect that I was.

73. You spoke of two periods, in one of which you took 7,000 cattle, at another 20,000?—I was not present at the 20,000; I was present at the 7,000.

74. I wanted to know whether those reprisals were regulated by any standard; whether in taking the 7,000 and the 20,000, you took the quantity that had been taken from your colonies, or took an indiscriminate quantity, seizing as many as you could obtain?—I can speak as to the 7,000. After we had collected the cattle that we had taken from the Caffres they were counted, and 7,000 exactly was the number. They were taken to Fort Beaufort, a distance of about 30 miles, and returns were made of the numbers that were taken from the different places; each number that made up that quantity was driven out, and the rest were given back to the Caffres.

75. So that you only took from the Caffres the number which you lost?—Which were returned as having been stolen by them.

76. In consequence of your sometimes taking the cattle from the first kraal you came to, and sometimes tracing them, on the approach of the commando were the inhabitants aware that they should or should not lose the cattle?—Whenever the commando was coming, they drove all the cattle away.

77. Was that under the apprehension that the British force would seize their cattle?—Yes.

78. In the case of the 7,000 that you have mentioned, were they found to be the very cattle that were taken out of the country?—No, there were many among them that were known as colonial cattle, and claimed by the owners.

79. But others were Caffres' cattle?—Yes.

80. Then I would ask in such case, is it the custom to return head for head?—It has been most mischievously allowed to be so; but a Caffre bullock is not worth one-half the value of a colonial bullock, and the circumstance of allowing merely one head to be taken for one head, was a premium upon robbery; it induced the Caffre to rob, because he had the chance of escaping altogether.

81. It has been described to me as a kind of premium, as you very properly say, on robbery; is it not notorious that a Caffre being such an excellent judge of cattle, has gone in the night into the kraal of a colonist, and there selected his very best milch cows to carry off?—I have known it to be the case on more occasions than one.

82. And then when the colonist has sought his remedy through a commando has he not been obliged to put up with the cattle of the Caffres, head for head?—Yes.

83. Has there not been subsequently some different arrange-

Captain
R. S. Aitchison.

21 July 1825.

12
Captain
R. S. Aitchison.

31 July 1835.

6 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

by which for every head of cattle belonging to the colonist, if taken away, two shall be substituted?—At one time that was a good deal talked about, and for a short time acted on; but, as I said before, the systems have been so changed that one cannot, above three or four months at a time, know what to do.

84. Then I would ask, whether a great number of the robberies that have been committed, have not been committed by a set of marauders belonging to Caffreland, not specifically the subjects of any of the tribes or the chiefs that we have mentioned; whether, unknown to the chiefs, they have not gone into the territory of the Caffres at the Cape of Good Hope, and there stolen the very best of the colonists' cattle, driven them into Caffreland, and driven them through a kraal, thus making the first kraal which they arrived at responsible for their nefarious acts?—I believe it seldom occurs that the Caffre enters the colony for the sake of plunder, without the concurrence of his chief, and I do not think that there are in Caffreland any set of Caffres who are not under some particular chief; I do not think there are any persons whom you may call vagabond Caffres.

85. It has been described to me as very much like the kind of marauding system that went on in our own borders between Scotland and England?—Very much like it.

86. Do you know any instance in which the Boors or Europeans had claimed a quantity of cattle as stolen, and it was afterwards proved that those cattle had never been stolen?—Yes; not frequently. I have known Boors come and report to me that so many head of cattle had been driven off by the Caffres, and my own patrol in going to the house have found the cattle in the little jungles in the neighbourhood of the place.

87. And he did that for the purpose of getting compensation for this pretended loss?—He was either too idle or his herds were too idle to go and look after them. If it should come on to rain, there is the greatest difficulty in keeping the cattle from going astray, and the Hottentots get very indolent in rainy weather. The cattle are allowed to stray, and they report to the master that the Caffres have stolen them. The master of course, anxious to lay in his claim for compensation in case they are really stolen, rides immediately to the nearest military post, and reports that so many head of cattle have been stolen by the Caffres.

88. Have you not known worse cases than that, in which there was a claim of compensation for cattle never stolen at all, or astray?—I do not recollect an instance of that kind.

89. Where the Boors belonged to the commando, were they under the authority of military officers?—Yes.

90. Were those Boors generally subordinate?—Tolerably. To military people they would appear not, but taking everything into consideration, they were very well-conducted sort of persons.

91. Was the military authority usually competent to restrain the Boors from acts of excess and cruelty?—Yes. On more occasions than one I recollect the Boors being without a military officer, and upon one occasion I recollect a disgraceful scene took place; I was in the field, but it was at about 10 miles distance from me. There was another party of Boors of about 150, who acted in a parallel direction to me. These men had seized a number of cattle, and wantonly killed 11 Caffres. That is the only instance I ever knew during the whole time that I was in the country, of cold-blooded murder.

92. When these Boors were acting by themselves, independently of military authority, did they usually conduct their proceedings with moderation?—With that exception, I do not recollect having heard any act of cold-blooded murder. A short time before I left the country, I recollect having heard of some Boors having murdered some Caffres most wantonly, but I am not quite master of the circumstances; I was not near, nor was I on the frontier I think, but I recollect having heard something very bad; that they had got hold of some unfortunate Caffres, and fired at them in the most wanton manner.

93. When was this?—Last year. I think I heard that the attorney-general had been ordered to prosecute. I do not know the parties, but I heard something of the case.

Whether accompanied by troops or not, is this expedition called a commando?
Yes.

Is the patrol system?—The patrol system is very similar to the commando, but it does not go out for any specific purpose, it goes out merely for observation,

observation, and to intercept any parties of Caffres with beasts that may be going out of the colony, or Caffres coming in.

96. You say it is generally easy to trace the cattle, except in the rainy season?—Yes.

97. Do you not think that a good effect would arise from its being understood as a general rule, that in consequence of its being so easy to trace the cattle, the cattle that were stolen only should be taken, so that the neighbours who had cattle at their kraals would not be induced to drive them away from fear of their being taken?—The difficulty would be this; the moment a party who have stolen cattle come into a country thickly inhabited by Caffres, they drive the stolen cattle amongst those belonging to the Caffres, and frequently take the whole together for a considerable distance, and eventually separate them into several small herds.

98. If it were possible to establish that system, would it or would it not have a very good effect on the original inhabitants?—If it could be established, I think it would; but I do not think it is possible.

99. On what authority does the commando march; from the direction of the magistrate?—Nobody can enter Caffreland without the sanction of the military commander.

100. Then I wish to know on what authority he has this command?—By the order of the governor.

101. If I understand the matter right, when a Boor loses his cattle he makes application to the magistrate?—To the nearest military post.

102. And upon his affidavit, or stating this fact satisfactorily to the magistrate, he interferes?—The magistrate is not required on these occasions; the magistrate is 60 miles off. I have been constantly on the frontier. The moment a farmer is aware that his cattle are driven off by the Caffres, he rides to the nearest military post, and there states his grievance. That officer has directions to listen to that, and to ascertain, as far as it is in his power, the truth of it. If he is satisfied of the truth of it, he sends an officer if possible; but in many cases we have so small a force, that an officer could not be sent, and therefore non-commissioned officers were frequently trusted; they were sent to ascertain whether or not the cattle had crossed or passed as the farmer reported, and whether or not the Caffres were following them up. The trace of the Caffres is so marked, that there can be no mistake.

103. And your men of course are admirably calculated for the purpose?—They know it as well as possible. If then the officer who goes is satisfied, and finds the case as the Boor stated, the Boor's son, the Boor himself, or some person or other to identify the cattle, is ordered to accompany the patrol. The patrols go on these traces till they come to a kraal. When the system was to take from the first kraal, they did so; when the system was to set the inhabitants of the first kraal on the traces, the patrol was ordered to wait until they reported what they had done, and whether they recovered the cattle or not.

104. Then, whether the cattle were taken from the first kraal, or followed up, depended on the officer?—He then returned to his post, and reported his proceedings to the commandant. When repeated robberies had been committed, and everything done by the small patrols to recover the cattle, and failed, then generally a large force was sent.

105. No commando was undertaken without the sanction of some civil authority?—No.

106. Patrols were?—At one time the commandant could of himself send a force into Caffreland, but latterly the orders have been, that the civil commissioner and the military commandant shall act conjointly.

107. Do you know the cause of that order being given lately in particular?—No.

108. It did not arise from any peculiar circumstances?—No, I do not recollect that it did.

109. Were you called upon constantly to perform duties of this kind?—Constantly; not perhaps so frequently latterly, from my seniority in the corps; but I have known the junior officers to have been out four times in the week.

110. Upon these expeditions?—Upon these expeditions.

111. So that it was the great business of the corps?—The sole business of the corps; I have been left at my own post with seven or eight men only.

112. Do you remember in 1830 the settlement of a number of the H on the Kat River?—Perfectly.

14
Captain
R. S. Aitchison.
31 July 1835.

S MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

113. Was Macomo expelled from thence?—He was.
114. What was the alleged ground of his expulsion?—Depredations committed by his people, but I believe chiefly to locate those Hottentots. He was only there by sufferance.

115. Have you ever been employed in removing any of the Caffre tribes out of the neutral territory?—I have; in November 1833 I was ordered to remove Macomo, Botman and Tyali, beyond the boundary, which I did.

116. Who was the commandant of the frontier at that time?—Colonel England, of the 75th; Colonel Somerset having gone on leave to England.

117. Who was the governor?—The acting governor was Colonel Wade; after Sir Lowry Cole's departure, and before Sir Benjamin D'Urban arrived, Colonel Wade was acting governor.

118. Will you state what took place when you were ordered to remove Macomo and Tyali?—Colonel England sent for me (I was absent about 30 miles from Graham's-town), and stated that he had received from Cape-town orders to remove those chiefs beyond the boundary, and that I was named for that duty. He then, as I had been a long time in the country and understood these matters perfectly, asked me the policy of that step, and we agreed that as it was the time of the year when the Caffre corn and pumpkins were in a forward state, that if this could be put off for a few months it would be an act of charity towards the Caffres. Viewing it as I did, he did not act upon the order, but by the post of the following day wrote to say that such being the case, he had submitted again the policy of allowing the Caffres to remain until they had reaped their harvest, and hoped it would be approved of by the governor. By return of post, which was about 14 days from that date, a peremptory order arrived for the removal of the Caffres. I was named and ordered to repair to Fort Wiltshire, to take upon myself the command of that post, and to superintend the clearing of the country. The force that was then put under my charge was quite inadequate to effect this purpose by force. I sent for Macomo and for Botman, and as I had known them many years, I told them, and in fact they expressed great confidence, knowing that I had never deceived them in any way whatever, and never promised them that which I could not perform. I sent for them and explained the case. At first they refused positively to go; I then pointed out as well as I could the absurdity of objecting to go. Macomo said he knew very well that I could not force him; I said of course that I must do it, but that if he would go quietly and advise all his people to do the same, Colonel Somerset might be expected very shortly and also the new governor, and that his good behaviour on this occasion would ensure him my support, and that I would not fail, if he went quietly, to mention his conduct to both when they arrived. After many hours, I may say almost, of needless conversation upon the subject, he at last said that he would believe me, and would go. I gave him two days to complete the evacuation of the country, and I then went with the whole force I had, and did not find a single Caffre.

119. Had they left any property?—All the corn, which was quite green, all the gardens, and all the pumpkins, and everything was left; no animals were left.

120. So that the Caffres had to sacrifice all their corn and pumpkins?—Not altogether; there was nothing to destroy them except the birds; but they take no pains after it is once planted, there is no watering or anything of that kind. Birds and destructive animals are very numerous in that country, and they get in and spoil it; but otherwise, as far as regards the superintending of the thing, they did no harm.

121. They abandoned it?—Yes.

122. In this conversation that you had with Macomo, did he claim his right to stay?—No; but he distinctly said, which we found out afterwards to be the case, that he could not make out the cause of his removal, and asked me if I would tell him; and I really could not; I had heard nothing; no cause was ever assigned to me for the removal; and moreover I met a Boor who lived close to where Macomo was, and he said "Pray what are you removing these people for?" I said "My orders are to do so." He said "I am very sorry for it, for I have never lost, so long as they have been here, a single beast; they have even recovered beasts for me."

123. Then the question was, whether you had the power to send him away or not by force?—He was only there by sufferance.

124. I thought Macomo would not allow that?—Llambi is the man who would tell you that; Macomo is one of Gaika's sons.

125. How did Macomo behave, in this interview between you and him, very well?
—At

—At first, as may be supposed, he was very violent; the man was very much irritated. I could not assign any reason why he was ordered to be removed; and he absolutely stated, "I will allow you to inquire at Fort Wiltshire whether or not I have not sent in horses and cattle re-captured from other Caffres, which had been stolen from the colony."

126. What had been the previous conduct of Macomo?—He had been a good deal blamed at one time. He was certainly the most daring Caffre of the whole; a gallant bold fellow, and as a friend, a most excellent one; but as an enemy, a very dangerous one.

127. But he was a man, from your intercourse with him, in whom you could place reliance, if he pledged his word to you?—I should have no hesitation in doing so.

128. Did your removal of Macomo cause any sensation amongst the colonists as well as among the Caffres themselves?—I am led to believe so.

129. Were there fears entertained at the time of the traders living in Caffreland being sacrificed?—So little did I think there was anything of that kind, that I could hardly get the traders to go out with me when I came back. There were two traders who, when I drove the Caffres out from that country, went with them and I could hardly get them back.

130. Immediately after having dispossessed these people, did they show any extreme regret at abandoning their possessions?—Very.

131. Did you see any instance of great distress amongst them?—Unfortunately it so happened for them that it was a particularly dry season; the grass, which generally is very abundant, was very scarce indeed, and also water; and they were driven out of a country that was both better for water and grass than the one they were removed to, which was already thickly inhabited. They took me over the country they were to inhabit, and I assure you there was not a morsel of grass upon it more than there is in this room; it was as bare as a parade.

132. On Colonel Somerset's return from England, was there any permission given to Macomo and his followers to return?—I mentioned to Colonel Somerset on his return what I had told Macomo; I considered it my duty to do so, and he either obtained or gave the Caffres permission to re-occupy the ground from which I had driven them.

133. How was it that Kama came back again to this country, when it was so well known that it was not to be occupied at all by Caffres?—The fact is, you can never get the Caffres to live distinct from wood; where there is no wood, there is seldom good water. In the part of the country which we have taken from them is the best wooded part of the whole: in the further back part of it the wood is very scarce indeed, and in some parts it is so bad that they can get nothing to burn but the droppings of their animals.

134. But they had permission to return?—Yes.

135. They had permission to return, then they were removed by you, and then they returned again, by the permission obtained from Colonel Somerset?—Yes.

136. What lapse of time was there?—I drove them out in November, and Colonel Somerset returned in January. I fancy it must have been in February that the Caffres came back, but subsequently to that they were driven back again. The case is this, Colonel Somerset, who is in great favour with the Caffres, his father, Lord Charles, having been the governor, and being there ever since he was a very young man, he has got extraordinary influence among the Caffres. Whether he wrote to Sir Benjamin D'Urban, or got his sanction or not, I know not; but the Caffres were permitted to return without the civil commissioner having been consulted. This gave great umbrage to the civil authorities.

137. Previous to leaving the frontier, was any order promulgated on the subject of not firing on the Caffres?—Yes.

138. Were any of your regiments accused of having fired on the Caffres after this order?—I was not present, but there was an order, and a party of our regiment sent to trace cattle stolen by Caffres; they overtook those stolen cattle; the cattle were identified by the farmer who was with them; they took possession of those cattle and were driving them back, when a Caffre seized hold of the bridle of one of the mounted men, and was in the act of stabbing him when the man shot him. He was afterwards confined in gaol, and more than once ordered from Fort Beaufort to Graham's-town, a distance of 60 miles, to be examined on the subject by the civil authorities.

139. Were the Caffres peaceably inclined when you left the frontier?—On my arrival

Captain
R. S. Aitchison.

31 July 1835.

arrival in Cape-town, Sir Benjamin D'Urban did me the honour to consult me about Caffre matters; I then pointed out the absolute necessity of his speedy appearance on the frontier. I saw, and had every reason to believe, that there was a great deal of discontent.

140. To what cause was that discontent to be ascribed?—A great number of causes, all tending to the same thing. In the first place, some of the missionaries had taken it into their heads to impress on the Caffres their own excessive want of good treatment by the colonists; or at least, that the chiefs were much greater men than any of those people sent by Government to treat with them on the frontier; and that they were not treated as such, and would best consult their own dignity by opposing, in all possible ways, the carrying into effect the views of Government.

141. Do you know of your own knowledge that the missionaries had stirred up this spirit among the Caffres?—Not from my own observation, but from many people who had better opportunities than I had of judging. A Caffre told me once myself that I was not so great a man as he was; that I was merely sent there by a Government, but that he was a chief himself.

142. Do you think that was an improper idea for him to entertain?—I think it was; it made him very backward in obeying the orders of people he looked upon as inferiors. A Caffre cannot form the idea that, because I am placed there by Government, I should not be as great a man as the Government; he cannot fancy anything of that sort. You cannot persuade him that a man sent there by Government ought not to be as great a man as the Government itself.

143. Does it appear that these missionaries persuaded them to that?—On several occasions the missionaries persuaded them that they were much greater men than the officers who are sent out to be with them.

144. Be good enough to state those instances?—In one instance I was sent to a missionary establishment, I think a Mr. Ross was the missionary; I was ordered to surprise kraals to which cattle had been traced; I got there, and found the kraal was quite deserted. I inquired of this missionary what had become of the inhabitants; he denied knowing anything about it, and appeared to be a good deal annoyed at my having come there. I questioned him very closely; he denied all knowledge of the Caffres, or of the means of my coming there having been found out. I subsequently ascertained that the chief after whom I was sent was hidden under this missionary's bed.

145. How did you hear that?—From a Caffre interpreter, who saw him.

146. And you believe that this missionary, Mr. Ross, really intended to deceive you in the transaction?—I believe so. The great hold they have on the Caffres makes them look up to them for support and protection. His having protected the chief on that occasion gave him a great weight among the Caffres. One can hardly blame the missionaries altogether on these points, because their remaining among the Caffres depends greatly on the terms they keep with them. They must be friendly, or they would, of course, not treat them kindly. That is one of the cases that came under my own personal observation, where I knew the missionary deceived me.

147. But the circumstance of the missionary having deceived you, does that prove that they had endeavoured to excite dissatisfaction in the minds of the Caffres?—I cannot, from my own observation, say that.

148. Was Sir Benjamin D'Urban anxious to take the first opportunity of visiting the frontier?—He expressed himself so.

149. As to Macomo's tribe, did they reap the benefit of that harvest when they returned in January?—No, I think not; the corn would not be ripe till March.

150. You suppose the whole of that was lost?—A great part of that.

151. They came in February?—Yes.

152. When were they driven out?—By return of post. Colonel Somerset allowed them to come in, and, upon a representation to the civil commissioners, they were ordered back again.

153. Considering the distress to which they were reduced in abandoning their crops which were growing, and going to a country as naked as a parade, and considering these repeated changes, at one time admitted and then turned out, admitted again and then turned out; do you not think we may trace the dissatisfaction which has prevailed in the minds of the Caffres at a subsequent period in a considerable measure to that treatment?—Certainly.

Captain.
R. S. Aitchison.

31 July 1835.

154. Do you believe that one of the causes of the dissatisfaction, and subsequently of the invasion of the Caffres, has not originated from this system, or rather from this want of system?—I do.

155. Do you believe that a system of a more settled and fixed description would have tended to promote peace better than this various course of proceeding with the Caffres?—Most certainly.

156. Did you ever understand that the Commissioners of Inquiry had recommended the appointment of a lieutenant-governor for the eastern frontier?—I understood so; there was one appointed.

157. Who was it that was appointed?—General Bourke, who is now in New South Wales.

158. In your opinion, had that appointment taken place?—He went out, but as Lord Charles Somerset was about to return, he never went further than Capetown.

159. Had that appointment taken place, with full authority to treat with the Caffres on all occasions, and to establish a well-defined system, would it in your opinion have conducted to the continuance of a friendly intercourse with the Caffres?—I decidedly think so.

160. Since you have been on the frontier, has your corps always been of the same strength?—Never so weak as now.

161. What was the cause of the reduction of your force?—The principal cause was this, the expense of the commando had been such in 1819, that the colony became nearly a bankrupt, and that I believe was one of the chief causes of the reduction.

162. Is there any other regiment quartered on the frontier besides yours?—The 75th regiment was there when I came away; there has been generally European troops there.

163. Are the infantry of any use in the pursuit of Caffres who have stolen cattle from the frontier?—They are of but little use; they cannot follow the cattle or pick up the traces as the natives can.

164. How are your horses fed?—We are allowed a ration of barley and hay.

165. What is the usual cost of a horse?—The Government allowed us 15*l.* for the purchase of a horse, but they are generally bought cheaper.

166. Then the cost is but small, and the maintenance is but small?—Yes.

167. What is the cost of a soldier's ration on the frontier?—The soldiers pay the same as elsewhere; but the Government pay a fraction under 2*d.*, about 1½*d.* and a fraction.

168. Was the trade of the Caffres on the increase the latter part of the time that you were there?—I think so.

169. Do you think that if we could establish an amicable intercourse with the Caffres, that that trade would be prosecuted to considerable advantage?—If you could put it on such a footing that the Caffre would be the gainer, or believe that he would be a gainer, it would answer; but, unless he fancied that he would be a gainer himself, he would not keep the compact with you; so long as it is of advantage to him to buy on good terms, he would; but the moment he fancied it was not, he would not.

170. You say that you have known your officers called out four times in a week, suppose we say eight times in a fortnight; can you tell me the proportion, on an average, of how many of those are commandos, and how many patrols?—I mean the patrols; we have been out three months together on a commando; I have been out from July until October.

171. According to your evidence, I understand a patrol to be a small commando?—Yes; at one time the civil authorities had nothing to do with commandos.

172. In what way do the missionaries live in regard to Caffres; do they live amongst them?—Yes.

173. And live in houses?—They build houses themselves; the missionaries are generally mechanics, blacksmiths, and all those sort of things; they build houses, and they live among the Caffres.

174. And supported by their industry?—By the different missionary societies in England.

175. In no degree by their industry?—I believe not.

176. Since you have been in the frontier, what has been the conduct generally of the colonist towards the Caffre, as far as you have been able to judge?—With

Captain
R. S. Auchison.

31 July 1835.

few exceptions very proper, I think; as I said before, there have been some exceptions, but very few in the number of years I have been there; I have seldom found the colonist was the aggressor.

177. Do you think that the missionaries have improved the character of the Caffres?—Not in the least; with the exception of Kama and one or two of his tribe, I have not seen the slightest improvement by the missionaries among them; in fact, in the neighbourhood of Chumie, where the great missionary station is, they are the worst behaved Caffres of the whole tribe.

178. From 1819 to 1823; we do not inquire at all into any intermediate conduct of the Caffres or the Boors in that period; if I recollect right, it has been stated to me when I have been at the Cape, that for two years after the irruption of the Caffres there, they were peaceable?—Yes, after the punishment they received, they were; several years after that we never heard of the Caffres.

179. During that period how were the commercial concerns between the colonists and the Caffres conducted?—There was but little carried on then; the traders had then barely commenced.

180. Were there not monthly fairs established there by Sir Rufane Donkin?—Sir Rufane Donkin established a fair at Fort Wiltshire, a monthly or a weekly fair, I forget which. During the time Colonel Somerset was in England, Sir Rufane Donkin established a fair; on the return of Lord Charles, it was done away with.

181. On the return of Lord Charles, these fairs were abandoned and done away with. Did they not serve to introduce, as it were, the colonists and the Caffres together, and bring about a friendly intercourse by means of commercial intercourse?—Certainly.

182. Then they were abandoned two years afterwards; that would lead us only from 1819 to about 1822; still we have got 11 years. What took place during that period?—In 1823, 7,000 head of cattle were taken from Macomo, as I have mentioned.

183. And then from that period up to 1833, 10 years?—At the end of 1824 I returned to England, and was absent two years; in 1825 and 1826 I was in England; I embarked on the last day of March 1825.

184. Will you allow me to ask you whether there has been any difference in the conduct of the Caffres, or in that part of the territory inhabited by those on the particular frontier?—Those Caffres I have mentioned as belonging to Cobus Congo certainly have improved.

185. I think one observation that you made was, that the missionaries were mechanics, and built their own houses?—Yes.

186. The Moravians have no mission I think in Caffreland?—They have, at a place called Klip Plaat River.

187. Were you ever at that missionary settlement?—I have.

188. Had they collected Hottentots there or Caffres?—A tribe of Caffres called Tambookies.

189. And that was improving very much?—It was quite in its infancy when I was there, in 1828.

190. Now, I would ask you whether the Hottentots were generally considered to be the aborigines of all the territory occupied by Great Britain in Southern Africa?—As far as the Great Fish River, I have always understood.

191. As far as the Great Fish River eastward?—Yes.

192. Then it is considered that the eastern boundary of the Cape of Good Hope is the Great Fish River?—Up to 1811 the Caffres had possession of the whole of Albany. In 1811 a large force was sent from Cape-town, under Colonel Graham, and were about a year in clearing that country. A great many lives were lost on both sides.

193. What was the process of clearing?—Merely sending in small detachments, and constantly harassing the Caffres.

194. I think you said that nothing but verbal treaties had been entered into with the natives at any time?—I believe all verbal.

195. You do not know any instance in which a written agreement was entered into?—I do not.

196. The Hottentots, up to the time of the conquest of the Cape of Good Hope by the British, were considered always to be a decreasing body. I would ask you whether, in consequence of the better system of treatment of the English, and particularly

ticularly by the Moravian missionaries, you do not consider but that they are rather more on the increase?—Not that I have been able to ascertain.

197. How was that clearing of the country effected? You gave an answer, but that answer was rather a general one; I wish to have it a little more particular; you know, I suppose, that it was ordered that the country should be cleared of the Caffres?—A military force was sent for that purpose under Colonel Graham, I suppose about 1,500 British troops, and about the same number of colonists; it was during that period that a magistrate called Stöckenstrom was murdered.

198. What extent of country was cleared in that way?—The whole extent of the country between the Sundes River and the Great Fish River.

199. Can you form any estimate of the number of lives that were lost in that operation?—No, I cannot at present; I believe there were numbers of Caffres shot.

200. I think I understood you to say that when you first went, a great part of the colony now British was then occupied by the Caffres?—Yes, the country from the Great Fish River as far as the Sundes River, which is a very wide space, I should fancy 60 miles broad.

201. And what length?—Hardly so much as 60 miles.

202. Since your knowledge of the colony, the Caffres have been removed from one space 50 miles broad and 50 miles long, and from another space 18 miles broad and 60 miles long?—Exactly so.

203. But then it is always to be understood that the Caffres forcibly intruded themselves into the territory?—Yes; there was a story, but how far it is true I do not know, that during a former time the Caffres had received this country for a certain number of head of cattle; that the magistrates had entered into a treaty as to those cattle, and actually sold to them this country.

204. As far as you know, this territory was originally occupied by the Caffres?—Which territory?

205. These two portions of 40 miles square?—I am certain they were occupied by the Caffres, but how they got possession of them I do not know.

206. You do not know what their title was, but there they were as the possessors of it when you went?—Yes.

207. I believe it was during your period that the Boors occupied this as well as Caffres?—The Boors live among the Caffres.

Luna, 3^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQ., IN THE CHAIR.

Archdeacon *Broughton*, called in; and Examined.

208. YOU are Archdeacon of New South Wales?—Yes.

209. Pray how long have you occupied that situation?—I was appointed in February 1829.

210. Did you occupy a clerical situation in the colony before that period?—No.

211. You never were in the colony, then, before?—I never left England until that time.

212. In the course of your avocation have you given your attention to the condition of the aborigines of New South Wales?—I have, as far as circumstances admit, both in New South Wales and Van Diemen's Land, which compose the archdeaconry; the two colonies.

213. Will you have the goodness to give us some account of the present condition of the aborigines?—It would be better perhaps to take the two colonies separate, as there are some distinctions. I will begin with New South Wales. Both are included in the archdeaconry of New South Wales.

214. We will take this of Sydney first?—They are in a state which I consider one of extreme degradation and ignorance; they are, in fact, in a situation much inferior to what I supposed them to have been before they had any communication with Europe.

19
Captain
R. S. Aitchison.

31 July 1835.

Archdeacon
Broughton.

3 August 1835.

20

Archdeacon
Broughton.

3 August 1835.

215. What is their number at and in the vicinity of Sydney?—I have scarcely the means of telling the absolute number; I have seen considerable quantities of them collected, some hundreds of them I may say, at the annual assembly which the governor holds of the tribes; and in travelling through the different parts of the country I have seen many hundreds more; but as to the positive number, I could not give any other than a very vague guess. I think Captain Strutt mentioned having fallen in with, as he estimates, 4,000; but that was in parts of the country not occupied by Europeans.

216. As far as our government extends, what is your estimate of their number?—I should think, speaking from my own experience, the numbers that I have seen may have been 1,000 or 1,500; but I do not conceive any means exist of knowing the actual numbers in the colony.

217. Are those aborigines who are in the vicinity of Sydney employed in agriculture, or in any useful occupation in domestic service?—In the vicinity of Sydney I should say not; they appear to lead an idle vagrant life, subsisting on casual donations and fishing; they sell the fish and procure money by means of the sale of their fish, and beg, probably steal, if they have the opportunity; but they are not employed in the vicinity of Sydney, generally speaking; in the more rural parts of the country they can be occasionally made to work for a short time at any season of excitement, as I may call it, such as harvest or sheep-shearing, where an effort is to be made for a few days, and they have an immediate reward; but, generally speaking, you cannot induce them to work regularly.

218. Have any efforts been made to ameliorate their condition in a social and religious point of view; if so, be pleased to state what those measures are?—During the administration of Governor M'Quarrie, he did attempt to settle them on a portion of land which was set apart for that purpose, and endeavoured to instruct them in reading and some degree of religious knowledge, but the institution was never very successful, and before I came into the colony it had been entirely given up.

219. And not resumed?—It was not resumed. I have with me an extract from the instructions of the King to the governor, which contains a passage that probably the Committee might think proper to hear.

220. Will you read it?—“And it is our further will and pleasure that you do to the utmost of your power promote religion and education among the native inhabitants of our said territory, or of the lands and islands thereto adjoining; and that you do especially take care to protect them in their persons and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injustice which may in any manner be practised or attempted against them; and that you take such measures as may appear to you, with the advice of our said archdeacon, to be necessary for their conversion to the Christian faith, and for their advancement in civilization.” The instructions are dated in July 1825. M'Quarrie's scheme had failed; those were the instructions under which I and my predecessor acted.

221. If I understand you rightly, those efforts had been relinquished in 1829?—Previously to that.

222. Was that because they appeared to be hopeless?—I conceive they appeared to be hopeless; not to produce any effect equivalent with the expense which had been incurred.

223. Was that from the dull, hardened disposition of these aborigines?—They are not of a dull disposition; they are a quick, intelligent people; but they have, I may say, no wants; you find it impossible to excite any want in them which you can gratify, and therefore they have no inducement to remain under a state of restraint, nor are they ever willing to leave their children.

224. Have you found it absolutely impossible to instil into their minds any adequate idea of the Deity, and of Christianity?—Of Christianity, certainly, I should say; of the Deity they may have some vague notion. I should state that in consequence of those instructions, in the first charge which I delivered to the clergy I adverted to the subject at considerable length, and made an effort to proceed; and I have some particulars which, if the Committee would desire, I would state, of what has been going on.

225. Is the Committee to understand that these unfortunate persons are entirely abandoned to that ignorance and degradation?—With a very trifling exception indeed, they are.

226. Will you have the kindness to be more specific in describing the attempts which

which have been made to improve their condition?—Perhaps I might relate what I know to have happened under my predecessor.

227. Yes?—I will take it in the order of time. Archdeacon Scott, who preceded me in the office, always bestowed a considerable degree of attention to the subject; and with a view of obtaining a more correct knowledge of the wants of the people, and the means that might be employed for their benefit, he directed a gentleman who is now in the colony, an officer in the navy, to undertake an expedition throughout several parts of the country, with a view of inquiring into their circumstances. I unfortunately have not in this country the papers which that gentleman drew up, stating the result of his expedition, but I may briefly say that he found that the statements which had been made of their having received instruction to any extent worth noticing, were quite groundless; they were in a state of the most perfect ignorance throughout. Upon his return, the question of expense appeared to interfere greatly with any immediate measure being taken, and it was determined, in order to prevent the subject from altogether escaping notice, and doing at the same time what was possible, that a certain number of children should be placed under the charge of one of the chaplains (the Rev. Mr. Cartwright), the expense of whose maintenance was to be paid by the church and school corporation. I think there were about six children so placed, whom I have frequently seen and examined, and their progress and acquirements would lead me to say that these people are by no means unsusceptible of improvement, if only they could be induced to remain stationary and apply their minds to the subject proposed to them. That was the state of affairs when I arrived in the colony. On holding my first visitation, I alluded to the subject, and I have a copy of the charge.

228. Have the goodness to put in such extracts of that charge as bear upon the point that is under consideration.

[The following extract was then put in and read:]

“The last subject with which I shall at present detain you is, the condition of the native or aboriginal inhabitants of this country. It is an awful, it is even an appalling consideration, that after an intercourse of nearly half a century with a Christian people, these hapless human beings continue to this day in their original benighted and degraded state. I may even proceed farther so far as to express my fears that our settlement in their country has even deteriorated a condition of existence, than which before our interference nothing more miserable could easily be conceived. While, as the contagion of European intercourse has extended itself among them, they gradually lose the better properties of their own character, they appear in exchange to acquire none but the most objectionable and degrading of ours. The most revolting spectacle which presents itself to a stranger newly arriving on these shores, is the sight of their natural occupants reduced to a state of worse than barbarian wildness, by that fondness for intoxicating liquors which they imbibed from our example, and in reckless addiction to which they are still encouraged by many whose superiority in knowledge ought to have been directed to some less unchristian purpose. But can we satisfy ourselves, my brethren, that we have fulfilled all our duty, while such a spectacle is exhibited before us? Shall we look on and see them perish, without so much as an effort for their preservation? Natural and much more Christian equity points out that, as in the occupation of their soil we are partakers of their worldly things, so in justice should they be of our spiritual. As through the tender mercy of our God the dayspring from on high has visited us, we are solemnly engaged to impart to them the glorious beams of Gospel truth, to guide their feet into the way of peace. I am aware of attempts having been undertaken with this view, and of their abandonment from a sense of existing difficulties and despair of final success; but from the very nature of the undertaking, obstacles were to be anticipated. Every advancement of the Christian religion, from its first origin to this day, has been effected in opposition to difficulties, which in a natural sense might be termed insuperable; its excellency, and its derivation from a heavenly source, have been best demonstrated by surmounting such opposition. It may be considered, after all, a very doubtful question, whether the erratic habits and inconsiderate disposition of the native tribes are in reality more adverse to the reception of Christianity than those propensities which its earliest preachers had to encounter in the nations they addressed, the obstinate superstition of the Jew and the philosophic arrogance of the Gentile. But suppose them to be so, what shall we say?

Archdeacon
Broughton.

3 August 1835.

shall we therefore desist? Unhesitatingly, I answer No. Persevere, as you regard the honour of God, and as you value the souls of these your hopeless and unhappy fellow-creatures; the very ground which we tread upon teaches us this lesson. What does it exhibit but the sublime spectacle of the triumph of civilized man over the ruggedness of the physical world? And shall the Christian philanthropist despair of having in God's good time an equal right to rejoice in the success of his exertions to produce a moral reform, and by spiritual cultivation to reclaim that human wilderness which extends on every side of us? The feeling which I derive from difficulties in such a case, and would communicate to those around me, is, animation, not despair. God works in every dispensation for his own glory, and in his own fore-ordained times and seasons; and his purpose in permitting the existence of such difficulties may be to furnish an immediate exercise of our faith and patience, and in their final subjugation a clearer manifestation of his own omnipotence. As a believer in the Scriptures, which assure us that 'out of every nation and kindred and tongue and people,' the worshippers of the Lamb shall proceed, I cannot be persuaded that there is one nation irreversibly excluded from a share of that privilege; I cannot be persuaded that when the religion of Christ is solemnly propounded as 'the power of God and the wisdom of God,' here is an obstacle to its progress which Eternal Wisdom did not foresee, and Infinite Power cannot remove; or that when we have a plain command to 'preach the Gospel to every creature,' here is an entire race of immortal and accountable creatures, with respect to whom we may dispense with obedience to the injunction; the duty is indeed so manifest, that I forbear any further to insist upon it. The best mode of proceeding may require more extended consideration, and our future attempts may be aided towards a prosperous issue by observation on the causes of former failure. I hesitate not, however, to express my desire that as the Church of England is endowed with pre-eminent advantages here, she should justify the distinction by leading the way as a missionary, and by becoming the mother of missionaries who should attempt the recovery of this unhappy generation. It is with God alone to give the desired increase. In due time we shall reap, if we faint not, and under Him I shall look to you, my reverend brethren, when the suitable period arrives, as to the instruments by whose aid this design of genuine love may be carried, we hope, into successful operation."

I soon after that addressed a circular letter to the clergy, requesting them to furnish me with any information of the actual state of the natives, and the means which they recommended or thought likely to be effectual for their civilization and conversion to Christianity. I received separate answers from each of the clergy, which I regret not having in this country. The statement of what had occurred was certainly very far from encouraging.

229. But we are to understand that systematic attempts were made to create some impression?—They had been made; but I should say that of all the returns which were made to me, I found but one instance in which I could think that there had been an actual belief of Christianity imparted, and that was to an individual who had been brought up in a school with English boys, not in the native state.

230. Out of how many returns?—I had returns from about 17 individuals. The opinion generally expressed, and which has since been confirmed by my own observation, is, that the want of fixed attention is the great obstacle we have to contend with; the impossibility of inducing them to settle in one place, or to attend to one subject.

231. What attempts have been made to allure them to civilized life?—I believe that any attempt to allure them permanently into a civilized life would be utterly ineffectual, for I have heard of more than one instance of those who have for a time been enjoying the comforts, as we consider them, of civilization, who by preference afterwards threw off all that, and went into their state of savage life in the woods.

232. Those who reside at Sydney or in its immediate vicinity, have they any property, properly so called?—No property; they wear a portion of clothing, which those in the interior can scarcely be said to do.

233. Nothing like assignments of land have been made to them?—They were made by Governor M'Quarrie, but it was found impossible to attach them to the soil.

234. They were totally averse to cultivating them?—Quite averse to permanent labour of any sort. I should say, that they have a notion among themselves of
certain

certain portions of the country belonging to their own particular tribe; they have frequently said to me that such a part was their property, but that is all assigned now to Europeans.

235. There is nothing like villages?—They have not the most distant conception of a house; they never live in a house; they have no clothing nor houses, nor occupation of any kind, except that of hunting.

236. Do they not pretend to worship a Deity?—I think they have a notion of a spirit, but it is possible only of one that does mischief to them.

237. They have not idols, have they?—No; they have a kind of charm among them, which they appear to attach great importance to, and never show it; they scruple very much to show it, but, from description, I have understood it is a piece of quartz; I am not quite aware that it is that, but it is something similar to glass, which they carry in a net, and appears, as I should say, to operate as a charm.

238. Do they use it also for the cure of diseases?—Certainly; the cure of diseases they attempt by mystical rites.

239. We clearly understand that you ascribe their present barbarism not to any unconquerable dullness of intellect, but merely to their love of erratic liberty?—I am perfectly of that opinion, because I think their intellect, when it is exercised, is very acute upon subjects that they choose to apply it to; and the children whom I mentioned, I have been informed by Mr. Cartwright, and which from my own observation I conceive to be the case, that they were quite as teachable as other children; they learned to repeat passages and collects from the Prayer Book, and things of that kind, quite as perfect as any English children that I have seen of the same age.

240. When we first formed our settlement at Sydney, were the coasts occupied by these aborigines?—The country was very imperfectly peopled; the sea-coast was occupied as Captain Cook mentions when he was there.

241. Was the consequence of our settlement to drive them away from possessions which they had previously occupied?—Certainly it was, excepting that they had full liberty to remain if they chose; but the effect of our settlement in the country is to drive the kangaroo away, which is their principal means of subsistence. That is an animal that disappears immediately wherever there is a settled habitation of men. They still haunt and continue in their natural places, portions belonging to other tribes; they certainly return to it, and seem to linger about it; but they have no settled place, properly so called; it is all occupied by Europeans.

242. Then they have gradually retired before the progress of our civilization?—I am afraid they do not so much retire as decay; they seem to me to wear out, from some cause; wherever Europeans meet with them, they appear to wear out, and gradually to decay; they diminish in numbers.

243. Can you explain more specifically that cause?—The tribe is gradually reduced from its original number to a much smaller number; it is a continual process of decay I should think, and it leads me to apprehend, that within a very limited period, those who are very much in contact with Europeans will be utterly extinct; I will not say exterminated, but they will be extinct.

244. Is this occasioned by the Europeans interfering with their usual habits, and depriving them of their means of hunting, and so on, or by direct ill treatment?—Less by ill treatment than by depriving them of the means of subsistence; because, wherever the country is cultivated, the kangaroo disappears; and another very serious cause is the introduction of intoxicating liquors, which destroy great numbers of them.

245. Then, in fact, our contact with the natives has been productive of great evil to them?—Without any absolute ill usage of them, it certainly does appear to affect them very injuriously; without outrage practised against them. I do not attribute it to actual destruction of them by force, but there is something in our manner and state of society which they appear to decay before.

246. Is that answer applicable to their temporal condition or their moral and religious character, or both?—They appear actually to vanish from the face of the earth; they diminish in number; and, as I mentioned just now, I think it must in a few years occasion them to be utterly extinct, wherever Europeans are thickly settled.

247. Then I would ask you, whether you have a decided opinion upon the question of the general influence of European contact on the moral character and religious character, if I may use the expression, of the natives?—Upon their moral

24

Archdeacon
Broughton.

3 August 1835.

18 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

character I am afraid it acts injuriously; religious character they have none, and certainly have not acquired any.

248. It has a tendency to quicken their understanding?—It gives them a greater range of objects to attend to, but upon points which they had attended to previously, I think they were quite as quick as they are now.

249. Still the effect of presenting more objects must be in general to stimulate the faculties?—Unquestionably; it causes more excitement, and produces more thoughts, I apprehend, in the man's mind than he had before, in proportion to the number of objects that he is made familiar with.

250. Notwithstanding which, it is your decided opinion that they are more depraved?—I have scarcely comparative means of ascertaining what they were before our intercourse with them; but, as far as I can judge, I think those who are most in contact with Europeans are the most depraved.

251. Does not the opportunity of observing the difference between those who are immediately in contact and those who are little in contact, enable you to form an opinion?—That leads me to think that our intercourse has been highly injurious to them.

252. But still the natural consequence of it is the introduction of Europeans?—It appears a natural consequence, more than any I could distinctly describe as operating, with the exception of drunkenness.

253. Have they anything like marriage between themselves?—They certainly have marriage, the distinction of husband and wife; I believe there are polygamists.

254. Do you happen to know whether they show any degree of fidelity in such contracts as may be formed?—I fear there are instances of the white people seducing their wives from them; that I have no doubt occurs; but how far it may be observed among themselves, I have not the means of judging very well.

255. Are you aware whether they have any institutions of property?—Not in our sense of property, excepting the weapons which they carry in their hands; I presume they are the property of the persons who carry them.

256. No accumulation of any kind?—None whatever; they are in a constant state of motion; they have no storehouses in which to lay up property.

257. Have they carriages of any kind?—None.

258. Do they use beasts of burthen?—There is no beast of burthen natural to the country; they never saw a beast of burthen till horses were introduced.

259. Can you account for this decrease of them, and this approximation to extinction, from any cause beyond that of the introduction of spirits?—I think their means of subsistence is rendered more difficult; what may be considered their natural food, the food which they depend upon in a natural state, is certainly diminished; all wild animals which they found in the woods are entirely destroyed when the woods themselves are cleared away.

260. Then do you think that their physical strength is weakened, and their natural life shortened by the fact of our being settled amongst them?—So far as there is a scarcity of food among them, and greater plenty of intoxicating liquors, those two causes I think may account for part of the decay.

261. Exclusive of religious advantages, can you suggest any mode by which their comforts can be enlarged, and their general condition improved?—I have often put the question to them, what they would like to have, and inquired why they would not remain in houses which might be built for them, and cultivate the land? but their universal reply is, that they like the bush best; indeed, I should apprehend that in point of comfort, if they have a sufficiency of food only, they are not deficient; they have no want apparently; they do not desire anything that I have, if they have enough food. The climate is such that they do not require clothing or dwelling-places, and the gratification that they seem to enjoy most is that of wandering over the country, and hunting wherever they have the opportunity.

262. Do wars ever take place between the tribes?—Yes; they fight very maliciously.

263. Have they any notion of operations of war?—Not very materially.

264. What weapons do they use?—Their weapons are not such as produce great slaughter; they have a long spear, and they throw it with considerable force by means of a stick which they adapt to it.

265. Is the spear pointed with metal?—No, hardened.

266. Are they composed of one tribe, or divided into sections?—A number of tribes; each district apparently had its distinct tribe.

267. Are

25

Archdeacon
Broughton.

3 August 1835

267. Are their haunts distinct?—Not at all; I do not perceive any difference of habit, or peculiarity of any kind.

268. Is their language distinct?—I have some hesitation in saying whether their language is altogether the same; it appears to be a variety of dialects, at all events. One of the earlier narrators of the state of the colony, Colonel Finch, of the marines, mentions, which I have found to be the case, that a tribe from one part of the country on coming into conversation with the tribe of another part, was not understood by them; but after a little comparison of what they have to say, they appear to find out that they have a common language, but with certain peculiarities which at first they do not comprehend.

269. What are their probable grounds of quarrel; because they appear to have no territory of their own, and no property?—It is anger, excited by various causes, which leads them to fight.

270. Principally by liquor?—No; I think that where they are out of the reach of liquor, they are given to fight, either as individuals or as tribes; unquestionably, when they are under the influence of liquor they fight in a much more savage and determined manner.

271. Had they any intoxicating liquor of any kind before its introduction by Europeans?—I conceive they had no liquor before our arrival.

272. Are we to understand that the most acceptable boon to the natives would be to be left in their barbarism and independence?—I have not a doubt of it.

273. As long as they are not injured, they are satisfied with living unmolested?—If left unmolested with the means of hunting, they have no other desire.

274. But our intrusion has interfered with their scope of hunting?—Cultivated land is certainly quite destructive of it.

275. Are you aware with what feelings generally they regard the Europeans; whether the predominant sentiment is dislike or the reverse?—From experience, I can say that they never generally dislike Europeans, as such, unless individually offended.

276. Do they consider them, upon the whole, as being benefactors?—I should doubt whether they have ever made the comparison. They have a conception of our having excluded them from what was their original property. Certainly that idea is prevalent among them.

277. Does not that produce a feeling of indignation?—I think not. I have found them always exceedingly obliging, good tempered, and quite satisfied with any little benefit you might confer on them.

278. Are they susceptible of gratitude?—I think they are always volatile. There is no teaching them, by any means, so as to break through that general attraction which their native state has for them.

279. Are they very mercenary in their disposition?—Many of them, I think, are.

280. Is money circulated among them at all?—No, I do not think it circulates among them; if they obtained money they would purchase what they required.

281. The number you are not able to state, but still they are scattered all over the country; very thinly originally?—They were originally very thinly scattered; at present they are more thinly scattered over the parts that we have fully occupied; but our station now extends to a very great distance from Sydney, about 300 or 400 miles, and they are to be met with within the whole circuit of our occupation, wherever you go by land. If you consider their location to be fixed upon spots; a most desirable object, if attainable. I am myself rather disposed to think that, with a view to their conversion to Christianity, we should not interfere with that. The general process hitherto has been, to try to fix them to a spot, and to abandon their original habits. I am inclined to reverse the process, and to endeavour to give them knowledge of religion, and make that the groundwork of better habits of life.

282. You would rather civilize by Christianity than prepare them by civilization?—That is, upon the best consideration I have been able to give it, I should prefer that course being taken.

283. And you consider, probably, that your view of that point is strengthened by the failure of attempts to locate them?—The failure of preceding attempts it was that set me upon considering, as I mentioned in the extract which I read, how you might improve them.

26

Archdeacon
Broughton.

3 August 1835.

20 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

284. Have you any additional information to communicate upon any specific measure, which it is advisable to adopt?—I could merely state what had been done in consequence of that.

285. You did refer, I think, to the reports?—There is at this time two attempts making, under the sanction of Government, for their civilization, if it would be the wish of the Committee to hear it.

286. Have the goodness to describe any systematic arrangement which is now in progress to improve the state and condition of the aborigines?—With the hope of christianizing the natives of the country?

287. Yes.—There was some years ago a mission established by the London Missionary Society, and placed under the care of a Mr. Threlkeld, who went to reside in a district which was considered favourable for the purpose, as being distinct from European settlements and much frequented by the natives. I have some of the reports which he published; I think the first is dated 1825. He continued so occupied until about the year 1829, when some dispute took place between him and the directors of the London Missionary Society, in consequence of which they abandoned the mission, and a portion of the territory which had been conveyed to them was given up: so that the whole attempt was concluded as far as that society was concerned. I have the letters which I received on the subject. It appeared to me very undesirable that it should be given up, and therefore at a meeting of clergy we made a small contribution which would enable Mr. Threlkeld to proceed. For some time, his allowance from the society having been withdrawn, he was left destitute without some assistance of that kind, and in reply to the letter which I received from the governor, communicating the intelligence that the land was surrendered, and asking my opinion, I wrote the answer recommending that Mr. Threlkeld should be allowed a sum of 150*l.* a year by the Government, with the rations which he had been in the habit of drawing for four assigned servants, and that it should be continued for five years from the 1st of July 1830. My object in that was to give him an opportunity of completing a translation of the Gospel of St. Luke, which he was then engaged on, and which I considered he might finish in the five years. This was acceded to by the Secretary of State, and Mr. Threlkeld has been so employed ever since. He has completed the translation of St. Luke and the selection of papers which I sent to him, and a grammar of the language, which I was more anxious to have accomplished while the natives were still surviving, thinking that they might possibly be extinct some time hence. The Society for promoting Christian Knowledge placed at my disposal a sum of money, from which I appropriated a part for the printing of this grammar, and which I have been expecting and am rather surprised that it has not been received, but I have not received it.

288. Was this the first attempt at the construction of the grammar?—It was. I have here a specimen which he published a few years previously. I had a great deal of correspondence with him, on the best means of expressing words, sounds of letters, and so forth. This was quite superseded by what he is now doing, and he is now engaged in endeavouring, as far as it lies in his power, to communicate some knowledge of these subjects to the natives around him. I have a great number of his letters, which speak sometimes with a hope of success, at others he appears to have very little.

289. No grammar having existed, how has the communication between the Europeans and natives been maintained; through original English or native language?—They learn English with great readiness and speak it well. Mr. Threlkeld is the only European that I am acquainted with who has such a knowledge of their language as to be able to converse at any length with them. There is another attempt of proceeding in a different part of the country. Mr. Threlkeld is at Lake Macquarrie, which is near Newcastle, on the eastern coast. Some time afterwards there was a statement received of Government having allowed 500*l.* annually to the Church Missionary Society, to support missionaries in the interior, at least in the colony, and I thereupon wrote a letter to General Darling, saying that under those instructions it was my duty to submit to him any opinion I might form, and recommended, on several grounds, a station called Wellington Valley to be occupied by the missionaries when they arrived. This letter states a great many very advantageous preachers for the purpose, and I have here General Darling's reply, in which he accedes to that, but states he had no official information from Government on the subject at that time. That was the state of affairs when I left the colony; after that the missionaries arrived, two clergymen; but the Church
Missionary

27
Archdeacon
Broughton.

3 August 1835.

Missionary Society have taken a different course, and I found it was not the opinion of General Bourke. I was to communicate with him, and the duty of communicating with him rested rather with the committee than with me, therefore I lost connexion with that; but it is proceeding; they are still in the country, but I have no means of knowing what their success has been, as it was taken out of my hands by a different arrangement. That comprises the whole that has been attempted before of religious improvement.

290. And during the whole of this period you are not at all aware that one of the natives has been converted to Christianity?—I recollect, in the reply that one of the chaplains sent to me, he gave an instance which led me to think there was one, but that is a solitary instance. He had been brought up in the same school with the chaplain who sent me the information.

291. Did Mr. Threlkeld meet with any success?—I very much doubt whether Mr. Threlkeld has made any convert. I have his letters here, in which he does not intimate that he has.

292. Has he been in the habit of preaching to them?—He reads to them the translation which he has made, and they appear to have some interest in it; their questions do betray some wish perhaps for further information, but their attention is so little fixed, that I question whether, after they have left him five minutes, they think anything more about it.

293. Are there any of their children in the European schools?—On the arrival of the missionaries whom I spoke of, sent by the Church Missionary Society, those who were under Mr. Cartwright were removed to their care, and placed at Wellington Valley with them; I am not aware that there is any other. They appear very averse to parting with their children.

294. Was it among those children that the single case occurred?—No; the case I allude to was that of a young man brought up in a school at Palmata.

295. Have you not reason to believe that there are any cases of conversion to Christianity among those children who have been educated under the Church Missionary Society?—That has hardly been long enough in operation to state that effect, and, in fact, I have no means of knowing what has resulted, for since I left the colony I have not heard.

296. Have you any further information to communicate on the subject of Sydney?—I have a strong feeling of the duty of this country to use every effort that could be practicable for the improvement of those people, but I am utterly at a loss to suggest how they can be preserved from the effect of the evil example that is continually before them, where they associate with Europeans. My letter to General Darling went at great length into the question, how they could be approached at a distance from the European settlement; I think that that would be the only chance that we have.

297. Would you have any objection to put that letter in?—None whatever.

[The following Letter was then put in:]

“ Sir,

“ Church Corporation House, June 14, 1831.

“ His Majesty’s Government having been pleased to direct that the annual sum of 500*l.* shall be granted to the Church Corporation Society from the funds of this colony, for the support of a mission among the native inhabitants, I consider it my duty to consult your Excellency on the measures proper to be adopted for carrying that design into effect. Information has been received from the directors of the above society, that the missionary selected by them to undertake this important and arduous office was to be presented to the Right Reverend the Bishop of London for ordination about Christmas last, and his arrival may therefore be very shortly expected. From anxiety to forward this work by every means in my power, as well as from considerations for the comfort of those who are to be the principals engaged in it, I offer the following suggestions to your Excellency as the basis for fixing the station to which the chief missionary, and such assistants as may accompany him, should be appointed to proceed, and which they may find prepared for them on their reaching the colony. It is not possible to entertain a doubt, that to attempt, with any hope of success, the conversion to Christianity of the unhappy people on whose behalf our exertions are called forth, it will be necessary that the essay should be made among them at a distance from the contaminating examples of profaneness and debauchery, which I lament to say an intercourse with the white population will inevitably place before their eyes. To expect that an impression should be made upon their hearts in favour of our religion, when they behold so many of its professors given up to habits of vice the most opposed to its spirit, would be to require more than the ordinary workings of Divine Providence authorize us to expect; and we should be only exposing their charitable teacher to the hopeless task of labouring in a vineyard which cannot yield a return. Our earliest expectations must be directed to those tribes who are placed beyond the reach of the

28

Archdeacon
Broughton.

3 August 1835.

22 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the temptations to depravity which are administered by European intercourse; and if among these Christianity happily take root, its extension from them to the more vitiated portion of their countrymen is not to be considered altogether hopeless. But our path seems plainly marked out, as leading us to those, in the first instance, among whom we should have only their own natural and native evil habits to encounter. In the second place, it would much facilitate our undertaking, if the natives whom we are to address, though exempt from the evil influence of our manners, should possess such an acquaintance with our language as to render practicable its employment as a medium of communication and intercourse. No missionary could be expected without years of close application to acquire such a familiarity with the language of the natives, as to be able to convey to them by it the instruction which it is the purpose of his going amongst them to administer: the instance of Mr. Threlkeld proves this. His industry and zeal cannot be exceeded; and yet I question whether he be even now competent to hold a lengthened conversation with the natives, even upon ordinary topics, in their own dialect. In the third place, while the interests of the missions will require the conductors of it to be advanced into the very midst of the native population, and in a manner insulated from any except occasional intercourse with Europeans, both prudence and humanity require that they should not be so exposed without such a degree of protection as may ensure security to their lives and property. The natives of this country cannot be considered as of a ferocious or sanguinary disposition; yet it is perfectly clear that where they see property, and especially food, left without protection, they will not be restrained from plundering; and the melancholy examples of Captains Logan and Barker prove that life is not always safe in their hands. Whether these murders proceeded from mere wantonness, or in revenge for injuries which other parties (evidently not the sufferers) had inflicted on the natives, these instances show that the missionaries cannot be trusted among them without some means of self-defence. Considering the subject in these several points of view, I take the liberty of suggesting to your Excellency that the station of Wellington Valley, now abandoned by Government, would be a most desirable situation for attempting the commencement of this mission. It appears, indeed, providentially to supply all the desiderata which I have enumerated as well as other recommendations. It is, in the first place, situated in the very region of the natives, being at all seasons greatly frequented by them; their intercourse with the Europeans, while the valley was occupied as a Government station, has rendered them very extensively acquainted with the English language, while the breaking up of the establishment, and the removal of those attached to it, has withdrawn the great source of apprehension as to the injurious effect of intercourse with a corrupt white population. The houses and buildings erected for Government purposes, and now standing vacant, would afford immediate accommodation to the members of the mission; and the land which has been under tillage would both furnish them with provision for their own support, and might act as inducement to some of the natives to attach themselves to agriculture more readily than if they were required to commence upon land in its natural state. So far as human resources may be concerned, there appears to be ready provided a most hopeful situation for commencing an establishment admirably calculated to promote the improvement of civilization and conversion of this race of apparent outcasts; and His Majesty's Government having decided on taking means to forward that object, which was pointed out in your Excellency's instructions (under date, _____), I trust I may be justified in recommending the appropriation of Wellington Valley for the accommodation of the expected missionaries. The only question which would remain to be further considered, is that of affording the means of defence against any hostile attack. I cannot be aware how far it may be the intention of your Excellency to extend the line of military outposts; but should it be compatible with your views of general benefit to continue the occupation of Wellington as a station, I conceive that the presence of a non-commissioned officer with two or three privates, would afford all the security which could be required; and if, as I trust might be practicable, some attention could be given to character and habits in selecting men for that duty, little apprehension could be entertained of their embarrassing the missionaries and obstructing their success among the natives by any vicious example.

" I have, &c.

" W. G. B."

[The following Letter was then put in:]

" Sir,

" Government House, June 29, 1831.

" I have the honour to acknowledge the receipt of your letter of the 14th instant, on the subject of the aid to be afforded to the Church Missionary Society from the funds of this colony for the support of a mission amongst the native inhabitants, and pointing out Wellington Valley as an eligible situation for the establishment of the mission, and suggesting some arrangements which appear desirable in furtherance of the object. I have not yet been officially apprised of the intentions of His Majesty's Government on the subject of your letter; but fully concurring in your sentiments, and the expediency of the arrangements you propose, I shall most readily give effect to your wishes as soon as it may be in my power to do so.

" I have, &c.

" R. Darling."

Addressed to "The Venerable the Archdeacon."

I should

I should be glad to express my opinion of the propriety of continuing Mr. Threlkeld in that situation. The actual engagement of Government was only for five years; but I have a good opinion of him; he is a man that I think may be depended on; and it would appear to me an act of propriety to continue that payment to him. He made a report to me of his progress, of which I have two here; the last year I did not receive; and if that system were continued, I think that whatever is to be done, whatever knowledge is to be acquired of their habits, or whatever information can be communicated to them, would be; at all events, there would be a channel open.

298. Are you aware whether he is acceptable to the people among whom he is?—Very much so. They appear exceedingly attached to him; he has one I think constantly resident with him.

299. He is among wandering tribes?—They are all wanderers.

300. Does he move about?—No; he has a station to which they resort as their inclinations may lead them. I suppose there is seldom a day without his seeing some of them.

301. Of what country is he a native?—He is an Englishman, I presume.

302. Is he ordained?—He was ordained among the Dissenters; I think he is an Independent; he is a man of whom I have a very good opinion, and think he may be depended on as usefully as anybody, and in fact, has a greater acquaintance than anybody with them.

303. Does he appear to despond of ultimate success?—I think he certainly does not; he occasionally meets with circumstances that render him very doubtful whether he is doing much at present, but I think he certainly does not despond of ultimate success.

304. You mentioned one doubtful case of conversion to Christianity; it seems that he has cases of civilization. I think you said he has one person who has so far overcome that erratic disposition as to be induced to live in Wellington Valley?—That is his nominal home certainly, but from these letters it would appear that he is frequently absent, and they have a tie over each other. If the tribe summoned him, he would go at a moment's notice; nothing would detain him if sent for by his own people.

305. The information of the Committee is, that the natives of Van Diemen's Land, after opposing the Government in various struggles as far as their ability went, were ultimately removed from the main territory, Van Diemen's Land, to a place called Flinders's Island?—Yes.

306. Are you able to give the Committee any information regarding their actual condition?—The island of Van Diemen's Land was subject for a great length of time to very serious outrages on the part of the native population. When I was there on my visitation, in the early part of 1830, Colonel Arthur requested me to become chairman of the committee which investigated the subject fully, and I drew up a report which was adopted by the Committee, and afterwards laid before the Parliament. The information we obtained showed that these people had certainly, as it appeared, very great provocation; and that, on the other hand, they committed dreadful outrages, so as to make both life and property insecure in all parts of the island. Colonel Arthur then felt it his duty to resort to the most probable means of capturing them. The expedition, I may call it, was undertaken on a great extent, but was not successful. Afterwards, I believe, principally through the agency of a person named Robinson, they were induced to surrender, and were treated with great kindness, and I believe, with their own consent, were removed and placed upon the island which has been mentioned, Flinders's Island.

307. Were they removed altogether in a body, or in detachments?—In a body, I believe. They were not all captured at one time, but all taken on one occasion were removed and placed on the island.

308. Do you recollect the number?—The number was surprisingly small, considering the mischief they had done, but I think not amounting to 50. They were placed under the charge of Mr. Darling, of the 63d regiment, who took considerable pains, and with very great success, to reconcile them to their state, inso-much that I am persuaded their happiness and every point in which we could wish them well, were increased by the removal. Their life before that was miserable in the extreme, much more so I think than that of the natives of New South Wales, in consequence of the climate being more inclement; I speak only from hearsay. I learned when in Hobart Town that they had attached themselves

24 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

to houses, and appeared to be gradually assuming a more settled form of life than we had ever seen among them while they were left quite at their own discretion.

309. What is the extent of Flinders's Island?—I am not aware.

310. Do you suppose it to be so large as to afford them the means of indulging erratic habits if they chose?—Not to a very great extent, certainly.

311. Then you consider that they are necessarily become tranquillized?—It is certainly impossible for them to make those long excursions and expeditions which they were in the habit of undertaking, when they were quite unrestricted. I met with a Mr. and Mrs. Wilkinson, who were willing to undertake the charge of proceeding to the island, and endeavouring, as far as it laid in their power, to communicate instruction to these people.

312. Where did you meet these?—In Hobart Town; they were directed to me for the purpose, and I wrote a letter to Colonel Arthur recommending his engaging them, which he acceded to.

313. Were they in connexion with the Church Missionary Society?—I am hardly aware.

314. Is there any military force stationed on the island?—I believe there are a few soldiers under the command of Mr. Darling, of the 63d.

315. No European settlers?—Not settlers. The object of the lieutenant-governor in choosing the island, was that it was quite free from any European settlement.

316. Do you suppose that the object of the governor was to restrain them from the contamination of European communication?—I think I may say his principal object in removing them was to protect European settlers from the dreadful ravages of this people; but united with that was a strong desire for the benefit of the natives themselves, on which point I know that he felt very great anxiety; but certainly he was desirous of placing them where they were. Any effort that could be made for their improvement should not be counteracted by the evil example of roving people.

317. Do these natives of Van Diemen's Land assimilate in disposition to the inhabitants of New South Wales?—I have had very limited opportunities of seeing the natives of Van Diemen's Land, inasmuch as at the time I was there they were in a state of absolute hostility to the Europeans, and the great difficulty we experienced was to come near them to open any communication with them.

318. Would you consider them more ferocious?—They show more ferocity, but then I think they have been more provoked.

319. Do you suppose them to possess equal intellect, power of comprehension?—The craft and design which they display in attacking the houses of the settlers and effecting their mischievous purposes were so great, that I think they cannot be considered deficient in power of contriving and laying a plan.

320. Under the actual circumstances of their case, do you not conceive that these aborigines who have been deported to Captain Flinders's Island, are better placed with regard to the advantage of acquiring Christianity?—Unquestionably, in every point of view I think they are more advantageously placed.

321. Then you entertain reasonable hopes of their obtaining that blessing?—I should be very unwilling not to entertain such a hope; I have no facts, but I certainly do entertain a hope that they may, under the advantages of their present situation, have their minds opened to something beyond what has hitherto been exhibited among them.

322. But you consider the prospect so promising as to render it an imperative duty upon the Government to maintain amongst them some means of accomplishing the object?—I can only express a wish that there was a person strictly and decidedly ministerial in his character. The present person, I have no doubt, is a very well-intentioned and excellent man, but he has no ministerial character at all.

323. As one part of our inquiry leads to the conduct of the European settlers to the natives, do you think on the whole the European settlers in Van Diemen's Land have treated the natives only in a way that was to be expected from them; in a retaliatory way?—I fear that the original provocation was from the Europeans to the natives. The report which I have contains it. It is a report of the Aborigines Committee, which I drew up when on a visitation in 1830, and which was afterwards presented to the House of Commons, and ordered to be printed 23 Sept. 1831.

[The Report was handed in.]

3/1

Thomas Philipps, Esq., called in; and Examined.

301*. YOU are a colonist of the Cape of Good Hope?—Yes.

302*. In which of the districts do you reside?—In the district of Albany, the most eastern of the colony.

303*. Are you in any official situation?—Yes, as justice of the peace for the district.

304*. What circumstances led you to settle there?—In the year 1819, in consequence of a vote of the House of Commons, granting a sum for the purpose, in aid of sending out settlers to that colony, I accepted the proposal made by the Colonial Office, and in January 1820 sailed for that colony, with between 4,000 and 5,000 British subjects.

305*. Were you aware, before your departure from England, in what part of the colony you would be settled?—No, we were not; it was not suffered to transpire, and we were not informed of the exact spot until our arrival in Table Bay, when we were ordered to proceed to Algoa Bay, and there to disembark.

306*. Is Albany within the ancient boundaries of the colony?—Yes, it is; the Fish River was confirmed as the boundary of the colony in the year 1780; it was originally the country of the Hottentots, who once extended even to the River Kei; but they had been driven from it by the Amakosas, commonly called Caffres, who encroached on them from the east as the Dutch did from the west.

307*. Your account of the state of the country as possessed by the natives, in some degree differs from the evidence of Captain Aitchison, which you heard on Friday last; can you explain that discrepancy?—It is very generally supposed that at one time the country beyond the Fish River, even as far as the River Kei, was the territory of the Hottentots; all the rivers at this moment are known by Hottentot names; the Kei is an Hottentot name; the Caffres call it the Aeeba. They very gradually encroached on the country for the sake of plundering and of hunting; the last stand made against them was by a tribe of Hottentots, called Gonas, west of the Fish River; but being defeated, the principal part of the tribe retired northward; part, however, became incorporated with the different tribes of Caffres, and from them their history was obtained.

The residence of the great Caffre chieftain was always east of the River Kei, until one of them bequeathed his kingdom between two favourite sons; the eldest remained east of the Kei, and the youngest took up his residence far west. From them have descended the late chiefs Hinza and Gaika.

308*. When the emigrants took possession of their location, was it inhabited or uninhabited?—It was nearly uninhabited; there were a few Dutch farmers, who had been invited to settle there after the Caffres had been driven out of it. The year before, the Government had offered by proclamation liberal grants of land to those who would settle, but as few would accept the terms, from the knowledge of what former settlers had suffered from constant hostilities with the Caffres, it was determined to put in force a plan that was recommended, of introducing British settlers.

309*. By whom was this plan first recommended?—By Colonel Collins, in 1809, who was nominated that year Commissioner for inquiring into the state of the frontier. In his report, which is before the Committee, he states that all the frontier disputes have arisen from allowing the Caffres to continue their encroachments west of the Fish River, notwithstanding the convention of 1780. He recommended their final expulsion, and peopling the country with British settlers.

310*. Does the district of Albany adjoin the Caffre territory?—Not actually, for there is a tract of country between the Fish River and the River Keiskamma, which was declared by treaty to be neutral, and neither nation to inhabit it.

311*. When and by whom was that treaty made?—By Lord Charles Somerset in 1819, then the governor of the colony. The great object to be obtained was to prevent the Caffres from secreting themselves in the fastnesses and the thickets along the Fish River, from whence they used to make secret irruptions on the colonists; but I must be allowed to say I consider there were two errors in the treaty, from whence may be traced all the subsequent disputes. In the first

*Thomas Philipps,**Esq.*

3 August 1835.

Thomas Philipps,
Esq.

3 August 1835.

place, it was negotiated with one chief, the late Gaika; whereas the tract of country declared neutral only in part belonged to him, and the remainder to three other chiefs, who were never consulted, and protested against the plan. In the second place, the treaty was verbal, and from the boundaries not being clearly defined, numerous disputes and heart-burnings have arisen.

312*. You say that the Caffres were finally driven out of the colony the year before you arrived in it; had you any intercourse with them afterwards?—All intercourse of trade was strictly forbidden; but on the acting governor, Sir Rufane Donkin, visiting the frontier in 1821, a proclamation was issued, ordering a fair to be held at the military post of Fort Willshire, in order that the Caffres might procure, by open and friendly barter, articles they were in need of, and to put a stop to the contraband trading, which was increasing, and to which the neutral country, from being uninhabited, offered great facilities.

313*. Did that fair succeed?—Not at that time; it was postponed on the return of Lord Charles Somerset.

314*. How long after your arrival were the colonists free from Caffre depredations?—For above 12 months; but at one of the farms nearest the boundary, about that time, a boy herding cattle was murdered and the cattle stolen. Gaika was informed of the circumstance, and he discovered the murderer and the cattle; the latter were restored, and the former, after confessing his crime, was strangled by order of Gaika. For some time afterwards all was quiet, but in 1822 and 1823 robberies and murders increased to a very alarming extent.

315*. To what cause do you attribute these aggressions?—To a departure from the system of claiming restitution immediately upon the event, and to a change in the military proceedings, evincing to the bad disposed of the Caffres symptoms of weakness on our part, and inability to punish their aggressions.

316*. Did you make any representation on the subject of the aggression of the Caffres to Government?—We did, both to the governor and to the commandant, Colonel Scott, of the 6th regiment; but they were unheeded, the latter declaring he had not sufficient force to demand satisfaction and restitution. At length the settlers determined on an address to Earl Bathurst, a copy of which is before the Committee, in which they expressly declare their fears that the military measures which were then pursued towards the Caffres must, in the end, tend to a war of mutual extermination, instead of, by a contrary conduct, allowing the settlers to profit by their improvement and civilization. However, in the latter end of 1823, on the removal of Colonel Scott, and the death of Colonel Fraser, Colonel Somerset became commandant, and on arriving on the frontier he arranged a commando and went into Caffreland, and took a great number of the stolen cattle, and the settlement was once more freed from Caffres.

317*. You spoke of commandos; how are they regulated? What is the difference between them and patrols?—On a complaint being made by farmers to the civil commissioner of any loss of cattle, he forwards particulars to the commandant, who forthwith orders a detachment of the Hottentot corps, called the Cape Mounted Riflemen, to follow in the track, and from the nearest kraal of Caffres they are traced to, the officer demands an equal number to that lost. Although this plan was arranged with Gaika at one time, yet it follows frequently that the innocent are punished for the guilty, for the thieves are often so adroit as to mislead their pursuers, by driving the stolen cattle direct for another tribe's kraal, and then in the night-time taking a circuitous course to their own. This is the usual practice of pursuing, and is called a patrol: but when information has reached the commandant and civil commissioner, that there are a number of stolen cattle in any particular kraal far in Caffreland, he summons a number of Dutch farmers, and with such of the military as he may require, he proceeds with them to retake the cattle; and this movement, either on a larger or smaller scale, is called a commando. In the latter case, the two authorities must write to have the consent of the governor.

318*. Did you receive any reply to the representations that were made on the part of the settlers to Earl Bathurst?—Not direct; but it was referred to His Majesty's Commissioners of Inquiry, who arrived on the frontier in the year 1824. They immediately investigated our complaints, and, in order to do away with the non-intercourse system, they suggested the putting in force the bartering fair at Fort Willshire, which was before ordered by Sir Rufane Donkin: this soon produced

33
Thomas Phillips,
Esq.

3 August 1835.

produced the happiest result, being satisfactory both to the colonists and the Caffres; and when a freer trade was allowed by Sir Lowry Cole in 1829, a still more important traffic took place, which, when I left the colony last year, was mutually lucrative, and many British subjects were then living in peace and safety in the midst of Caffreland. There was, however, a dispute about that time, about the neutral country, which excited considerable alarm both to the colonists as well as Caffres.

319*. Can you state to the Committee the annual value of that trade?—I have a pamphlet, which I published on that subject, and the following is an extract:—
“The Caffre trade in the first 18 months after its opening, poured native produce into Graham’s-town, chiefly ivory, to the amount of 32,000*l.*, and it has now settled down into a steady but progressive commerce to the value of 34,000*l.* annually. The produce, besides ivory, consists of hides, horns, skins, bees’-wax, &c., and is conveyed to the colony for shipment at Algoa Bay. The traders have penetrated into the interior amongst tribes hitherto unknown, even to the tropic. They have established a considerable outlet for British manufactures in calicoes, kerseys, ironmongery, &c. &c., which they barter with the natives.

“The exports and imports of the Eastern Province, chiefly those from Albany, are as follows: from 1827, the year that Algoa Bay was first admitted to the advantage of general commerce:—

1828	-	Imports, £. 55,201.	- -	Exports, £. 41,290
1829	-	63,491	- -	59,300
1830	-	99,742	- -	60,828
1831	-	65,518	- -	65,351
1832	-	112,845	- -	86,931

“Until the settlers arrived, and the trade was opened, a few coasters only were employed; last year 2,000 tons of shipping were employed direct to England.”

320*. What was the dispute you alluded to above?—At different periods the Caffres had complained of a want of grass for their cattle, and asked permission to graze in the neutral uninhabited country; this was granted on their good behaviour. Pato’s tribe was allowed to come close to the Beka River, where they still remain faithful to the terms. Macomo and Tyali, sons of the late Gaika, were allowed to graze on the Kat River, but Government in 1830 ordered them to remove from thence, and settled a large body of Hottentots there, which for a time was a source of grievance; but as the two chiefs were allowed another part of the neutral land, they became satisfied. In November 1833, however, on the plea, as it was said, of stolen cattle being traced to their kraal, they were again driven back into their own territory.

321.* You spoke of the Hottentots being permanently located in the neutral country; was not that an infraction of the treaty?—This country has been as often called ceded as neutral; but I believe General Donkin, when he established the village of Fredericksburg in 1821, with the disbanded African regiment, arranged first with Gaika, who agreed that the country might be allotted to the military and British settlers, but he objected to Dutch farmers possessing any part of it; part has, however, been since allotted to the Dutch. We had not a free public press until of late years, and no written treaty being made, there are a variety of opinions on the subject of this country; it very often goes by the name of the Debateable Land.

322.* When were you in Caffreland?—I have been twice in Caffreland; the last time with Major Dundas, who was then our chief magistrate. The object was to gain a more perfect knowledge of them by personal acquaintance and inquiry. The first missionary institution we came to was Wesleyville, established by the Reverend William Shaw a few years before; here we witnessed the Caffres attending Divine service. The Chief Cobus Congo accompanied us throughout our tour from hence; we witnessed here also missionary influence in preventing a Caffre accused of witchcraft from being tortured, and probably murdered; his chief, Pato, was ill, and he was charged with having caused it. This man had become obnoxious, and was besides rich in cattle, all which would be divided amongst his accusers. From Mr. Shaw’s influence over the Chief Pato, he resisted all the importunities of his councillors to allow the ceremony to proceed; many of these superstitions have since been overcome, and the Caffres have rapidly improved in many respects. The Chiefs Cobus Congo and Kama have frequently visited me and dined at my table.

34

Thomas Philipps,
Esq.

23 August 1835.

and I have met many of the other chiefs at the houses of Colonel Somerset and Major Dundas, and at public places. The last time I saw Tyali, the chief who has headed the invading Caffres, was at a public ball given by the military. My firm and decided opinion is, that had the Caffres been better understood, had the system pursued towards them by Government been less vacillating, had written treaties been made with them, and had the recommendations of the Commissioners of Inquiry been put in force, the Caffres never would have had recourse to arms, and the dreadful loss of life and property would never have occurred.

323.* What were the recommendations of the Commissioners of Inquiry?—When they visited the frontier, they devoted a considerable portion of their time to the arrangement of a better border system than that which had at an earlier period deluged the colony with blood and crime, attended also with a vast expenditure. In consideration of the seat of government being at one end of the colony, 600 miles distant from the frontier, they recommended the division of the colony into two provinces, and a lieutenant-governor with a council for the eastern, for the purpose, as they expressed in their Report laid before Parliament in May and June 1827, of “preventing embarrassments in the executive;” “the importance of applying some consistent principles to the intercourse of the colonists with the Caffres, of preventing their collision, and of checking the desultory warfare that has prevailed along a considerable portion of the boundaries of the colony.” It is true that in consequence of this recommendation, General Bourke was gazetted as lieutenant-governor, and came out to the colony as such, but Lord Charles Somerset being called to England at that time, General Bourke remained at Cape Town as the *locum tenens* of Lord Charles; but on his Lordship’s resignation in 1827, General Bourke was recalled, and Sir Lowry Cole became governor. Before General Bourke retired, he appointed Captain Stockenstrom as commissioner-general, with powers, it is said, equal to a lieutenant-governor, but from some causes, unexplained, he was never allowed to act, and has subsequently retired on a pension. With the exception of allowing the trading licences to be extended into Caffreland, the frontier system remains the same as it did 11 years ago, when the commissioners so strongly advised an alteration, which alteration would have saved the colonists from rapine and murder, and the government from an enormous expenditure of money.

Mercurii, 5^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Thomas Philipps, Esq. called in; and further Examined.

Thomas Philipps,
Esq.

5 August 1835.

324. WHO was commandant of the frontier when the expulsion of the chiefs took place, which you have alluded to?—Colonel England of the 75th regiment, acting in the absence of Colonel Somerset, who was in Europe.

325. Has the commandant the power of acting of himself on such occasions, or must he consult with the civil commissioner?—They must consult together, and whatever they conjointly decide upon, is forwarded to the governor at Cape-town, who issues his orders accordingly.

326. Did the colonists approve or complain of the measure?—No approval certainly, for they had no motive; on the contrary, there was a very general feeling of alarm, and particularly for the traders and their families, who up to that period were living in safety in Caffreland, by consent of the chiefs, and by licence from our authorities.

327. When did the expulsion take place, and what time the consequent invasion?—The expulsion took place in November 1833.

328. And when did the invasion?—The invasion took place about 12 months after that.

329. What

35
 Thomas Phillips,
 Esq.

5 August 1835.

329. What do you mean by the invasion?—The inroad of the Caffres upon the settlement on the whole of the frontiers. In my opinion, this expulsion was decidedly the main foundation of the invasion, for very soon afterwards there was a very general discontent amongst the tribes. The traders were frequently ill-treated, and one of them deliberately murdered; to all with whom I conversed, it appeared impolitic and dangerous; it made such an impression on me, that on leaving the settlement two months afterwards, and meeting Colonel Somerset at Algoa Bay, on his disembarkation from England, I informed him of the circumstance, and he expressed considerable regret, and I am confident from what he said, that he would not have recommended the measure to the governor, or consented to it, had he been in the colony.

330. What do you consider was the proximate cause of their aggression?—A patrol was sent into Caffreland to recover some horses which had been stolen from the colony, but not finding them, the officer took possession of some horned cattle. This the Caffres resented, and pursued the patrol, encouraging one another to follow, stating that they knew the soldiers dare not fire upon them; they finally succeeded in recapturing their cattle after wounding the officer. The invasion took place in a few days after, but it is since evident, from the number of new made assagais which the Caffres were armed with, that they had been many months in preparation. In this affair a Sub-Caffre-chief was killed.

331. Have you, during the time you were in Caffreland, had opportunities of ascertaining the capacity of the natives to understand and to enter into treaties and engagements?—I had many opportunities of witnessing their shrewdness and capacity, but in order to secure their fulfilment of any treaty, it must be made quite apparent to them that we possess the means and the ability to punish instantly any infraction of it. I have seen them sit in their councils, and have witnessed cleverness in their examinations, and justice in their decisions. A few years back a circumstance occurred, of which at the time I published a concise account, and as it refers to what I consider a great act of justice and propriety on the part of the Caffres, I will, if the Committee allow me, read part of it; but I must premise, that on the traders being allowed to go into Caffreland, first of all, they were not well provided with waggons to bring out the produce which they purchased, and they were in the habit of hiring waggons for that purpose. A trader, whose name I do not recollect, hired of a son-in-law of mine three waggons, oxen, and servants to conduct the waggons; this man by accident, as it is hoped, shot a Caffre; he declared he did not know the gun was loaded; but he became so alarmed that he immediately fled out of Caffreland, and my son-in-law's servants, of course alarmed also, fled likewise. On their arrival in the colony and representing what had taken place, my son-in-law, together with my eldest son, determined immediately to go into Caffreland, about 165 miles in the interior, for the purpose of claiming their property. They did not apply to Colonel Somerset for military assistance, but simply for an interpreter, and it was granted. The Caffre that was killed was a subject of the Chief Boocho, and who is brother to the great Chief Hinza, and whenever a Caffre is killed, it is in the power of the chief to demand the property as a kind of deodand, in the same light as we use it. The narrative which I published I will now read:—"The conduct of Boocho, after the loss of his man, was truly laudable, and worthy of remark, as it exhibited traits that ought to have been encouraged. He no sooner heard that the trader had absconded, than he dispatched messengers to the mission village of Butterworth, recommending some trustworthy person being immediately put in charge of the property, three waggons, oxen, and a quantity of merchandize, which he had left behind; the oxen and waggons belonged to a person near Graham's-town, who accompanied by a friend, hastened to the spot to claim them. After being informed that they were in no way connected with the delinquent, excepting in having hired him the waggons, the chief received them with great kindness, and ordered a council to be held on the subject the following day. Accordingly, between 100 and 200 armed warriors attended at the time appointed, and the whole day was spent in debate, with the view apparently of securing a forfeiture of the property. Great acuteness was evinced by some of the amapagati, (that is councillors,) in endeavours to prove a connexion with the trader, and 'you belong to him; you are his servants; you are employed by him, who has killed one of our people,' were frequently reiterated. A division at length arose, which the interpreter feared would not be confined to words; happily, however, this passed off, and it was finally adjudged that the property should be immediately restored to its rightful owner." The result of this affair, as far as regards

36
Thomas Philipp,
Esq.
5 August 1835.

30 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

these barbarous neighbours of ours; as we are taught to consider them, evinces in the strongest light the benefits of a change of system, as well as the happy effects produced by the missionary settlements amongst them. The institution of Butterworth was established about three years since, at which time Boocho was a lawless character, and, from a difference between him and Hinza (his brother), had deserted his country with his followers, and became a freebooter. On his return he gradually became more inclined to listen to reason; and now, at the moment when the death of one of his subjects might have almost warranted the seizure of the property as an indemnification, he refrains, and desires that it might be taken under the care of those who he saw were spreading peace and knowledge among them; and in the subsequent council which he had ordered to assemble, we see two individuals unattended by authority or force, surrounded by such a number of armed warriors, some of them exasperated by the loss of a friend, successfully pleading their cause, and after a thorough investigation of their claims obtaining indemnification to the fullest extent. I would likewise mention that there were five oxen missing, that had been conveyed away, and could not be found. On demanding restitution of the whole of the cattle, the chief councillor ordered an inquiry into the matter, and not being able to discover where they were, ordered a number of cattle equal in value to be given to my son-in-law to what had been taken away from him.

332. You do not at all doubt that they possess intelligence and capacity to enable them to make treaties with us?—Certainly not. I think they are perfectly able to enter into treaties, but I repeat that we must show them that we have the power of punishing any party if they do wrong.

333. There is no deficiency of understanding which should disqualify them?—Certainly not.

334. Do you find on other occasions, in which you have had intercourse with the Caffres, the same honesty as you have mentioned in that instance was exhibited?—No; I have not seen anything more in which the colony was concerned, but I have seen them decide questions among themselves, and particularly on the robbery of cattle, one tribe stealing from another.

335. You say that the licensed traders go into the Caffreland, what is the general description of those persons?—There are some of them highly respectable, but others again of rather an indifferent character.

336. Were the majority of them respectable or disreputable persons?—I think the majority of them were respectable. The licensing system does not enable the civil commissioner to have a proper knowledge of all those who do go in; for instance, a respectable person may apply for a licence, but the servants he may take in often set up for themselves afterwards, and their conduct cannot always be relied upon.

337. I suppose any person almost can obtain a licence to go into the Caffreland?—No; the civil commissioner is particularly strict in issuing his licences.

338. Who do you mean by the civil commissioner?—Captain Campbell is the civil commissioner, who is resident at Graham's-town.

339. Do you ever hear of any acts of wanton cruelty committed by those traders in their journies to the Caffreland?—I never heard of any wanton one; I have no knowledge of one; I certainly have heard of their not treating the Caffres in a proper manner, making use of vulgar expressions which the Caffres considered derogatory to their character. Caffre expressions I mean, which they considered to be bad expressions, particularly by calling them "dogs;" that is particularly objectionable to the Caffres, and some instances of that kind I have heard, but I have never heard of any gross outrage.

340. Is it your opinion that the trade with the Caffres will revive?—Yes, I have little doubt of it; but the entire system must be revised, and an agent must be appointed solely to superintend and make arrangements for the trade, which would be of the greatest advantage as well as safety to all parties concerned.

341. Is it your intention to return to the colony?—Yes, I intend to return very shortly, for I feel great confidence that the true value of the settlement will now be properly appreciated; that the often-repeated complaints of the colonists will be at length attended to; that a regular and systematic intercourse will be established with the neighbouring tribes, with whom it is the interest as well as inclination of the colonists to live on good terms.

342. Do you think, if a system of justice were established with regard to the natives,

37
 Thomas Philippi.
 Esq.

natives, that it is likely to lead to considerable increase of trade?—I have not the least doubt of it. It was progressing most rapidly when I left.

343. You think that trade is likely to be a trade of real value?—Considerably so, to both parties.

344. Is it the desire of respectable persons in the colony, that facilities and encouragement should be given to traffic?—Unquestionably so; there is not an individual that does not wish it.

345. Do you think the system hitherto adopted with regard to the Caffres, has tended to check the increase of trade?—It has not tended to restrict it; at the same time I look upon the system adopted as tending very greatly to injure the Caffres, and annoy them, and prevent them going forward in the way they otherwise would if they were left quiet and with no cause of complaint; an undeviating and determined system is alone wanting.

346. Are all your communications with the Caffres regulated by military men?—Together with the civil commissioners; on complaint being made to the civil commissioner, he applies to the military, or upon complaint being made to the military, they apply to the civil commissioner, and whatever they decide upon for the purpose of entering or expelling, or anything of the kind, they apply to the governor besides, who can only judge according to their representations, living at such a distance as he does.

347. At what distance does the civil commissioner reside from the governor?—He resides at Graham's-town, which is close to the frontier, and 600 miles from the residence of the governor.

348. The civil commissioner acts now in the way that the landroost formerly did?—Yes; but there is much more business allotted to him than he can possibly attend to. It is impossible that he can give any great attention to what takes place out of the district; he has enough to do in it; twice a week he sits as a magistrate, to hear and determine cases, which office, until lately, occupied the whole time of another gentleman, who retired on a pension on the office being abolished by orders from England. He is the collector of the taxes, and the Government agent; we have no municipal regulations in the town, and consequently he is obliged to attend to water-courses and roads, the prisoners condemned to hard labour, and a variety of other things, which prevents him giving his attention to anything out of the district.

349. Do you think anything would tend so much to promote the trade between the Caffres and ourselves, as just treaties faithfully executed?—That is alone wanted.

350. Do you think that the Caffres, if we were to make with them fair and just treaties of this description, would be disposed to abide by them, and therefore to furnish us with assistance rather than be the aggressors?—Most undoubtedly, in the way I have before mentioned; our conduct must be kind, but determined; punishing them for their faults, and rewarding them for their observance.

351. You stated you had noticed the expulsion of the Caffres to the new governor, Sir Benjamin D'Urban; what took place upon that occasion?—In the first interview which I had with the governor on his arrival from England, his Excellency requested me to give him in writing my opinion of what could be done towards an improvement of the frontier system; in doing so, I noticed the expulsion and my fears for the consequences, but I certainly did not contemplate at the time the very extensive invasion which has since taken place. My propositions were based on the recommendation of the Commissioners of Inquiry alluded to in my former evidence, together with advising written treaties to be furnished in the English and Caffre languages, defining boundaries and laying down regulations, to be altered, as circumstances might require, at a general annual conference of all the chiefs and the colonial authorities. His Excellency stated to me that it was his intention to go up to the frontier as soon as he possibly could, but I have since heard that he was prevented going up until after the invasion took place, waiting for some public documents respecting slavery from England. I may likewise mention, that on my arrival in England I had an interview with Mr. Stanley, then Secretary for the Colonies, who expressed himself extremely anxious that the governor should have gone to the frontier, stating to me that it was his last injunction to him that he should do so; in short, I found in both the governor and Secretary of State there was a considerable degree of anxiety upon the subject of putting an end to the unpleasantness that took place constantly with the Caffres, and that the complaints we had made had begun to make an impression everywhere; and I learnt

5 August 1835.

Thomas Philpotts,
Esq.

5 August 1835.

that previous to Sir Benjamin D'Urban leaving this country, Colonel Somerset being then in England likewise, and Colonel Bell, they had frequent conversations at the Colonial-office on the subject of the best method of putting an end to all the troubles that had continued so many years on the frontiers.

352. I have asked you whether written and just treaties would not further commerce; would it not also tend to reduce the large military expenditure we have in that colony?—We have a very considerable frontier to defend, and I certainly do not think we could spare the military force. I do not think the Caffres are sufficiently advanced as to be bound by any treaty that could be made without seeing we had a force equal to theirs in enforcing the obligations of it, but I think that the military force ought to be very much altered to what it is at present; the infantry are of very little use in any kind of Caffre service, and from the very small number of the Cape Mounted Rifle Corps, both men and officers are in constant activity and much harassed. If this corps was increased, we might in a short time reduce the number of infantry; the horses in this corps are bought at a cheap rate, and the establishment altogether is on a plain and economical scale. It must be remarked that there is only one regiment of infantry employed on the frontier, and that there are two kept at Cape-town where no active service is required.

353. Do you not think if trade increased, that the natives will feel so much benefit from that that it will render them more pacific?—Most certainly.

354. If Albany was well settled from Europe, would not a militia force stand very generally instead of the regular infantry corps?—Certainly; we are deficient in numbers; we want an additional number of emigrants to fill up the country with a denser population.

355. I think from the view you have taken of the subject, you mean to say that immediately you could not diminish the force, but suppose the question to be whether it would not ultimately have that effect?—No doubt, it would, in proportion as you bring them to trust and have confidence in you, but the late rupture will prolong the period; the great evil has been the absence of anything like consistency on the part of Government in forming a frontier system; it has been so vacillating that the Caffres place no confidence in our conduct towards them, at one time ordering our troops to fire on them wherever they were seen, and at another, not even to fire in self-defence.

356. Had you many opportunities of observing the conduct of the missionaries?—Yes; I had. The missionaries who were in that part of Caffreland which I visited, are all of the Wesleyan persuasion, and I do consider that they have made much progress; it was from what I witnessed of their labours in Caffreland that I became a subscriber to their missionary meetings, one of which is held annually in Graham's-town, where the missionaries all meet and consult with each other about their future proceedings. The missionaries who reside amongst the other Caffres are principally belonging to the Glasgow Missionary Society, and I have no personal knowledge of them or their labours, it is in a different part of the country to what I visited.

357. Were they all Wesleyan missionaries whom you saw?—All, with one exception, Mr. Brownlee of the London mission.

358. Are you a member of the Methodist persuasion?—No, of the Church of England.

359. Is there any peace party among the Caffres, or any division among the Caffres? Is there not a portion of the Caffres anxious for peace?—Yes, the Amagonaqueve tribe, of which Pato and his brothers Kama and Cobus Congo are the chiefs; they have behaved uncommonly well; they have even joined with us against the other Caffres.

360. What missionaries did you know at Graham's-town?—Those settled in Graham's-town at present are, Mr. Shrewsbury of the Wesleyan, Mr. Davies of the Baptist, and Mr. Munro of the London Missionary.

361. Do you know Mr. Read?—I have seen him; he resides at the Kat River with the Hottentots.

362. Did you know Dr. Phillip?—Yes.

363. Well?—Yes, very well; he resides at Cape-town; he comes up once in two or three years into our part of the country; I generally see him then.

364. Do you think that the missionaries might be made of considerable use in our intercourse with the Caffres?—They generally decline to have anything to do in any other way than as missionaries in spiritual concerns; combined with Government agency, has created often a great jealousy with the Caffres; they were once united

united in the person of Mr. Brownlee, who was a missionary, and also a Government agent, and in consequence he was frequently asked to do things which very much interfered with his spiritual avocations, and created a jealousy with the Caffres, and that made him give up the appointment.

365. My question is this: do you think the intercourse of the missionaries with the natives, and the influence which that confers upon the missionaries, would have a tendency to increase the influence of the British Government amongst them?—Most undoubtedly; I think it is owing to that very influence that so many lives have been saved, for the Caffres, in the first instance, after the invasion took place, cruelly murdered the traders in every direction they could be found, but those that fled to the missionary institutions were saved; and subsequently 100 individuals at one time came in with the missionary safe to Graham's-town, under a military escort sent for them.

366. Are you aware in the late insurrection that one of the chiefs refused to come to us till he had the word of a missionary pledged to him?—I have heard that account, but only from what I have seen in the public reports.

367. Do you think that the missionaries were the means of saving a considerable number of lives during the late insurrection?—I have not the least doubt of it.

368. As far as you know, has facility and encouragement been given to the missionaries by the British Government there?—Certainly, I think they have no reason to complain in any way; they have perfect facility to do as they like.

369. You have stated among the Caffres that there is a peace party, or a body more favourable to peace and trade than another; will you state what that party is called?—The Amagqueve tribe I have before mentioned.

370. Are they at all a powerful and influential body?—Their number is about 7,000, and amongst them the first missionary settled, and there is greater proof of improvement in that tribe than in any other of the tribes of Caffres: although I attribute that to the very excellent conduct of Mr. Shaw, who went in among them.

371. When you speak of the use that can be made of missionaries, and the benefits they confer, the Committee want some information as to the mode of proceeding adopted by them, with reference to the instruction as well as the conversion of the natives?—I cannot say much upon that subject; my stay at the different institutions was very short; they consist of missionaries who attend only to their spiritual wants, a missionary artisan to superintend the buildings in the institution and the agricultural pursuits, and a schoolmaster to instruct the youth.

372. Is the object of the mission generally to instruct and inform the people, as much as the conversion of them, or the reverse?—Certainly as much as the conversion.

373. And practically speaking, have moral habits and state of information among the tribes most subject to the exertions of the missionaries proportionally improved?—The progress of civilization and improvement in a wild untutored nation must necessarily be very gradual. Adults are very slow in adopting new ideas to those in which they have been brought up; it is only with the young that any very sensible effect can be produced. There is one remarkable instance in the Amagqueve tribe, of whom I have before spoken. Kama, the youngest brother, has shown decided proofs on this head; he is considered by the missionaries as being completely converted, and it is apparent to all that in his outward conduct he conforms to all the rules and regulations of civilized life; and contrary to the practice of his brothers and all other chiefs, he is not a polygamist.

374. Do you attribute the improvement which you have spoken of mainly to the exertions of the missionaries, or to the progressive extension of peaceful habits and commercial habits?—Both circumstances; and, in my opinion, the two go hand in hand.

375. Do you think the peaceful habits are themselves a good deal owing to the conduct of missionaries?—Certainly.

376. You have stated that one of the chiefs would only put trust in the word of a missionary; do you mean to say that the agents of Government have not the same authority or influence, and that the same reliance is not to be placed upon their word generally as upon the word of the missionary generally?—The circumstance which the Chairman just alluded to I have only seen in the newspapers, and I forget the circumstances attending it. In reply to the last part of the question, the missionaries certainly possess greater influence than any messenger sent in by Government.

60

Thomas Philipps,
Esq.

5 August 1835.

377. How is the messenger recognised; as the official agent of Government?—They are not the official agents of Government, they are generally interpreters; Hottentots who understand the Caffre language, or Caffres who understand Dutch from having lived with the farmers.

378. Supposing the fact to be true, might it not arise from the natives having a particular acquaintance with the missionaries, and no particular acquaintance with the agent in question?—Yes.

379. Within your knowledge have the natives manifested any want of confidence in the agents or the officers of the British Government in the colony?—I have no opportunity of knowing that, though I held an official situation. The whole of the intercourse between the Caffres and the colony is conducted by the civil commissioner; nothing is published, and we know nothing of what transpires between him and the commandant. I know in one instance some Caffre chiefs, a little before I left the colony, refused to come to a conference when solicited. The circumstances, as I understand were these: a day had been fixed for some of them to meet the civil commissioner and the commandant at Fort Willshire. In the meantime the Fish River had risen so high as to prevent those gentlemen from crossing it; a future day was subsequently named, but the chiefs refused to come, alleging that when they last came in they were treated and rationed like common soldiers, and were not even allowed to sleep in the barracks; they therefore should not attend until Colonel Somerset returned, as he always treated them as chiefs, and provided them with a house to live in.

380. Do you think that the confidence on the part of the natives in the British Government has been increasing or diminishing with reference to the policy of the last few years?—It has, I think, been evidently diminishing of late, and that has led to the late irruption.

381. Is Dr. Phillip, of whom you have spoken, a very active missionary?—He resides at Cape-town. We have seldom an opportunity of seeing him.

382. Does he go much into the interior, and mix with the natives?—About once in two or three years; he comes then from Cape-town, and takes his rounds.

383. What district does he embrace in his journey?—He visits all the Hottentot institutions. He does not go into Caffreland; I do not know that he ever was there. He goes up northward amongst the Griquas; that is a part of the country I know nothing of.

384. Do you think that more missionaries might be well and beneficially employed than are at present employed there?—This invasion will necessarily curtail the stations. They were very numerous in Caffreland; they extended from one end to the other. Until the sensation has subsided in regard to the invasion, it will be difficult to find employment for those who are now in the colony. The Wesleyans have lately sent some of their missionaries rather more to the north, but only temporarily, until affairs are more settled with the Caffres.

385. Are there any missionaries of the Church of England?—None whatever.

386. Do you happen to know whether any of the missionaries lost their lives in the late insurrection?—Not one.

387. To what do you ascribe that, in such a state of danger as they were placed?—To the influence which they have over the tribes, which arises both from the civil and religious benefits which they confer.

388. Were any of the traders murdered or killed in the late insurrection?—Yes, a number.

389. Were not some saved by the missionaries?—On going to the missionary stations, they were saved; they ultimately came in with the missionary in safety under a military escort sent for them.

390. Then their own lives were not only saved, but they were the means of preserving several of the traders?—Certainly.

391. Owing to the influence which they possessed?—Yes.

392. Was there not some regulation a few years ago by which the Caffres were allowed to come into the colony as servants?—Yes, there was.

393. Will you explain the regulation?—There was an ordinance passed, allowing several tribes named to come in under certain conditions; it did not only allow the Caffres, but all the tribes round about the frontier, to come into the colony as servants.

394. Did any of the Caffre tribes come in at the same time?—Yes.

395. Did not the settlers complain very much of the ordinance, namely, that having

having brought the younger branches of the Caffre family into the colony, and received them for a year, and taught them a great number of useful arts, and made them useful servants; did they not complain of the ordinance, that it obliged them to send these Caffres back into the country again?—No, that was not the case; the Caffres were not long enough in for the colonists to have any complaint of that kind made. The ordinance provided that no engagement should be made for more than a year, not that the Caffres should be sent back after a year. The complaint against the Caffres was, that several robberies of cattle took place at that time; and it was reported to the civil commissioner that the Caffres, on completing their time of service, seldom went out of the colony without taking a few colonial cattle along with them; in consequence of which, it being represented to the Governor, an order was given to prevent the Caffres coming in future.

396. Are you aware of the length of time it took between the period of the last irruption of the Caffres and the time the Governor was able to take the field to repel it?—The irruption took place at the latter end of December, and he was not able to obtain a sufficient force to retaliate and recover the cattle till late in March or April. I do not think he left Graham's-town till that time.

397. During that period, if the Caffres had not been intent upon plunder, might they not have overrun the colony with the immense force they had?—Certainly, they might; had they not been intent upon mere plunder, and returning back to secure the cattle they had taken, they might have gone over a great part of the colony before a force could have been collected.

398. Do you not think it desirable that there should be a local sub-governor at Graham's-town to hear the complaints of the Caffres as well as the colonists, and to decide between them, and not to refer 600 miles' distance to have those questions adjudicated?—Most undoubtedly. It is impossible for the governor at one end of the colony to form a just estimate of what is necessary; he must decide according to the letters which he receives from parties on the spot, and from information given to him, which is often confictory and, of course, perplexing.

399. Are you aware that a petition has been presented to Parliament from some of the settlers of Albany, who are now in London?—Yes.

400. Did you know many Caffres who were in the service of the colonists?—Yes; I had several myself.

401. I do not ask with regard to yourself particularly, but generally; was there much care taken as to their moral and religious education?—None could possibly be taken, they were such a very short time with us; I do not think they were six months before the ordinance was repealed with regard to them.

402. Were the colonists in the habit of teaching them useful arts?—Yes, at least, agricultural ones; I have seen a Caffre boy, in the course of a few months, plough as well as a Hottentot who has been longer accustomed to it; this lad was in my service; they are very expert and clever, particularly the young men.

403. Are there any tribunals among the Caffres?—Yes, very regular ones, in my opinion.

404. You have spoken of their equity in adjudicating upon a matter of difference between your son and a Caffre; does that equity seem to extend to transactions between themselves as strongly as it was extended in the transaction to which you alluded?—Yes; I have seen an instance of a man who was accused of assisting in the robbing of cattle that were stolen from three different kraals, and he had of course a great number of accusers, and Gaika's brother, who attended as the judge, took compassion upon him. I had an interpreter close to me, who interpreted every word that he said; he took the part of the prisoner and very much wished to have spared him, and that he should not be punished so severely as his accusers claimed, for they make the offending party restore eight or ten for every one stolen. The chief, in this instance, appealed to their passions; he said, "You will ruin him; he has got a large family, and you will ruin him, if you insist on his giving up such a number for those which he has taken." The answer was, "That he had given them great trouble, that he denied having taken them, and that he had produced their skins disguised, and if he had not acted in that improper way, they would not have claimed the full penalty." At last the chief said, "I see I can do no good for him; I must therefore decide that he must be fined the full number of cattle claimed."

405. When you say the order confining the Caffre servants to the limited engagement of a year, do you imply that at the end of the year the Caffre was to

41
Thomas Philipps,
Esq.

5 August 1835.

42

Thomas Phillips,
Esq.

5 August 1835.

quit the colony; or that he was only at liberty to make a new engagement?—That he was at liberty to make a new engagement.

406. There was no obligation on him to quit the colony?—None.

407. What was the motive?—It originated in a very good one; because in former times making an engagement with a native, upon one pretence or other, it became a perpetual bondage; this ordinance directed that no engagement should be for a longer period than one year.

408. Do you think the objections started to the system were real, or did they arise from a desire in any degree to get rid of this limited ordinance?—Only with regard to the Caffres; the Bechuana tribes and others are still allowed, and we experienced very great benefit from their labours, as they are most faithful servants.

409. The objection was that they had stolen cattle when they went away?—Yes.

410. And that was one of the causes of the putting an end to the system of limitation?—The governor, Sir Lowry Cole, was on the frontier at the time complaints were made, and he took pains to inquire into the charges, when it was determined that the Caffre tribes, from being such near neighbours to the colony, possessed too many opportunities of plundering the colonists, and they were in consequence prohibited from coming in as servants in future.

411. With respect to the aborigines on the frontiers of the colony generally, are there not inhabitants or settlers there who are acting and interfering improperly?—There is no interference in our part of the colony.

412. Is there any proportion of the colonists who are to be considered as in a state of outlawry, not being entirely under the control of Government, and who are the cause of irritation and excitement?—Not in our part of the country, certainly.

413. In any other part of the country?—Not in a state of outlawry; but I have heard that towards the north, the Dutch have frequently crossed the boundary of the colony, and interfered with some of the northern tribes, but merely in the case of grazing of their cattle, not in any other act of aggression.

414. Is it confined to Dutch settlers and their descendants?—We have no English settled in that part of the country.

415. Have you ever heard of their forming hunting parties, and injuring the lands of the aborigines, and injuring the inhabitants?—No, never, except as I before said in encroaching upon their grazing land, when a drought is experienced in the colony.

416. Are you acquainted with the work of Mr. Kay?—Yes; that is, I have seen a review of it in the Edinburgh.

417. Are you acquainted with the statements that he makes in his work upon that subject?—I never heard of them, and I cannot say if they are founded on fact. The Dutch have among themselves certain authorities who are called veldt-cornets; they would immediately report to the Government if anything of that kind occurred, through the civil commissioner; it is a part of the colony 400 miles distant from where I reside.

418. Have any exertions ever been made either by the colonists or Government to obtain an accurate knowledge of the native language of the inhabitants?—The missionaries have succeeded in the Caffre language I am told remarkably well; the Caffre Grammar is published, and several of the chapters of Scripture have been translated.

419. Have they been so successfully translated as to be useful amongst the lower classes, or those supposed to be least informed?—I should think so.

420. The object of the question is to ascertain whether they are successfully translated into mere colloquial language?—Most undoubtedly; I will mention an instance: Mr. Theophilus Shepstone, the son of a missionary, was with his father at the first establishment of Wesleyville in Caffreland; being very young at the time, he acquired by mixing with the Caffre boys a perfect knowledge of the Caffre language, in which he was encouraged by his parents, and he became as perfect in it as in his own; subsequently he was employed at the missionary press in arranging the printing of the Grammar and portions of Scripture; and in the late invasion he attended the governor as interpreter, and when the treaty was made with the Chief Hinza, he explained every article of it to him in the Caffre tongue, and the chief acknowledged he perfectly understood what he was going to agree to, and signed accordingly.

421. Is there any one who is capable of forming a competent judgment of the translation

43

translation of the Lord's Prayer into the Caffre language?—Yes; there have been so many that there is certainly no doubt upon the subject.

Thomas Philippe,
Esq.

5 August 1835.

422. As to the translation itself, is it so translated as to produce the same effect on the mind of a moderately informed Caffre as it would produce on the mind of a moderately informed European?—I have no doubt of that; I have attended Divine service, read in the Caffre language, at Wesley village, where the Commandments particularly were read in the Caffre language, and the responses were made by the Caffres themselves, and their chiefs behaved in a proper manner. Not knowing the language, the only way I could possibly judge that they understood it was, that they seemed to be affected by what was read to them, and to be extremely attentive: this was at an early period; great improvements have been made since.

423. Is the Caffre Grammar published in London, or confined to the colony?—It was published in the colony, but I think at the Wesleyan Mission-house there is one.

424. Have the Moravians a missionary establishment of any sort on the frontiers?—They have one Hottentot establishment there, and likewise an establishment amongst the Tambookies, another tribe.

425. Have they been very successful in their endeavours to civilize?—I have no knowledge of that, never having visited any of their institutions; they are situated at a great distance from my residence.

426. Do you not think that the missionaries form a connecting link in the chain of civilization and intercourse between the colonists and the Caffres, and other tribes?—Certainly.

427. Not only a connecting link, but do you not think that the advances made in civilization and intercourse might be very much injured, supposing the missionaries were to be entirely withdrawn?—Certainly; and I will give one reason: our Government has not interfered in any quarrel that has taken place between the traders and Caffres out of the colony; any little misunderstanding has been frequently left to the decision of the missionary, or some connected with their institution; and on that account I consider the missionaries are a useful body, even in that way; so long as Government will not interfere, and until an appointment of an active and efficient individual is made to examine into the quarrels that do take place. The missionaries dislike interfering in temporal matters, and their influence is lessened by it; it is best preserved by wholly abstaining from being involved in either Government or any other service but their own.

428. Are there any distinctions established at the colony, between white and coloured people?—None whatever.

429. Do you mean that a native is not excluded from any privilege on account of his colour?—Certainly not now.

430. Does any process of amalgamation between the Europeans and the native race ever take place?—Very considerable; the race between the Dutch colonists and the Hottentots are very fine active people; they are called Baastard Hottentots.

431. Are there any legitimate marriages between the Europeans and any of the mixed blood?—Yes, amongst many of the slaves. I know instances where respectable individuals have married their slaves; that is, with those where there is a great approximation to European colour; I know of none, as to any completely dark colour in our part of the country; but in the Dutch part, there has been a greater amalgamation. Mr. Read, the missionary, is the only European who has married a Hottentot woman.

432. Has there ever existed any amalgamation as to the tribes called the Caffres?—No, none whatever.

433. You stated that there are no legal distinctions; are there any social distinctions prejudicial to intercourse founded on colour?—No; I think less in our colony than any other. I have seen slightly coloured ladies and gentlemen in the same room with Europeans; everything depends on their education and conduct.

434. Would it be thought an affront to an European to be invited to meet a native man of colour?—No, certainly not; provided his rank in society was the same; there is no distinction of that kind.

Captain Aitchison, called in; and Examined.

435. HAVE you in your possession any instructions that were given to you upon going into the Caffre country as the commandant of patrol?—I have two, which I have received on different occasions.

Capt. Aitchison.

Capt. Aitchison.

5 August 1835.

436. Read them?—The first is dated Fort Beaufort, 16 June 1830: “Captain Aitchison will take the command of the division now assembled at the new post; Captain Aitchison will receive from the chief (Charlie), who has offered to accompany the commando, guides to the kraals, whose Caffres are supposed to have committed depredations on the colony. Charlie’s Caffres are to conduct Captain Aitchison to the said kraals; Captain Aitchison will then secure the cattle of those kraals, and drive them off in the direction of the old waggon drift on the Keiskamma, where he will join the central division under the commandant of the frontier. Captain Aitchison will inform the Caffres at the kraals, where he seizes cattle, that he has orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained.

“Should the Caffres make resistance or offer any attempt at hostilities, Captain Aitchison will fire upon them, and resist every attempt that may impede the execution of these orders.

“H. Somerset, Colonel Commandant.”

437. I see that there an engagement was entered into, that Caffre cattle should be returned; was there any Caffre cattle taken?—Yes, I took upwards of 1,000.

438. Was there any other Caffre cattle taken by any other party?—There was one party, commanded by a field commandant, named Peter Ennis, who took 1,100 head.

439. Were those cattle restored according to the promises that were given?—I believe not.

440. Were any of them restored?—I believe not.

441. How many head of cattle had been stolen by these Caffres, there being 1,000 on your part, and 1,100 taken by another party?—The order was merely that I should drive off all cattle from the different kraals, for the purpose of selecting only those which could be identified as having been stolen from the colonists.

442. How many head of cattle had been stolen?—I am not aware.

443. You took them with the intention of keeping only such as belonged to the colonists?—Such was the order.

444. As far as you know the whole sweep was retained?—Yes.

445. Be so kind as to read the other document?—

“Graham’s Town, August 1, 1830.

“Instructions to the Officer commanding the Patrol proceeding to Passie’s Kraal.

“The officer commanding the patrol will proceed to Passie’s kraal, near the head of the Buffalo River, and will there seize upon 148 head of cattle, stolen by the Caffres from a farmer named Panord. The herd belonging to the cattle having been murdered by the Caffres of Passie, the officer commanding the patrol will at once proceed to seize the cattle, and upon the slightest disposition or attempt at hostility or resistance, he will order his party to fire upon the Caffres, and make a severe example of them.

“The patrol will seize any cattle that may be at the kraals of Passie without any reference as to their being colonial or Caffre cattle; but should Passie’s Caffres produce the actual cattle belonging to the farmer, the officer will receive them. Upon the cattle being secured, the officer commanding will proceed with them direct to Fort Wiltshire, or Fort Beaufort if more convenient. The farmer Panord is to accompany the patrol, in order to identify his cattle, if necessary. The officer commanding the patrol will communicate by express to the commandant immediately on his return at either of the posts, or upon an earlier occasion, should he find it necessary to do so.

“The officer commanding the patrol will be careful to conceal as far as possible from any of the Caffres the object of the patrol assembled.”

“H. Somerset, Colonel Commandant.”

446. Were you acquainted with the character of the colonists who were in the habit of going into the Caffres’ land to trade with the natives?—Not personally.

447. Do you by reputation know what character they had?—Yes.

448. Do you think that their reports of the conduct of the Caffres ought to be received with considerable caution?—Certainly.

449. They

449. They are a class of people on whom great reliance could not be placed?—
Yes.

450. We have heard that 1,000 and 1,100 head of cattle were seized; how many more do you believe were seized in the sweep?—No more. I believe our party, and the other party I alluded to, were the only parties who took cattle.

Capt. Aitchison.

5 August 1835.

Mercurii, 12^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Andrew Stockenstrom, Esq., called in; and Examined.

451. WHAT was your office at the Cape of Good Hope?—The last office I held was that of Commissioner-general of the eastern division of the colony.

452. Are you aware of the objects of this Committee?—I am from having seen it in the newspapers. I beg to mention I must preface any evidence I may give with this observation, that I am now nearly two years and a half away from the Cape of Good Hope, and know nothing of what has occurred since, because I hold no communication with anybody, directly or indirectly, belonging to any party whatever, except private friends and my family; but at the time when I considered it necessary to withdraw myself from the public service of the colony, I made representations to the Government stating my motives for so doing, and I wrote several letters to the Secretary of State, which embraced all my views with reference to the frontier, with reference to the natives, and with reference to the office I held. I am ready to give any information which the Committee may require, and most anxious to do so, because I see nothing in it that I cannot state with perfect fairness; I belong to no party, have no views to gratify, and I am now unconnected with the service. I should think it would be best for the Committee to have those documents, they are letters directly directed to the Secretary of State; I know he will be most happy, if they are not already here, to grant them, and without them I do not see how it is well possible to proceed without confusion, for in two years and a half I have been travelling all over the world almost, and having no connexion with any party at the Cape whatever (my letters being only from private friends), I know of nothing that has been passing there except what I see by the newspapers. My letters to the Secretary of State are so full on the subject, and detail my views so completely, if the Committee would read them, out of them various questions would result for the sake of elucidation which I should be most happy to answer. I beg to say at the same time, it will be necessary for me to have the letters, as I have only the dates of them, which I am ready to give now; but without the letters I do not see that the Committee can proceed regularly.

A. Stockenstrom,
Esq.

12 August 1835.

William Parker, Esq., called in; and Examined.

453. WHEN did you go to the Cape of Good Hope?—In 1820.

454. When did you return?—8th December 1822.

455. Do you know anything of your own knowledge since the date of 1822?—No, only by correspondence.

456. Did you go out as a settler?—I went out as a settler, at the head of the largest party of all the settlers.

457. Where were you located?—I was first desired to take lands at Clanwilliam, a sub-district of Tulbagh.

458. Where subsequently?—Then I was desired to take possession of the long cultivated lands of the Hottentots.

459. Where were you settled?—Nowhere; I was partly located, but some events which occurred in the colony deranged the whole system of emigration.

460. State to the Committee what facts you know of relative to the violation of the neutral territory in 1820?—When the lands were found totally inadequate at Clanwilliam for the location of any large party of settlers, the Government proposed to move a large portion of them to the Zuur Veld, which was part of Caffraria; I was then informed by very competent authority (the late Mr. Stoll, the

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William Parker,
Esq.

46

William Parker,
Esq.

12 August 1835.

landdrost of the Cape district), that this territory, where they were proposing to send my party of settlers to, did not belong to the British Government, and Mr. Stoll, with tears in his eyes, in the presence of my wife and children, went down on his knees and implored me that I would not commit him with the government, but he said, "the high character you have brought into this colony induces me to place implicit confidence in you, that whatever may occur, you will not commit me with the local authorities here;" but, said he, "I should not act the part of a man or a Christian towards you, were I to allow you to be sacrificed to the ignorance and incompetency of the local authorities in this government." Of course this placed me under peculiar circumstances; I was not to sacrifice my wife and children and dependents, when a man of the very first authority in the colony communicated this fact to me; that caused me to make further inquiries, which led to the full discovery of the whole respecting this fraud on the natives. Mr. Stoll's statement was subsequently confirmed to me at Cape-town by the Reverend Dr. Philip, who knew the country well. Mr. Stoll never had been at Caffraria at the time he spoke to me on the subject, but he had information from sources which could not be doubted.

461. Be good enough to state those facts that came to your knowledge?—The principal of the facts as to the improper conduct of the local government concerning myself occurred in the district of Clanwilliam.

462. The Committee are not at liberty to inquire into grievances of your own, but they wish you to state any facts within your knowledge?—I do not refer to my personal grievances, but to the conduct pursued towards the aborigines.

463. State what facts you know which were connected with the aborigines? On the 22d of June 1820, the deputy landdrost of Clanwilliam, Mr. Bergh, wrote me a letter desiring me to take possession of the lands of Varhens' Fontein, in the district of Clanwilliam, of which I could get possession at once; I have his letter ready to submit to the Committee; fortunately a Moravian missionary, as I understand, was at the house of Mr. Bergh, a Mr. Marquoad, and he said, "Mr. Parker, the government here are acting on principles totally subversive of Christianity; I place implicit confidence in your honour and protection of me for the information which I am now going to give you respecting the unfortunate natives of this colony," alluding to the whole of the black population. This gentleman was a long time in the colony and connected with the Danish missionaries; he said "if you will go and see the lands of the Hottentots, you will be astonished at the industry which they have practised there, the beauty of the cultivation and the comforts which they enjoy;" I went to view this place, and there was not a more beautifully cultivated place in the whole colony; Varhens' Fontein is the name of it. On my arrival there the senior Hottentot received me at his house, and he said, "You have instructions to take possession of these lands and houses, which I have long improved, and made myself happy and comfortable, and I am desired by the Government to give you possession of them all, of course;" he said, "I am bound by the precepts of Christianity to obey the powers that be."

464. Was this a Christian Hottentot?—Yes, they were all Christianized; I said, "if you obey the powers that be, and give me possession of your lands and houses (there were about 14 of them comfortably built in the European stile), what will become of you in case I should take possession of the land?" he said, "I shall retire towards the northwards and avoid all intercourse with Europeans, for after being nearly 50 years here, and endeavouring through the instruction of the missionaries to cultivate these lands and to improve them, and now to be deprived of them in my old age, I can have no further confidence in the truths of professing Christians, or in their conduct;" he had a large Bible on the table, and he turned to the 13th chapter of St. Paul's Epistle to the Romans, and he then said, "pursuant to those instructions, which I consider divine, I will yield to the powers that be, and I beseech you to take my lands; I am told you are a Christian; you may be of service hereafter to me in the wilderness; I am now past 70 years of age; my children, grandchildren, and great grandchildren, are all Christianized; it is a hard case." Several of the settlers that accompanied me were extremely anxious, from the beauty of the cultivation, which was superior to anything I saw in the colony, to get possession of those lands.

465. What was the number of the colonists you took with you?—Two hundred and twenty-two.

466. How many accompanied you on this visit?—Seven besides myself, and two natives of the colony went as interpreters.

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Wm Parker,
Esq.

12 August 1835.

467. Of what number did this Christian tribe of Hottentots consist?—The family consisted of 25, independently of his dependents.

468. And did you locate yourself in these houses?—Certainly not; I should not have acted a Christian part if I attempted to disturb them, or allowed my settlers to disturb them. I told Abraham Lwartz, the name of the principal Hottentot, "I have not come here to be an instrument of mischief to any human being, and I will not allow any of my settlers to disturb you, on the contrary, I shall write to the governor, pointing out to his Excellency the injustice that is attempted to be practised on you, and requesting that you should be confirmed in those lands by some legal title that you may never be disturbed, as one of the best examples, and the best encouragements to the promotion of general Christianity among the natives of the colony." I having refused to disturb the Hottentot, the deputy landdrost sent an account of the circumstance to the government, when a communication was received by the deputy landdrost with very strong expressions of indignation against myself.

469. Did the Committee understand you clearly, that you received authority to take possession of that particular portion of land?—Yes, I have the orders in writing in this room.

470. Distinctly designating it?—Yes, distinctly designating it.

471. Have you the order here?—Yes.

472. Produce it?—This is the order, dated "Clanwilliam, 22d June 1830: Sir,—In answer to your letter of this morning, I am to inform you, that it is the intention of his Excellency, the acting-governor, to locate your party at the Kleine Valley, with as much land as will be sufficient to the amount of the quantity of acres allotted to you. The Kleine-Valley, having been surveyed, it proved not to be large enough, containing no more altogether, with a small spot name Varhens' Fontein, but 3,200 acres, of which you will be at liberty to take possession of whenever it will be convenient to you. I will request Mr. Tullekin, the land-surveyor, to-morrow, to point out to you the boundaries of the said land, and think it would be desirable for you to content yourself for the present, until his Excellency, the acting governor, shall have arrived. I have, &c., (signed) *E. M. Bergh*."—It does not express in this letter that this land was occupied by the Hottentots at all, when they had been there for half a century.

473. Then it is to be presumed that the government were not aware that it was doing any injustice to the natives, in appropriating this location to you?—They must have been aware of it, and unquestionably aware of it; it is of no use to conceal facts.

474. What was your next step after receiving that order?—I wrote immediately to the landdrost, to say I would on no account allow the Hottentots to be disturbed; that it would be contrary to the principles of Christianity to do it, and highly injurious, and that it would be the cause of a warfare in the settlement.

475. Was the order that you received of such a description as to make it perfectly clear that this was the land that was meant to be appropriated to your use?—Most unquestionably; the son of the landdrost accompanied me to this place, and he said, "here is the land; here are the houses; you will take possession of the land now surveyed officially according to the letter."

476. Was the son of the landdrost present when this conversation took place between you and the persons occupying this land?—He was; and was the interpreter.

477. Was it distinctly understood you were to take possession of these houses, and of this small place, Varhens' Fontein?—Yes, unquestionably; and here is a further corroboration from the same deputy landdrost and under the same signature, (*producing a letter*).

478. You represented to the authorities at the Cape the injustice of your taking possession of these lands?—Yes.

479. What was the result of that remonstrance?—Then they wrote to say it was very hard to please Mr. Parker in lands, and he must go and look for lands elsewhere in the colony, and see what lands he could get, that they could purchase for him from the occupiers.

480. What was your further procedure in consequence?—My further procedure was to remonstrate with the government on the injustice they were practising on the natives.

481. Did you represent the matter in England?—I did to Mr. Wilberforce.

482. Did you confine your representation to the local authorities?—I spoke of it very generally.

48

William Parker,
Esq.

12 August 1835.

42 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

483. Did you make any representation to the authorities in England in consequence?—No, I did not, except through Mr. Wilberforce; and afterwards an order was sent out to confirm the Hottentots in their land.

484. Were those orders carried into effect?—They were, and that was the first grant the natives ever got in a legitimate honourable way on the part of the government.

485. Then it appears as soon as the injustice of that measure was manifest, measures were taken to give those Hottentots redress?—After hearing from England. The second letter from Mr. Bergh was written three months afterwards, when he urges me to give some of my settlers possession of that land.

486. Those particular Hottentots to whom you alluded before were never disturbed from their possession?—No, I did not allow it.

487. Was it not evident the landdrost was not aware the Hottentots were to be disturbed?—He was completely aware of it.

488. Can you furnish the Committee with any other instance to your own knowledge, in which the natives were aggrieved about this period?—Not to my own personal knowledge, except by correspondence, and correspondence of a very serious character and import indeed.

489. Did that transaction relate to the Hottentots?—No, to the Caffres.

490. Did any of your settlers remain on that spot?—No, I would not allow of any one to interfere with the Hottentots.

491. Then you cannot inform the Committee, from your own knowledge, of any further violation of the neutral territory?—Certainly not, from my own knowledge.

492. What were the conditions under which you left England?—I was to have 100 acres of land for every able-bodied man of 18 years and upwards I took out with me.

493. Was that a condition entered into with you by the Government?—Yes, it was, at home.

494. Then, when you arrived at the colony, you applied to the authorities there to fulfil that condition?—I did.

495. And what they did on that was to allot you this land, which you found to be already occupied?—That was a small part of it only.

496. Did they allot to you any other?—Certainly, but not by any means sufficient for the support of six families, instead of 76.

497. Were you to have that in whatever capacity the able-bodied men might be?—Yes.

498. Whether he was a settler like yourself or one of the servants?—Yes, for every man I took out.

499. As you had 222, you expected to have 22,000 acres?—No, 7,600 acres of land fit for cultivation; there were only 76 able-bodied men.

500. How much land was ultimately allotted to your party?—I got no land at all.

501. Then what became of your settlers?—They were all dispersed through the colony; I was obliged to feed 90 of them at my own expense for nearly three years, and to pay them wages also, which was a very ruinous concern.

502. You returned after having been in the colony two years?—Two years and eight months.

503. You took out 220 settlers with you?—Yes.

504. Were they in the capacity of servants?—A great many were independent of me, who joined the party, but I was their acknowledged head.

505. Did they pay their own deposits?—Some did; I paid for all my artificers; I suppose about 45 paid their own deposit out of 76.

506. What is the distance of Clanwilliam from Cape-town?—It is about 180 miles.

507. How far is the valley from Clanwilliam?—Six miles.

508. Then you only took out 76 able-bodied settlers?—Yes.

509. Out of those 76, 45 paid their own deposit?—Yes.

510. And yet they acknowledged you as their head?—Yes.

511. They owed you no particular allegiance?—None of them could get any land, except through me, according to the instructions of the Colonial Department.

512. Did you or did any of your party obtain any land at that time?—Yes, some of the party did.

513. Was that land that belonged to any of the Hottentots, or was it land that
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you did not interfere with any persons' rights in taking possession of?—It was land that was abandoned by the Dutch farmers as unfit for cultivation.

514. A large portion of the settlers you took out, did they find their way into a new territory?—One hundred and twenty-seven of them were removed by order of the acting-governor in July 1820; when he found he could not place them on the western coast, they were removed to the Zuure Veld.

515. That is to Albany?—Yes.

516. Did you approve of the land first allotted to you?—No; some of my party afterwards separated from me (I being dissatisfied with the land allotted), and they got land from the Government totally independent of me.

517. Was that land so assigned to them belonging to any other individuals?—I apprehend that it was, but I have no positive evidence of it; it was the property of the Caffres.

518. You cannot assert that it belonged to any individual?—Certainly not.

William Parker,
Esq.

12 August 1835.

Veneris, 14^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Stockenstrom*, called in; and Examined.

519. ARE you a native of the colony of the Cape of Good Hope?—Yes.

520. Describe, if you please, the different offices which you have held there?—I commenced in the year 1808, as a clerk in the landroost of Graaff Reinat, and accompanied Lieutenant-colonel Collins, who was appointed His Majesty's Commissioner on the frontier, on his excursion among the border tribes. In January 1811, I was appointed ensign of a Cape regiment, and after serving a few months at the head-quarters of the regiment at Wineburgh, I was sent with the regiment to the frontier. I was appointed deputy landroost of the district of Graaff Reinat about the beginning of 1812, and landroost (that is chief magistrate) about the beginning of 1815. On the 1st of January 1828, I became commissioner-general of the eastern division, and my situation was abolished the last day of December 1833.

Capt.
Stockenstrom.

14 August 1835.

521. On what grounds was that commission of generalship abolished?—I held the situation some time, and finding that it did not answer the purpose for which I thought it created, I made representations to the local government to that effect. Latterly, finding that the situation was of no use, at least that I could not do anything in that capacity, I thought it my duty to the public, and also to myself, to recommend the abolition of that situation. That, however, did not take place at that time. I knew that the situation had been specially created with the view of superintending the affairs of the frontier and eastern division, and as I had no superintendence of the kind, or was not useful in any way, I obtained leave from the colonial government to come to England, represented the case to the Secretary of State, and in a short time afterwards I was informed that the situation was abolished.

522. From what causes did it arise that that situation was not rendered as useful as you originally contemplated it would be?—I differed with the colonial government as to the views with which that situation had been created, and as to the manner in which it could be made most useful. I had long served upon the frontier, and had, in my own mind, made up my opinion as to the best mode of regulating the affairs of the frontier, in order to afford protection to the colonists and to the Caffres, and other native tribes; but I found that the colonial government carried on the duties of my department with the officers of my province direct, and seeing that it was impossible to carry on my view of the frontier defence, so as to give protection to both sides, and as many things occurred which I thought injurious to the peace of the frontier, I represented all these circumstances, and thought that I could not, consistently with my own feelings and with my duty, continue.

523. Be pleased to state to the Committee your opinion with regard to the remote and proximate causes of the frontier dissensions between the colonists and

50

Capt.
Stockenström.

14 August 1835.

44 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the native tribes?—Ever since the middle of the 17th century, since the Dutch East India Company took possession of the colony, there has been a gradual encroachment in the African territory, and of course the natives resisted originally as much as they could. It is on record, and well known, that this was accompanied with a great deal of mutual slaughter and bloodshed. With reference to the Hottentots, it came to that pitch that, with very few exceptions, the nation gradually became servile among the white colonists; those who did not submit to that state withdrew into the deserts beyond the frontiers, which were from time to time fixed, and they, being persecuted by all classes, degenerated into the state in which the remains of them exist at the present moment. So far, with reference to the northern frontier. On the coast, and towards the south, similar migrations on the part of the whites took place; they gradually spread eastwards, and the Hottentots of course disappeared. The Caffres encroached towards the west as the whites encroached towards the east; at last the whites and Caffres came in contact by these means, and for some time they lived on very peaceable terms, till at last disputes commenced amongst them, and also much bloodshed took place. The successive governments, which had existed at that time, had not sufficient power always to control these excesses; the interior of the country was in a disturbed state, and sometimes in open arms against the government; at last, however, when the government collected sufficient strength, there was a legal boundary fixed; I think that was by a proclamation of the Earl of Macartney, or perhaps earlier, under the Dutch government, about the year 1778. That boundary was the Great Fish River up to the Esterkin's Poort, and towards a chain of mountains running north-east up to the Winterberg.

524. Will you inform the Committee how that boundary was agreed upon between the British Government and the native tribes?—There was no agreement at that time.

525. Was it an arbitrary line, or was it by any agreement or inquiry?—It was the object of the Government to control further encroachments on the part of the whites against the Caffres and other native tribes.

526. Do you consider that a restrictive boundary line?—Yes, to prevent the whites from going further.

527. But the territory was in possession of the whites?—Yes, they had gone gradually; the whites encroached towards the east, as the Caffres encroached towards the west, and the Hottentots disappeared between them; and upon that territory they found themselves at last in contact.

528. But though it was a restrictive line, it was a line drawn arbitrarily by the Dutch authorities?—Yes. They did not, however, succeed at once in clearing the country of the Caffres to that extent, and after many aggressions on both sides, the Caffres continued in possession of the Sourfeldt, which is now the Albany district, and the territory west of that, as far as the Sunday's River. This territory, west of the Great Fish River, remained consequently a bone of contention between the whites and the blacks, until at last the government decided on expelling the Caffres from this territory altogether. Lieutenant-colonel Collins was first sent up by Lord Caledon. He started in 1808, and returned in 1809; I travelled with him throughout Caffreland in 1809; he, however, made merely preliminary inquiries, and did not proceed to any hostile measures against the Caffres. Colonel Graham, however, was sent towards the close of 1811, and the Caffres were then by a joint military and burgher force driven beyond the Fish River, and the country immediately became partially occupied by Dutch farmers. In 1817, the governor, Lord Charles Somersset, visited the frontier; up to that period, the system of taking Caffre cattle in return for what was stolen from the colonists, was not allowed in the manner since practised. His Lordship assembled the Caffre chiefs in the Kat River, and after a long discussion with them, it was there decided for the first time, that Gaika should be considered the responsible chief in Caffreland by the local government, and it was determined that for the future whenever cattle should be taken from the colonists by Caffres, the patrol should follow the traces into Caffreland, and have a right to demand and take from the first kraal or Caffre village, the number of cattle thus taken from the colonists. Here it is my opinion, that a great door to irregularities was opened. The Caffres are very much attached to their cattle; subsequent experience has proved, that in nine cases out of ten it is impossible to find the guilty party, and of course generally the innocent suffer. These people, from their attachment to their cattle, on which they principally live (living principally by milk), are of course very apt to resist their cattle being taken, and such

57
Capt.
Stockenström.

14 August 1835.

such resistance can easily be construed into a hostile feeling, and any unscrupulous leader who chooses will then proceed to the last extremity in the execution of his orders, and bring off their cattle. This, I think, gave occasion to great irritation on the part of the Caffres. It so happened, that, soon after this, the Cape regiment was disbanded, with a very trifling exception. In 1818, a dispute took place between the Caffres under the Chief Gaika and the other tribes inhabiting the country more towards the coast. The government then, as I think, unfortunately, considered it was the business of the colony, from motives of precaution, I should suppose, to interfere in that quarrel. A commando was sent into Caffreland under the command of Colonel Brereton, to support Gaika. That commando killed a number of Caffres, and brought out an immense drove of cattle from Caffreland, from the tribe with which Gaika was at war, part of which was left with Gaika, and part brought into the colony, on the strength of the regulation issued in 1817, and distributed in various ways as compensation for colonial losses by Caffre inroads.

529. In what year was that?—That was in 1818. Now this led, as I conceive, directly to the attacks of the Caffres on the Sourfeldt in 1819.

530. What was the name of the tribe with which Gaika had the contest?—They were also Caffres; it is called the tribe of Slambie, and many other chiefs combined.

531. Was it from those tribes that the cattle were taken?—Yes.

532. Is the Committee to understand, that in consequence of some dissensions between Gaika and other Caffre tribes, the war commenced between them, that we joined Gaika, sent an expedition into the Caffre country, and took a very considerable quantity of cattle, which we disposed of to our own use?—Yes, partly to our own use and partly to Gaika's.

533. Were these cattle taken in consequence of any seizures that had been made by the Caffres upon any cattle belonging to the colonists or belonging to Gaika?—No, the expedition went purposely to support Gaika, on his complaint that the other chiefs were going to attack him.

534. No part of that complaint was, that they had seized his cattle?—No; it had nothing to do with any quarrel of the colonists, that I know of.

535. What portion of the Caffres attacked the Sourfeldt in 1819?—They were the Caffres who were at war with Gaika, and there were suspicions also that Gaika had supported them in their attack upon us.

536. You say that this inroad into Caffreland led to an attack upon our colony by the Caffres in the following year?—Yes.

537. Was that attack made by Gaika himself, or by Gaika's enemies whom we had attacked?—By Gaika's enemies whom we had attacked.

538. Are they distinguished by any particular name?—They have various local names among themselves; but I am not sufficiently acquainted with the language to describe them. There were at that time dreadful ravages committed by the Caffres in 1819; nothing of the sort had been before experienced, and it was on so extensive a scale that they even attacked the military head-quarters.

539. That is to say, against these tribes of Caffres against whom the British Government had interiered in the war?—Yes. They were then repulsed with slaughter; but the whole of the Sourfeldt was laid waste, and it was not until after considerable difficulty that it became in some measure clear of the Caffres. Then followed as an unavoidable necessity the commando of 1819, under Col. Wilshire. It would have been impossible for the colonial government to have kept possession of any part of that district if matters had been allowed then to rest as they were. All the disposable force in the whole colony, military and civil, were drawn to the frontier; the Caffres were driven back, were pursued into what is called Caffreland, and the result of that expedition was, the seizure of the ceded territory between the Great Fish River and the Keiskamma. The frontier line of the Great Fish River, in consequence of the impenetrable jungle, was considered totally untenable while the Caffres were brought to that state of hostility against the colony. Lord Charles Somerset in 1819, again visited the frontier; the Caffre chiefs were assembled on a prominent hill, and there was much discussion with them, which passed through me as interpreter of the Dutch language, minuted down by the colonial secretary, then Colonel Bird, who also understood the Dutch language, and afterwards inserted in the Government Gazette. The result of that discussion was, that the boundary line was taken from a high peak, situate at the sources of the Chumie and Keiskamma Rivers, taking a bend eastward between those two rivers along a ridge running into the Keiskamma, and from thence to the sea, the Keiskamma was to be

52

Capt.
Stockenström.

14 August 1835.

46 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the boundary. Gaika objected to this, saying that he wished to retain possession of the basin or amphitheatre formed at the various sources of the Chumie River, which by the first arrangement were included in the ceded territory, using these metaphorical words, "I have been born and bred up there, and wish to die there." His lordship then being on the spot, where he had the whole country before him clearly, after consulting those present as to the local position of that country, agreed that the line should run from that high peak, not eastward so as to embrace the sources of the Chumie River, but westward so as to run upon the ridge between the Kat River sources and the Chumie River sources.

540. In fact, Gaika's wish was granted?—Yes, in that respect it was; the line keeping this ridge down to its junction at the Chumie, and thence along the water towards the sea.

541. Was this subsequent boundary line assented to by Gaika?—Certainly assented to, but unwillingly.

542. Did the other chiefs present express any opinion upon it?—There was a good deal of consultation among the chiefs, but the governor directed himself particularly to Gaika.

543. Then do you consider that Gaika acquiesced in that boundary line from an apprehension of the superior force of the British troops?—I am decidedly of opinion that Gaika would not have parted with that country if it had not been under such an apprehension, that he could not avoid it.

544. Then, in point of fact, it was a forcible possession of that territory?—That I am not able to say. I do not think the Caffres would, under any circumstances, give up such a fine tract of country willingly; but his Lordship, who had impressed upon his mind that the Colony had sustained a great deal in consequence of Caffre aggressions from time to time, said the Fish River boundary was totally untenable; therefore it was necessary for both parties that a new line should be made. I do not think that, under any circumstances, the Caffres would consent willingly to such a cession.

545. You do not consider it a forcible possession then, but you consider it an unwilling cession, such as would not be willingly made by any power?—Certainly.

546. Was there any equivalent compensation offered or suggested by the British authorities?—It was considered, from what the colonists had suffered from the Caffres, and the assistance given to Gaika in his disputes with other native tribes, to be sufficient compensation.

547. Then there were other chiefs with Gaika at that time?—Yes; several.

548. And the neutral territory, which was called afterwards the ceded territory, was what belonged to those other chiefs, and not to Gaika?—At that time they were in possession, but originally what we called the Gonaqua Land, as far as the Keiskamma, belonged to the Hottentots.

549. Do you consider that Gaika had the power to make a surrender of that tract of territory?—He acquiesced after it was explained to him it must be so; but that he said "I willingly consent to this," I cannot possibly say. In the first place, it would be contrary to reason to suppose that any people, under such circumstances as the Caffres, would willingly part with such country. I do not think any people would; but when he saw there were no other means, he acquiesced in it, and after much consultation with the other chiefs, he consented, provided that the Chumie Basin was included in Caffreland. It may be superfluous to enter into particulars on the subject, but I may add, that when he said he was born and bred there, it was supposed he had spoken an untruth. He was immediately told, "You were not born at the Chumie, because at the time you were born, there was not a single Caffre upon the western bank of the Keiskamma line;" and then he said, and every one understood that it was from no intention of falsehood, that he meant to say he had passed all his life there, and wished to remain there.

550. Do you consider that Gaika had sufficient power and authority over that country, to be able, if he had been willing, to have ceded it to the British Government?—I do not think that Gaika, or any other Caffre chief, then had any power except that of possession; because, as I have already said, at the first outset, as the whites migrated eastward, the Caffres migrated westward. It was not Caffreland originally, and I have alluded to that circumstance, in order that it might be understood that when Gaika said he had been born and bred in the Chumie, he was contradicted. He was told, "it is very well known you were not born there, for when you were born, there was no Caffre west of the Keiskamma;" and then he

53
 Capt.
 Stockenström.

14 August 1835.

he said, "I merely mean that I have lived there all my life, and wish to live there still;" but the Caffres were then in possession of the territory.

551. But various tribes of Caffres were in possession, and the question is whether Gaika had so far an authority to represent them all, as to be in a condition to surrender that territory, without asking the consent of the other chiefs?—The Government had constituted him the supreme authority there.

552. Our Government had constituted him the supreme authority, but the Committee wish to know whether he had derived supreme authority by any other means than by that construction which was put upon his sovereignty by Lord Charles Somerset?—Allow me to observe, that the impression at that time on the minds of most people was that he had that power. The various relations between the Caffre chiefs and the constitution of the Caffre nation altogether has been principally elucidated since then by the circumstance of educated men, such as missionaries and others, travelling into Caffreland. At that time it must be understood there had been very little intercourse with Caffreland, except through the medium of unlettered peasants and some functionaries who had merely travelled through the country, and had not the time or the means to inquire into the constitution of the nation, and the various relations existing between the different tribes; so that the impression at that time in my own mind certainly was that Gaika had the right to do so, because I only knew of two parties of Caffres in direct contact with us, those of Gaika and T'Slambie; T'Slambie we knew did belong to Gaika, and was a subject of Gaika, because he had originally had charge of Gaika while a minor, and had usurped a sort of authority which he refused to relinquish when Gaika became of age; that brought on disputes between them, and T'Slambie retired into the Zuurveldt, which is now the Albany district; there was a division between them, and they were always at war; but at that time the relation between the various Caffre tribes was not so well understood as at present; these facts have been elucidated since.

553. Whatever the impression was at that time, is it your impression at this moment that Gaika was not in such a degree the sovereign of that district as to be empowered to surrender it, save and except by the authority conferred upon him by the British Government?—No, certainly; he was not the chief of all the tribes. There was a tribe known under the name of Pato, which never was subject to his control; and that country also towards the coast, as I have subsequently understood from the relations of the missionaries, I do not think that was ever properly under Gaika's dominion.

554. Then you do believe that Gaika, being constituted by our Government the sovereign of that country, did surrender land which, according to Caffre usages, he had no control over?—The Caffre chiefs certainly did not think him authorized in doing so.

555. But those chiefs who were present at the time of that interview with Lord Charles Somerset were consenting parties, were they not?—Lord Charles Somerset only held Gaika responsible, and only communicated with him. The discussions among the chiefs took place between themselves, and no one knows what their objections or their acquiescence were at that time.

556. But, as they made no objection, it might be taken for granted they were consenting parties?—It is very difficult for us to say whether they consented or not in their discussions with him; but we, being the stronger party, did not give that latitude to objections on the part of the native tribes which may be allowed on other occasions; a discussion with the Caffres was not then treated with so much formality as at present.

557. Then are these the facts of the case, that we interfered with the quarrel between Gaika and other Caffre tribes; that we made an inroad into the Caffre territory, in consequence of which we took from them a considerable quantity of cattle; that that led to an incursion on their part into our territory; and that then having chosen to consider Gaika as the only responsible chief, we obtained his unwilling and reluctant consent to the sacrifice of this rich district of land?—Yes, decidedly.

558. So that in the first instance, in consequence of our interference, we obtained a considerable quantity of the personal property of these natives; and, in the second place, we obtained a considerable space of territory?—Yes.

559. Do you know all these facts of your own knowledge?—Yes, decidedly.

560. And that we went into an enemy's country to assist one power against another?—In that instance.

57.

Capt.
Stockenström.

14 August 1835.

48 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

561. Is the Committee to understand that the English Government first went and took cattle from Slambie, and then took territory from Gaika, their ally, in consequence of the intermediate attack, made by the T'Slambie Caffres?—The territory was taken from Gaika because we refused to negotiate with anybody but Gaika.

562. Was that the territory of Gaika or the T'Slambie tribes?—The T'Slambie tribe and the Gaika tribe were the same.

563. That was when they were at war?—Yes, but Gaika considered them as rebels; but there were other tribes connected with him that were not considered Gaika's subjects, such as the Pato tribe, and all Congo's people, who were all connected with T'Slambie.

564. Was the invasion of the Caffre territory in the first instance at the request of Gaika, or not?—Yes, decidedly.

565. How did he communicate that to the British Government?—His usual communication was through the frontier magistrate. I was not then connected with that part of the country.

566. Then the frontier magistrate submitted that communication to the supreme authority at Cape-town?—I suppose that was the channel.

567. Is that the ordinary channel of communication?—Yes, it should come through the resident missionary or the resident magistrate, and be communicated to the Government by one or the other, according to the circumstances.

568. By whom is the decision made at Cape-town?—By the governor.

569. Solely and simply?—Then solely and simply, but now the governor has a council whom he may consult, if he thinks fit, but he may act without them.

570. Then questions of peace or war are decided simply by the authority of the governor for the time being?—Yes, certainly, up to the period when I left the colony.

571. Was there any original boundary between the Caffre tribes and the Hottentots, before the British Government interfered?—None, that the Hottentots could maintain.

572. But speaking politically, was there such a boundary?—Not that I know of. In the history of the Caffre nation, I have never heard it mentioned.

573. Are you aware that Gaika has since remonstrated strongly, and said, that in consequence of his having united with us in that expedition against the other Caffre tribes, he, our ally, has been dispossessed of his territory?—No, I have not heard Gaika say so; but I have heard his sons, Macomo and Tyuli, say so, as a sort of reproach. I cannot charge my memory with having heard Gaika say so.

574. But you have often heard his sons say so?—Yes, by way of reproach. After the surrender of that land by Gaika, a question originated as to the occupation of that territory on the spot before we parted, and it was understood between him and the colonial government then, that it was to be neutral territory. In order to explain that correctly, as interpreter, and in order to convey it to the chief's mind, I used these words, That the waters of the rivers Gonappe, Karoomo and the Kat River, were to run in future undisturbed into the sea; that neither Caffres nor whites were to inhabit that territory. Lord Charles Somerset returned to the Cape, and shortly afterwards the intelligence arrived from this country that the House of Commons had voted a certain sum for emigration, and that a great number of settlers would be poured into that colony. A difference of opinion then originated between the governor and the colonial secretary, as to the right of occupation, as his lordship was anxious to avail himself of that territory for the location of settlers. His lordship was then on the point of returning to England, and Sir Rufane Donkin was to take charge of the colony during his absence. His lordship considered that the acting-governor, in his absence, would be perfectly justified in locating settlers in that territory, which Colonel Bird denied, and the question being referred to me, I repeated the words of the so-called treaty. That was in the discussion between Colonel Bird and the governor, before I had any intercourse with the acting governor. Sir Rufane Donkin came to the frontier soon after taking upon himself the charge of the government, and told me that he himself had scruples on the subject, and wished to know my sentiments, telling me what Colonel Bird, the colonial secretary, had said on the subject. I repeated the words of the treaty, and the acting governor said, "then I shall proceed no further without first seeing Gaika." Gaika was accordingly sent for. The acting governor then had a long discussion with me as to the best mode of securing the frontier, to prevent the necessity

55

necessity of hostile aggressions against the Caffres, and consistently at the same time with the protection of the colonists.

575. In what year was that?—In 1820. He said that though it was extremely desirable, in order to obtain an efficient population for defence on the frontier, that this territory should be occupied, he would not allow it to be done if it was a breach of the treaty, and that he could determine nothing before he had seen Gaika. His plan, however, was to have a line of posts in the ceded territory. Upon the coast and upon the Beka, he proposed establishing a strong location composed of half-pay military officers, discharged soldiers and settlers.

576. Was that in consequence of the disbanding of the Royal African Corps at that time?—I believe so. Then also another part of his plan was this: 100 Highland families were expected out under the direction of Captain Grant, and these 100 families were to be located at the sources of the Kat River where I subsequently placed the Hottentots. With these two strong posts at their flanks, he intended to fill up the intervening space on the same principle with as dense a population as the country is capable of holding. His Excellency waited some time, and Gaika was very long in coming, but just as he was prepared to depart, Gaika did arrive, and his departure was postponed in order that the discussion might take place; and then it was agreed that the government should have the right of locating people in that territory. I was immediately sent to have the lands at the sources of the Kat River surveyed for this Scotch party, which was done. The Scotch party, however, did not come out; some misfortune occurred to Captain Grant, and the party became scattered; I believe part were shipwrecked, or lost at sea somewhere; that part of the plan therefore failed. The location on the Beka, called Fredericksburg, was set on foot, but on the return of Lord Charles Somerset, towards the end of 1820, that was also put a stop to, so that the whole of the ceded territory then again became vacant, and gradually a number of people from the frontier districts emigrated into it with their flocks.

577. Did Gaika give a willing consent to Sir Rufane Donkin at their interview to the occupation of the ceded territory?—I think from first to last the cession was an unwilling one. There was no force used of any kind, but the Caffres never would give up such a territory willingly, therefore, if they had understood that they could have resisted and re-occupied the ceded territory, even at the period of the discussion with Sir Rufane Donkin, I think the Caffres would have done so. They would have wished to recover the country back there is no doubt, but having lost the territory, and after having been dispossessed of it so long, the Caffres became more reconciled to it; and certainly there was no objections stated to Sir Rufane Donkin, but I think they were not at all more willing to give it up.

578. Then do you mean the Committee to understand that Gaika, when he ceded this territory to Sir Rufane Donkin, acted under the effect of intimidation on the part of Sir Rufane Donkin?—Most decidedly not.

579. Then is the Committee to understand, that although the Caffres still retained their objection to being dispossessed of the territory, yet, as they were dispossessed of it, it was a matter of little moment to them whether the territory was or was not occupied?—Yes; that is exactly what I wanted to convey, because it must be understood that in one instance the treaty contained the exclusion of the Caffres from that territory; and at the time of the second, the question between Sir Rufane Donkin and Gaika was merely whether it should be occupied on our part, the Caffres being then already excluded.

580. The question was whether a piece of land, which they, under no circumstances, were to occupy, was to be occupied by others or not?—Yes.

581. Do you mean that the Committee should understand that Sir Rufane Donkin proposed to occupy the location at Fredericksburg in a military manner, and not by settlers?—They were to be, as I understood, officers on half-pay and discharged soldiers, and settlers with them; but whether those settlers were half-pay officers or not, I cannot say; some of them, I know, were.

582. Where were the settlers coming out under Captain Grant to be located, as far as you know?—At the sources of the Kat River, adjoining the country now occupied by the Hottentots.

583. Was that any portion of the original ceded territory, or not?—Yes.

584. Were you aware that Sir Rufane Donkin's intention in placing the Highlanders under Captain Grant at the sources of the Kat River, was with the military view of having them, a strong and warlike body of mountaineers, to form the left flank of the military line of defence he contemplated, the right flank being at

Capt.
Stockenström.
14 August 1835

56

Capt.
Stockenstrom.

4 August 1835.

50 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE.

Fredericksburg?—I believe I adverted to that before; that the object of Sir Rufane Donkin in occupying the ceded territory was to have as dense and efficient a population in that country as possible, in order to enable him to give protection to both sides of the frontier.

585. Was that population to be a civil, or entirely of a military character?—They were certainly to be a civil body, but subject to being called out on military service.

586. But still they were to be colonists, in the ordinary sense of the term, only they were subject to military service?—Yes; Sir Rufane Donkin told me at that time, "As Captain Grant is, I dare say, an educated man, and a man who will be very efficient, from having been a military man, just to meet the objects I had in view, he may have a magisterial authority if he is fit for it, and at any rate he will be able to keep these people in such a sort of military discipline, as to be able to act against the Caffres in defence of the frontiers."

587. Were you present during the whole of Sir Rufane Donkin's negotiations with Gaika?—I think I was.

588. Do you recollect Gaika stipulating with Sir Rufane Donkin that the persons who were to be placed on the Beka part of the ceded territory were by no means to be unarmed settlers, but to be of a military character and description?—Yes.

589. At that conference was the occupation of the neutral territory considered by Gaika a violation of the original understanding, as respects that district of land?—No, certainly not; in the interview with Sir Rufane Donkin it was perfectly consented to.

590. You think that Gaika perfectly consented to the establishment Sir Rufane Donkin contemplated?—Certainly; he was only sent for to have that point discussed, and nothing more was discussed, but that point was settled, and Sir Rufane Donkin mounted his horse, and rode off.

591. Was that a voluntary arrangement, as far as Gaika was concerned?—Certainly.

592. Were any other chiefs consulted with respect to those arrangements?—No, he only came with two or three of his interpreters; we had been waiting for him a considerable time.

593. Was there any stipulation made by Gaika, as to the territory being occupied by Dutch settlers for instance?—With Sir Rufane Donkin there was no discussion on that point; for he had made up his mind that there should be no Dutch settlers.

594. Then, was there any subsequent discussion or understanding entered into, as to whether Dutch settlers were to be permitted to occupy it?—No; the whole of the discussion went through me, as interpreter, and I know that "occupation" was merely spoken of, and that sort of occupation that people should not go unarmed, and allow their cattle to run wild.

595. Did any Caffre irruption take place during the two years of Sir Rufane Donkin's government?—I cannot answer that; I was magistrate at Graaf Reinet. I was upon the spot with Sir Rufane Donkin, and formerly with Lord Charles Somerset, but being at Graaf Reinet in the interval I had no connexion with the frontier.

Veneris, 7^o die Augusti, 1835.

T. F. BUXTON, ESQUIRE, IN THE CHAIR.

Rev. William Shaw, called in; and Examined.

Rev. W. Shaw.

7 August 1835.

596. WHEN did you go to Southern Africa?—In the year 1820.

597. To what part of Southern Africa did you go?—First to Algoa Bay, and afterwards to the district of Albany.

598. Where were you settled at Albany?—At Salem, near Graham's Town; I went out as the minister of a party of 100 settlers who emigrated that year.

599. In what years were you settled at Salem?—1820, 1821, 1822, and 1823.

600. And where were you settled afterwards?—In Cafraria.

601. Where?—At Wesleyville.

Go2. How

602. How long were you stationed at Wesleyville?—About six years and a half. I afterwards returned and remained three years more at Graham's Town, in Albany.

603. What was the state of things between the colonists and the Caffres on your first arrival in 1820 in Africa, and for the time you remained there?—There had been very recently, viz. in 1819, a war betwixt the colony and the Caffres, which had just concluded by a peace having been made, by the terms of which a large tract of ground, since called the "Neutral Territory," was ceded as land to remain wholly unoccupied. Just at the time of our arrival there were comparatively few attacks made by the Caffres, probably from their painful remembrance of the recent conflicts that had taken place between them and the troops, and also, I should suppose, from the circumstance of there being at the time a considerable body of troops along the line of the frontier, making it difficult for them to enter the colony. This state of things continued probably for 18 months, with very little interruption during the latter 18 months; previously to my going into Caffraria, they began to enter the country much more frequently; many robberies were perpetrated and some murders committed just about the time of my going into their country.

604. Was intercourse with the Caffres at that time prohibited?—Very strictly; no white person except the military on duty was on any account allowed to go beyond the line of the frontier; we understood, and I have reason to believe that there was a military order, that any Caffre found within the colonial boundary was to be shot.

605. You were in Albany?—Yes.

606. Was there traffic with the Caffres previous to your going into the country?—Scarcely any, I might almost say none at all; Sir Rufane Donkin proposed to establish a fair at Fort Wiltshire, and, perhaps, once or twice the attempt was made but it failed, and several years passed away before the regular traffic was established at that place; there was, however, some traffic carried on by many of the settlers contrary to the laws of the country; excepting this contraband trade, there was no traffic of any kind between the Caffres and the colony at that period.

607. Had any attempts been made by the missionaries for the improvement and conversion of the Caffres previous to that period?—Yes; the London Missionary Society had sent over an excellent man of the name of Williams as missionary to the Caffres, and who immediately before the war of 1819, had been in the Caffre country, and he laboured there till his death, which took place about the period of the breaking out of the war; there were also two highly respectable individuals residing at this period at Chumie, in the character of missionaries, and also as Government agents, settled there after the war by our Government, and at the request of the Chief Gaika. They collected at their institution many of the people who had been originally instructed by the late Mr. Williams.

608. Did any benefit arise in the war of 1819 from Mr. Williams' influence with the Caffres?—I should think there was a decided benefit, for the only tribe that was at all in alliance with the colony during the war was the tribe with whom Mr. Williams had resided, the tribe of Gaika.

609. They remained faithful to the British Government?—Yes; I should, however, mention that the Government conceiving Gaika to be the legitimate king of the country, treated with him to the exclusion of the other chiefs.

610. In what part of Caffraria did you establish the first Wesleyan mission?—At Wesleyville, at a place a few miles beyond the river Kiskamma, which at that time was the boundary of Caffraria.

611. Were the number of the stations of the society increased afterwards?—Yes, in the course of the succeeding five or six years they were increased to the number of six stations.

612. In what parts?—Extending along the coast nearly as far as the river Oomzimvooboo, and including the greater part of the Amakosa, the whole of the Amatembu, and the Amapondas; the three great divisions of the Caffre race.

613. Had any previous attempt been made with any of those tribes?—Not with any of those tribes.

614. Which did you go to?—To the tribe of Pato, of the Amakosa nation, known amongst themselves as Amagouakwaybie tribe of Caffres, living directly on the borders.

615. How were you received by the chiefs of that tribe?—In a very cordial and friendly manner.

58

Rev. Wm. Shaw.

7 August 1835.

616. Had they been accustomed to make predatory incursions in the colony before you commenced your labours among them?—Yes, they had been in the habit of doing so for many years, and some of their people had been recently shot while driving off cattle belonging to the settlers.

617. Do you think any dissatisfaction existed in their minds on any particular point, particularly with regard to the treatment they experienced from the colonists?—Yes; I had no sooner taken up my abode amongst them but they informed me, that one of the reasons why there was such a disposition on the part of their people to make inroads on the colony was, because they had for a long time felt exceedingly dissatisfied with the treatment they had received from the colonists, and they related to me the history of their inhabiting the country near Zwartz-kops river close to Algoa Bay.

618. That country which is now occupied by the British?—Yes.

619. Did they complain of their being driven out of their native land?—Yes, from the land they occupied for a length of time in that direction, and also of the manner of their expulsion, which was accompanied by the death of their father, who was killed by one of the commandoes at the time they were driven from the Sundays River, near Algoa Bay.

620. So that they had been removed from the Zwartz-kops river to the Keiskamma river?—Yes, but not at one time; during the previous war they had been driven from Zwartz-kops river to the Great Fish river, which, I should remark, was considered the boundary of the colony many years previously; but they had removed, as they told me, to the country on the western side of the Fish river in consequence of some arrangement that had taken place between them and the original proprietors of what is now called the Albany District, the tribe of Hottentots usually called in the colony Gonas, and sometimes confounded, from a similarity of names, with the Amagonakwaybie tribe, who are Caffres, and not Hottentots.

621. Then, in point of fact, they had been dispossessed in the course of a certain number of years, say thirty years, of the territory lying between Zwartz-kops river and the Keiskamma river?—That is the fact; I say nothing at present as to the justice or injustice of it, but that is the fact.

622. Can you form any estimate of the number of miles long and the number of miles broad that that district is?—It is not possible to speak with perfect accuracy on this point; but, in round numbers, I believe that 120 miles long by 50 miles broad, is not an exaggerated statement.

623. Did you feel it to be your duty to endeavour to remove the dissatisfaction that existed amongst these tribes, and to impress upon them the necessity of restraining their people from making incursions on the colony?—I did; but before stating the steps I took with the view of removing their dissatisfaction, I beg leave to add, in answer to the former question, that although they considered their previous expulsion from the country on the west side of the Fish river as a grievance, yet they considered that portion of the lost territory as completely gone, by the location of the colonists within its limits, and they did not wish to impress me that they had any thing further to say upon that subject; but they stated that they were especially dissatisfied with the more recent transaction, namely, the loss of the territory from the Fish river to the Keiskamma, in consequence of the treaty of peace entered into between Lord Charles Somerset and the Chief Gaika, at the conclusion of the war of 1819.

624. That is the territory now deemed the neutral territory?—Yes, their dissatisfaction had more especial reference to that than to the transactions previous to 1819.

625. What did they represent as their grievance there?—They represented that after the expulsion from the territory on the west side of the Great Fish river, the lands allotted to them were those from which they were again expelled by the treaty of 1819. They complained that the colonial government, who had concurred in assigning them a part of the territory betwixt the Fish river and the Keiskamma, expelled them from the country that had been so recently assigned them; and they especially urged that Gaika, with whom Lord Charles Somerset made the treaty by which they were expelled the country, had no right whatever over those lands, and that they ought to have been consulted previously to the alienation of their lands; in short, that they ought to have been parties consulted on that treaty.

626. Have you any further explanation upon that point?—No; the original cause of exasperation, viz. the having been driven from Sundays river to Fish river,

river, had passed away in a great degree from their minds; but they still retained a strong and painful recollection of their having been deprived of the country between Fish river and Keiskamma.

627. Did you feel it your duty to endeavour to remove this dissatisfaction amongst them, and to urge upon them the necessity of abstaining from making these incursions upon the colony?—I did; at a very early period, I induced the chiefs to call a council of their principal men, in order that I might have an opportunity of explaining at large to them, the evil that they would necessarily bring upon themselves by continuing the depredations on the colony, and of convincing them, that it was to their own advantage, that they should be at peace with their neighbours, the British settlers. On their urging the hardship of having been turned out of their country, and now being placed on the lands of a neighbouring chief, who was very jealous of them, I promised to represent their case to the colonial government, provided they would give me a pledge, to issue an order directly to the people to abstain from all further aggressions on the colony.

628. Did they concur in that proposition?—They did; orders were issued in my presence to the principal men who resided chiefly at the various fords, where cattle stolen from the colony must necessarily pass, to seize the cattle from time to time, and bring the depredators before the chief.

629. Did they show every disposition to attend to your suggestion?—They did.

630. Did you correspond with the colonial government respecting the lands, of which the Amazonakwaybie tribe complained that they had been unjustly dispossessed?—After some delay, which was occasioned by my anxiety, first of all to acquaint myself with the facts of the case, and to obtain information from every quarter that I could, I did correspond with the colonial government at considerable length.

631. And what was the result of that correspondence?—The result was that I prevailed upon the local authorities, in the first instance, to admit of their possessing a portion of this neutral territory, about one half of the tract in question; they were permitted to return to graze their cattle there, upon the tenure of good behaviour, and this arrangement was afterwards sanctioned by Earl Bathurst.

632. Who was the chief of the Amazonakwaybie tribe?—Pato was the principal chief, with his brothers Kama and Congo.

633. You considered the result of that correspondence was not the entire satisfaction of the chiefs, but only partially satisfactory to them?—Certainly, they were extremely glad when they learned that they were to obtain a portion of the country; but the very vague terms on which they were permitted to occupy it was any thing but satisfactory to them, and they wished to know whether it was to become really and in good faith their country; they were also particularly anxious to have the whole country restored to them, as the half of the tract was not large enough for their whole tribe; but as far as it went this arrangement produced a very good feeling on their minds, as they now perceived that some attention was being paid to their case.

634. What was the subsequent conduct of those persons; did they show that they were much more disposed to be on peaceful terms with the British Government than they had hitherto been?—Most decidedly they refrained from committing depredations in the colony from that time to the present, a period of about 10 years. There may have been instances of individuals belonging to the tribe (which is very large, consisting of nearly 10,000 souls), who committed occasional depredations; but the chiefs have always shown a disposition to punish the delinquents.

635. Have you any evidence to show that the three chiefs, particularly Congo, Kama and Pato, have since the period at which we allowed them to possess those lands, acted with fidelity and good faith towards the colony?—I could, if the Committee wished it, at a future day, furnish very considerable and satisfactory documentary evidence from the local authorities, both civil and military, and acknowledging the extremely good conduct of the chiefs during the whole of that period, and specifying various instances upon which the approval was founded. I will make extracts from the correspondence that I possess, which will be very decisive as to that question.

636. Can you specify any particular instance in which the three chiefs manifested a determination to adhere to the British Government, and act in a friendly manner towards us?—Yes; there was an instance of an individual amongst them who was charged with having committed murder in the colony, and informa-

60

Rev. Wm. Shaw.

7 August 1835.

tion was sent to them that that individual was supposed to have returned to their country, as he had been in the service of one of the settlers; they immediately employed their men, who pursued him, took him into custody, and sent him to the colony, where he was tried before a court of justice for the crime which he had committed, and being found guilty was executed. That is one out of many instances of their conduct in furthering the ends of justice. Another instance which is in my recollection, and in which their conduct was extremely proper, and strikingly exhibited their disposition to act justly towards the colony, was the following: a few of them had obtained permission to accompany one of the principal chiefs to Graham's Town; on their return home two or three of them straggled behind, and met with a lad tending cattle, and putting him in fear, cut off a number of buttons, which at that time were extremely valuable to them, being used as we use money, from the lad's clothes. They then proceeded to their country, and this circumstance being reported to me, I caused the matter to be brought under the notice of Pato. He inquired into the circumstances from his people, and was extremely indignant at the occurrence, and to use his own expression, he said, "that these men had made the path dirty in which he had walked." He summoned them to a Caffre tribunal; the usual forms of Caffre law were proceeded with; the men were, on their own acknowledgment, found guilty, and a fine of eight cattle was ordered to be levied upon them; those cattle were sent to the colony, in order to be disposed of as the authorities there thought proper, and, if I am not much mistaken, Major Dundas was at that time the landrost of Albany, and probably may recollect some of the circumstances; at all events I have the correspondence which arose out of this affair, and which fully corroborates what I have now stated.

637. Do you mean to say that there was a general disposition on their part to bring to justice any person who committed acts of transgression against the British settlers?—Yes.

638. And this arising from the admission of this tribe to their original grounds?—Yes, and also from the increasing confidence of there being a disposition on the part of the local authorities to listen to their just complaints, and to do them justice.

639. What was the general state of feeling among the British settlers with regard to the Caffres?—I should say generally, among the British settlers, there was a very kind and friendly feeling towards the Caffre tribes, and an anxiety that they might be treated with on kind and just principles.

640. And though there were occasional depredations on the part of the Caffres, the prevailing wish of the respectable portion of the British settlers was, that the natives might be treated with kindness and justice?—Most decidedly; of course in a large community there would be found individuals not under the influence of right principles; but speaking of the community at large, I should say decidedly that they were influenced with a most friendly and upright feeling towards the Caffre tribes.

641. What was the state of feeling of the chiefs towards the colony during the last few years of your residence?—During the last few years of my residence in Caffraria, there was certainly a growing desire amongst the chiefs generally to be upon friendly terms and to live in peace with the colony.

642. What proofs should you adduce of this disposition on the part of the Caffre chiefs, to live in peace with the colony?—As a proof of that, I should adduce the circumstance of their giving protection to so large a number of British subjects during that period, who went into their country for the purposes of trade, &c.; and the very numerous instances of their actually complying with the wishes of the officers on the frontier, to check the depredations of their people.

643. When did you leave Caffraria?—Early in the year 1830.

644. Did this good feeling continue down to the period you left Caffraria?—I cannot say it did. About the year 1829 that good feeling began to be considerably diminished; I am not now speaking of the tribe with which I immediately resided, but we frequently heard in various parts of the country that the chiefs of some of the tribes were becoming uneasy and dissatisfied, on account of various circumstances that had transpired during the last few years I was in the country.

645. State what was the cause of this uneasiness on the part of the Caffre chiefs?—I should say the great cause was the expulsion of Macomo and other chiefs from a portion of what our Government deemed to be neutral territory.

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I refer to the upper part of that country, and which is now called the Kat River settlement.

646. Did the dissatisfaction arise from the settlement of the Hottentots in the Kat River station?—I cannot say that they particularly objected to the settlement of the Hottentots there, more than they would have done to the location of any other class of British subjects; but the dissatisfaction arose from the fact of their own expulsion, and the feeling spread very generally through the tribes in that part of Caffre land. I frequently remarked it, and an opinion gained ground amongst them, that there would be no safety for them on the border, as they inferred, from the expulsion of Macomo, &c., that there was a disposition to remove them further away.

647. You said just now there was a portion of the upper territory which the British Government deemed to be neutral; have you any doubt as to that being originally included within the treaty, as neutral ground?—Personally I can say very little to that; but I believe that Macomo and the chiefs immediately concerned with the matter, were of opinion that that ground had not been ceded by the former treaty, but that the treaty had reserved to the Caffres, that portion of the territory where the Macomos had been residing.

648. Was that a verbal or a written treaty?—I have always understood it was a verbal treaty.

649. You said there was a disposition, on the part of the Caffre chiefs, to cultivate amicable relations with the British settlers; had they the power to enforce this on the part of their followers?—I think wherever there was a decided disposition on the part of the Caffre chiefs to keep on good terms with the colony, they could easily enforce that amongst their own people; I do not mean that they could prevent the occurrence of any instances of depredation, but they could use their authority, so as to make those depredations very unfrequent.

650. To what cause do you attribute the recent irruption of the Caffres into the colony?—That certainly is a large and difficult question; I should say there was a concurrence of various causes, such as must always operate amongst ignorant and savage people; a love of plunder, a reckless disposition, and a miscalculation of their strength; but speaking more particularly of the immediate cause, I should say that the growing dissatisfaction arising out of the expulsion of the Macomos, and their being further disturbed after they had got within what was at that period called the Caffre territory, and various disputes and discussions followed by sundry changes as to the lands, on which the Caffres were permitted to reside in that immediate neighbourhood, produced such great dissatisfaction, as eventually led to a determination in their own minds, to attempt to right themselves, and if possible destroy the power, by which they were pressed onwards from their original country.

651. Do you think the Caffres felt themselves really aggrieved by the expulsion of the Macomos from the country they occupied, and the uncertainty which they felt, in the new situation in which they were located?—I am quite sure of that, and I remember at the time the agent of government addressed a circular to the different missionaries in the country, stating that there were rumours existing of a bad feeling among various Caffre tribes, and which the missionaries understood arose out of the state of feeling, which very soon followed the expulsion of the Macomos.

652. In your communication with the Caffres, did they treat you personally in a kind and confidential manner during your residence among them?—Most decidedly, I never received any thing but the most kind treatment from them; I was constantly living amongst them, and very frequently sleeping in their kraals unaccompanied by any other European.

653. And you never had any reason to apprehend any danger to your personal safety?—Not at all.

654. You felt yourself quite secure under their protection?—Perfectly so.

655. Was that the conduct pursued towards the missionaries generally?—I should think so from all I have heard.

656. Were the missionaries aware of the intention of the Caffres to attack the colony before it commenced?—I believe not; I believe they became aware of the fact only when it was just about to be commenced.

657. How do you account for the missionaries being kept in that state of ignorance as to the intention of the Caffres?—Simply on account of the firm resolution they had made to enter on the war; because if they had hesitated as to what they

were about to do, they would have consulted the missionaries; but having made up their minds, they were determined not to consult them, as they knew the missionaries would endeavour to dissuade them from their purpose; of this I have evidence from what took place when one of the missionaries went to Macomo on the eve of the breaking out of the war, when he found him assembled with 600 or 700 men, and began to expostulate with him. Macomo refused to give him any answer; but after some time he merely said to the missionary, "We are bush bucks to-day;" by which he meant, that they intended to take the field. The matter was settled; they had resolved upon it, whatever might be the consequences, and that was the reason they held no communication with the missionaries upon the subject.

658. Have any circumstances transpired during the late irruption which illustrate the beneficial influence which the missionaries possess over the natives?—I should say that the conduct of the tribe of Amagonakwaybie, to which I have already referred, is a decisive instance of this. That tribe is large, and yet its chiefs have refrained entirely from joining in the invasion of the colony; and not only so, but they have rendered all possible assistance to our troops; at one period they garrisoned one of the military posts with 200 men, at the request of one of the officers; they also protected a large number of British subjects who would otherwise have been murdered; and ultimately they sent out 1,000 men to be under the command and control of the British officers, for any service that they thought proper to engage them in.

659. So that the fact was, that when the chiefs were treated with indulgence, and allowed to occupy part of the country which originally belonged to them, they became faithful and efficient allies to the British Government?—Speaking generally, that was the fact. However it must be recollected, that a portion of the Caffres in conflict had also been allowed the indulgence of residing in part of the neutral territory; I allude particularly to the chief Eno.

660. Can you give any illustration to the Committee of the influence which you personally derived over the natives?—In what way do you mean?

661. It has been understood, that in consequence of some benefit which you were the means of conferring on some of the natives, they considered you as a real friend of their's, and conferred upon you a title; we should be glad to know all the circumstances of that case?—That arose principally out of my interference with the tribe on behalf of a portion of females in the country who were under a very oppressive law, which had been established in the country from time immemorial; it was a law of such a nature as to be absolutely demoralizing in its tendencies as well as very oppressive to females. I therefore, having much influence with the chief, endeavoured to impress upon them the great evils that arose out of this custom, and the impossibility that there could be any improvement unless such customs were abrogated; after the council had been assembled, and much discussion had taken place with reference to the particular law to which I am now adverting, they decided that it should be abrogated throughout that tribe; it is the custom of the Caffres, when an individual has in any particular way distinguished himself, either as a soldier or otherwise, to give him some particular name which has reference to the circumstance, and upon that occasion the females of the country knowing that I had interfered for them, resolved on giving me a name which in their language is Kakalabafazi, which being literally rendered into English signifies "The Shield of Women."

662. We shall be glad to have any other facts by which you can show that they were not insensible to acts of kindness towards them?—If I were to look over my notes and journal I could find many similar instances which are not now present to my recollection; but, speaking generally, I should wish to say that I found them not at all insensible to acts of kindness, and so much the contrary, that they having some notion that I had promoted their interests, with reference to the correspondence with Government about the neutral territory, and other affairs, I had acquired almost unbounded influence over them.

663. What suggestions would you offer as to the future policy to be adopted towards the Caffres?—I should recommend most of those points which I have more particularly stated in a pamphlet that I have recently published, being a letter addressed to the Earl of Aberdeen, the late Secretary for the Colonies. The points suggested there I conceive to be of very considerable importance. I think our border policy should be better defined, and more stable in its administration. As to its general character, it should be at once just and kind; the local government

ment should also be placed in a position to be able to chastise any aggression of the natives, and chastisement should always immediately follow depredation; while, on the other hand, there should ever be a disposition manifested to redress any injury of which they may justly complain. The local government should support and protect them in the enjoyment of their rights, and especially of their right in the soil, without which the Caffres must ultimately prove a great scourge to the colony. If we deprive them of the soil, we deprive them of the means of sustenance, and we compel them to become robbers, and thus war must be perpetuated till we have extirpated them.

664. Give an epitome of your views upon the subject of improving the relations between the Caffres and ourselves?—I would respectfully suggest the following points:—

1. Clearly define and settle the future boundaries of the colony, by a written treaty with the border Caffre chiefs.
2. Offer to the Amagonakwaybie tribe, under Pato, Kama, Congo, &c. their entire ancient territory within the ceded country, on condition that they place themselves under the protection of the British Government, and become responsible for all stolen cattle actually traced into their district; in recapturing which they should be assisted when they require it by a British force.
3. Offer other portions of the ceded territory to any other friendly clans, who will comply with the same conditions.
4. Let a separate written treaty be made with the chiefs to whom portions of the ceded territory are granted, distinctly stating what the Colonial Government expects them to do, reserving a right of interference by the Government in their internal affairs, in certain specified cases; and also providing that such of the people as commit aggressions upon the persons or property of British subjects shall be amenable to the colonial courts of law. Let these treaties be translated into the Caffre language, and copies be given to the chiefs.
5. Let a Government agent be appointed to reside in some part of Caffraria, or on the immediate border. This officer should be duly authorized:—1. As the medium of communication betwixt the Caffre chiefs and the Colonial Government. 2. As the protector of British subjects who cross the boundary for the purposes of trade, or otherwise under the sanction of proper passports. 3. As a magistrate, with full power to arrest and send into the colony for trial any British subject who may commit aggressions upon the persons or property of the natives beyond the boundary of the colony.
6. Let an officer, with powers analogous to those exercised by the late slave-protector, be appointed to reside at Graham's Town, who shall be regarded as the protector of the native tribes. Let him act as counsel, or appoint proper persons to act in that capacity in the colonial courts of law, on behalf of the natives, in all cases where the subjects of the native chiefs are parties concerned. Let this officer be placed in an independent situation, as to the local government, and let him report his proceedings regularly and directly to the British Government.
7. Let the jurisdiction of the local courts be extended, so as to admit of the trial of offences committed by British subjects beyond the boundaries; or otherwise establish a court under proper regulations specially for this purpose.
8. Let a lieutenant-governor be immediately appointed for the eastern province of the colony which includes the border districts. Let him be assisted by a legislative council. Let the residence of the lieutenant-governor, and consequently the seat of government, be fixed at Graham's Town, which is admirably situated with reference to the Caffre border, and is also sufficiently central for the convenience of the other districts, included within the limits of the eastern province, as defined by the late Commissioners of Inquiry.
9. Let the local government be instructed to aid the missionaries of the various denominations in their attempts to promote the conversion, moral improvement and education of the Caffre tribes. Let annual grants of money be made to the various Missionary Societies in that country, and let the sums so granted be distributed in fair proportions, with reference to the number of schools established, and natives instructed by each society.

665. Is it your opinion, that we, having driven them from so large a space of country which they had previously occupied, are under an obligation to confer upon them all the benefits of knowledge, civilization, education and christianity that it is in our power to bestow?—Undoubtedly, and it will be the best interest of the colony to do so. It will be conferring a boon upon colonists to promote the moral improvement of the Caffres. The increase of the British settlers on the borders requires that this should be done, as I conceive it quite impossible that peace can long be maintained between the Caffres and the Borderers, unless the savage habits arising from ignorance and paganism be erased and removed.

666. Have you any experience of a diminution of the population having taken place among the nations of South Africa, in consequence of the seizure of their territory?—I cannot speak as to that.

667. Do you know the fact whether the numbers have increased or diminished?—I think the numbers of the Caffres have increased, the country is a very fruitful country

Rev. H. M. Shaw.

7 August 1835.

country, which they now enjoy; and I should conceive, from the abundant means of subsistence which they have had, that the population has rather increased than diminished among the Caffre tribes. I do not think the same as to the Hottentots.

668. You must have a considerable number of the Caffres, who were formerly residing between Fish River and Keiskamma?—The difference is, that they are crowded up very inconveniently in the tract of country they now enjoy, which is one of their causes of dissatisfaction. In consequence of their habits, they depend principally upon grazing, which, especially in that country, requires a large space of ground, for changing the nature of grass at different periods of the year. It is that which has caused them so much inconvenience, being crowded within such narrow limits; and of course the evil becomes greater as the population increases.

669. You say they have increased; within what period would you fix the increase?—I should think within the last 40 years they must have increased; all the accounts we have of the population about 40 years ago would lead me to that conclusion, that there must be a larger number of Caffres now than there were 40 years ago.

670. Within the period you were in that colony do you think they increased?—It would be difficult to say; I know of no cause that would be likely to produce a decrease during the period I was there, as there were no transactions involving any considerable sacrifice of life, during all the time I was there.

671. Do you not think, that the being deprived of so large a portion of the country, would tend to reduce the population?—It must in the course of years for this reason, that it would bring on disputes; it would necessarily generate frequent wars and collisions between the tribes themselves on account of the want of ground, and it has already partially produced that effect.

672. Are you aware of any efforts that have been made, not by the missionaries, but by the British Government towards the civilization and instruction of the Caffres?—I am not aware of any attempts having been made upon an extended scale; I believe the Government had in view to improve the Caffre tribes, when they endeavoured to establish a trade with them, which was done at the earnest request of various persons interested in the improvement of the Caffres; as to any direct measures of an educational kind, or any thing of that sort, nothing has been done there.

673. Did you, or other missionaries, give the Caffres any information upon the subject of the arts applicable to their improvement in civilization?—Yes, we introduced the plough in all our stations, and it has been employed as an implement of agriculture by several of the chiefs connected with the Wesleyan station. The purchase of a plough was to them a difficult thing, but seeing the advantage of it, they endeavoured to obtain it and also waggons, which is another very important acquisition in that country; several of them are now possessed of waggons and teams of oxen; they have also, in many instances adopted the European costume. They built a very beautiful village at Wesleyville, containing a number of dwellings which were erected for their own residences, and built much in the same style as the houses of the European settlers.

674. You think, that were efforts made for their improvement and civilization, they would respond to those efforts, and they would gain ground?—Undoubtedly; I cannot at all concur with those who denominate them irreclaimable savages.

675. Have you any thing especially to recommend with reference to the Caffres under Pato, Kama and Congo?—I should especially recommend, that as they have kept good faith with the British the British should, at least, keep good faith with them; and in the settlement of various questions that must arise out of what has recently taken place, I would especially recommend that the lands originally belonging to them should be restored to them. If those lands are now, or should become within the colonial boundaries, of course it should be a question put to themselves, whether they would be willing to come under the dominion of the British Crown. I am of opinion, that they would be very glad to place themselves under the protection of the British Crown if we granted to them the enjoyment of these lands.

676. If placed under the protection of the British Crown, do you suppose that they would submit to the restrictions of British law?—There would be some difficulty about that; my own idea of the matter is, that they might in some such way, as several of the independent petty states that exist under the protection of the East India Company in the East Indies, be allowed to possess a kind of internal jurisdiction, that is, exercise the right of administering their own laws amongst

65
 Rev. Wm. Shaw,
 7 August 1835.

amongst their people, and within the limits of their own country. In some such way I should think that a satisfactory and clearly defined arrangement might be made with them.

677. Did you not cross the frontier to reside among the Caffres at a time when it was supposed that no European could go among them without peril to his life?—It was considered at that period to be an exceedingly hazardous step, and numbers of my friends tried to persuade me from going among the tribe, as they were the principal depredators during the war of 1819.

678. What were the tribes with whom you resided?—The principal Caffre tribes with whom I resided were those of Pato, Kama and Congo.

679. What was your reception?—Very kind and cordial. They were extremely glad to see me, and received me with loud huzzas, as if I had been making a triumphal entry when I took up my residence with them. I had, however, made a previous visit to the chief for the purpose of obtaining permission.

680. Did you declare yourself at once as coming amongst them for religious purposes?—I declared that upon my first visit, requesting permission to reside there.

681. Was any allusion made to the state of hostilities between the two parties, the British Government and the Caffres, at the time of your arrival amongst them?—Not particularly at that time, but shortly afterwards they began to give me the information which I have already detailed, being an account of what they conceived to be the ill-treatment they had received.

682. Without reference to their kind reception of you, did you find them uncivilized and sunk in ignorance?—I found them in an exceedingly ignorant and degraded condition.

683. How did you acquire influence amongst them?—Very gradually, and by taking all opportunities of proving myself their real friend.

684. And being so superior in knowledge?—Probably that had its influence; no doubt it had.

685. For instance, had they not a superstition that there was a class of persons amongst them that could produce rain by certain incantations?—Yes.

686. How did you expel that superstition?—Generally by preaching against it. There was a particular instance of the kind alluded to, which, if the Committee think proper to hear I will state; it was not a very long time after I went into the country. There was a severe drought, and the people were reduced to great straits for want of rain. During that period, knowing I should have the principal chiefs at divine service, I preached on one occasion a sermon expressly against the current superstition, and declared that no man could make the rain; that they must look for that blessing to God Almighty alone. Almost immediately on concluding the service the principal chief Pato, who was present, together with his brothers, came up to me and said that they were determined to have the matter reasoned out between me and the rain-maker, who, they said, insisted that he could make the rain, while I insisted he could not, and therefore we could not both be telling the truth. They appointed a time and place to meet together. I went at the time appointed, and was not a little surprised to find, upon my arrival there, at least a thousand of the tribe assembled together, and they were performing a number of those curious evolutions such as they are accustomed to go through when in the act of endeavouring to obtain rain. Without any previous discussion, the chief told him he was to begin, and he delivered a long address, the import of which was to remind the people that upon many previous occasions he had actually assisted them, and that they were so sensible of the fact that they had actually made him large presents of cattle for it. His address produced a very considerable effect. After he had finished the chief told me it was my turn to speak, and I also spoke at considerable length, and there was a great deal of anxious attention to what I stated; and whatever they had thought previously, my argument (if such it might be called) appeared to make an impression upon them. The people were much interested in it; and as I happened to remark, it is very extraordinary if you have the power of making the rain that you should not use that power? These people are your friends; they have not done you any harm; why withhold the blessing from them? and while thus speaking I pointed to his own herd of cattle, which were grazing on an opposite hill, and said, there are your own cattle, lean and meagre, ready to perish for want of grass; and I put it to him, if he had the power to make rain, how it was he did not use the power. This seemed to puzzle him a good deal, and excited much

66.

Rev. Wm. Shaw.
7 August 1835.

attention. He quickly recovered himself from his apparent embarrassment, and said, "I would give rain; I might make rain, and I have been trying to get it for some time. I would give it now, but you are the hinderance" (pointing to me with the view of exciting the people against me). I demanded an explanation in what way I hindered the falling of the rain? He said, "That thing you brought into the country, and set up upon a pole that stands near the great house where you have the talk" (meaning the chapel), and the thing he referred to was a bell set up there for the purpose of assembling the people to worship, "for when I have collected the clouds, and the rain is ready to fall, that thing goes tinkle, tinkle, tinkle, and the clouds are scattered and no rain can fall; it passes away." The result was, that a great part of the people of that tribe went away quite satisfied that they had been under a great delusion on that subject, and from that time to the present, throughout the tribe of Amagonakwaybie, under Pato, this debate put an end, amongst the mass of them, to their notions on the rain-making system.

687. Judging from your last statement, you found the tribes of the Caffres with whom you resided in a very depressed state of intellect with regard to the Deity?—Yes; they had some very confused notions of the existence of God, but extremely vague.

688. Are they idolaters?—No, they are not idolaters, but they have the fragments of some very ancient system of religion still subsisting among them, in the form of a number of singular observances which they do not connect with any religious institution, though we know they must have been originally instituted for religious purposes; as for instance, circumcision, burning incense, offering sacrifices and oblations; and the rain-makers themselves I regard as the successors of a former race of priests.

689. Did you find them bigotted to their superstitions?—Yes, very much indeed, to their ancient superstitions.

690. Were they averse to receive any instruction in christianity?—They disputed every inch of ground with us; they were willing to go into inquiry, but we found them very different in that respect to the Hottentots in the colony, who always receive with implicit credit what is stated to them by their teachers. The Caffres exhibited considerable powers of mind, and were not willing to receive any dogma until it was proved to their satisfaction.

691. To a certain degree you were ultimately successful in inculcating the doctrines of christianity?—Yes.

692. Describe the result of that inculcation?—A description probably of one may be taken as a sample of the rest. At the station of Wesleyville we had several hundred persons in immediate connexion with the station; and the natives who came there abandoned polygamy when they became residents of that village; amongst those we had our principal attendants at the place of worship, and amongst them we had not a few who received baptism; and there are at this time about 80 persons in that station who had embraced christianity, and who were not only believers of the doctrines of christianity but very excellent christians.

693. They had become communicants?—Yes, and a large number not contained in the list of communicants had become believers generally in the doctrines of christianity, although we had not as yet received them as members of the christian church.

694. How many places of christian worship were there in Wesleyville?—There were two places in connexion with Wesleyville station within a few miles of it; but we used generally, when not at the mission village, to worship in the open air.

695. Did you also establish schools?—Yes.

696. Did you find the children intelligent and docile?—Very intelligent indeed; the children were exceedingly apt at learning; and I have known many instances of their learning to read with facility in their own language; and at this moment there is a considerable number of young persons who can read the New Testament in their own language.

697. Who prepared the New Testament?—I should state that it is not the whole of the New Testament but different portions of it; it is being printed at the Wesleyan Mission Press, at Graham's Town, having been translated partly by the Wesleyan and partly by the missionaries of the other denominations.

698. And what parts have been rendered into their dialect?—A great portion of the New Testament, the four Gospels and several of the Epistles, the whole of the Pentateuch, a great portion of the Book of Psalms; and some other portions of the Old Testament are now perfectly ready, having gone through many careful revisions; some portions are now being printed at our press at Graham's Town.

699. What

700. What is the distance between Wesleyville and Graham's Town?—About eighty miles.

701. Was there not recently a normal school established in Graham's Town, under the name of Watson's?—Yes, there was one intended to be established, and called Watson's Institution.

702. Was that for the purpose of preparing schoolmasters to go into the Caffre-land?—That was what was intended; it was a scheme that I came home, among other things, particularly to recommend, hoping that we should be able to induce the Government to assist in its support, and it would have been commenced but for some unforeseen local difficulties which had arisen; and the carrying into effect this important measure is now further delayed by the unfortunate rupture between the Caffres and the colony which has taken place.

703. Was not that institution projected in consequence of the progress made by the Caffres in civilization and christianity?—Undoubtedly, on account of what we conceived to be the increased fields for the spread of education.

704. And also with reference to the number of recipients?—Yes; the number desirous to be taught whose cases we could not reach by our present establishments, because the funds of our missionary society would not allow the employing of so many Europeans as is necessary for schoolmasters; we thought it probable therefore, that by instructing natives to teach, who could live on a lower scale of salaries, we should thus have a larger number of schools without very seriously augmenting the expenditure.

705. Is it likely that in consequence of the unfortunate occurrences which have recently taken place that all these new christians are likely to be dispersed?—That may be the case in some places; but I should have remarked that none of those who have been immediately connected with the Wesleyville Missionary Institution have in any way been mixed up with the tribes that have been in hostility with us. They continued at Wesleyville, and have remained together; not a single instance has occurred of any Caffre belonging to our religious society having joined their countrymen in hostility against us.

706. Did you preach in their own language?—Yes; sometimes with and sometimes without interpreters.

707. Do you imagine, with regard to those persons of whom you have been speaking, who have become christians, that they would be acceptable to the natives of Caffraria as teachers?—Yes, to the young persons intended to be instructed at the school.

708. Those eighty persons of whom you speak as having been baptized and become communicants, do you think that as teachers they would be more acceptable to their brethren than yourself?—Not more acceptable, but they are very glad to listen to their countrymen in the character of teachers.

709. They do not despise them?—No, not at all.

710. Not in the same way as the natives in the East Indies treat a man who has lost his caste, and gone over to christianity?—No, there is no feeling of that kind; their respectability is rather increased in the estimation of the Caffres than otherwise.

711. Did you take any steps with a view to send out these persons among their brethren?—Yes; in the religious society to which I belong, it is part of our system every where to employ the natives whom we deem qualified to teach, and we are accustomed to send those persons round the villages on a regular plan for the purpose of imparting instruction.

712. The natives who are converted?—Yes; the second chief, Kama, is himself one whom we regard as a true christian, and having made considerable progress in his knowledge of christianity, he very frequently assembles the natives for religious worship, and gives them instruction.

713. How do the missionaries introduce themselves to the native tribes; is it to give them instruction in religion, or is it for imparting to them useful knowledge the other kinds?—Both; the missionary considers he is proceeding to reside amongst them on both grounds.

714. Do they seem to comprehend pretty clearly the objects of the mission?—I think they do, not very clearly comprehend them in the first instance; but in the course of a very short time we find they attain to a very distinct understanding of the particular objects we have in view in residing in their country.

715. Do you join them in any of their agricultural or worldly pursuits?—Yes;

we

Rev. Wm. Shaw.

7 August 1835.

we used very frequently to assist them, by suggesting improvements in the mode of the cultivation of the soil, and on other points.

715. Can you afford us any information regarding any of the tribes in the colony, besides the Caffres?—I do not think any information I can give to the Committee would be of any considerable value; I only refer to the Caffres, inasmuch as nearly the whole of my time was spent among them; and therefore, I am better acquainted with them, than with the other native tribes.

716. You said that the good feeling which existed between the Caffres and the colony, began to be materially diminished about the year 1829; did that arise from the system of proceeding into their country, and seizing cattle in any degree; you have attributed it to a variety of causes, but you did not mention that?—Yes, that was undoubtedly a considerable source of annoyance, and frequently arising, they always complained of the system of entering their country and taking away cattle, on which occasions notwithstanding every disposition to avoid it if possible on the part of the gentlemen who commanded the troops, it sometimes happened that cattle were taken from parties who were not at all implicated in any aggression, and that was a continual source of complaint; but as they sometimes had the means of obtaining redress, though not always, I do not think that this system was the chief, though it might be the immediately exciting cause of the late aggression, but there is no doubt it was one of the many concurrent causes of the bad feeling that has been produced.

717. In those cases, is it not almost impossible to prevent the innocent suffering with the guilty?—With that system it was utterly impossible; I am of opinion, however, that it would be possible to point out a mode by which that evil may be remedied, and the cattle be taken from the guilty alone, without involving the necessity of taking away the cattle of innocent persons.

718. What was the character of the traders who went into the Caffre land?—Of course in so large a number of persons there was a great diversity of character; a number of them I considered to be very worthy, sensible and good men, but I cannot say that they all bore that character.

719. In their dealings did they act justly and fairly towards the natives generally, so as to cause them to respect them on that account?—There was a great competition after a certain time, and from this I think the natives usually obtained the full value of their commodities.

720. You spoke of the character of the soil as requiring a large tract of land to support comparatively a small amount of population; I presume the land there is somewhat of the character of Swellendam?—I am not particularly acquainted with the neighbourhood of Swellendam; the Caffre country is much finer than many parts of the colony near Cape Town.

721. They are a pastoral nation?—Quite so.

722. Not growing crops?—No; they do certainly grow various sorts of grain, but their principal dependence is upon grazing.

723. Principally from the milk of cows?—Yes.

724. Have they any kind of manufactures at all?—Nothing that can be called manufactures; they make a kind of coarse pots and baskets for their own immediate use. They also forge their iron instruments of war.

725. Have you not heard that in depredations on the colony they have chosen the best breed of the cattle to take away; that they have chosen the best milking cows out of the herd?—I have known that to occur during their occasional depredations. I remember at this moment complaints having been made to me in the country, that individuals have lost very choice specimens of cattle.

726. Under the commando principle, the boors, or farmers who lose the fine cattle, would only be entitled to receive again the same number of head of cattle?—That is the commando principle.

727. Then he would be a great loser under such circumstances?—Of course.

728. When did you leave the colony?—In the early part of 1833.

729. Following up your idea that the innocent are very often punished for the guilty according to the system adopted now; how could you prevent that; what would you recommend to prevent it?—I think the best plan would be to do what is now partially done; viz. to follow what we call the "spoor," the trace of the cattle until it enters the district belonging to some chief; and my plan would be to divide the whole border into districts, and to make every border chief understand that he is responsible for what occurs on the particular line included within the two boundary points of his district; the spoor of stolen cattle being traced across

69

Rev. W. Shaw

7 August 1835

across the line into the territories of any one of the border chiefs, I should recommend that our troops or the patrol should not proceed any further into the territory of that chief, but remain on the spot till a messenger could be sent to inform the chief responsible for that district of the fact, and require his immediate attendance at the place, and on his arrival there, I should think it would be proper that the officer in command should state the number of cattle lost, and show that the cattle were traced to this point in his own country, and that it now became his business, and that he must either trace out the cattle or become responsible for restoring the number of cattle stolen, together with a specified number by way of penalty, which I think should always be demanded in addition to the number lost.

730. Do you think that the native chiefs of Caffre land would be likely to consent to that?—I think so, but I will proceed still further to explain my views; some general regulation should be made upon the subject. The patrols should be required to wait at least a reasonable time for the purpose of receiving a communication from the chief; and if he returned within the time with the amount of cattle required all would be settled in a satisfactory manner; or if he returned and said that he had traced the spoor out of his district to some tribe beyond, and he wanted assistance to enter into the territory of the tribe beyond him who might be more powerful, in that case the troops should proceed to his assistance; and then the next chief should be held responsible. On this system the spoor would seldom go beyond the territory of the first chief, though sometimes it might, and that chief should be required to return the number of cattle, and the troops should be so prepared, and having communication with the rear as to be able to keep the field, and not return home until the matter was finally settled; if the chief refused to do what was right I would have the troops not leave the country, but report to the commandant of the frontier, who should immediately authorize them to make reprisals upon the cattle of the kraals within that district wherever they could seize them, full explanation having been previously given that that would be the result, and then I think there would be no impropriety in seizing the cattle as the ultimate and only remaining mode of redress. If this system were steadily acted upon, I am persuaded it would have a most beneficial effect. It is precisely the Caffre system; the plan the natives themselves adopt of tracing cattle that are taken away, when they find that they have entered the territory of another chief, they do not dare to proceed further until they have sent a messenger to him, and he immediately sends a person who carries what is called his tail; that is, a stick having the tail of a lion or tiger attached to it, a sort of staff of office, and by means of that he permits them to proceed until they come to the kraal which has committed the depredation.

731. There is no difficulty in continuing the trace of the spoor, I apprehend I think not, if the force be sufficient.

732. I understand the spoor of the Caffre is dissimilar to that of the Hottentot and European, and there would be no difficulty at all about it?—The Hottentots of the colony connected with the Cape corps, some of whom should always be of the party, perfectly understand the mode of following up the spoor.

733. I presume, therefore, you would recommend an augmentation of the Hottentot corps. I infer, from what you have stated, that you would always have a force ready to punish depredations committed?—I should most decidedly recommend an increase of that corps. My own impression is, that one of the greatest errors committed in the system of defending the frontier was the diminution of that corps several years ago.

734. What, in a local judicial point of view, would you recommend further. Would you not recommend that a lieutenant-governor, or a person with proper authority, should be appointed at Graham's Town, always on the spot, to receive either complaints or addresses, or the representations of the Caffres when required to go there?—I hold that to be indispensable, and there will never be any settlement of these matters unless there is a proper local authority.

735. The distance being between 600 and 700 miles from Graham's Town to Cape Town, what is the method of travelling across the country?—On horseback.

736. What time does it take?—The mail-post traverses the country in four or five days upon horseback.

737. If troops were required from Cape Town at Graham's Town, they would be obliged to be sent by sea?—Undoubtedly.

738. Therefore a great delay would be occasioned?—A considerable delay; sometimes from the prevailing winds a long delay might happen, as well as from

40
Rev. W. m. Shaw.

7 August 1835.

64 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the dangerous nature of the coast; indeed it is impossible to say what circumstances may occur to occasion delay.

739. Do you conceive if more settlers were to go to Albany, and numerous enough to create a kind of militia, that that would not be attended with very beneficial consequences; that they might be called out and arranged into a corps when necessity required?—I think it would be very desirable that the inhabitants should themselves become a corps of volunteers on some well-understood plan, calculated to give effect to it; and if that was the case, in order to prevent an irruption and protect themselves, I think they would willingly submit to some easy method of giving effect to a scheme of this sort. There is at present no such system in existence. In that respect the old Dutch colonists are better organized and more prepared against Caffre depredations than the British settlers.

740. Do you think it very desirable that that should be so?—I think so.

741. The chief Kama has been converted to christianity?—Yes.

742. He has ceased to be a polygamist?—Yes; we commenced our mission when he was comparatively a young man, and he had but one wife, the daughter of the late chief Gaika, though there were many attempts made by Hinza, and other chiefs, to induce him to contract matrimonial alliances with the principal families of the country; from the influence of christianity and his religious principles he stood aloof from any engagement of that kind.

743. There have been a great number of boys and girls sent to the Cape of Good Hope by an admirable society—the Childrens' Friend Society; can you tell me what has been the effect. Have they done very well?—That has occurred since I left the country. I think it would be certainly advantageous to the children and the colony.

744. Do you think it desirable that the numbers should be increased?—Certainly, that is my impression. I do not know how it works in practice, but that was my own idea before I left the country.

745. Perhaps colonization, to take place in that way, is better than by adults?—Probably so. I think a well-regulated emigration to that country would be a decided benefit to that country.

746. Do you suppose the chiefs would be induced to enter into a treaty by which this system of discovering cattle that may be stolen might be carried into effect. Do you think they would bind themselves by an engagement to do it, so that it might not seem to be the act of the colony only, but the joint act of the two parties?—They have frequently proposed it; and I should further explain, that a system of that kind has been partially pursued, but I think it has not been acted upon so regularly and systematically as it should be. Instances have come under my own knowledge of that plan being adopted, and with good effect.

747. If it was made the subject of treaty, it would be likely to be steadily followed up, because then it would be the act of the two parties together, and would be more steadily pursued, and would be more operative in its consequences?—Yes; and if steadily pursued, I have no doubt as to the good effects of it.

748. Are not the depredations that have been committed upon the inhabitants by the Caffres more in times of drought, showing that it was the effect of poverty acting upon them, or are the depredations the same at all times?—I have heard it stated that in times of drought and great scarcity the depredations are more frequent, but I should not wish it to be understood that my opinion is, that it was exclusively from want that they committed these depredations.

749. An account has been very recently received of the Caffres being entirely expelled, and a portion of the country taken from them to the extent of 7,000 square miles; supposing that to be the fact, is it your opinion that the expulsion of all these persons to a great distance will be disadvantageous to the welfare of the colony or not; should we understand that the whole of that district will become a wilderness?—Upon the fact, whether it is to remain vacant or not, will depend in a considerable degree the effect it will produce hereafter upon the frontier; if any large portion of it is to remain as a vacant country, then I should say nothing could be more impolitic, as we have proved by our experience of the neutral country; I think nearly all parties have been satisfied, that while that remained totally uninhabited it was a mere den of thieves, and afforded the opportunity of secrecy to robbers, which they could not possibly have had if the two boundary lines had been approximated, for no chief could be held responsible for the vacant country.

750. Would

750. Would it not be very difficult to supply a new population there, and where would they procure it from?—I have understood that the class of persons called the Fingoes, are to be brought into that country.

751. From what district could they be procured?—Principally from the territory of the chief Hinza; they have been living in all parts of the Caffre land; they are a class of refugees driven into Caffraria some years ago, in consequence of wars in their own country.

752. Are they peaceable, well-disposed people?—They are of much the same kind as the Caffres themselves; they are in a very deplorable state, being in a kind of slavery among the Caffres, but their habits are precisely the same as those of the Caffres.

753. Supposing the Caffres to be expelled from this immense tract of country, whither would they fly?—They must be crowded together between the Kie river and the Bashe river.

754. They will be reduced probably to great misery?—I should think their being crowded up so much in that limited tract of land, will, of course, involve them in great difficulty.

755. The natural consequence of such misery will be constant inroads upon the territory from which they have been expelled?—I think that is very likely, and perhaps still more arising from the greatly increased exasperated feeling which I am sure they will entertain from the remembrance of losing their entire country.

756. Under the deficient information which we have before the Committee upon that particular point, is it your opinion that the expulsion of the Caffres from a territory of the immense extent reported is very undesirable?—That is a question which under all the circumstances I should feel some difficulty in answering at this moment; but on the first view of the case since I heard the intelligence to which you allude, it struck me as being a very injudicious and disadvantageous measure; but as I observe from the public prints, the declaration of the Kye river as the future boundary of the colony, has been made so formally, and in the presence of some of the leading Caffre chiefs, whether cancelling a measure of that kind now would be wise, is another question; I should however certainly say, if the present arrangement should be confirmed by the King's Government, it would be highly desirable to make some arrangement with a portion of the people who are expelled so as to allow them to re-occupy part of the territory with the understanding that they are hereafter to be British subjects, and I think they would rather come back to the territory as British subjects, and submit to any regulation which our Government would be likely to impose, than be entirely expelled from the land.

757. Do you not think such an arrangement is likely to take place, because, from motives of humanity as well as policy, the British Government would not drive a large population from their country that might endeavour hereafter to support the colony by their contributions?—I should think so; it must appear desirable on those grounds.

758. There is nothing in the public dispatches that would prevent the Caffres coming and taking the possession from the British Government?—I understand the terms of the proclamation to amount to this, that the chiefs who have been engaged in the recent hostilities are to be perpetually banished from the country now taken possession of.

759. Do you conceive the extent of the territory mentioned in these newspapers is accurately described?—It is mentioned in round terms, and I should not think it very much exceeds the extent of territory; it is a large territory; I speak without much consideration on the subject, but it does not strike me as exceeding the extent.

760. Is there any disposition amongst the Caffres to connect themselves with the colony, and to become, in fact, subjects of His Britannic Majesty?—With the limitations I have before spoken of, I should speak decidedly of Pato's tribe, that they would be willing to place themselves under the protection of the British Crown as subjects, consenting that any crimes committed upon British subjects should be tried by British law; but I think they would wish to save the right of having a local jurisdiction in matters purely arising among themselves, deciding causes betwixt Caffre and Caffre; but I feel confident they would be prepared to consent that any depredations committed by their own people upon British subjects should be tried by the British authorities.

761. What I mean is, whether the Caffres would do such and such things in the colony

42

Rev. Wm. Shaw.
7 August 1835.

colony as the Irish in England, namely, come and live and place themselves under the same Government, existing as the people of the colony?—They are very willing to do that; that was tried on a large scale, and great numbers entered the colony and engaged as servants to the British settlers. It was, however, thought that this system did not answer very well, and some fears arose as to the consequences. It was found to be very difficult to bind many of the Caffres to keep their engagements with their masters, and in consequence of that the system was not generally persevered in.

762. How long were you in Caffraria?—About seven years, I was a resident there, and frequently performed journeys there for three years besides, so that for ten years I have been intimately acquainted with the Caffres and the Caffre land.

Luna, 17^o die Augusti, 1835.

CHARLES LUSHINGTON, ESQUIRE, IN THE CHAIR.

Captain Spiller, called in; and Examined.

Captain Spiller.

17 August 1835.

763. I BELIEVE you are an officer of artillery?—Yes.

764. Are you lately returned from the Cape of Good Hope?—In December last.

765. Where were you stationed in the colony?—I was principally on the frontier in Graham's Town, for 14 months.

766. Have you ever been employed in service against the Caffres?—No, not personally; there was a command at the time when Macomo and Tyali were driven out of the Mankazana, the Cape mounted rifle corps was employed in expelling them, but I was not required for that duty, as artillery was not deemed necessary.

767. Does the duty of patrolling devolve entirely upon the Cape corps?—Yes, entirely.

768. Are the infantry employed upon other occasions?—They were never employed while I was there in patrolling.

769. In your opinion, is the present strength of the Cape regiment equal to the defence of the frontier?—Decidedly not; and they were very much harrassed when I was there with the duties they had to perform.

770. What increase would you recommend?—It entirely depends upon circumstances; but they require a great increase no doubt, for the line of frontier is very extensive.

771. But in truth late events would render it very difficult for you to give an opinion upon that point?—Yes; but according to the old line of frontier their strength was very inefficient; very much so indeed. The men were very much harrassed, and the Caffres, in consequence, were able to commit many depredations, which had there been more constant patrolling and on a more extended scale, would have been prevented, and it would very much add to the security of the frontier.

772. During your stay on the frontier, you must have had opportunities of judging of the system pursued towards the Caffres; what is your opinion of it; was it uniform or not?—Certainly not; it was not considered uniform, and I believe they felt it was not so themselves, as far as my intercourse with them went. I was a short time with a party of Caffres, over which Pato, Cobus and Kama; were chiefs, and I know from what they said at that time, that they thought the system was not a well defined one or effective, and I believe it was so considered among the inhabitants of Albany.

773. If a uniform system were adopted, with reference to the natives, do you think they could be relied upon to abide by it?—Yes, I think so decidedly; I think it proceeds from the want of a sufficient force to keep them in subjection, and to prevent those depredations among them. Had there been a stronger force on the frontier and consequently more looked after, they could not have committed those depredations.

774. Generally speaking, do you think well of the habits and dispositions of the Caffres?—He is an habitual thief; decidedly so.

775. How

775. How does that comport with what you stated just now, that they would be disposed to respect treaties and engagements?—If they knew they could not carry on their depredations without being punished, I am satisfied they would adhere to treaties; having been treated with great lenity, they have construed it into weakness on our part, and therefore presumed upon that, and from that circumstance have committed great excesses.

776. Do you think them perfidious?—Decidedly so.

777. Have you not known instances among the chiefs of very magnanimous and spirited conduct?—There was no act occurred during the time I was there of that kind, but I have heard instances in which they have evinced such a feeling.

778. Who was the commandant on the frontier when you reached it?—Colonel England.

779. Has the commandant authority to act upon all occasions, or must he apply for orders from the Government?—He must apply to the governor upon all matters of consequence, but upon subjects of no great moment he acts upon his own responsibility; but all matters of importance are referred, I know, to head quarters.

780. Do you remember the expulsion of the chiefs, Macomo and Tyale?—Yes.

781. Did that event cause much sensation among the colonists as well as the Caffres?—Yes, it did.

782. In what way?—It was viewed in different lights, principally because it was considered rather a partial expulsion; there were other chiefs who were considered more deeply implicated than either Tyali or Macomo; Eno, for instance; so much so, that I remember an instance, in which an officer stationed at Guatana, when Eno contemplated seizing his post; I do not know whether it was preceding the expulsion of the Caffres from the territory, but it is a fact very well established, and that officer got his information from one of Eno's Caffres.

783. On your return to Cape Town, had you any communication with the governor, Sir Benjamin D'Urban, on the subject of the frontier system?—I certainly had a conversation with the governor on the subject of the Caffre measures; having so recently returned from them, he asked me several questions, and seemed very anxious to proceed to the frontier.

784. Do you think that a governor, residing at a distance of 600 or 700 miles, is competent to administer such a system as may secure the peace and protection of the frontier, without some intermediate civil authority on the spot?—If there was a deputy governor or some other competent person who could act independently, it would be better than waiting the return of posts, at a distance of 600 or 700 miles. It is a fortnight at earliest before any answer can be returned to a communication, and supposing a letter to be sent on Wednesday, to be attended to it must be answered on the Thursday; it leaves Cape Town on the same day, and arrives on the following Wednesday or Thursday; and therefore there are only a few hours to transmit any answer.

785. Then you think it is of great importance that such an intermediate authority should be established?—Decidedly; it would be greatly to the advantage of that part of the colony, which was a very flourishing one.

786. Are you aware of any injury having occurred to the public service, from the delay arising from the distance to Cape Town?—I do not know that I can point out any particular injury having occurred by delay; but I think the governor being at so great a distance cannot be so well aware of the state of circumstances, as to enable him to act in the prompt manner he would have done were he on the spot, and I think that the late attack of the Caffres is very much owing to that want of knowledge on the part of the governor at the time, of the state of the country and the feelings of the parties.

787. You have stated that the Cape mountain corps is principally employed in patrolling, do you consider the force on the spot when you left adequate for its protection?—No, decidedly not, particularly with regard to the Cape corps; I think one regiment of infantry is quite sufficient for all the purposes required from that kind of force, but the Cape corps was decidedly not so; they would require to be greatly augmented.

788. Since you have been in England, you of course have heard of the late irruption of the Caffres?—Yes.

789. What do you ascribe that event to?—It was a thing certainly expected; I expected that something of the kind would occur previous to my leaving the frontier, so much so, that I mentioned that fact immediately after I came to this

44
Captain Spiller.

17 August 1835.

68 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

country; it has entirely arisen from driving out from the Mankasana Macomo and Charlie, not but what there may have been sufficient grounds, and no doubt there were, for this step, and that the acting governor was in possession of circumstances which made that act justifiable. They were allowed to return after Lieut.-Colonel Somerset came back to the frontier from England; and in consequence I believe of some jealousies on the part of the military and civil authorities at that time, it led to their being again expelled, and this of course aggravated the bad feeling which had arisen amongst them. I believe it is a known fact that Macomo and Botman themselves complained that there were other chiefs more deeply implicated than themselves in the depredations on the colonists, and they denied that they had committed any theft, and said that they had been singled out for punishment while others were allowed to remain who were quite if not more culpable than themselves. I believe that was known to be the feelings of these two chiefs who have been driven out.

790. You said just now, indirectly, that the removal of Macomo was perfectly justifiable?—Yes; I am quite satisfied that the governor must have been in possession of circumstances which fully justified his taking on himself to drive these people out of the country, which they had been for a considerable time permitted to occupy by sufferance, but those circumstances are not known to me.

791. Then that is mere conjecture on your part?—Yes.

792. During the time you were quartered on the frontier, what was the conduct of the colonists towards the Caffres?—Very good; I never heard of any of the colonists committing depredations or any violence upon any one of the Caffres: I never heard of an instance. The Caffres, when I came away, were committing all sorts of excesses; they were robbing very far in the interior, very near to Graham's Town, also between the Boshman and Sunday's rivers, and a party of Caffres had established themselves upon a small tract of country in that neighbourhood.

793. Exclusive of motives of humanity, it was the interest of the colonists to conciliate the Caffres with reference to their own security and for the purposes of trade?—I am quite satisfied that it was the wish of every person on the frontier to conciliate the Caffres. They have been carrying on a very considerable trade with them, and it was their interest to do so.

794. When you say you never knew of any aggression on the part of the colonists, do you mean to say you never knew of this circumstance being committed—that when the Caffres have committed irregularities, retribution was somewhat severely exacted from them?—When the colonists had traced stolen cattle into certain kraals, it sometimes turned out that the cattle which were seized in those kraals did not belong to the chief of that kraal, and whenever that was found to be the case they were always returned, and I can only say there was a very humane feeling towards the Caffres whenever any of them were taken. I know an instance when I went to the Kat River post, there was a Caffre had been given over by one of the chiefs as a thief, as the individual who had stolen cattle from the colony, and he was soon liberated by the orders of the governor, he was not punished, and I know it formed a matter of great surprise to Charlie that this man who had been given up had not been punished. He said, "what is the use—you complain of the Caffres taking away your cattle; when the thief is given up to you, instead of punishing him, you send him back in much better condition than when he was given up."

795. But when these cattle have been traced to the kraals of the Caffres, has an exact or more than an exact equivalent been taken in return for the cattle found?—I have never known an instance upon which the Caffres had complained that their cattle had been taken from them wrongfully, but they have been, on inquiry, returned to them. I have heard before I went there it was the custom to take two or three for one, but that was not practised when I was there, at least I have not heard of it.

796. Have you never heard of complaints from the Caffres themselves of violence or excesses by the colonists or military in obtaining restitution?—It has been a subject of complaint that they took cattle away without ascertaining whose they were. In short we went to the first kraal and took cattle out of them.

797. In point of fact has that not been the case?—It had been the case before I went there, but certainly that was not the practice when I was there.

798. When were you on the frontier?—In 1833.

799. Are the Committee to understand that there is any alteration in the practice of the military authorities?—Yes.

800. Is not that alteration in favour of the Caffres?—Certainly; whatever alteration took place was in favour of the Caffre; I should say decidedly, if there was any fault in the policy, it was that the colonists were not sufficiently protected. They were continually complaining of this before I came away.

801. You say it is certainly to the advantage of the colonists to be in a state of peace, and preserving likewise a good intercourse between the Caffre tribes and themselves?—Decidedly so.

802. Is it not equally to the interest of the Caffres also to maintain a state of peace and commercial intercourse?—It is to his own interest to do so, but the Caffre is a natural born and bred thief, and takes whatever temptation puts in his way; it is a difficult thing for him to resist doing so.

803. Is that the general opinion entertained by the military of the Caffre tribes?—Yes, not only of the military, but every resident on the frontiers.

804. Do you mean that is the opinion entertained by the missionaries?—Yes, I should say it was, I have had a great deal of conversation with the missionaries; I have been at almost every missionary station on the frontiers.

805. Will you state the names of those missionaries with whom you have conversed?—I do not know the names of all, but I have had frequent conversations with Mr. Chalmers, and I believe it is Mr. Chalmers's opinion that the Caffre is a natural born thief.

806. Do you know a Mr. Shaw?—I do not.

807. Have you ever heard of him?—I have.

808. Have you ever heard of his account of the tribe among whom he resided?—I never read his account; I have heard it is a very good account; I have read his letter to Lord Aberdeen.

809. Do you think Mr. Shaw's opinions confirm your own?—Yes, completely so; I go with him in every thing he says in that letter.

810. Mr. Shaw describes the Caffre tribes as irreclaimable thieves?—I do not know whether he says they are irreclaimable, but I think he goes to the extent of saying that they are great thieves.

811. Do you think that British settlers on the frontier towns commit, not to say thefts, but aggressions on the neighbouring tribes?—None on that part of the frontier; I have heard of Dutch Boors that made incursions into the northern district, with a view to take the native's cattle, but that has not been the case of late.

812. Then is the Committee to understand that there has been any provocation given to the Caffre tribes?—I do not say there never has been, but I never heard of any case while I was there; I cannot charge my recollection with any, but there may have been in past times.

813. Only in past times; will you state what you have heard?—I have heard that there have been such acts committed on the part of the border settlers.

814. What acts, of the border settlers have you heard of?—I have heard that they have gone into the Caffre territories, and there possessed themselves of Caffre cattle, under the pretence that Caffres have taken cattle of theirs; I have heard of these things but I cannot give instances; I am quite satisfied that nothing of the kind was done when I was on the frontier.

815. Then when you speak of additional protection being necessary as against the Caffres, do you not also think there should be some protection given to the Caffres as well against the colonists?—I think it would be very advisable if there was an officer, or other competent person was sent to reside among the Caffres, so as to hear all complaints on both sides; I think that would tend very much to the tranquillity of the country.

816. You mean a high military authority?—Any competent person appointed by Government to reside among the Caffres who would strictly attend to any grievances they might have against the Europeans.

817. Would you recommend that person to be a high military authority, or do you think some such authority could be found on the spot among the more respectable settlers?—I should strenuously recommend a military man, indeed he could insure more respect from the Caffres as well as from the settlers themselves.

818. That respect being founded on the supposed power that he might possess rather than any policy he might pursue?—I do not think that the military there exercise any extraordinary powers, but it is necessary to impress the Caffres with due respect for them; the Caffre chiefs are well acquainted with the military, and always meet with more immediate justice when their complaints have been made direct to the military; they always go to some military post, and there lay their

46
 Captain Spiller,

17 August 1835.

complaint before the officer who has the command, for instance, Major Cox, the first time I went to his post I found one of the chiefs had been there to make his complaint of some matter or other, and he was treated with the greatest kindness and attention by Major Cox, and I knew the business he came upon was instantly attended to. I know circumstances of this kind have frequently been the case.

819. Do you find that the colonists act readily with the military upon all occasions?—Yes.

820. There is no jealousy?—None whatever.

821. They readily act under the authority of the military always?—They always have done so to my knowledge; I never heard the contrary.

822. To what extent does your experience of the Cape of Good Hope apply?—Not much; I was only on the frontiers 14 months, during the expulsion of Maccomo. I knew that the Boors had joined in pursuit of their cattle, and they are always ready to place themselves under the authority of the military.

823. Of that 14 months how much did you pass in Caffre land?—I was several times in Caffre land, my duty took me through the country.

824. How long each time?—I was 10 days going my rounds on the frontier, from Graham's Town to Kat-river, through Wiltshire, Beaufort and Guatana, into Graham's Town. This duty I performed once every two months.

825. Do you think the residence of the missionaries among the Caffres contributes to the maintenance of a good understanding between the Caffres and the Colonists?—It depends very much upon the judgment and discretion of the missionaries; I think some of the missionaries attend more to political subjects than to spiritual ones.

826. In what way do they attend more to political subjects?—They are too prone to enter into them, they endeavour to make the Caffres believe they have been ill-used and injured.

827. Is not that to be accounted for in a great degree by the missionaries having frequently been employed as channels of communications with the Caffres?—I believe they have frequently been employed as the channel of communication.

828. Are you aware from your own knowledge or observation that any missionary ever excited dissatisfaction among the Caffres against the British nation?—I do not know it from my own personal observation, but I believe it is well understood that some of the missionaries have been deeply concerned in these matters, and I know some of them were dissatisfied with the colonial government.

829. Do you only know that from common report?—No, only from common report.

830. You feel yourself quite incompetent to give any well authenticated instances of it?—I can give no authenticated instances of it, but it was a well entertained opinion by many that the missionaries had interfered very injudiciously in these matters.

831. The Committee wish to ask whether that might not arise from real grievances on the part of the Caffres, and that the missionaries might say they ought to seek for redress?—I am quite satisfied that if any missionary ever required any grievance of the Caffres to be redressed it would have been attended to, but he did not always pursue that course, but chose to encourage these men with a discontented feeling, and I am quite sure they have done so in many instances, and which I have also heard from other people whom I was in communication with.

832. You must perceive that the missionaries would be placed in a situation of embarrassment if any flagrant wrong was done to a Caffre, and the Caffre went to him and alleged his principles of christianity as the ground of his appeal; now might it not have happened that when the Caffre made that appeal, that he the missionary might have perhaps rather referred to these principles which he went to inculcate, and might have sided with the Caffre, considering the Caffre was wronged?—It was very natural for the missionary to side with the Caffre if he thought he was ill-used, but I think before he made that person dissatisfied with his situation he should have had recourse to the Government, or to those who had the power of redressing that man's wrong, and I am quite sure that very few instances, if any, can be adduced where the missionary's claim of redress for the Caffre has not been attended to.

833. The question is not about dissatisfying the Caffre, the question arises out of this, whether the supposed discontent on the part of the Caffre proceeds from circumstances for which the missionary may be accountable?—Certainly.

834. May

Captain Spiller.

17 August 1835.

834. May we ask if the commando system has not been carried to an extent much beyond what may be called a fair principle of justice, and if there have not been seizures made of cattle in two oppressive ways, one oppressive, because they were made from a person who had not committed the wrong, and the other because they were carried to an extent beyond the wrong sustained?—I stated in answer to a former question, that I heard that the Caffres have lost their cattle, that the cattle have been traced to the kraal of the chief of the country, and the commando has not thought it necessary to go beyond that, but has seized his cattle, and there was an old order, I believe, authorizing them to do so, even in the proportion of two or three to one; there was an order to that effect, but latterly it has been rescinded, and now they are only to take the lost cattle.

835. And latterly has that order been strictly adhered to?—I believe so, I should say so decidedly; I heard of no instance while I was on the frontier to the contrary of any chief having had his cattle seized on the plea that stolen cattle had been traced into his kraal, and found in his possession.

836. Then are we to understand you, that in all cases where there has been an aggression on the part of the Caffres, that that has been an unprovoked aggression?—No; I believe there are instances in which a Boor when he has lost his cattle, and seized upon the Caffre's cattle as his own, and it has been afterwards proved to be otherwise. I believe there have been a few instances of that, but that you must expect occasionally. There are instances, I believe too, of Boors following their cattle, pretending they have lost cattle, and traced into Caffre land, and brought away the cattle as his own, and it has afterwards proved the other way. I believe when the fraud has been discovered the Caffre has had them returned.

837. Do the Caffres manifest any desire to obtain British manufactures?—Yes; there are a vast quantity of iron pots, knives and hatchets, and spades used by them latterly, and a particular rug or blanket.

838. They cultivate rather extensively; do they not?—Yes, very extensively in some districts, on the Chumi and vallies of the Kaiskamma.

839. Do you know any thing of the intercourse between the Caffres and the tribes in the interior?—I do not know to what extent except that they are frequently at war, and they have been driven westward by the internal war between the different tribes.

840. Do they grow more agricultural produce than they consume?—I do not know, I should think not; I think the Caffres are perfectly satisfied if he can grow as much as will support his family for the year.

841. Can you speak at all as to the security of property among themselves?—No; but they seem to be possessed of very extensive herds of cattle, very fine indeed.

842. If they commit depredations on the British colonists, can you speak as to whether they commit depredations on one another?—I have no doubt of it, for they are constantly at war with each other on the subject.

843. Do you know the fact that they do?—No, I do not know the fact, but from the accounts we hear of the Caffres, their disputes generally arise from some tribe committing depredations on another.

844. Do you know whether property is secure among themselves?—I know there is a tribe, Dingaana at Natal; there is a very powerful tribe, of which he is the head, and I have seen traders from Natal who state he is making war constantly upon his neighbours and committing all sorts of aggressions.

845. But as between Caffre and Caffre, can you speak of the security of property?—I do not know what their laws may be, but I believe the chief is very tenacious of his own territory as well as of his herds.

846. But can you state whether or not they thieve from one another?—I believe they do, I have no doubt of it; and that that is the cause of wars among them.

847. Do you know at all how thefts are punished among them?—I know they have very little regard for human life.

848. Do you know that of your own knowledge?—No, I cannot speak of that.

849. What are the principle articles of British manufacture which they desire to possess?—A small sort of spade which the women use, iron pots and beads, (which are not of English manufacture, I believe they are brought from Italy, but they come through the British merchant), and also blankets and rugs.

850. As to woollens, is there any thing beyond blankets and rugs?—No.

851. Do you know at all the state of their huts as to furniture?—They have very little furniture, nothing but mats which they lay upon.

178
Captain Spiller.

17 August 1835.

72 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

852. Have you ever observed any desire to improve their dwellings?—I have been at the Chumie institutions, and there were a few huts built there, European huts, there were three or four which Mr. Chalmers had induced them to build, but the rest of the huts, amounting to about 200, were just the same as any other part of Caffre land; but they are using spades very generally, and some of the Caffres were wearing blankets instead of bullock hides.

853. What do they give in exchange for those articles which they receive from us, spades, blankets and so on?—They give hides, horn, and sometimes ivory, but there is very little ivory on the frontiers now.

854. You have said they are frequently at war, and that their wars arise from their propensity to steal, may it not also have arisen from aggressions on their territory?—No doubt it may be so; before I came away there was a tribe driven into the colony, I do not know what people they were driven in by, but by one of the distant tribes, and they were pressed in the same way as the Hottentots were driven out of their territory. There is no doubt that the Hottentots possessed the country which has been lately conquered, in proof of this, we can trace the names of rivers and mountains in many places to have been originally Hottentot names, for instance, the name of the Kei and Kaisamma rivers, are Hottentot names.

855. Is it not very likely that these wars may arise from ambition to possess extended territories on the part of the chiefs, and by that means to increase their means of pasturage and so on?—Yes, I have no doubt that has been the means of war, for they have been encroaching upon each other for ages, and by that means the border Caffres have been approaching the colony. In fact, there are but two distinct tribes that we know of, the Caffres and the Hottentots; the Caffres are divided by local names with chiefs among themselves, but the Hottentots and the Caffres are the only aborigines of Southern Africa.

856. A former witness has stated that the expulsion of Macomo from the country which he occupied on the Kat River, was determined upon less with a view of punishing the depredations which had been committed by Macomo's followers, than for the purpose of providing a suitable location for the Hottentots. Do you concur in that opinion?—I do not know what led to Macomo's expulsion, but it certainly has been of great advantage to the Hottentots, their being located on the Kat River. It has become a very valuable district now, for they are very industrious and cultivate a great extent of territory.

857. The object is to ascertain whether you consider that the expulsion of Macomo was a matter of retribution, or of convenience, with reference to the location of the Hottentots?—I should think not, I should think it was not done with the view of placing the Hottentots there. I have no doubt that Macomo must have given provocation, or his people must have committed excesses or depredations on the colonists, which led to his being expelled, and that they very properly put the Hottentots there as they had proved themselves of great utility in this last irruption of the Caffres, that they were able to maintain their position, and that they are in many respects a very efficient set of people to have on the frontier.

858. You think then that it was to punish the depredations of the Caffres?—I should think it was to check them, not to punish them.

859. And the location of the Hottentots was a minor and consequential consideration?—I should think so, I do not conceive it was ever done with any other view. I think it was merely done as a further protection to the Colonists on the frontier.

860. What general plan do you recommend to secure the peaceful conduct of the tribes on the frontier, and promoting their friendly treatment of the colonists?—I should recommend that similar institutions to that on the Kat River should be established on the line of the new frontier, under the superintendence of proper officers and proper people, this might be done with great effect; that on the Kat River is a very valuable establishment, and has done infinite service to the Hottentots. Those who are located there are a most industrious set of people; at one time I believe we were much indebted to the Kat River people for our supplies at Graham's Town during the time there was a great scarcity of forage and grain; I know one or two of the Hottentots entered into contracts to supply the forage to Graham's Town and outposts.

861. When you mentioned the recently acquired territory, you alluded to that which we recently received advices of its being captured?—Yes; I have no doubt that the Hottentots were the aborigines of that country, there are a great many of them

them throughout the colony who are totally destitute, and have no occupation but congregating round the missionary institutions without any thing to do, and it would be an act of the greatest humanity and a benefit to the colony if they were so located.

862. Then do you consider, that the placing of these Hottentots in the possession to which you advert, would establish a barrier between the Caffres and our ancient boundary?—A very formidable one; they know the use of fire arms perfectly well, and they make excellent soldiers.

863. You think they would be competent to the defence of that frontier without constantly applying for the assistance of troops from us?—Not at the commencement certainly; I should establish military posts between them and the Caffres, until they have been sufficiently well organized, and were in sufficient number to protect themselves, and I am quite satisfied that in the course of a few years that would be the case.

864. And the force on the ancient frontier might be proportionably diminished?—In the course of time no doubt of it. It would be a most valuable acquisition.

865. What number of Hottentots could be immediately placed in that position?—I am not able to answer that question exactly, but I should suppose 4,000 or 5,000, or even 6,000 might be collected throughout the colony.

866. Do you allude to 4,000 or 5,000 males?—Yes, I should think so, there are a vast number of them who have nothing on earth to do, and who congregate round the missionary institutions, and these missionaries might move with them.

867. And you think such a location would certainly succeed?—I have no doubt of it, you have had the example at the Kat River, for they have maintained their position throughout the last incursion of the Caffres.

868. What number of troops had we upon those stations?—We had a regiment of infantry, the 75th, the Cape mountain rifles of about 200 men, making in all about 700 men, and a small detachment of artillery.

869. Then suppose you were to put arms into the hands of 5,000 Hottentots, you having but 700 or 800 men, I would ask if you do not think that there is some danger that these arms might be turned against us?—No, they are a very loyal people.

870. You do not think that any state of circumstances would render that event probable?—Now there is not the least danger.

871. I rather think there is an instance where nearly 700 Hottentots were armed in that way with muskets provided by Government?—I do not know of that particular instance, but I have no doubt it was the case in the last irruption of the Caffres. All these people are armed at the Kat River, and about 500 Hottentots were recently collected together to resist the Caffres.

872. You speak of some who collected about the missionary's institutions, how do these people support themselves?—It is difficult to say, but the farmers and Boors were getting very uneasy about them, for they were committing some excesses in the country when I travelled through the interior, they complained of being robbed by the Hottentot marauding parties.

873. Why do they collect about the missionary institutions, do they receive from them any support?—I believe they do, as far as they are able they give it to them, but at the time I am speaking of, the vagrant law was in agitation, and they were under an apprehension that this law might apply to themselves, so as to place them in the same state with regard to the Boors in which they had formerly been, and I believe their object in going to the missionaries was to ascertain from them, (in whom they had great confidence) the state of the law, I think that was the reason why they were in such numbers about the missionary institutions. I do not think I found a dozen employed by the farmers and Boors, between Graham's Town and Cape Town, and when I asked the reason, they told me they were all at the missionary institutions.

Thomas Philipps, Esq., called in; and Examined.

874. YOU have heard that a petition has been presented to the House of Commons, signed by certain colonists of the Cape of Good Hope, who are now in England?—I have.

T. Philipps, Esq.

875. Have you at all acquainted yourself with the contents of that petition?—Perfectly.

80

T. Philips, Esq.

17 August 1835.

876. It is there stated that in the year 1819, there was a grant of 50,000*l.* for the purpose of sending out settlers to colonize a division of the colony of the Cape of Good Hope, do you know any thing of that circumstance?—Yes, I accepted the proposal made by government upon that occasion, and was one of those who went out.

877. These colonists, I believe, were settled by the officers of the government upon the eastern frontier of the colony of the Cape of Good Hope?—They were on the west side of the Great Fish River, the ancient boundary of the colony.

878. Can you inform the Committee the state at all of the Caffre tribes, at the time that settlement took place, and in what relation they stood to the new settlers?—They had the year before been driven out of the part of the country we were in, which they had some years before taken forcible possession of, and for 18 months we had no intercourse with them whatever, all intercourse was forbidden. We were forbidden to cross the Fish River and they were forbidden likewise to cross it.

879. In fact, the Caffres considered you rather as invaders and aggressors than as persons coming with peaceful habits and seeking to establish a peaceful intercourse?—No, I think they were perfectly aware that the country did not belong to them, and they did not consider we were interlopers, for the military had driven them out. In fact, the Dutch had inhabited the very same country until the Caffres drove them out some 20 or 25 years before.

880. Did they make any attempt to recover the territory in which you were settled?—None, whatever.

881. How soon did they begin to manifest any hostile intention towards your colony?—We were, I think, for 18 months in perfect security, but on a change in the military system, and the evacuation of the town of Fredericksburgh, which had been formed by Sir Rufane Donkin; from that settlement being no longer supported by the government which succeeded Sir Rufane Donkin's, the Caffres attributing that evacuation, I should think, to weakness on our part very soon afterwards, made aggressions upon the colony, by stealing cattle and committing many murders, and burning Fredericksburgh to the ground.

882. Was Fredericksburgh left deserted by the government?—Entirely.

883. Was all the military force withdrawn?—The military detachment was entirely withdrawn, and the half-pay officers and men who were settled there abandoned their houses.

884. What were the main inducements to establish a military position upon the frontier by Sir Rufane Donkin?—I think it was a most excellent measure of establishing a military chain of posts in the neutral territory. I have heard the evidence given before, and I would further add, that Gaika most strongly approved of it, using the expression, "that the neutral country left uninhabited, was only a place for white as well as black Skellims." It was in fact a place where a contraband trade was carried on.

885. Then the object in establishing that chain of military posts was entirely protective, protective both as regards the aggressions of the Caffres, and also as regards the aggressions of the colonists against the Caffres?—Yes, it certainly was so intended by the government.

886. It was a protective system, intended to be accomplished with a view to promote an amicable intercourse, and put down aggressions on either side?—Yes, to prevent the Caffres from approaching the bushes and fastnesses on the banks of the Fish River, for after the destruction of Fredericksburgh, they sheltered themselves in those places, and made aggressions upon the colonists.

887. Who succeeded Sir Rufane Donkin?—Lord Charles Somerset returned; Sir Rufane Donkin was only acting governor during the absence of Lord Charles.

888. Will you state what is the general opinion in the colony, as to the ground of Lord Charles Somerset's change of policy?—It was a very unfortunate circumstance for us emigrants that a quarrel had taken place between Sir Rufane Donkin and Lord Charles Somerset, and in consequence of that, there is no doubt that Lord Charles Somerset immediately determined to reverse every single act that Sir Rufane Donkin had done. We made a representation of that to Earl Bathurst in the year 1823. That petition was laid on the table of the House of Commons, and it is now before the Committee. If they will allow me I will read that part of the petition which refers to this subject:—"That the most pressing and insupportable of their grievances arise from the constant depredations of the Caffres, who

who have within a few months committed several murders and deprived the settlement of the greater part of its cattle; that their depredations are in a great measure produced by relinquishing that line of policy which held out to those tribes a hope of procuring, by friendly barter, such commodities as their acquired wants have rendered necessary, and which they are now obliged to procure by theft or force; by discountenancing and withdrawing the military force from the new settlement of Fredericksburgh, and permitting the Caffres to plunder, and force the settlers to retire, and ultimately to burn it to the ground, by withdrawing from the Fish River a line of posts which had previously effectually protected the settlers; by refusing aid to the more advanced farmers, plundering parties have been encouraged to drive those in, and afterwards to extend their incursions to all parts of the settlement and even beyond it; by exasperating that tribe which had hitherto preserved the appearances of friendship, in attempting to seize their chief (Gaika) in his own village, and by withholding from the local military authorities that discretionary power with which they were formerly vested, which by enabling them to enforce summary restitution shewed the Caffres that the offence must instantly be followed by the punishment, whereas by waiting the decision of the commander-in-chief, six hundred miles distant, in every emergency offences are allowed to accumulate to an alarming amount; and the slender means of defence the settlement possesses, deprived of the power of acting with promptitude, is forced to present to the Caffres at once the appearance of enmity and weakness. That it thus appears to the colonists instead of the new settlement ever deriving any advantage from the civilization of these savages, that the existing measures can only lead to a war of mutual extermination."

889. In consequence of that representation was not a Commission of Inquiry sent out to the Cape of Good Hope?—Yes, Earl Bathurst delivered it to the Commissioners of Inquiry, and when they came to the frontier several who had signed it were examined on its contents.

890. You were yourself examined on the spot by the Commissioners sent out?—Yes.

891. What were the principal complaints made by the settlers to the Commissioners of those aggressions?—They complained principally of the aggressions of the Caffres, which they contended arose from the vacillating military system pursued by the Government. During Sir Rufane Donkin's time there was a very decided system kept up, but upon Lord Charles Somerset's return, from motives which I do not wish to enter into now, there was an entire change of system and we were subjected, as stated in our memorial, to very serious aggressions, and frequently murders throughout the settlement, which I attribute entirely to that change in the military system.

892. Was there any improvement or any return to Sir Rufane Donkin's system subsequently to Lord Charles Somerset's resignation?—When Colonel Somerset became commandant of the frontier there was a very large commando sent into Caffre land, and there was an end put to the aggressions of the Caffres for a considerable time afterwards.

893. Was the military station at Fredericksburgh re-established?—Never.

894. Why was not that done, if it was found so beneficial under Sir Rufane Donkin's government?—The last Governor Sir Lowry Cole saw the propriety of it, and established a post at the Guatana, which is near the site of Fredericksburgh.

895. Is Fredericksburgh now occupied as a military station?—No, there is no station, except that of the Guatana, which is close to where Fredericksburgh was built.

896. And that has been found beneficial to the colonists?—Yes, it has been stated that more cattle have been re-captured there than at any other post.

897. Within your knowledge has undue violence been practised by the military towards the Caffres, so as to provoke them to aggressions?—No, certainly not, the whole mischief has arisen from the vacillating system pursued by the Government, and not improper conduct on the part of the executive military. Sometimes it is too lenient, and sometimes it is too severe, sometimes ordering the troops to fire at the Caffres in all directions, and lately I have heard that orders are given not to fire at them at all, even in self-defence.

898. That would imply blame at head quarters, rather than upon those officers commanding in the district?—It is impossible the officers at head quarters can judge of what is necessary; I attribute it principally to the constant change in the

82

T. Phillips, Esq.

17 August 1835.

Secretaries of State, for every Secretary of State has a plan of his own in the instructions which he sends out to the governor to act upon. Within the last 18 months we have had no less than four Secretaries of State, and so long as we remain in the situation of a Crown colony, with no representative assembly of our own, and we must be governed from this country, it is impossible any system can be well administered. I would likewise mention that during some periods our governors had almost unlimited power, but since then the Home Government have fallen into the contrary extreme, and very much curtailed the authority of subsequent governors.

899. The Commissioners of Inquiry, I believe, made certain recommendations, did they not?—They did.

900. Can you state the principal recommendations?—Their own language is, “The early impressions that we received of the embarrassment to which all measures, both of executive and judicial authority, were liable from the great extent of territory that the colony includes, having been confirmed by longer experience and observation, we felt much satisfaction in learning that the measure which we had the honour to suggest, of separating the government of the Eastern and Western portions of it, had received His Majesty’s approbation. It was manifest indeed, that a measure of this kind had become necessary from the increased pressure of business and correspondence with the remoter districts on the frontier, occasioned by the settlement of the English emigrants; the importance of applying some uniform and consistent principles to the intercourse of the colonists, with the Caffres and other tribes, of preventing their collision, and checking the desultory warfare that has prevailed along a considerable portion of the frontier.”

901. Will you state shortly their principal recommendations?—They recommended the appointment of a lieutenant-governor, together with a council, and a variety of other appointments which have never yet been fulfilled. It is true, as I mentioned in my former evidence, that General Burke had been sent out, and subsequently recalled, and subsequently to that again as commissioner-general had been appointed, but he has lately been recalled, and we are now in the same state as formerly.

902. Has there been any official communication between the government and the colonists in reference to the report of the Commissioners?—No, we waited patiently expecting that what the Commissioners of Inquiry had recommended would be put in practice. For eleven years we have been waiting in that state of expectation.

903. In fact the Commission has been altogether fruitless as regards your part of the colony?—Yes, with one exception, they recommended a trading intercourse with the Caffres, which has been productive of the greatest possible benefit.

904. But have they at the same time given increased protection to the colonists in order to promote that intercourse?—No, the military force has been reduced.

905. Who was the governor when that reduction took place?—It was by orders from home. I believe it was during General Burke’s government.

906. Have the colonists remonstrated against that reduction?—No, they have not.

907. Have you been exposed to great danger on the frontier in consequence?—Certainly; we have never been so well protected as we were when the force was full.

908. Is the Committee to understand that in your opinion the colonists are altogether free from blame in giving provocation to the Caffres?—I can most sincerely and decidedly say that I know of no instance whatever of aggression on the part of the colonists towards the Caffres.

909. With reference to the recent irruption, do you think it was wholly occasioned by the alteration of our military system, and not at all founded upon any provocation on the part of the colonists?—I have already mentioned that I thought the expulsion of Macomo and his brother from the territory was the main cause of their making this invasion, and subsequently the order not to fire upon them which got to their knowledge, and made them very determined, mistaking our leniency for weakness.

910. You think then that the irruption of the Caffres was wholly and entirely owing to the change of policy on the part of the Government?—Yes, the unsettled, vacillating system which led the Caffres to place no confidence in any thing we said or did.

911. When you state that the Caffres could place no confidence in any thing we

we said or did, do you mean there have been instances of breach of faith between the Government and the Caffre tribes?—Yes, we have suffered them to come in and graze their cattle and remain in the neutral territory, and we have upon two occasions turned them out, as they allege unjustly, and contrary to agreement. In one instance where we kept faith with them, in the instance of Pato's tribe, they have remained faithful to the agreement upon which they came to live upon the neutral territory.

912. How do you make out that the permission to the Caffres to graze their cattle in the neutral territory was a breach of faith towards those Caffres?—It was the turning them out which they considered a breach of faith; they were allowed to be there upon their good behaviour, not stealing cattle from the colonists; and under the impression that they had stolen cattle, the tribe of Macoino were expelled. They denied in the most positive manner that they ever did any thing of the kind, defying us to the proof; and it was generally believed, as I before mentioned, that the way in which they were expelled induced them to act as they have subsequently done.

913. You say the Caffres were expelled because it was alleged against them that they had stolen cattle; who made the complaint of the loss of cattle to the military authorities?—That I have never heard; it is not in the part of the country parallel to where we reside.

914. Upon occasions of complaint of a similar nature, and previously to the marching of the troops to re-obtain possession of the cattle or to punish the Caffres, what steps are taken by the military authorities to ascertain the truth of the facts or the representations made to them?—They rely upon the assertions of those who have lost cattle.

915. Might not those aggressions be the means of obtaining cattle wholly at the expense of the Caffres?—I have heard of such complaints, but I do not know of any instance; I cannot speak from any personal knowledge whatever; I have heard that complaints have been made by the Boors of their having lost cattle, and which they declared must have been stolen by the Caffres; the military have gone in and taken cattle in lieu, and their own have been subsequently found; but in all instances of that kind I believe the Caffres have had their cattle restored to them.

916. When the Caffres were permitted to graze their cattle, as you state, during good behaviour, was that understanding mutually and clearly understood between the Caffres and the Government?—I should think so most decidedly.

917. What reason have you for thinking so?—I have no knowledge myself; all those affairs are conducted between the civil commissioner, the commandant and the Caffres, and, therefore, I can only know from general report that they held their tenure by sufferance and good behaviour, and they contend they have not transgressed the agreement.

918. Who is the civil commissioner there now?—Captain Campbell.

919. Is he a military man?—He is a captain of marines on half pay.

920. He has no military command there?—No, he acts entirely as a civil commissioner.

921. Did not the Commissioners recommend there should be something like municipal organization at some of the principal towns of the colony?—Yes, they certainly did.

922. Would not that tend to give permanence, solidity and prosperity to the towns?—Very much so, and it has been approved of and even recommended to us to apply for such regulations by Colonel Bate, the present colonial secretary at the Cape.

923. Have any recent representations been made to the Government with a view to bring about a compliance with the recommendations of the Commissioners?—Yes, we have petitioned on the subject, and I was promised by Mr. Stanley, when in office, that on my return to the colony that all those things should be taken into consideration. The Commissioners recommended a branch of the Government bank likewise to be established there, and likewise a transfer office for the deposit and registering of deeds, but nothing whatever that they recommended has been put into force.

924. In your opinion, the colony has suffered materially from those representations or recommendations not being attended to?—It certainly has been put to great inconvenience and expense in consequence of those recommendations not being attended to.

925. Are there any fiscal regulations at the principal port of export within the district of Albany?—Yes, we have some regulations as to imports.

84

78. MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

T. Philpotts, Esq

17 August 1835

926. Do you pay any duty on the export of articles from the colony?—No, I think not. There is an import duty of three per cent. upon articles imported from England, and 10 per cent. on foreign goods, but I do not think there is an export duty.

927. What would be the effect in your opinion of a small export duty, applicable to the purposes of improvement in the colony?—I am satisfied an increase of the import duty would be very beneficial in lieu of a number of small taxes, which might be done away with.

928. How is that duty which you have spoken of, upon articles of import, applied?—It goes into the general treasury at Cape Town.

929. It is not locally applicable?—No, we have nothing local whatever; all our taxes go into the treasury at Cape Town; subsequently, on the application of the chief commissioner, part is appropriated to the repair of the streets, watercourses and highways, or the bridges, but it is very sparingly and reluctantly given to us I am sorry to say.

930. Is the military expenditure the principal branch?—The military expenditure is made by the home government entirely.

931. Then is the Committee to understand that this import duty is wholly applicable under the direction of the government, and for the general purposes of the colony, and not for the district of Albany?—It all goes to the treasury of Cape Town.

932. Can you at all state the proportions within the last two years, as applied in the way of improvement, such as those you have spoken of in the district of Albany?—The improvements have been very rare indeed, for instance, Algoa Bay is exactly in the same state of nature as it was when we arrived; our articles of import, which amount to about 100,000*l.* a year, are landed in surf boats, and carried on shore on the backs of people from thence, and thrown on the sandy beach, there is no wharf to receive them.

933. Can you state the amount derived annually for the last seven years upon that import duty?—We have only had permission to import direct to Algoa Bay since 1829; I cannot state the amount of the duty, for the collector receives it and transmits it to Cape Town.

934. I believe a lighthouse is very much wanted there for the purposes of the shipping?—Yes, that has been one of our requests for many years; I believe now it is an object with the East India traders, and they are about to join us in a petition.

935. Who have you petitioned?—We have petitioned the Colonial Office for the last seven years on the subject.

936. Have you ever taken any other means of bringing it under the notice of the shipping public?—I brought home a copy of the petition which was presented seven years ago; I gave it to Mr. Hay, and he promised it should be taken into consideration immediately.

937. Mr. Hay is under secretary for the Colonies?—Yes, and our colony is in his department.

938. What answer was returned to you by Mr. Hay on the part of the Colonial Office?—He said it should be taken into immediate consideration.

939. Was that stated in writing?—No, verbally.

940. Had you no written answer?—No, I called with the petition, and he said he thought an answer had been sent; I said if it had been sent it never came direct to the petitioners.

941. Do you find the Colonial Office prompt in their reply or their notice of your various petitions and representations?—We have never had any direct replies from them to the communications we have made; the first reply we ever had came through the Commissioners of Inquiry.

942. Do you mean to say when you make representations to the Colonial Office, or present petitions with reference to public works, or the wants of the colonists, you have no direct or immediate answer?—We generally send through the governor, and I cannot say that we have had regular replies to them, which I attribute to the constant change which takes place in the colonial department.

943. But there has not been a constant change in the under secretary?—No, Mr. Hay has had for a considerable time the management of our colony, and 18 or 20 colonies besides.

944. Then he is immediately responsible, is he not, for the administration of the affairs of the colony?—Yes, and in the interviews I have had at the Colonial Office, I have always gone to Mr. Hay on every subject.

945. Have

945. Have you ever brought under the notice of Mr. Hay the recommendation of the commissioners in reference, for instance, to municipal institutions?—Yes, we petitioned through the governor on that very subject, but we never had any reply from the Colonial Office; since I have been in London I have been with Lord Glenelg, and he has requested me to lay before him a statement of every thing which our part of the colony requires, and I am to see him this week again on the same subject.

946. Have you any better prospect now of attention being paid to the wants of the colonists than you had formerly?—Lord Glenelg has certainly given me every reason to conclude that our requests would be attended to, and so did Mr. Stanley, and so did Mr. Spring Rice, but their stay in office was too short.

947. Your petition prays the House of Commons to take some measure with reference to re-occupying the deserted farms, and with a view also of restoring the amicable interests between the colonists and the Caffres. Can you state what measure would be most conducive to that end?—A regular and efficient system of defence, and putting in force what his Majesty's Commissioners of Inquiry have recommended. We want no more than what they declared was absolutely necessary after a most laborious investigation into our wants on the spot.

948. Their recommendation can have no reference to the re-occupation of the farms from which settlers have been driven by the late irruption of the Caffres, and therefore the Committee would wish to know what measures the petitioners pray for with regard to the re-occupation of their farms?—The putting the frontier into a better state of security than it has hitherto been, and enabling the colonists to recover their losses. I may here mention, that it was intended in the petition to Parliament now on the table, to claim compensation, but it was found that that word could not be used without the express consent of the Crown, and consequently it was erased, and the word "protection," was put in.

949. With reference to an amicable intercourse between the colonists and the Caffres, what do you think would be most conducive to the attainment of so desirable an object?—I think the establishment which the Commissioners recommended, and a proper and decisive treaty with the Caffres, and treating them as men ought to be treated; establishing a regular treaty of intercourse, and defining the boundary line in a proper manner, would be the means of reconciling them even to the loss of territory, provided they could see a decided principle on our part of keeping our pledges with them.

950. You have expressed a desire in the pamphlet you have written, that the inhabitants should have some voice in the management of their own affairs; in what way would you propose that should be done in the present state of the colony?—There has been a promise almost held out to us by the Commissioners of Inquiry, that as soon as ever the Slave Trade question should be decided, the colony would be eligible for a representative assembly.

951. Suppose the main recommendations of the Commissioners of Inquiry were adopted, and something like a representative assembly established, do you not think by its tendency to give solidity and permanence to the colony, it would also embrace and greatly facilitate and extend the intercourse with the natives?—Most certainly.

952. Might it not also tend to their civilization by their introduction into towns?—Yes, that is a very main object by which we might render our own situation much better, by attending to measures of that importance.

953. Have you had any official communication on the subject of municipal organization with the home government?—That is now before Lord Glenelg.

954. Have you in former times since the date of the commission?—We have had repeated meetings on the subject, all of which have been communicated to the local government. Colonel Bell in his last reply stated, that he should certainly recommend it immediately to the home government, subject to such alterations as he should suggest. We begged in return to know what they were, we agreed to them, and altered them according to his suggestions; since that, we have heard no more on the subject. I have heard, that it was intended by the present government to propose something of that kind, but that is since I left the colony.

955. Can you at all speak to the favourable or unfavourable reception which the plan for municipal organization, or a representative council, has received from the local or home governments?—No, we have petitioned the House of Commons once or twice on the subject, but it has dropped to the ground, and we have patiently waited for the termination of the slave question, which was about to

86.

80 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

T. Philippe, Esq.

17 August 1835.

take place, and I have no doubt now will be soon brought forward again in the colony. We shall not be content without being represented in some way or other. Within the last year there has been a new charter for the Cape, by which a legislative council has been granted to it. In that council it was the wish of General D'Urban, that some individual from our part of the colony, the Eastern Province, should be selected for the purpose of being one of the council, but the very great distance and the expense of going down once or twice a year, is more than any one of us could afford; there was a gentleman appointed residing in the district of Uitenhagen, but he was obliged from the same circumstances to decline the honour which was offered to him. The present council is composed of gentlemen who know very little more of the colony than about the neighbourhood of Cape Town.

956. Do you think if some municipal privileges were conferred upon towns, that the Caffres might be induced to settle in those towns, and to adopt habits of peaceful industry at all?—With regard to the Caffres there is an ordinance as to their coming in which prevents it, but other tribes have come in and are settling very fast among us, and exceedingly serviceable they are in every respect as servants, and most faithful to their masters.

957. You think then, that a well-organized system of municipal government would tend very much to the improvement of some of the native tribes, as well as a benefit to the colonists?—Yes; it would give the colonists some share in the management of their own affairs, and every one would feel the benefit of it; at present, the whole is managed by the government agent, who has, besides, too much business to attend to.

958. In fact, it would promote a spirit of civilization among them, and ultimately lead them to a voluntary reception of the christian religion?—Yes.

959. Have you any thing further you wish to add?—No; I only trust the Committee will take into their consideration the great losses the colonists have sustained, and that they are entitled to compensation, and from the evidence which has been adduced, I humbly submit it is proved that they have not been to blame, nor have had any control over what has caused the invasion; that they have been innocent sufferers from a cause which might have been avoided, if a proper military system had been afforded them, and which they had been applying for for the last eleven years; in fact longer than that, but for the last eleven years it has been promised to us. If we had been left to manage our own affairs, and had a share in arranging an intercourse with the Caffres, nothing of that sort would have taken place.

960. Do you mean without the aid of a military force?—Certainly not.

961. You would not rely on the commercial intercourse and commercial interests reciprocally, without the aid of a military force?—No; they must be convinced of our superiority, and feel that we have the power of punishing any aggression which takes place; we must be strong in order to make them fear as well as respect us, but uniting the two together I think they would become civilized and become a very useful people to themselves and to the colony.

962. Are you aware that any statement of losses sustained by the colonists on that occasion has ever been made out?—I know that the Governor has appointed Mr. Hudson, a retired magistrate, to take an account of the losses of the inhabitants of all classes, and I understand that as soon as it is made out it is to be sent home for the consideration of this Government.

963. When was that?—I think it was in the latter end of January, or the beginning of February last.

964. Then the time has scarcely elapsed for the transmission of that report?—No; I merely take this opportunity of stating to the Committee that I trust the evidence which has been already adduced will prove the colonists to have been innocent and unmerited sufferers by the late lamentable invasion.

Mercurii, 19^o die Augusti, 1835.

T. F. BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Stockenstrom*, called in; and further Examined.

965. WILL you be so good as to proceed with your narrative from where you left off?—It does not strike me there is any thing of importance to be added upon this subject before Sir Rufane Donkin had left the colony. He left the government towards the close of 1821; I was then the chief magistrate of the district, bordering on a part of Caffre land, but had no direct concern with the protection of the frontier as far as the military were concerned. Sometime after Sir Rufane's departure, a field-cornet of the district nearest the frontier, reported to me that the Caffres had come back to, and were residing in the ceded territory. This report went amongst others in the usual course to the Colonial Office, and it was referred to the commandant of the frontier, and I received a letter, telling me that there was no such thing, that the Caffres were not within the ceded territory. I then considered it my duty to inquire, and found that they were, and consequently my report to the Government was to that effect; a few weeks afterwards I was ordered to proceed, and show the authorities in the engineer department the frontier as I understood it to exist. I went to Fort Beaufort, and took with me a copy of the Government Gazette, in which that part of the frontier is marked out very clearly, and the moment I read the passage to Mr. Pettingall, he immediately saw the error, and the report was made to Government accordingly; a few weeks after that again, I received a communication from the Colonial Office, telling me that as the military commandant had permitted the Caffres to come to the territory in question, they should be allowed to remain there as long as they behaved themselves quietly; that was some time in 1822. I had nothing more to say on the subject, but felt extremely sorry, considering this (though it might have proceeded from the most humane motives) a most injurious measure, and I believe, any military man will say with me that the sources of the Kat and Gonaïpe rivers constitute the strongest hold in the whole of the frontier line, from the Orange river down to the sea, and therefore allowing a people which was often called "the enemy," to gain a footing there, so as to break entirely in on the best line of the frontier defence we could find, if ever we should attempt to make an effective one, was very impolitic. The country from thence to the Bavian's river was entirely open, and the Caffres thus got round our left military flank, and between it and the Forkan district, between which and the military they could at any time cut off all direct communication. In this important position they were in possession of high precipices, mountains, rocks, forests, deep clefts, and could, under cover of those, proceed into the heart of what is now the Somerset district, and after committing depredations could escape with almost the impossibility of immediate pursuit. This opinion has been directly confirmed by experience, for though I have not had constant and direct intercourse with the military, I am sure it will be proved by reference to the records that we had constant quarrels with these very Caffres, immediately and constantly after they had thus located themselves; that they were repeatedly attacked by our troops; that their cattle were taken as a compensation for what it was said they had stolen from the colony, and that many lives were lost. I must now come to the period of my acting as commissioner-general, which brought me more in contact with the military portion of the frontier, and which brings me at once to the year 1828. I must here observe that I have read a pamphlet which has been published by a most worthy gentleman, the Missionary Shaw, who is incapable of an intentional misrepresentation, in which it is stated that the Caffres were driven out of the country at the source of the Kat river in order to obtain land for the location of the Hottentots. In that that gentleman is completely mistaken. I went to the frontier in 1828, with a view of inquiring into some points connected with the frontier; on my reaching the frontier the civil commissioner, who was then Major Dundas, met me

Capt. *Stockenstrom*
19 August 1835.

Capt. *Stockenstrom*.
19 August 1835.

at Kaka post, and gave me, in his capacity as civil commissioner, all the information I required, amongst which he mentioned several depredations committed by Caffres in that part of the country. I met Lieutenant-Colonel Somerset, who was then the commandant of the frontier at the Gonappe post, where a great assemblage of farmers had come to complain of the constant depredations of the Caffres; but Colonel Somerset said that of late Macomo and his people had been very quiet, and that he had even received great assistance from him in preventing depredations. The Caffres were, upon the strength of this, allowed to remain. I myself had a conversation with Macomo, and received his solemn assurance that he would continue to behave as Colonel Somerset said he had lately done, and I warned him of the consequence of his doing otherwise. Not many months afterwards a correspondence took place between the Colonial Office and military secretary and the civil and military authorities on the frontier. Macomo, with his Caffres, had made an attack upon the Tambooki kraals, then living peaceably on the borders of the Tamba district; he had deprived them of their cattle, and murdered a great number of them, and even those that had fled into the colony were pursued and massacred in the very midst of our population.

966. Were those Tambookies under our protection?—They were living on our border, and had been living peaceably, and the government were always in the habit of threatening any tribe that disturbed them.

967. Did the government consider themselves bound to afford them protection?—Yes, because whenever they were plundered, and their cattle taken away, they had no alternative but to rush into the colony and plunder us.

968. It appears it was not a matter of treaty but a matter of expediency, which induced us to afford them protection?—Certainly, there was no treaty whatever.

969. Were the Caffres aware that when they plundered, or murdered or ill-treated the Tambookies, that they would give us offence?—They were aware they would give us offence by plundering the Tambookies, and they must have been aware that we would not allow them with impunity to pursue them into, and murder them in the colony; I have no other clue to suppose that they would have thought we should take the side of the Tambookies, I have nothing in my recollection at this moment that would induce me to suppose that they had been warned, but I beg to say that there is a correspondence on the subject between the colonial civil and military authorities in Cape Town and the colonial civil and military authorities on the frontier, on this very subject. A difference of opinion then existed between the civil commissioner, Captain Campbell (who had succeeded Mr. Dundas), and the commandant of the frontier, who had represented that Macomo had acted as an auxiliary to some Tambooki chief, and at the request of that chief, but the civil commissioner had been sent up to inquire, and according to his report, the government concluded that there was no foundation for the excuse of Macomo's; the government then consulted me, and I gave it as my opinion that the Caffres being there entirely conditionally, that they having repeatedly broken their engagements, that they being in possession of a position very injurious to our frontier if we should have any disturbance with the Caffre land, they should be removed; the government determined upon clearing that part of the ceded territory of Caffres altogether, and I was sent up to co-operate with the civil commissioner and the commandant in carrying this into effect; I left Cape Town on or about the 8th April 1829, and it was not till after I had arrived at Algoa Bay that any body except myself thought of locating Hottentots upon the Kat river; the idea had struck me on my passage at sea, that it would be the best mode of carrying into effect the plan which had been determined upon by Sir Rufane Donkin, that it would give us a very strong and compact population in those parts where Sir Rufane had intended the Scotch Highland party should be located, and at the same time, that it was a most favourable opportunity after the law by which the Hottentots had been put upon the same footing as the rest of His Majesty's subjects came in force, of making a trial of what could be done with them in the way of civilization; the missionary, Reed, who was then at Bethel's Dorp, which I subsequently reached, was the first person with whom I conversed upon this subject, and the reply he made was, "it is just the thing which Mr. Bannister and I lately discussed;" and I believe he said, "it appeared in one of our colonial publications lately." From Uitenhagen, I for the first time sent my proposals on the subject to Colonel Bell, the colonial secretary, and I received the government sanction soon afterwards to carry

carry this into effect, and this was the manner in which the Caffres were removed, and the Hottentots located upon the Kat river. I beg leave here to state my reasons for adopting this plan of establishing a strong and dense population on the line of the frontier; the ceded territory was entirely at the disposal of the government, and no person could claim any privilege in it; I therefore conceived the government were fully justified to put such restrictions upon the people who should be located there, as it considered necessary for their own benefit, and for the peace of their neighbours; I had then long since made up my mind that the great source of misfortune on the frontier was the system of taking Caffre cattle under any circumstances by our patrols, and I shall give my reasons; if Caffres steal cattle, very seldom the real perpetrators can be found, unless the man losing the cattle has been on his guard, and sees the robbery actually perpetrated, so that he can immediately collect a force and pursue the plunderers; if the cattle be once out of sight of the plundered party, there is seldom any getting them again; our patrols are then entirely at the mercy of the statements made by the farmers, and they may pretend that they are leading them on the trace of the stolen cattle, which may be the trace of any cattle in the world; on coming up to the first Caffre kraal, the Caffre, knowing the purpose for which the patrol comes, immediately drives his cattle out of sight; we then use force and collect those cattle, and take the number said to be stolen, or more; this the Caffres naturally, and as it always appeared to me, justly, resist; they have nothing else to live on, and if the cows be taken away the calves perish, and it is a miserable condition in which the Caffre women and children, and the whole party, are left; that resistance is usually construed into hostility, and it is almost impossible then to prevent innocent bloodshed; it also often happens that when the patrol is on the spoor of cattle really stolen, they find some individual head of cattle which is either knocked up or purposely left behind by the real perpetrators, near a kraal, and that is taken as a positive proof of the guilt of that kraal, and leads to the injustice which I have previously pointed out. There have been instances where the farmers have gone into Caffre land with a patrol, pretending to be on the spoor of stolen cattle, and where cattle was taken from the Caffres on the strength of this supposed theft, and on returning home he has found his cattle in another direction, or found them destroyed by wolves, or through his own neglect entirely strayed away; and thus men, not losing cattle at all, but coveting Caffre's cattle, have nothing more to do but to lead the patrol to a kraal, and commit the outrages above described; and the Caffres have frequently told me, "We do not care how many Caffres you shoot if they come into your country, and you catch them stealing, but for every cow you take from our country you make a thief;" this I know to be the case, and though I am aware that it is an unpopular view of the question, I must persist that as long as Caffre cattle be taken, peace on the frontier is utterly impossible; I therefore said "the government can dictate any terms they please to the people whom they allow to be located in the ceded territory, and each location shall consist at least of so many men capable of bearing arms, and actually bearing arms, that a portion of those men can be out with the flocks; and where it shall be proved that a man has left his cattle unguarded, or has not seen them for one day, whatever may be his loss, no hostile measure shall be taken against the Caffres, and no patrol shall cross the frontier in search of such cattle."

970. You consider that in some cases the colonists are negligent of their cattle, and that even in times in which commandoes were going into the country, and in which you would suppose particular precaution would be taken, you find that no precautions were taken by the colonists at all?—Certainly.

971. Did you with your own eyes see flocks without that protection which they ought to have?—Undoubtedly; I have gone through the country where people were clamorous for commandoes, and the commandoes actually assembling in consequence of alleged depredations, and I have been obliged to reprimand the field cornets and people for their neglect, as the flocks were scattered through the thickest part of the bush both day and night, unguarded, which was a sufficient temptation for barbarians to plunder us.

972. Do you think there are any other measures by which the flocks and the property of the colonists can be secured except by preventive and precautionary means of his own?—I decidedly say that one-tenth part of the cattle that are lost would not be lost if our people were cautious; but circumstances may occur where a man with all the precaution in the world may lose his cattle, though I am sure,

90

Capt. *Stuckenstrom*.

19 August 1835.

if he is on his guard, he will be immediately able to collect a force so as always to find out the actual perpetrators and his own lost property.

973. Do you consider, in nine cases out of ten, the property stolen would not have been stolen provided the colonist had adopted only those measures which he himself could adopt, instead of resting his dependence upon the reprisal system?—I must divide my answer, and separate the cattle taken in open war from what is said to be stolen. When we are said to be at war with the Caffres, and they drive thousands of cattle before them with an overwhelming force, the matter is different altogether.

974. I mean cattle stolen during the time of peace, not in the open inroads of war?—Certainly, I think so.

975. You do consider that is nine cases out of ten?—Yes; but it must be understood that the people who live within the old boundary of the colony—I mean that part not belonging to the ceded territory—might perhaps have a right to say to the Government, “You must protect us, and we have a right on our lands to let our cattle run free as we please;” but in the ceded territory they have no right of the kind; the Government had a right to dictate what terms they thought proper. I am only showing the best use the ceded territory could have been turned to in defence of the colony. The Government could have laid down a system of preventive measures which would have effectually protected the frontier, provided the farmers were forced to guard their cattle, and could make stricter rules for said territory than perhaps it would have been able to do on the western side of the old frontier. The farmers on this latter might say, “we came here under your promise of protection, and you must protect us without imposing such obnoxious restraints;” but here, in the new territory, the Government might say, “you shall not reside here unless you submit to these terms, and your own safety and that of the frontier forbids that you shall be as careless and apathetic here as if you were living under the guns of the Cape battery.

976. You have stated, in nine cases out of ten, in times of peace, the cattle stolen were lost through negligence?—I should say the greatest part of it, at least if not nine times out of ten, which I believe would be no exaggeration. When one of the commandoes went out (the very one on which the cruel slaughter took place in 1830, and at the time when we were assembling the commando,) Colonel Somerset complained to me of the carelessness of the people, and said that all the way from the Gonappe to Port Beaufort the country was strewed with cattle, and that he did not see a single herdsman. Now, this was at a moment when a military party under Mr. Warden had been attacked, and when he (one of the most valuable, sensible and humane officers on the frontier) reported the Caffres to be very much exasperated.

977. The majority of those lost being lost by negligence when actually taken, do you think there are often fraudulent representations of robberies which in fact have never been perpetrated?—Undoubtedly.

978. Do you think that those fraudulent misrepresentations have been the means of our sending into Caffre land expeditions which have tended to disturb the tranquillity of the country?—Those fraudulent representations have misled our troops upon the frontier, and led to patrols upon the principle which I have here depicted, and which patrols decidedly are the main cause of the misfortunes of the frontier.

979. Do you think that when an expedition is sent into the Caffre land for the purpose of recovering cattle which have been stolen where some interval of time has elapsed, that the punishment of 99 cases out of 100 falls upon the innocent and not upon the guilty?—Yes. It is taking great latitude to say 99 cases out of 100, yet I think I may safely say so; at any rate, I may say in most cases decidedly.

980. Do you recollect a case in which the son of the chief Enno was murdered in one of these expeditions?—Yes; I recollect a Caffre chief well known to a gentleman present (Major Dundas) of the name of Yoyo stating to me, in confirmation of what Enno himself had said, that the patrol came early in the morning in pursuit of cattle, and that this man was aroused from his sleep by the galloping of the horses, and was shot just as he was getting out of his hut to see what was going on; my reply was that that was impossible, it could not have been so.

981. Did you find not only that that was possible, but that it was an actual fact?

—Not

—Not a fact that this Caffre had been shot innocently; I did not find this statement confirmed; I have only the statement of the chiefs Yoyo and Enno.

982. Did you believe that that was the fact?—I had no authority but the Caffre chiefs. Yoyo was known to Major Dundas to be a superior man, and a very trustworthy Caffre.

983. Do I clearly collect your testimony in understanding you to say, that nothing can be more pernicious or more destructive to peace and civilization than the system of taking cattle from the natives as a compensation for what has been stolen or said to be stolen by the natives from the colonists, and shooting those natives on suspicion or even without suspicion, merely because stolen cattle are traced or said to be traced to their kraals?—Yes, decidedly; I attribute all the misfortunes on the frontier to Caffre cattle being taken.

984. Now proceed with your narrative?—Upon the above principles, on which my mind had long been made up, I was determined that into the ceded territory no people should go to live who would not consent to take the land upon the terms Government should dictate, and I recollect that the principal feature of my order was that upon every location there should be at least four men capable of bearing arms; that two of those should guard the flocks, that one might remain for the protection of the family and the premises, and the fourth should be at all times ready to go out in defence of the frontier in case of an invasion; and also, that if 24 hours elapsed after the loss of cattle, no pursuit should be allowed, and no Caffre cattle taken, under any circumstances.

985. What do you mean by location?—Every farm.

986. You mean that upon every farm there should be four men of this description?—Yes. I beg here to refer again to the commando which went out in 1830, upon the requisition of Colonel Somerset, and to the documents sent by me to Downing-street: I accompanied that commando; there were strict orders given that no cattle should be taken but what could be sworn to as colonial property, unless the Caffres should resist the taking of such colonial property; the commando was divided into various divisions, one consisting exclusively of Boors, and when we joined in the Caffre land the commandant of this division stated, that in trying to select the colonial property the Caffres had resisted, and that his people were obliged in self-defence, and in order to execute his orders to fire on them, and that several had been killed; I recollect that on hearing his report, both Colonel Somerset and myself said he had done very well.

987. Did he describe that there had been a severe battle with this tribe of Caffres?—A severe fight; that he had a fight for it.

988. A severe fight for it?—Yes.

989. Did you believe that he had had that fight, and report the same to the Government?—Yes; I believed the man's statement, and reported it to the Government as he had stated it.

990. Was the chief named Saco on that occasion?—There was a Caffre chief shot, of the name of Saco, with several of his people.

991. Now proceed to state what took place afterwards?—Not long after this, on again visiting the frontier, I was informed that this report had been false, and that this Caffre had been shot even unarmed; and I went into the Caffre land purposely to inquire into this, and from all the information I could collect, both from the Caffres and from the Hottentots who had been with this division, it appeared that those Caffres on seeing their cattle assembled, had requested of the commandant to retain possession of at least the milch cows, that he had permitted them to leave some behind, and that they had followed him, upon his saying that they might come and demand their cattle of the military commandant and me, provided they left their assuagais behind, which they did, and that they were assisting in driving their cattle through the bush when they were fired upon and shot.

992. By the commando force?—Yes, and this statement I also sent to the Government.

993. Was the officer who commanded that detachment of the commando subsequently employed?—He remained in his situation up to the time when I left the colony; that is two years and a half ago.

994. Do you mean by the words "it appeared," to say, that the result of your inquiry led you to that conclusion?—Yes.

995. And of that conclusion you have no doubt?—No, none in the world.

996. Was the name of that person Erasmus?—Yes; he commanded that division.

92
Capt. Stockenström.
19 August 1835.

86 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

997. You said that you stated this violation to the Government; what steps were taken?—I do not know.

998. Was there any notice taken by the Government of your second communication?—I received no answer.

999. Did you state to that officer that you had made a communication to Government to that effect?—Yes, I did.

1000. Did he admit the truth of your representation?—I did not press him to that extent.

1001. Did he deny it?—I sent him a letter to let him know what the charge was; expecting his reply, I did not wish to push him to an admission, expecting an investigation to follow.

1002. Did he reply at all to your letter?—No; I must observe that this was connected with various other cases, in violation of the principles which I had established for the frontier protection.

1003. Can you state any other case?—Yes. A man of the name of Schepors, had accepted a grant, upon the conditions which I had imposed in the name of the government; he had represented at one of the posts that he had lost cattle, stating that he had lost I think 36; upon that statement, (and I mention this particularly as an exemplification of my reason for not, under any circumstances, sanctioning the taking of cattle and leaving the people to starve,) he went with a patrol up to a Caffre kraal of the chief Boteman, and there forcibly took back nearly double the number of what he himself stated he had lost: this case was also reported to the Colonial Government, in order to be made the subject of inquiry, and I received an answer, that the man should be punished if the report was confirmed; whether an examination took place I do not know.

1004. Do you happen to know whether it afterwards appeared that he had not lost the original number which he himself had stated?—His field cornet told me that he did not believe he ever had more than 15. Boteman then, in order to indemnify himself, attacked another Caffre kraal and there was blood shed on the occasion; and now I would ask any man, whether it is possible for the frontier to be in a state of peace, if such proceedings be carried on upon an extensive scale. When Gaika spoke to Sir Rufane Donkin about the occupation of the ceded territory, one of the principal points he dwelt upon was about the Boors on the frontier exposing themselves, going unarmed, and their cattle running wild and unguarded all over the country, all of which he considered as giving too great a temptation for his people to plunder the farmers, and revenge earlier wrongs by murder. Many farmers, both English settlers and Dutch have often spoken to me about the injurious tendency of this system; the majority of those farmers wish for nothing but peace and the protection of themselves and their property; but it is impossible in such an extensive community as our's, living in the state as some of our people do, that there should not be among them unprincipled men, who would be glad to avail themselves of every opportunity of enriching themselves at the expense of their weaker neighbours; and it is cruel that a whole community shall suffer for the crimes of these few; nor is it reasonable to suppose, that in a nation of barbarians there should not be numbers addicted to plunder; but then again it is equally cruel to drive a whole nation to desperation for the aggressions of a part. I will give another instance, to prove that I had grounds for wishing my plan adhered to: a farmer, named Drier, claimed cattle out of the very batch brought out of the Caffre land where the people above spoken of were shot; he got his number according to the returns of what he had previously represented he had lost. I shall mention names, in order that it may be inquired into if necessary;—a farmer, of the name of Hans Hansburg, stated to me, in the presence of young Mr. Andrews, who was then my secretary, that Drier's cattle had constantly been trespassing on his land; that he had repeatedly sent them back to him; that at last he had been tired of doing so, and allowed the cattle to take their course; sometime afterwards, Drier called and asked him for his cattle, and he told him he could take no longer care of them; some time after that, Drier claimed and got compensation out of the Caffre stock, as above stated; he subsequently got a communication from some man living 30 miles in the rear, within the old boundary of the colony, who knew his cattle, telling him again that his cattle were trespassing upon his land there, and that he must come and fetch them away; he thus got back his own cattle, and still kept what he got from the Caffres, under the plea that his ancestors had also been plundered by Caffres: now I maintain, that with the best disposition, both on the part of our people

19 August 1835.

people and the Caffres, (which last are certainly nothing better nor worse than what we may expect barbarians to be,) it is impossible for them to remain quiet if we carry on this along the whole line of our frontier.

1005. Then do you attribute the disturbances, which have so constantly prevailed on the frontiers, and the acts of severity which we have been obliged to inflict occasionally, and the backward state of improvement of the natives, and the necessity of maintaining a large military force on the frontiers, to this cause; namely, the seizure of Caffre cattle, for cattle stolen or pretended to be stolen from the colonists?—Decidedly.

1006. You think that is the great source of these evils?—Certainly.

1007. And the great source of expense to government in keeping up a sufficient military force on the frontier?—Yes, decidedly; it leads to this, that when cattle are taken, those from whom they are taken have nothing else to live on, they consequently try to keep possession and defend themselves, this is "resistance," we then use violence, they are shot, and at last comes war, and war without end.

1008. I think you stated that there were 30,000 head of cattle taken in Colonel Brereton's commando in 1813?—That was the number stated to me, but I believe that was beneath what was actually taken.

1009. Did that lead to the commando of Colonel Wiltshire in 1819?—As a natural consequence, the Caffres came in and plundered the whole country, and then the government could not help going to war with them, otherwise they would have been obliged to give up great part of the colony; the alarm had reached to the vicinity of Cape Town.

1010. And this led at last to the expulsion of the Caffres from the ceded territory, at least that was the cause of it?—Yes, decidedly; the Caffres came in, when they had nothing left, an immense mass of cattle was taken from them; they rushed into the Albany district, and we were obliged to carry on the war against them to get them out of the colony, and when the frontier was once more clear, the government saw that when in that state the Fish River frontier was no longer tenable with a people upon it, driven to such a state of desperation.

1011. From whatever cause, they were not suffered to remain there?—No.

1012. But the original cause of all the mischief and the conflicts that took place, and the disposition of the Caffres to plunder, arose from the system of taking their cattle?—Certainly; and while this system of taking their cattle prevails, it is impossible that the Caffres can remain quiet, and all the measures we may adopt for the improvement of them will be totally useless, as I have often said.

1013. Do you think we can have a system of peace and tranquillity, and the introduction of civilization among the natives, so long as this system of seizing their cattle continues?—Decidedly not; they cannot be quiet, the people must eat.

1014. Do you think it is in vain to attempt to civilize and christianize them as long as this system of plundering them of their cattle continues?—Yes, it is in vain to attempt to civilize and christianize, if people have nothing to eat.

1015. Did you represent to the government that the continuance of this system would render it necessary for the government to annex the Caffer land to our dominions?—In both my statements which are before the Committee, it will be found that almost the very words were used long before any of the late outrages began. As a natural consequence of our commando in 1818, followed the expulsion of the Caffres, and the seizure of the ceded territory. We will go from one line to another, and we will take one slice of the country after another, and as long as you continue to take the people's cattle so long will this take place, and you will go from river to river till you get to Delagoa Bay.

1016. Do I understand right, that though this system of reprisal is approved of by some of the Boors interested in it, it is held in reprobation by a great portion of the settlers?—I may say by hundreds, because they are losers by it; for instance, a settler who loses his cattle, gets a patrol and gets his number back, out of the Caffre stock, but in many cases they are not able to keep possession of their cattle, it is soon after seized again, the Caffres must come and take them if they can, as they must live on them; there are many men on both sides of the frontier who mean well, men who would not do any thing dishonourable, but in such a society as ours is, it must be supposed that there are some unprincipled men who cannot withstand the temptation of enriching themselves at the expense of the Caffres.

1017. Then you are of opinion that our military force which we are obliged to maintain to deprive the natives of their cattle and to deprive them of improvement,

Capt. Stockenström.

19 August 1835.

is beneficial to nobody but to those who wish to plunder the Caffres of their cattle?—The patrolling system benefits no other party, and even these men derive no permanent advantage from it, unless they send the Caffre cattle which they obtain far out of the reach of the Caffres as Schepars did, and then others are plundered in their stead.

1018. Are you aware of a case in which a man had lost some horses, and who, I think, went on his own authority into Caffre land, with something like a patrol, and recovered a great portion of horses, and then made his complaint to government, and another patrol was sent out to take cattle from another kraal?—I do not of my own knowledge; I cannot call such a circumstance to my mind.

1019. Was false intelligence of the conduct of the Caffres sometimes given to government, and was that nearly leading to Caffre wars during the time you were there?—Yes, in 1829, there was a man of the name of Bezuidenhout, a man of the most degraded character perhaps in the whole colony; there was no farmer who would have believed him, he came out of Caffre land and informed Colonel Somerset that there was a combination of all the Caffre chiefs to rush into the colony, he had overheard them; and in consequence of that report there were various movements made amongst the military, expresses sent to Cape Town, all the burgher force in several districts was put in motion. I was on my way to the frontier, and the governor intended also to go up, and did so. I had reached the frontier before him, and I entered into the most minute investigation and found that every word this man had said was perfectly false, he contradicted himself in every way, and at last the very man whom he had appealed to, as having been with him, and who he said could speak to the conspiracy of the Caffres, knew nothing at all about it. The papers are very ample which I sent to the government at the time. Now, the result of this might have been a bloody war, (I know the Caffres were in the highest state of agitation and alarm on hearing the report of the colonial troops being in motion) and nothing was more likely than that the Caffres should rush into the colony to get under the cover of the forests in the Albany district, as soon as our forces should enter the country they occupied, and when once in the colony, the report of the invasion would have been called confirmed, and we should have had a war which might have cost hundreds of lives and many thousands of dollars.

1020. And the fault of that entirely laid upon the Caffres?—Yes; if the Caffres had rushed into the colonial forests for protection, that would be called an invasion.

1021. Did something of the same kind occur in the year 1831, in the commando which took place at that time, or the commando which was required at that time?—I must state that I had, from satisfactory information given to me, the most ample reason to believe that all the reports made by the farmers at that time to Colonel Somerset, were principally if not altogether false, which led to the commando, and I will state my reasons. When I reached the frontier in 1831, at Graham's Town, on the race course, Colonel Somerset spoke to me, and said it was necessary that a commando should go into Caffre land, that he had reports from every part, that horses were taken every where, and that the country was in the utmost state of agitation. Now, the recollection of the commando the year before rested heavily on my mind. I then said I should look deeper into this; I did, and I found that, so far from the country being in a state of agitation, and from the people's being tremendously frightened, the cattle were running wild as usual, over all the ceded territory, and instead of being greatly agitated, the Caffres were in the most perfect state of tranquillity. Thus had the commandant been deceived by these reports.

1022. But was the system of patrolling still continued when you found the Caffre land in that state of tranquillity?—Upon the reports which the commandant made to Cape Town, the Governor wrote directly, sanctioning the commando, which the commandant required. I was then on the frontier. Now here I must again say, that it was my business to decide whether a commando were necessary or not, I was appointed for this very purpose, and therefore I at once said, when I got the letter to tell me from the Colonial Office that the Governor sanctioned a commando, I being on the spot; "Well then, there is no necessity for me." It was the very day I came from Caffre land, I had had interviews with the Caffres, and had found them in the utmost state of tranquillity. I was among hundreds of Caffres without a single armed man with me. The Caffres had heard that we claimed horses from them which they were said to have stolen, they were very much

much alarmed and were actually sending into Fort Beaufort some of their own horses, with a view of pacifying us and preventing the commando. I had then seen that the people in the ceded territory did not mind one straw the regulations which I had issued about four armed men being kept on each place, and in defiance of all I had said and done, patrols continued to take Caffre cattle, their taking care of their cattle; and at that time also I heard that the report which had been made the year before, that Zeho and his people had fallen in battle, was wholly false.

1023. You then found that the report which you had heard the previous year was untrue, and that Zeho and his people who were reported to have fallen in battle were in fact murdered in cold blood?—Yes; I had also found out the affair of Schepers and the two other cases which are also contained in these documents, the names I cannot recollect at this moment; I then wrote to the Governor officially upon the subject, and pointed out what I thought it would lead to. The Governor then altogether disapproved of the commando and found fault with me for not having stopped it, and for not having protested against its going. I did not think I was justified in doing that in the face of the Governor's authority granted to the military commandant.

1024. Had you any authority over Colonel Somerset?—No military authority whatever, but I was under the impression that no attacks upon the Caffres ought to be made without my being consulted upon the subject, and my having sanctioned it, else my office could be of no earthly use that I can see.

1025. Was it considered a part of Colonel Somerset's duty to attend to your suggestions as commissioner-general?—I think it was, I am not aware what separate instructions he had, but I know when the Governor disapproved of the above proceeding, he at least was told, he ought to have mentioned the objections which I had made.

1026. In any instruction which you received from government, were not the relative duties with regard to the military commandant defined?—Yes, but not so defined as to prevent our clashing, and of course the commandant was justified in writing to Cape Town his sentiments if he disagreed with me, and receiving the Governor's orders, and he having received the Governor's orders, of course I considered myself neutralized, and would have thought any interference on my part extremely improper.

1027. Were you in that commando of 1831, called upon to sanction the reprisal system in violation of the understanding which had taken place with the Caffre chiefs?—Taking Caffre horses or cattle from the Caffres subsequently to 1829, except under the circumstances already explained, was in violation of the understanding subsisting between the government and the Caffre chiefs; there is no doubt of that.

1028. And was it part of the instruction given on all occasions to shoot the Caffres wherever they traced the spoor of the cattle distinctly to any kraal?—No instructions to that effect were ever given that I know of, it was part of the proposal contained in the military commandant's suggestion, which the Governor sent to me, in order to concoct in concert with the commandant, some measure of general frontier defence, I then at once said I would never sanction that, I immediately made up my mind rather to withdraw from all connexion with the frontier, than ever sanction such a plan, I could not do it; it was quite bad enough, that when the Caffres found their own cattle going to be taken away from them and they tried to prevent it, then to shoot them, but merely because the trace led a kraal to shoot them, it would be awful, I rejected the proposal at once. The Caffre chiefs have repeatedly said to me, "Shoot as many Caffres in your country as you find there, we will thank you for doing so; they have no business to go and do mischief there and bring your commandoes upon us, but do not come into our country and make war upon us when we are at peace;" and as for shooting them merely upon the trace of cattle, such a regulation was never heard of before.

1029. Did Gaika, in his treaty with Sir Rufane Donkin, urge that point strongly, namely, that we should not seize the cattle in the Caffre territory as a compensation for cattle stolen?—No; the points between Sir Rufane Donkin and Gaika were, that the people should not go unarmed so as to afford a temptation to the Caffres to murder them, and that their cattle should not run wild, as had always been the case from time immemorial, which had led to so many misfortunes, as every vagabond Caffre was then tempted to take cattle which invariably leads to commandoes at last.

96
 Capt. *Stockenstrom*.

19 August 1835.

1030. Was the commando of 1831 to a very considerable extent?—I cannot be certain, I have heard that it was; I was there at the time the boors were all assembling to go to the commando.

1031. You cannot speak to your own knowledge what was the extent of the seizure of the cattle during that commando?—No, except from report.

1032. Do you believe it to have been an extensive commando?—I should not like to say, not knowing positively, I have never heard any thing of that commando, except from the Cape papers; no report was made to me; I was nullified altogether.

1033. When did you leave the frontier?—I left it towards the close of the year 1831.

1034. Did you then resign your commission as commissioner-general?—No, I waited to see what orders would be issued in consequence of my remonstrance against the commandant's proposal, and my representations of the occurrences above detailed, but some time afterwards I went to Cape Town upon a summons from the orphan chamber who had an action against me.

1035. Did you take that opportunity of communicating with government on the affairs of the Caffre land?—Yes; and soon after my arrival about the close of the same year there was a great alarm occasioned by the report of the intention of the Caffres and the Hottentots to attack the Boors, and it was said that the Boors were going to exterminate the Hottentots; then I offered my services to the Governor to go up; he said it was not necessary. I then wrote a letter to the Colonial Office, stating, that I was ready to go, but I received no answer; some time afterwards a band of rebel Gnequos and Corannas made an attack upon the northern frontiers. I was then ordered to report upon the suggestions of Mr. Raneval, the civil commissioner; I did so report, but at the same time told his excellency the Governor that I believed it to be part of my duty not to report upon this business, but that the report should come through me, and that I should have the entire management of that affair. His excellency said it was not necessary for me to go there; I then, clearly seeing that I was of no sort of use, officially begged permission to come to Europe, having made up my mind never to go back under the same circumstances.

1036. Was your salary paid up to the period of embarkation?—It was paid up here to the period of the abolition of my office.

1037. When was that?—At the end of 1833.

1038. The office was abolished on your representation of its inefficiency?—Yes, upon the footing on which I held it, it was totally inefficient, totally useless, and an impediment to the service.

1039. You considered your powers to be interfered with by your not having sufficient exclusive superintending authority given to you?—I considered my powers nullified by my (with very few exceptions) knowing nothing about what was going on in my department as commissioner-general; the correspondence on almost every subject went directly between the Colonial Secretary and every branch of my department, or what I considered my department. I was only occasionally referred to for report on matters, of which the management belonged to me, and my representations remained unnoticed.

1040. Then your authority was virtually superseded?—Yes, with the exception of a very few cases as referee; as above stated.

1041. We have tried the system of military coercion now for many years and to a great extent; we have had great public commandoes in 1818, in 1819, in 1823, in 1829, in 1830 and in 1831; we have had besides those, military patrols and inroads for the purpose of seizing cattle stolen, or said to be stolen by the natives; notwithstanding the extent to which we have carried this, does it appear that it has wrought the effect which was anticipated from it, and that peace upon the borders has been obtained?—Decidedly not, the contrary has been the effect as appears by the papers, which I sent into the Secretary of State on leaving office; how it is since I cannot say, for I have no communication within the Cape, except my private relations and friends, not being connected with any party or its politics.

1042. In 1831 was the frontier in a much less tranquil state than it was before any troops were there?—Most certainly, if we believe the reports of the commandant.

1043. Were robberies as numerous as before the troops were there?—They were represented to be so.

1044. Do

1044. Do you think that this system of military coercion, besides the other evils it has introduced, and besides having led to war with Caffres, has been utterly ineffectual for the object for which it was intended?—Decidedly.

1045. The Caffres have a disposition in common with savages generally for pilfering and plundering, but do you conceive they can with any great propriety be called public thieves?—The Caffres are barbarians, but no savages; it is a mistake to call them savages, as much as to call them gentle and inoffensive, they are just as people in their circumstances can be expected to be; they cultivate land to an enormous extent, and the commando with which I went into the Zuerveld against them in 1812, were many weeks in destroying their corn, they are therefore an agricultural people, and they have also extensive flocks.

1046. Can they with any propriety be called a nation of thieves?—No, there are plunderers amongst them, but I cannot call them a nation of thieves.

1047. Is that their character?—Certainly they are not a nation of thieves, and I believe there are civilized nations in which the proportion of thieves is greater.

1048. It appears from your statement that the Governor was reluctant to continue to employ you in the situation of commissioner-general, although you were not actually removed; can you state to the Committee what were the reasons for that interruption of the Governor's confidence?—I know of no interruption of confidence; Sir Lowry Cole was the governor, and there is not a man for whose character as a private individual and for whose public integrity I have a greater respect; the Governor's conduct to me personally was uniformly of the kindest nature; as an individual, therefore, I am under the greatest obligation to him; but whatever may have been his reasons, this much is certain, that he did not choose to employ me to do those duties for which I was appointed, and thus made the situation useless; I might state that I have some guess as to those reasons, though his excellency never told me what they were; it struck me that he believed that the chief authority on the frontier should be a military man and of sufficient military rank to unite both the military and civil authorities in his own person. The Governor never found fault with any one single act of my official duties, but he has said to me when I complained of the non-efficiency of my situation, that I was too sanguine and allowed my feelings to get the better of my judgment, and desired me to treat the remarks of the public with contempt.

1049. The motive of the question put was this, in order to ascertain whether the Governor disapproved of your system of conduct towards the Caffres, was it disapproved or not?—I have no criterion to judge, except that it was not acted on, he never told me he disapproved of what I had done, on the contrary, he behaved towards me in the kindest manner; but I was not employed, my business was entrusted to others; I felt that my situation was rendered perfectly useless, and I would not stay in it under such circumstances.

1050. One of your opinions was with reference to the treatment of the Caffres, that some greater degree of indulgence should be extended towards them; did that opinion give dissatisfaction at head-quarters?—I am not aware that it did give dissatisfaction, but I know that that was not acted on. My orders and complaints were disregarded.

1051. Did I understand you correctly, that your system was one of very great severity towards the Caffres if actually detected in the offence?—Yes, very conscientious men have often criticised my system as too bloody; but I felt that I had also to protect the colonists against murderers and plunderers, and could not sacrifice those to conciliate my accusers.

1052. While on the other hand your mind revolted against that system, which in your opinion punishes the innocent in place of the guilty?—Yes, my system was protection to both parties on the frontier, our people cannot live there unless they are protected; and I never, in my whole life, encouraged crime by misapplied mercy to a gang of known robbers and murderers. I have been considered by very worthy men as a great deal too severe upon this subject; but I say we cannot have peace, either if you leave the colonists unprotected, or if you take the property of their neighbours, and if you are to shoot them when they resist, though that is not so bad as shooting them merely upon spoor being traced to their kraal, which no inducement in the world would make me consent to.

1053. No inducement in the world would prevail upon you to accede to this proposition, that it is indispensable to shoot a Caffre, where a patrol, headed by an officer, traces the spoor of cattle directly to a kraal, to that proposition you could not accede?—I could most certainly not agree to that.

98

Capt. Stockenström.
19 August 1835.

1054. Did that proposition exceed what the least scrupulous of the Boors demanded?—Yes; no one ever asked for it as a regulation, though some may have acted on it.

1055. Would it in your mind, certainly, and without doubt, have led to a regular war of extermination, and rendered it necessary to take possession of the whole of the Caffre land?—It must if you do that; if you do enter and take the cattle, and shoot the people in this way, you will soon possess all Caffre land, as you must take one slice after the other.

1056. Then there would be in fact in this system, in your opinion the seeds of continual disturbance and continual war?—Certainly.

1057. Till it arrived at extermination?—Yes, one party must go the wall, and that of course would be the weaker. These people, as I said, are an agricultural people now, and if you deprive them of the means of subsistence they become a wandering tribe of huntsmen; in fact they will become what we have before our eyes, bushmen. That undoubtedly will be the result, and unless something can be done now for these men, there will be no safety till they are all exterminated. To civilize man you require education, religion, arts, sciences, &c.; but to make him a wild beast by a rapid process, you require nothing but oppression.

1058. Have you any further suggestion to make to the Committee?—I wish to mention, with reference to my objection to the reprisal system, that very conscientious men, acquainted with Caffre land, seem to think, that if we take the number of cattle taken from the colony in Caffre cattle, the Caffre chiefs have a system amongst themselves, by which they finally make the loss fall upon the guilty party; but that would not do by any means, because it would not prevent the injustice we commit; for supposing the cattle taken from the colony be recovered from the thief, and given to those from whom we took the Caffre cattle, still, as soon as a commando enters Caffre land, subsequently all the cattle that can be sworn to as colonial cattle are taken from the Caffres and brought out, and thus the innocent still must suffer, and we obtain a double compensation, which would be too great a bounty on patrols and carelessness.

1059. Have you any further observations to make upon this subject?—None that strike me at present.

1060. You see no reason then to alter your opinion, that so long as the system of making reprisals upon Caffres, and taking their cattle continues, so long we shall continue to punish the innocent for the guilty, and take the property of the peaceful; and so long as we continue that system they must continue to plunder us, and we must continue to shoot them?—That is my firm opinion.

1061. And the system of carnage and cruelty and crime must prevail, and be a bar to all civilization, improvement and christianity?—It is my opinion decidedly, that there can be no improvement and civilization unless there be security to both colonists and Caffres.

The Rev. William Shaw, called in; and further Examined.

The Rev.
William Shaw.

1062. CAN you give any further illustration of the beneficial effects resulting from missionary institutions?—I wish to state a case which will illustrate that very strikingly; without missionary influence it would have been scarcely possible for the colonial authorities to obtain friendly interviews with the border chiefs. Early in 1824, and shortly after the commando had entered the country occupied by Gaika's tribe, Colonel Somerset wrote to me, desiring me to inform the chief Isambie, and also Pato and the others with whom I resided, that he was desirous of having an interview with them, for the purpose of making some arrangement for obtaining the restoration of many cattle that had recently been stolen, and also to prevent future robberies. I sent messengers to the chief Isambie, but he said he had not had an interview with a British officer since before the war of 1819; that during that war he had been hunted like a spring bok, the object of our troops being if possible to take him prisoner, and he therefore must decline any interview with our troops, as he was afraid the only object was to entrap him and take him away prisoner, as they had on a previous occasion done with the celebrated prophet Lynx or Mokamma, who belonged to his tribe. Finding it would be utterly impossible that any arrangement of an amicable kind could take place unless Isambie and Colonel Somerset could meet, I sent two or three successive messengers, as he resided some distance from me, begging that he would accede to the proposal. He

at

at length sent a message that he would not go unless I would accompany him; and on learning that I would accompany him, and myself become surety for his safety, he would consent to meet the colonel. I wrote to inform Colonel Somerset of his proposal, and as there appeared to be no other mode of obtaining the desired interview, he consented to his coming in that way; and the result of the whole was, that a very friendly interview took place, when various matters that had long chafed the minds of Isambie and Pato merely for want of explanation, were cleared up to their satisfaction, and an arrangement was made allowing the tribe of Isambie, who from 1819 to 1824 had been obliged to reside altogether beyond the Buffalo River, to return and occupy a large tract that was then vacant lying between the Buffalo and the Keiskamma rivers. This arrangement had a most salutary effect in lessening the number of depredations for a considerable time afterwards. I conceive that that interview could not possibly have taken place under the circumstances but from missionary influence.

1063. Do you conceive that the missions really produce among the natives a desire to adopt more civilized habits?—Yes, and in proof of that I would state, that such was the desire of the native inhabitants of our mission village at Wesleyville to obtain useful articles of civilized life, that I found it necessary to ask the permission of the Government to establish a proper person there in the character of a storekeeper or shopkeeper, for the purpose of selling clothing and other useful commodities to them, to which the traffic was restricted by the regulations which I had imposed upon them with the concurrence of the Governor. They bartered the produce of their country in order to obtain these useful articles of civilized life to a very considerable extent. Certain traders who traded in other parts of the country conceiving their interests to be interfered with by this establishment, prevailed upon the government to give an intimation that the permission for the continuance of this store should be withdrawn. Upon my intimating this to the chiefs they were exceedingly chagrined, and desired I would write their views upon the subject. I was going from home, and said that I should prefer that the schoolmaster of the place should write a letter in their own language with their own words, which I would afterwards translate and forward to the government. At the dictation of the chiefs, the schoolmaster accordingly wrote in their own language an address to the governor. I hold in my hands the original document, and if the Committee think proper, I will now read it, as I conceive it will clearly show their anxious desire to possess the means of obtaining useful commodities, a desire which had originated solely out of the influence of the mission. This is the original document; the former part is in the Caffre language, and the latter part in the English language, being a very literal translation: "To the great chief of the colony.—What shall we do about this custom which you gave us? You gave us a fine custom, and we received it with gladness;" alluding to the permission of the establishment of a shop. "We have bought European clothes, we have bought wagons, we have bought (iron) cooking pots; our food we have bought here, because we have no corn. What shall we do now? for you now say let it (i. e. the store) go away. Do you say, let us return to the old custom? Will you be satisfied if we dress in karosses of hides, with red clay, and beads, and buttons, and brass wire? These things we have already forsaken. Did you not mean that we should become human beings? How shall we act to become human beings, if you say let that go away which makes us people? Whose word (order) was it that came and said, let a house of traffic come here? Whose word (order) is it that says, let it go away? Have we erred because we have bought these things? We ask thee, great chief, because thou seest that which is good for us. We entreat thee, great chief! because we have forsaken beads and buttons; we now seek food, and clothes, and cattle;" they sometimes purchased improved breeds of cattle from the trader. "We already see that beads help us nothing. We cry to thee, because when we sell our goods we seek the things that we love; those who seek food, and cooking-pots, and clothes, cry to thee, chief, because they hear that thou hast said, let these things go away. What shall we do when our wives are confined, for they drink not milk at that time? we shall all die, because for three years we have not obtained corn. Fort Wiltshire is too far to go and buy food; the people will feel hunger, and when they go far and happen to see any thing, they will steal."

1064. Do you consider that was really their own dictation, or was it prepared for them by others?—The original is precisely in the words which the chief dictated, and the English is a faithful translation.

99
The Rev.
William Shaw.
19 August 1835

100

The Rev.
William Shaw.

19 August 1835.

1065. You believe those were their real sentiments and their own mode of expression?—Most entirely and literally so.

1066. Have you any further observations to make upon that question?—No.

1067. What reply did the Governor send to that application?—I am sorry to say no notice whatever was taken of it.

1068. Was the shop taken away?—No; after sustaining a prosecution instituted by government, (notwithstanding its own permission for the establishment of the shop) on a technical point, the supreme court of justice at Cape Town decided in our favour, and as the whole plan of the Caffre trade had in consequence to be revised, I prevailed, through my influence with the officers of government, to establish such regulations as included the Wesleyville shop, and allowed of its continuance.

1069. In your attempts to impart instruction did you find the natives possessed of intellect sufficient to understand and reason upon the great truths of christianity?—Quite so; I have also another document if you will allow me to read it; it is short and it will forcibly illustrate that. It is an original record made at the time, and not got up for any special purpose whatever; the portion of it which I wish to read bears date August 1831. It was the custom of the missionaries of the society to which I belong, to hold weekly catechetical meetings, the missionary delivering a short discourse on some leading fact or doctrine from the Bible. At the close they were invited to ask any questions respecting what they had heard, for the purpose of eliciting whether they had correctly understood our meaning; and this is a record of questions asked on a series of short lectures of this kind. On the first occasion, the subject of the lecture was, the history of the creation in six days, and the blessing pronounced upon the seventh day. It was also explained to them that God's word was spoken by God to Moses and other holy men, at different times, and by them written and handed down to our fathers, who delivered them to us. The first writers of the word of God proved that they came from God by miracles; this was the outline of the lecture, at the conclusion of which, different individuals of the natives spontaneously asked these questions. "When Adam and Eve met, did not Eve ask Adam where he came from? How is it that men first made the cattle serve them, and be useful to them? When was Satan made? Are Adam and Eve yet alive? Did horses bite when they were first made?" Questions which show they had an apprehension upon the subject which they had heard. The subject at the ensuing lecture, was the History of the Fall and its consequences, and the promise of our recovery through Jesus Christ. The questions successively asked were, "When did Satan get out of the shape of the snake? Has Satan a wife? Was Jesus Christ born of Eve? Was Jesus Christ a man? Did Satan come from heaven to tempt Eve? What is the name of the tree which was forbidden? What food was eaten before Adam sinned? Did Adam and Eve eat meaties Caffre corn? If all men are from one man how is it that there are so many languages? Do not black men come from a black man, and white men from a white parent, originally created by God? What colour was the first man? Who was the father of the mother of Jesus Christ? What was the name of the Virgin Mother of Jesus Christ? What was the name of Adam's wife? Where was Adam that he allowed Eve to eat of the fruit of the tree? Did Satan bring the serpent out of hell, or did he go into the snake after he left hell? Who was Satan born from?" These questions are singular and curious, and indeed in some instances puerile, but I conceive they exhibit the true character of their mind and the state in which we found them, more clearly than can be done in any other way; these questions will also serve to show that they possessed sufficient intellect and powers of mind to be quite capable of understanding and also of reasoning upon what they heard.

1070. Supposing the home government confirm the arrangement which it is said has been made for removing the boundary of the colony as far eastward as the Kye River, what suggestions would you offer as to the occupation of this large ceded territory?—If government should confirm the cession of this territory, I would recommend in the first place that it should be divided into sections or townships; and secondly, that one or more of those sections be granted to each of the tribes that are willing to become tributary to the British; thirdly, I would place those who are most deserving of confidence nearest the old border; fourthly, I would reserve some intervening sections or townships in suitable places for military posts and British settlements; fifthly, I would discourage the practice of forming solitary farms; let the settlers be located in these townships, and let there be a village conveniently

conveniently situated in every township to form a place of assembly and safety for the more scattered settlers on every alarm. I beg leave to adduce Salem and Theophilus as instances of the advantages of this system. These villages, although much exposed during the late war, formed places of refuge which did not exist, where the inhabitants live in solitary farms far from any village; sixthly, I would absolutely prohibit and declare to be illegal, the sale or letting on lease by the aborigines of their lands to any European settlers; and, lastly, I would grant in every section of the country suitable tracts of land to missionary societies for the formation of missionary settlements and school establishments.

1071. Have you any further suggestions to make to the Committee upon this subject?—No.

The Rev.
William Shaw.

19 August 1835.

Veneris, 21^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Captain *Stockenstrom*, called in; and further Examined.

1072. HAD you an opportunity of witnessing the conduct and the proceedings of missionary societies at the Cape of Good Hope?—Yes, to a certain extent I had.

Capt. *Stockenstrom*.

21 August 1835.

1073. Were you acquainted with the particular system which they adopted towards the natives in any particular instance?—Not particularly, but I know they gave themselves every possible trouble to teach them the Christian religion. Whenever an opportunity occurred they exerted themselves to improve their temporal condition, and generally espoused their cause in making representations to Government on their behalf, if necessary.

1074. Did it appear to you that their instructions had a good or evil effect upon the minds of the natives in all respects, whether they had made them sincere converts to the Christian religion, whether more honest and conscientious in their dealings, and whether, in consequence of the influence which was exercised upon them by the missionaries, they became more docile and tranquil to the British Government?—I should think it necessary to answer that question by entering into particulars, and leaving the Committee to draw its own conclusions. It would be necessary to state in some detail the line of conduct pursued by some missionaries with whom I myself was in contact: for instance, there were missionaries who sometimes, as I conceived, were in the habit of making representations which they had received from natives, which they conscientiously believed to be perfectly true, but which often were not well founded; and I myself, in my capacity as magistrate, often had to refute representations which had been made, and in which I considered myself implicated. In these controversies often very angry feelings have been displayed, from which I myself have been by no means exempt, as the records will show; but, upon calm reflection, I think we shall be disposed to look on missionaries as placed in a peculiar position, where they might feel themselves called upon to act more particularly as the guardians of the interests and the pleaders of the cause of the coloured classes; therefore, I always, in moments of sound reason, when the dictates of justice could have their full sway, thought that great allowance should be made for a very strong feeling on their part. Now there can be no doubt that often that feeling has been exercised with very great advantage, not only for the natives themselves but for the general benefit of the country, by exciting a sensation, causing discussion, rendering us more circumspect and eliciting truth, which will always prevail at last; and if those feelings have sometimes led to so strong a bias, that individual missionaries have shown a disposition to shut their eyes and ears against every but their own side of the question, we ought not to forget that they considered their clients the weaker party, and that some of their opponents often displayed an equal degree of partiality. But to decide the question fairly, we must consider the general operation of the influence of the missionaries upon the native tribes. Let us observe, for instance, the missionaries at Wesleyville. There are gentlemen in this room more particularly acquainted with the relations between the Wesleyan missionaries and the Caffres on the coast. I am of opinion that the conduct of those Caffres under the chief Pato, which has been considered generally very regular and very proper,

102

Capt. Stockenström.

21 August 1835.

and during the late disturbances, as I understood, particularly quiet and peaceful, owing altogether to the influence of the Wesleyan missionaries. It strikes me that it is impossible to deny that the benefit thus conferred is incalculable. Now there is another set of missionaries belonging to the London Missionary Society, and in 1832, I believe it was, that there was an inroad of a marauding horde of Corannas, Hottentots and others, who were considered outlaws; and independent—the Griqua tribes. They slaughtered indiscriminately several families, and plundered to a great extent; a strong expedition was sent against those people, but was unsuccessful. It was apparent to every man acquainted with the northern frontier, that if it had not been for the influence which the London missionaries had gained over the Grikwas, we should have had the whole nation down upon us. It was only the state of feeling produced by that influence which prevented the Grikwas from taking advantage of the exposed condition of the country, and the panic then existing, to give vent to their old animosities against the colony, and overrun the northern half of it. Had they been without that helm—that influence, I say, of these missionaries—we should have had a strong tribe instead of a gang of robbers to contend with. We had no force to arrest them if they had; and I have been informed that, since I left the colony, the Government has been able to enter into a sort of treaty with the chief Waterboer, of a most beneficial nature to the Corannas and the Grikwas themselves, as well as to the safety of the northern frontier. Now that those people are in that state to enable us to treat with them, I attribute altogether to the domesticated state to which they have been brought by the labours and the confidence which they have in the advice of the missionaries, whose interest it is to preach peace.

1075. Had you an opportunity of seeing the moral and religious influence of the missionaries, as exercised upon any given location of the natives?—Undoubtedly the influence of the missionaries, Thompson and Reed, on the location of the Kat River, was very beneficial; and at most of the missionary establishments which I have visited, advantages appeared to be derived from both example and precept.

1076. Were you called upon to write a letter to Government upon the subject of the settlement of the Kat River?—Several.

1077. Have you copies of all those?—Of some I have.

1078. Give us a description of what proceedings took place in the establishment of the Kat River, the objects in view, and the results that ensued?—I will furnish you the documents upon that subject, which I sent to Mr. Stanley when I arrived in this country.

1079. Will they describe the whole proceedings on the Kat River?—Not particularly, they only give an outline of it.

1080. Are you prepared to enter into a statement of what you conceive would be the most just and effectual policy to be adopted with regard to the native tribes, in order to ensure tranquillity in the colony, in order to promote commerce, and in order to extend the blessings of civilization and Christianity to the native tribes?—I can only state the plan which I had in view myself, and which I think, if adopted, would make the frontier secure, and that security, I think, is the key-stone to all those objects which you there mention.

1081. We should be glad to have that statement?—I have before said that unless the Caffres can be allowed to remain in the undisturbed possession of their property, and unless they can be secure against the attacks from parties from the colony, it is impossible they can live at peace; and unless they can so live at peace, there is no hope of their being civilized. In order to prevent the necessity of such inroads, and also to give at the same time full protection to the colonists, I wished to adopt a system, the principles of which are exemplified in the Hottentot location; for instance, at the time when those locations were almost fully established, under certain regulations, with respect to the performance of military duties on the part of those men who were capable of bearing arms according to the system of law already in force in the colony relating to Burger service, one officer with a small detachment of regular troops, merely as a point of rendezvous or rallying point in such a location, and that officer having the right to call out the disposable force under certain regulations, would, I think, effectually secure that part of the frontier, provided the people in that location were bound to take care of their property, and provided, if they neglected to do so, no measures should be adopted against the natives for their indemnification. Now such another establishment

103

ishment at the place where Sir R. Donkin had established Fredericksburgh, and as many more between that and Kat River establishment as the country and its localities were capable of maintaining, I should think would then have perfectly prevented any great inroad of the Caffres, and petty depredations would be rendered extremely difficult, and when committed might be immediately traced. We might come to an understanding with the chiefs that compensation might be obtained, and the aggressors even brought to punishment without, upon every occasion, using military violence, and throwing the whole country into a state of ferment. The strong force which the natives would see at our immediate disposal would act as a preventive, and its existence would render its display seldom necessary. Upon the same principle I would have dealt with the Griquas on the northern frontier, and instead of their having a neighbour from whom we might constantly apprehend attacks, it has now been shown that those people were in a fit state to be dealt with in the same manner as the Hottentots on the Kat River had been. It will be seen that the grand point I have in view is, that protection should be granted to both the colonists and to the neighbouring tribes; justice to all; and under no circumstances whatever a man should have it in his power to become as it were the avenger of his own wrong, and to be entitled to obtain from the natives what he may have lost, or believe he has lost, or says he has lost. I would observe here that the Caffres on the coast under the chief Pato, had conducted themselves in such a manner as fully to justify their meeting with every encouragement, and being incorporated into the colony, provided they submitted to our rules and regulations under certain modifications, and thus constitute a beneficial ally instead of, on all occasions of danger, being liable to be looked upon with suspicion and dread. These are the leading features of my plan; but in my statement which I delivered in to the Government, and to which I have already referred the Committee, I have entered more particularly into detail. One of the effects it would lead to is, that you would be able to reduce the military required upon the frontier by the above compact communities, as you would only require military posts here and there, with an officer wisely selected, of which there are many on the frontier who might be intrusted.

Capt. Stockenström.

21 August 1835.

1082. How many years have you served the Government at the colony?—From about October 1808, till the close of 1833, when my situation was abolished; I was then in this country.

1083. Have you in general been on good terms with the Government and the superior officers in the colony officially?—Certainly.

1084. Have you any official communications from any of them, speaking of the way in which you have conducted yourself?—Decidedly; and since the question has been put to me, that there are at this moment in this city, I believe, no less than four Governors under whom I served. Sir Rufane Donkin is a member of this Committee, and expressed his sentiments with respect to me at the opening of my evidence; and I beg it as an especial favour now, since it has come to this, that the Committee may please to call upon him, particularly, to state his sentiments. There is the Earl of Caledon, who does not only know me, but knows the services of my father who lost his life in the service of the British Government, after serving that colony 25 years. There is also Lord Howden, I can show official documents as to his sentiments with respect to my services and character. I served a long time under Colonel Graham, I believe I have documents from him to show how I conducted myself; then followed Lord Charles Somerset, with whom I had not always the good fortune of being on good terms, but I believe I have documents from him to show what his sentiments were; then followed General Bourke, and I am disposed to think I have some papers from him to show how I stood; then comes Sir Lowry Cole, who officially to the last moment expressed warmly his sense of approbation of my character and conduct. I have during the greatest part of my official career held the most important offices under the Government, for about 12 years a station with the most extensive powers; every man under such circumstances must have a number of enemies, it is impossible to avoid it, and I dare say I have my share; many no doubt would be most ready to come forward if the slightest charge can be made, but with every respect for the Committee, I must only say that I defy them. I have conscientiously discharged my duty, with many errors no doubt, and when I found I could do so no longer, I withdrew myself from the service, rather than be an impediment to it; if I have given displeasure to my superiors, by expressing my sentiments, and stating what I believed to be right or wrong, I beg to say that it did not proceed from any feeling of disrespect,

1014

Capt. Stockenström.
21 August 1835.

but upon the principle, that I always considered myself the servant of the public, but a slave to no man.

1085. Did you resign your situation of Commissioner-General of the frontier because you were expected to carry into execution measures of which you disapproved, and which you thought inexpedient?—I made the representation which I did to the Secretary of State, because I found that the predicament in which I was placed, by the Colonial Government not employing me in the manner directed by the Home Government, disabled me from carrying into effect the plans which I had in view for the safety of the frontier, and the prosperity of the colony.

1086. In those plans did you contemplate a more lenient system towards the natives than had hitherto been observed?—I contemplated the unqualified abolition of the system of the reprisal of Caffre cattle, except where it was done upon principles founded upon treaties between the Colonial Government and the chiefs—that necessarily is a more lenient measure; but I never contemplated such leniency as would leave His Majesty's subjects on the frontier without protection. I want justice and security for all parties.

1087. On Wednesday last, in alluding to the transaction in which Erasmus was concerned, I think you stated that the farmers had behaved very ill; whom do you mean to designate by the farmers?—Those who shot the people.

1088. What nation did they belong to?—They were the Burgher force, under an officer of the name of Erasmus.

1089. Were they all Dutchmen?—All Dutchmen; they might have had an individual Englishman amongst them.

1090. In the course of your evidence, when you used the word "settlers" in an unqualified manner, did you mean English settlers or Dutch settlers, or Dutch and English settlers?—The settlers generally mean Englishmen, they go under that name in common conversation.

1091. And by farmers you mean Dutch?—I generally mean Dutch, but they are more commonly called Boors.

1092. Did any Englishmen ever serve on the commando?—Very often.

1093. What class of Englishmen?—I believe the settlers, English settlers, living on the Albany district, are liable to be called on as well as Dutch Boors.

1094. Were they so in fact?—Often.

1095. Do you know whether recently an ordinance has been repeated, which was first issued some 20 or 30 years ago, I believe, authorizing any field cornet or deputy field cornet, if he thinks fit, to call out a commando?—I saw it in the papers after I got into this country.

1096. You have heard of the late incursion of the Caffres into the colony?—I have seen it in the public papers.

1097. Was it a matter of surprise to you that the Caffres should have made this invasion into the British territory, and that a system of war should now prevail there?—If the Committee will read with attention my statement given in to the Secretary of State, they will see that (though I admit I did not expect it to be so extensive and bloody so soon,) I expected most serious calamities to result from the plan which we were then adopting.

1098. Before the invasion took place you represented that it would ensue; and do you go further, and now predict that if we continue that system of reprisal on the cattle of the natives, that we must look to nothing else but a system of bloodshed and extermination?—Certainly; these people, if you take their cattle, must plunder; and you will go with your boundary from river to river, and take one slice of Africa after another, and there will be no end of it till some measure be adopted, by the means of which these people can remain quiet and at peace.

[The following Documents were handed in.]

Sir, London, January 16, 1834.
I HAVE had the honour to receive your communications, by letters addressed to me by Mr. Hay, on the 11th ult. and 7th inst., relative to the abolition of the office of Commissioner-general at the Cape of Good Hope.

With reference to that part of those letters by which I am informed that you will be prepared to recommend me as one of the official members of the Legislative Council, if it be my intention to return to the said colony, I beg leave to assure you that you could not have afforded a more convincing proof of the absence of all doubt of my "active and conscientious discharge of my duty," as you are pleased to term it, and that I consider that testimony the most valuable reward which you had it in your power to bestow.

As to the question of my return to the Cape, I have respectfully to observe, that I consider it an imperious duty, as it has always been my most anxious wish and the height of my ambition,

105
 Capt. Stockenström.
 21 August 1835.

ambition, to avail myself of every opportunity to be of use to my countrymen, and to continue as long as I am able to devote my exertions to the land of my birth, in which my father and myself have already served half a century, to the entire satisfaction of our superiors and the public, for as far as I know; and therefore I had determined from the beginning to go back whenever the Government should have it in its power to place me in a position in which I could be efficiently employed.

I declined continuing in an office which, by local unauthorized arrangements had been diverted from the important objects of the supreme Government, and transformed into a useless sinecure. In this decision I followed the dictates of my duty towards the Government, the colony and myself; and the same principles will compel me again to serve, when I can do so with credit to my employers and benefit to those who are burthened with my salary.

I am aware of the disadvantage under which I must labour in this country, as a stranger, unknown to you, without friends, interest or patronage; but I know also, that these difficulties are abundantly counterbalanced by that strict justice which every colonist, of whatever class or connexion, has an indispensable right to expect at your hands, and which hitherto no one has expected in vain; that justice which, whilst it would render it presumptuous in me to hope that the superior claim of others would be set aside to make place for myself, affords an equally safe guarantee that none but superior claims will be allowed to supersede mine, and that those native colonists who devote themselves with honesty and assiduity to the public service of their country will not see their best efforts discouraged, and all their energies paralysed, in finding powerful influence indispensable to success in that service.

With these feelings and with this entire confidence, I take leave of the office of commissioner, and will be quite willing to enter upon that to which you propose to recommend me, trusting (as from the nature of the letter I presume I may do) that my attendance in Council will not be so immediately necessary as to preclude the possibility of my accomplishing some objects which I have in view in Europe, and in return for this mark of confidence, I can only promise that if I shall be able to take my seat at the Council Board, my duty shall to the best of my ability be done conscientiously and independently.

The amount of the retired allowance which has been granted to me I consider (uncon-
 trasted with others) extremely satisfactory, and am certain that it will be hailed by the Cape colonists as a most consolatory proof, that whilst unfortunately they are still debarred from all participation in the management of their public affairs, you, to whose acknowledged wisdom they must trust, are so well aware of the depressed state of the colonial finances, and of the absolute necessity of reducing the expenditure to the lowest possible standard. And on this subject, I have only humbly to pray that you may be pleased to authorize the colonial agent to pay said allowance in this country during my stay in Europe.

Being now obliged to leave this country to join my family, there remains for me, in conclusion, to add, that I have not been inattentive to certain publications which have appeared with reference to the frontier affairs at the Cape of Good Hope, and have been candidly warned of projected representations to yourself on the subject, in which it is not unlikely some of my measures may be called in question. As, therefore, the conclusion you may come to in my absence, where there will be no one on the spot to defend me, may be of importance to my character, whether I ever reappear on any official theatre or not, I have deemed it safe to draw up the annexed Memoir (supported by certain copies of documents, which I beg may remain deposited in your department, to be appealed to in case of need, as I trust it will, in the first place, clearly elucidate the line of policy which I adopted secondly, prove that I could not, under existing circumstances, have done justice to the post which I occupied; and finally, that I have no cause to shrink from any scrutiny which you may at any time see fit to enter into, so that I shall be ready to afford any further explanation which may be required, having appointed as my agents Messrs. Borradailes, Sons & Baintrill, 34, Fenchurch-street, who will forward to me any communication you may have to favour me with on that or any other subject.

I have the honour to be, &c.

A. Stockenström.

MEMOIR drawn up by the COMMISSIONER-GENERAL of the Cape of Good Hope, in reply to certain strictures upon the frontier Policy of said Colony, contained in "Barrister's Humane Policy," "Bruce's Letters," "Kay's Researches," and some reviews on those publications.

My attention having been specially called to the above productions by the various animadversions which have been passed in my presence on the system in question, I owe it in justice to myself to place upon record my sentiments, as well as the share I have had in the transactions alluded to, in order to be prepared for any of those attacks of which threats have been held out.

All my experience on the subject of commandoes by the colonial forces against the native bordering tribes, has confirmed me in the position which I have always maintained, that there is as much danger in the one extreme as in the other. It is impossible to deny that the oppressions of the European colonists and their descendants, is the cause of the degradation of most of the natives, and the hostile feeling existing between the colony and its black neighbours. The conviction of this fact alone, is sufficient to induce the Government to make those amends which are still within its power, by protecting those natives against farther persecution, and exerting every possible means to improve their condition and civilize them: but I am far from thinking that these desiderata can be obtained

Capt. Stockenström

21 August 1835

tained by "turning the tables," as it has been called, and allowing those tribes to murder and plunder with impunity, and by preventing the colonists from protecting their lives and property against those outrages. Such a system could only end in the extermination of the weaker party, and a mistaken humanity would be found the height of cruelty at last. Let the sincere philanthropist but for a moment contemplate what would be the result of a Government being altogether passive under the excesses which savages and barbarians are capable of perpetrating, not only against those by whose ancestors they feel themselves to have been wronged, and against whom they harbour a feeling of implacable revenge, but against their own fellow-sufferers, who, with themselves, must in the end, if not checked, become the sacrifices of their own indiscriminate and mutual massacres. I have upon this principle always considered it an imperious duty to root out any gang of robbers, murderers and marauders as soon as they were discovered, before the evil should spread to such an extent as to involve the lives of hundreds, and every order which I ever issued will be found to be regulated accordingly. For instance, if the band who attacked the field cornet Steenkamp, last year, had at once been crushed, it never could have gained sufficient strength and courage to attempt the massacre in the Winterveld, in which it was so lamentably successful a few months later. All parties, the humane as well as the religious, now join the community at large in wishing for the destruction of these desperadoes, who it must be expected will perpetrate many more deeds of blood.

I quote this one instance merely to show the evils which, by not wisely discriminating between the bad and the good, we may bring upon the very classes we seek to protect, since the peaceable natives beyond the frontier are themselves in much greater danger of those marauders than the colony, as they have either to join in those sanguinary depredations, or fall an easy sacrifice.

I have also seen several attacks made on the Cape Government for the expulsion of the Caffres, under the chief Macomo, from the ceded territory, in 1829. If any fault was committed on this head, it was the permitting the Caffres to return to that territory after they were expelled in 1819, (to whatever criticism the treaties of which that expulsion was the consequence may be open,) and I maintain that the Government could not, without displaying the greatest possible weakness, have allowed those Caffres to remain within the colonial territory after their wanton attack on the Tambockies, pursuing them into the colony, and there carrying on murder and destruction, to the consternation of the King's subjects, who must have forsaken the country if they were to be liable to repetitions of similar hostile intrusions. The complaints of the depredations of these Caffres were also of such a nature, and so well authenticated, that to allow them to go unpunished would have led to the most disastrous results. They were suffered to remain in said territory conditionally; their peaceable conduct was the positive *sine qua non*; to have allowed them to trample this proviso under foot, would to them have appeared imbecility, and led them on from one aggression to another. I therefore fully approved of the removal of Macomo and his people; and, upon the same principle, recommended the direct opposite course towards the Caffers in another part of the ceded territory who had complied with their part of the arrangement, conceiving that the land ought to be ceded to them altogether if they have, as they say, a promise to that effect, provided they consent to become amenable to the laws of the colony under certain modifications, as it would not be politic to allow that land to revert to Caffraria, particularly now when it affords such an excellent opportunity for making the experiment of incorporating with ourselves its present tenants with their own consent.

I have no hesitation in saying that I would not scruple to recommend the expulsion from the ceded territory of every kraal of Caffres which could be clearly proved guilty as a body of carrying on depredations, either against the colony or others of their neighbours; and I am equally positive in the opinion, that the murders perpetrated by Macomo's people on the Baveans River, subsequent to his said expulsion, ought to have been visited with the severest punishment, if even it had involved the destruction of his whole kraal, or its expulsion from Caffreland itself. Whilst the voice of humanity is justly raised in favour of the long and cruelly oppressed blacks, that of justice and prudence reminds us that the whites also have a claim to protection; that they also have lives, property and rights to lose; and that the wanton abandonment of these to the ferocity of a few desperate gangs among the native tribes will not benefit and civilize their brethren in the aggregate, but must generate that irritation and despair which ultimately no government can prevent from terminating in the most unrestrained indulgence of revenge.

Thus much for what appears to me to be the one extreme; but on the other hand, nothing can be more pernicious or more destructive to peace and civilization than the system of taking the cattle of the natives as a compensation for what is stolen or said to be stolen from the colonists, without due inquiry and the most incontestable proofs, and shooting those natives upon suspicion, or even without suspicion, merely because stolen cattle is traced or said (by some interested party) to be traced into their kraals. All the disturbances on the Caffre frontier of late years; all the acts of severity which consequently became necessary; the backward state of improvement of the Caffres, and the necessity of still maintaining a military force against them, can be traced to this prolific cause. If the seizure of the enormous mass of Caffre cattle by Colonel Brereton's commands, in 1818, had not taken place, that of Colonel Wilshire, in 1819, would not have been necessary, and no possible ground of justification for the expulsion of the Caffres from the ceded territory could have existed. And thus it has been ever since. So sure as we take Caffre cattle, except when you force them to restore what they have taken, as in the case of the Tambockia cattle, plundered by Macomo, and the like, upon principles agreed on between the Government and the Caffre chiefs, so sure must those from whom they are taken plunder or starve. This

This system of reprisal, therefore, I have always opposed with the utmost determination, as will be seen from my letter to the Colonial Government, and I never was more confirmed in this view of the matter than by a commando which I was induced to sanction in June 1830 upon the representation of the military commandant and the frontier Boors. This officer had been led to believe the frontier in a most alarming state, and the number of cattle taken from the colony enormous. (*Vide* Correspondence, N^o 1 to 11.)

Capt. Stockenström.
 21 August 1835.

I accompanied one of the divisions of this commando, after having strictly forbid the Boors taking any Caffre cattle whatever, unless the Caffres should violently resist their taking such cattle as could be sworn to as colonial property. A division of Boors took a considerable number of colonial and Caffre cattle mixed, pretending that they had had a desperate fight for it, in which the Caffre chief Geco and several of his men were killed; but I subsequently found out that these unfortunate men were murdered in cold blood and unarmed, for which atrocious act there could have been no reason except to find a plea for seizing the Caffre cattle, contrary to my orders. I therefore feel convinced that the commandant had been misinformed as to the state of the frontier, and that most of the reports about the numerous depredations and desperate intentions of the Caffres were utterly groundless,—just, as in 1829, when the colony was thrown into the utmost alarm, for which there was not the slightest foundation, though it nearly brought about a Caffre war.

Now I beg that it be clearly understood, that in here speaking of Boors, I allude to those who are immediately interested in the reprisal system; the mass of those colonists who understand its effects hold it in abomination; those, moreover, who live distant from the frontier, can derive no advantage from it; they know that when the Caffres are driven to desperation, and a war ensues, they may be called from their homes and business, at an enormous expense, for months, without a chance of remuneration. In fact, false alarms, in which the Cape frontier is so prolific, are advantageous to none but those who covet the possession of Caffre cattle, or expect more benefit from military coercion and the increase of the forces than from conciliation and justice. To the colony at large and the Caffres they are a source of endless vexation and severe losses; such as those of 1828, which the colony will have long occasion to remember. With the respectable classes, they form a subject of serious complaint.

In June 1831, I again reached the frontier, when the military commandant once more desired my consent to a Burger commando being assembled to enter Caffreland, together with the troops. I at once declined, as I considered the frontier in the most perfect state of tranquillity, and had not yet forgiven myself the sanctioning of the former year's expedition. The commandant, however, applied to the Governor direct, and obtained his Excellency's approval, which led to a controversy so fully explanatory of the views of all parties that I prefer annexing copies in full to any attempt at giving the substance. (*Vide* Correspondence, N^o 12 to 26.)

There it will be found, that after both sides had been fully before the Governor, I was at last ordered to frame some plan of operation, in concert with the commandant. I was quite ready to do this. The unfortunate operations of the former year above referred to had proved my willingness to co-operate with this officer; but as I found not only that the basis of his suggestions was to continue the patrolling and reprisal system, in direct violation of the understanding entered into between the Governor and the Caffre chiefs, but also that he (the commandant) considered it indispensable to shoot the Caffres whenever a patrol headed by an officer carries the spoon of cattle distinctly into any kraal, I thought it but candid, to avoid future misunderstanding and delays, by clearly and categorically stating that I would not deviate from the principles laid down in my above-quoted letters to Government.

Now with respect to the seizing of Caffre cattle by way of reprisal in the manner complained of, I have said enough to show its injustice or ruinous consequences, and to justify my decided opposition thereto: and as for the other part of the plan, viz. the shooting of those into whose kraals cattle should be traced, I can only say that it exceeds all that even the least scrupulous of the Boors ever asked for as a regulation, and the Government has only to give its fiat to that proposal to bring about a regular war of extermination, and to be in possession of the whole of Caffreland as a matter of necessity, and an inevitable consequence, in a few years, for no man need go to Africa, or even out of London, to be convinced that then there is an end to all prospect of civilization at once. In ninety-nine cases out of a hundred the slaughter must fall on the innocent. It is well known that plunderers almost invariably drive the spoil through peaceable kraals, and often leave part thereof in such kraals to deceive the pursuers. They surely will not wait there to be shot! The wretch who takes a fancy to any flock of Caffre cattle, or, either from motives of revenge, or to excite the customary alarm and ferment, desires the destruction of a kraal, has only to lead the patrol upon some real or pretended traces, or need only himself secretly to drive cattle into such kraal, and then where is the hope for the victims of such an order, or what can prevent the Caffres from becoming what the Bushmen are, except that I feel confident few British officers could be found who would consent to act up to such instructions.

When Enno complained that his son was murdered in this identical way, and other Caffres were said to have been similarly sacrificed, we repelled the charge with indignation and horror; but here we have the very same act proposed to be adopted systematically! If I offended by saying that I would as soon sanction the massacre of the Governor and family if a cabbage had been stolen in Mr. Flech's grounds, and the thief traced through the Government gardens, I am sorry for it, but the cases are nevertheless exactly analogous. I therefore (though I would, as long as I had continued to hold any share in the management of frontier affairs, have persisted in putting down murderers and determined irreclaimable plunderers, however much I may thereby have exposed myself to the censure of very

108

Capt. Stockenstrom,

21 August 1835.

worthy though ill-informed mistaken men) resolved rather to quit my station than see the proposed system acted upon, much less sanction or act upon it myself.

This does not proceed from any desire to make a display of independence, or to lay claim to any refinement of philanthropy. I would thereby only make myself ridiculous; for my utter dependence of circumstances is too well known, and my whole official history, as well as this document, shows that I see no humanity in encouraging crime by the extreme of forbearance; but my remaining a spectator of such proceedings as I have just commented on, without power to check them, would cause the utmost confusion, as all co-operation on my part was, together with the peace and improvement of both sides of the frontier, placed out of the question, for I would certainly continue to denounce every seizure of Caffre cattle by patrols or individuals, or in any way except as above excepted, as a robbery and a breach of faith, and every case of a Caffre shot in the manner proposed as downright murder, and the Government would be unceasingly harassed by conflicting and clashing reports, orders and counter orders.

Having then stated the principles upon which I would consider myself justified to act, in conjunction with the commandant, these appear not to have been approved of; for notwithstanding his Excellency's sentiments, so strongly expressed in the military secretary's letter to the commandant, dated 12th August 1831, Caffre cattle continued to be taken; those unjustly taken were not restored; the inquiry which, from the concluding paragraph of the letter addressed to me by the Secretary to Government, dated 29th July 1831, I was led to expect, and which would have elicited many facts illustrative of the dangers of the system I had deprecated, did not (at least to my knowledge) take place. My promises of redress to the aggrieved, and threats of punishment to the offenders, remained equally without effect, and Caffres, as well as Colonists, saw clearly that my situation was altogether nominal, and naturally enough contemned my authority; so that, whatever doubt there may exist as to the wisdom or error of my line of policy, there can be none as to the entire uselessness, nay, detriment of my continued interference, and as the management and control of our frontier policy was the main object of the creation of the office of Commissioner-general, I have deemed it my duty, by letter of the 20th October last, to make such representations on the subject to His Majesty's Secretary of State, as will, no doubt, induce that minister to appoint some other person to take my place, if it be his pleasure that the situation shall remain upon its present footing.

Since writing the above, I have received a communication from Mr. Tray, acquainting me that the situation of Commissioner-general is to be abolished; and as it appears that no blame in the slightest degree attaches to myself, but that, on the contrary, the Secretary of State has not "any doubt of my active and conscientious discharge of my duty, and is prepared to recommend me as one of the unofficial members of the Legislative Council," I think I may safely abstain from any farther justification of my proceedings, having, as I trust, clearly shown, on the one hand, that if we should succeed in bringing about a system which would compel the colonists to be quite passive under the depredations of their neighbours, we would injure the very people we mean to benefit, by increasing the number of marauders, and rendering it necessary to exterminate them at least; and on the other hand, that as long as we continue to punish the innocent for the crimes of the guilty, and take the property of the peaceable, so long must they continue to plunder and murder us, and so long must we continue to shoot them.

Our system of military coercion has now been tried for a length of years without having brought about one single beneficial result; for even, according to the views of the military commandant, as hereunto annexed, the frontier is in a much less tranquil state than before any troops were stationed near it; and though the reprisal system has been in operation ever since 1817, robberies are said to be as numerous as ever, and both colonists and Caffres more poor. On that part of the borders where we have the most desperate enemies, there is not a single soldier, and we all know that 10,000 men could not effectually secure that immense open extent of country; we have therefore no remedy for the evil but strict justice, the exemplary punishment of our own as well as the foreign depredators; this alone will ensure peace, extend commerce, and bring about the inevitable consequence—civilization.

A. Stockenstrom,

London, 31 December 1833.

Commissioner-general, Cape of Good Hope.

(Copy.) No. 1.

Sir, Colonial Office, Cape Town, 30th April 1830.

By directions of his Excellency the Governor, I transmit for your information copies of two communications recently received from the commandant of the frontier, relative to the numerous acts of depredation lately committed by the Caffres.

His Excellency sees no reason at present to doubt the correctness of the information, on which Lieut.-colonel Somerset's statements are founded; but he is at the same time desirous that you should satisfy yourself of the real state of things, and report thereon, before he can authorize any strong measures against any of those chiefs, who, either by their own acts, or by the acts of their tribes, have taken a leading part in the depredations complained of.

If you shall feel satisfied that the country is really in the state represented by the commandant, his Excellency desires you will take an early opportunity of assembling as many of the chiefs as you can get together conveniently, and inform them that the Government can

no longer suffer the continuance of such conduct on their parts, but will be compelled to fulfil the assurance which has already been made to them; namely, that those Caffres who are still permitted to remain within the limits of the ceded territory, shall be driven across those limits by force of arms. This threat would seem peculiarly applicable to Enno if not to Botman likewise, both of whom are apparently determined to maintain their ground in the ceded territory. With regard to the southern tribes, who are supposed to entertain better feelings towards the colonists, his Excellency would be sorry to involve them in distress on account of the misconduct of the more northern ones; but it seems but too probable that their continuing to hold a footing on this side of the Regskamma, would only tempt the others to avail themselves of the opportunity of committing fresh outrages, in the hope that the nearest tribes would always be held responsible for such acts. On this point his Excellency desires you will use your discretion in making your communication to the chiefs.

Lieutenant-colonel Somerset will be apprised of this communication; and it is desirable that you should meet him on the subject before you take any measure for assembling the chiefs.

You will also apprise the commandant of whatever steps you may see fit to take, in consequence of this communication.

I have the honour to be, &c.

The Hon. A. Stockenstrom,
Commissioner-general.

(signed) John Bell, Secy to Govt.

No. 2.

(Copy enclosed in the former.)

Sir,

Graham's Town, April 8th, 1835.

I HAVE the honour to state, for the information of the Commander-in-chief, that in consequence of the numerous depredations lately committed, I deemed it expedient to call the chiefs together who reside between Fort Wilshire and the sea; I therefore directed them to meet me on the 1st instant, at the head of the Guallaco (written Gwollen in the map) River.

I accordingly proceeded there on the 1st instant. The chiefs assembled were Enno, Ruge, Pato, Cobus, Congo and Kama. I complained to the chiefs of the numerous depredations that had lately been committed, and the absolute necessity of their using influence with their people to detect and punish depredations, as the only hope they could have of being allowed to occupy any part of the ground on this side the Regskamma. I pointed out to the chiefs as forcibly as I possibly could, the nature of the depredations that had lately been committed by their people; that they were plundering the industrious inhabitants of the country, who had but lately, from small beginnings, accumulated a small property in cattle; and notwithstanding all their exertions, they now found themselves in the space of a few hours deprived of all their hard earnings, by the very people whom the British Government had, by every means in its power, endeavoured to conciliate. I assured the Caffres that I was fully determined to protect the settlers and inhabitants, and that no future depredations should pass unnoticed or unpunished.

To this remonstrance the usual professions and promises were made by the chiefs, accompanied by a declaration of very sincere attachment to the British Government.

It is evident that the Caffres generally are perfectly indifferent as to the terms they may be on with the colony, although the chiefs themselves are fully sensible of the great advantage they derive by the intimate footing they are now upon with us. They have, however, but little influence with the people, or if they have any, they know that their interference in checking depredations materially deprives them of their popularity and influence, as the moment a chief is severe with his people on account of depredations on the colonists, his Caffres immediately join a chief of more liberal principles.

It is only by using the most exertive and vigilant means on our part, that we can ever hope to protect the inhabitants of the frontier from the continued depredations of the Caffres.

It was my intention to have proceeded into Caffreland on the 28th ultimo with a small detachment, to have endeavoured to recover two droves of cattle that had recently been carried off and traced into Pato's country. On the evening of the 28th, however, I received a message from Pato and Congo, sending me 16 head of Cawood's cattle. To enable me, therefore, to have a communication with Congo and Pato previous to taking any further measures, I postponed moving until the 1st instant.

After my conversation with the chiefs I proceeded, accompanied by all the chiefs, to the kraals, where the patrols had traced Mr. Palmer's cattle to.

The patrol, when in pursuit of the cattle, had fallen in with some Caffres, of Enno's, who had accompanied the patrol to a kraal belonging to some Caffres, of Pato's, in the Beka. I reached this kraal at daybreak on the 2d.

The old chief, Jonaga, acknowledged that the trace of the cattle had been brought to the top of the hill, above his kraals; but on inquiring from his people, they declared that they did not find out until the following morning that it was the spoon of their own cattle that had been shown to them.

As the patrol had clearly brought the spoon to this kraal, and as these people had neither followed it up, or even reported to Congo or Pato that any circumstance of the kind had occurred, I could form no other idea than that these people were the thieves.

The chiefs of my opinion also. I seized 20 head of cattle, the number lost by Palmer, and delivered as a remuneration to this man for the loss of time, and for the trouble he had been in recovering them.

Capt. Stockenstrom.

21 August 1835.

Capt. Stockenström.

21 August 1835.

I, however, clearly explained to the old Caffre, Toranga, that on his satisfying me as to where Palmer's cattle were, so that Pato and Congo could recover them, and produce them to me, that I would restore him his cattle again.

I have to report that on the 29th, when I was at Kaffer Drift, the loss of Mr. Rudwell's cattle was reported to me. I immediately despatched a small patrol on the trace of these cattle; the non-commissioned officer returned to me on the 3d instant with the cattle in his possession, having followed them up for three days and nights, coming up with them at length beyond the Regskamma, in the direction of the sea, and very nearly to the mouth of the Buffalo River, amongst the Caffres, under the chief called M'Googow. The chief, M'Googow, at whose kraal the party halted, gave two Caffres to assist in recovering these cattle, and expressed his regret at the circumstance.

Some time since 43 head of cattle were traced to Enno's kraals, (that had been stolen from J. Cawood,) when, in consequence of the rain, the trace could no longer be continued. Enno promised to inquire about them, and subsequently to send in 13 head; and said, M'Googow's Caffres had the remainder, as numerous messages had been sent about these cattle. I informed Enno, that unless these cattle were sent in on the 4th of this month, I would take my own measures for their recovery. Enno said he would not promise, but he would do all he could.

I have now to remark, that on proceeding to the Goalana on the 1st instant, I fell in with five large bodies of armed Caffres, from 80 to 100 in the whole, proceeding in the direction of the Fish River, I presume with the intention or pretence of hunting. I ordered these fellows back again, and on meeting the chiefs, I directed them to send immediately after them.

I felt it necessary to place a detachment without delay near the head of the Guollana: this country, from the sea to Fort Wilshire, is entirely exposed and unoccupied; and until the Caffres will confine themselves to their own limits, I shall continue a detachment in that line. I propose placing this party near the head of the Guollana. The great Caffre paths, from Trompeter's Drift, the Lower Drifts on the Fish River, and Kaffer Drift, all unite at this point, passing over the main ridge that intersects or runs across the ceded territory, between the Beka and the Fish Rivers. There is an abundant supply of water, and I consider it the most eligible point for a temporary post, from whence I shall keep constant patrols out.

The number of horses lately stolen by the Caffres from the farmers is quite unprecedented, numbers of these have been traced to the kraals of Foonah and Dhella, residing immediately beyond the Buffalo River, or the sources of the Goonoobe. I have had a good deal of conversation with the chief Kaga on this point lately. He has afforded me considerable information, and I have now with his assistance sent two confidential messengers to these kraals, to ascertain exactly where these horses are secreted. The provisional field cornets, J. Lomboord and David de Lange, state to me that from their division alone upwards of 30 horses have been stolen within these few weeks, all of which they have traced in the direction of the Regskamma, between the Chumee and Fort Wilshire; and I have now received a report from both these field cornets, complaining of the continued depredations of the Caffres.

I have the honour, &c.

Lieut.-col^l Wade,
Military Secretary.

(signed) H. Somerset,
Lieut.-col. Commandant.

(True copy.)

(signed) T. Wade,
Mil^y Secy and Lieut.-col^l.

No. 3.

(Copy enclosed as the former.)

Sir,

Graham's Town, April 23, 1830.

I AM honoured with your letter of the 16th instant, marked private.

In reference to the horses in possession of the Caffres, I beg to state, that I have this moment received a communication from the Caffre chief Ruge, that he has again sent spies to observe these kraals, and has found three herds near the head of the Goonoobe. I beg also to state, that the people of the Hottentot captain Boosea and the Boslands, have observed and made a reconnoissance of a large kraal of horses among the mountains beyond the head of the Keiskamma, some distance behind Gaeka's old kraal.

I have directed Koosac and the field cornet Groope to proceed again, and make another reconnoissance of this kraal for my information.

In the event of the Commander-in-chief deciding upon any measure for the recovery of these horses, which it is really advisable should be done, I beg to observe that I propose proceeding along the back of the hills extending from Lieutenant Warden's post to the Buffalo River, as per enclosed sketch; by this I avoid going at all into Caffreland until I get opposite the kraals where the horses are, and thus descending on them at once without having to disturb other kraals.

I have traced Major Pigot's four horses to Enno's kraals, but I have not yet clearly ascertained if they went beyond them; but on Monday I proceed in that direction.

I am altogether dissatisfied with the border chiefs; it is but a few weeks ago that I had to drive Botman and Enno back to their line. Botman has again occupied his old position, from which I have again driven him out, and Enno is, I hear from my patrols, again in his old spot immediately above the Fish River. Seven horses were traced to Charlie's kraals, where the people dismounted and drank milk, and yet he knows nothing about them, although

although he promised to send after them, which he has never done, and with all this, they are grumbling and discontented. Capt. Stockenström.

I do not desire to recommend that they should be removed immediately, and deprived of the indulgence of the land. I will ride up in that direction again as soon as possible, and see the chiefs again. 21 August 1835.

I beg respectfully to urge that the recovery of the horses may not be given up by his Excellency. A large number of farmers, with their field cornets, have volunteered to accompany me, and it may be carried into execution without causing alarm where not necessary.

I shall continue to be very vigilant; the Caffres are very unsettled, and I see they are inclined to do mischief if they dared; but I will endeavour to trace every depredation as far as possible, and will insist upon immediate restitution.

The whole of Bookoo's Caffres and Toonah's people on Goonoobe, as also that of Llambe, down the Buffalo River, have always been active in their depredations towards the colony.

Major Pigot's horses were carried out of their stable by two Caffres, on the night of the 13th April.

I shall direct every exertion to be made to apprehend these people.

I have the honour, &c.

Lieut.-colonel Wade,
Military Secretary.

(signed) H. Somerset,

Lieut.-colonel Commandant.

(True copy.)

(signed) T. Wade,

Military Secretary, Lieut.-colonel.

(Copy.)

No. 4.

Fort Beaufort, May 12, 1830.

Sir,

On the receipt of your letter of the 30th ult. relative to the correspondence of the commandant of the frontier, I entered into a communication with that officer, and met him at this post yesterday. He has shown me a letter which he writes to the military secretary by this post, explaining that it is not his object to recommend the removal of any of the Caffres, who have been allowed by his Excellency the Governor to reside in the ceded territory, but that, on the contrary, he would conceive such a measure very impolitic.

The depredations complained of, as far as they are correctly stated, are committed by the Caffres living beyond the Chumia and the Regskamma. Enno has of late been of essential service in the recovery of stolen cattle; Botman is represented as dissatisfied; this I know him to be, because he is not allowed to live on the Barooka; but neither he nor any of the other chiefs have the slightest intentions of disturbing the frontier, knowing that they themselves must be the greatest sufferers. They know it to be their interest to check depredations, and therefore would do so; but the distress in Caffreland is beyond belief, and the plundering of that tribe, among themselves, surpasses by far any thing they do to the colony; at the same time every temptation is held out to them to carry off cattle. Colonel Somerset has just stated to me, that the country between this and the Gonappe is swarming with cattle without herds. David de Lange, whom he brought with him as his authority, confirms this, and says that he came here in pursuit of stolen cattle, and on the road passed several flocks without any body near them. This apathy and carelessness neutralizes all the efforts, both of the colonial authorities and the Caffre chiefs. The inhabitants now fully understand that the law does not forbid the use of fire-arms, in defence of their lives and property, when they cannot otherwise be protected; they have therefore no excuse for leaving their cattle unguarded, and depending upon military assistance after they are taken. Preventive measures alone can avail. Not near the number of cattle reported as stolen by Caffres are actually so stolen; and of what is stolen, the greatest proportion is lost by neglect. For this I see no remedy, except steadily persisting in the measure of, under no circumstance, taking from Caffreland any cattle but such as are actually lost, not following up any stolen cattle that cannot be proved to have been properly guarded, and not following up any that have been more than a day lost, or the time of the loss of which the loser does not know. I see more and more reason every day for adhering to those suggestions which I submitted to his Excellency in Graham's Town. As soon as there shall be good proof of any kraal persisting in plundering, a commando should suddenly be sent to punish that kraal severely, without disturbing the others. Lately the Commandant seemed well informed when there was a kraal in possession of a great number of stolen horses. It would have been desirable, if there had been some authority who could have sanctioned an unexpected attack upon that kraal. Great prudence would of course be necessary in judging of the proofs.

A patrol has this morning traced a drove of stolen cattle into one of Chale's kraals. That chief was here at the time and several days previous. If he be found concerned in that or any other robbery (upon good proof, not mere suspicion), his kraals might be driven out of the Mankazana, as punishment to him and an example to others.

I am so particular about proofs, because we run the risk of adding to the number of plunderers, if we happen to make innocent parties suffer.

In conclusion, I beg leave to observe that I see nothing in the state of the frontier that requires any extraordinary measures on the part of Government. On the 15th, the fixed number of men must be on the locations lately established; and if the Caffres then succeed in robbing such a force, it will be evident where the fault lies. I shall be for some days engaged higher up the Kat River, and will act upon your said letter, if necessary.

I have the honour, &c.

The Hon. the Secretary to Government.

(signed) A. Stockenström.

112

106 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Capt. Stockenström.

(Copy.)

No. 5.

21 August 1835.

Sir,

Fort Beaufort, 16 May 1830.

I FEEL it necessary, in consequence of the continued depredations of the Caffres, to represent to you the necessity I feel exists of placing a post between Fort Beaufort and Fort Wilshire, but which I have not sufficient force to enable me to furnish from the military under my command.

Should you be able to make any arrangement to occupy the Onquello stream, either at Panguellos, Old Kraal, or lower down, by placing a few of the Hottentots there for the present, they might be of considerable service in intercepting cattle stolen from the colony. Since my communication with you on Friday last, I have received reports of more depredations, particularly from a farmer named Greeffe, who states that the Caffres carried off from his kraals 26 head of cattle on the 8th instant, although he had placed a sentry upon them until towards morning. These cattle were traced towards the Chumesford, but from the numbers of cattle passing, all farther trace of them has been lost.

The field cornet Nel (whom I placed with a party on the Umquella during my absence on the Chumia) reports his having fallen on the traces of four horses, which he believes to have been ridden by Caffres entering the colony as spies, as he continued on the traces until he found them again returning into Caffreland.

I found all the large droves of cattle driven off out of the Chumia, and very large bodies of armed Caffres assembled in all directions. In endeavouring to secure a drove of cattle to ascertain if any stolen cattle were amongst them, large bodies of Caffres rushed on the party I had detached. The troops were obliged to fire upon them for their own protection.

I have farther to mention that the field cornet of the Bastards, Christian Groepe, complains that he has several times traced cattle to Charley's kraals, and that he has received the greatest abuse from Charley and his people, with threats of being put to death if he attempted to pursue the spoon of the cattle.

This kind of feeling is so hostile, that I conceive Charley ought to forfeit all indulgence he may receive from the Government.

It is my belief that the Caffres of Charley, and all the Caffres, from the Chumi and along the Keiskamma, are at this moment most hostile to the colony, and I shall make every preparation my means may allow to act promptly upon any occasion of emergency.

I do not conceive that any patrol or party in search of cattle can safely venture among the Caffres I have alluded to (when on the trace of stolen cattle) with a less force than thirty men; and I should wish this to be understood, to prevent serious consequences.

The officers commanding posts have my orders to furnish every assistance to parties who may be on the spoon of cattle; but as the duties are now most frequent, I should wish the provisional field cornets to collect as many as fifteen or twenty men for these duties, and the posts may then afford farther aid.

Had field cornet De Lange returned up the Chumia when on the spoon of sixty-one head of cattle, without calling on me for assistance, I am convinced the consequences would have been serious to his party. The officer commanding the party who went with him reports the conduct of the Caffres to have been most daring and overbearing.

I am about to proceed to the Gonappe post, and from thence business compels me to go to Graham's Town; but I shall return at a moment's notice should any thing occur requiring my presence, of which Major Cox will not fail to apprize me.

I have the honour, &c.

The Hon. the Commissioner-general,
Eastern Frontier.

(signed) H. Somerset,
Lieut.-colonel Commandant.

(Copy.)

No. 6.

Sir,

East Beet River, May 19, 1830.

I HAVE the honour to acknowledge the receipt of your letter dated 16th instant, and in reply to acquaint you that I shall be able to provide you with thirty or forty men from the locations on the Kat River to be stationed during winter between Fort Beaufort and Fort Wilshire, and to be relieved every month or three weeks. I cannot however promise that they will all be mounted, as the distemper has carried off most of the horses of the Hottentots, and it will be desirable that a responsible officer be placed at their head, as I doubt whether it would be quite safe to leave the command of such a station to one of themselves.

I beg leave to add, that taking into consideration the conduct of the Caffres under the chief Chale, as represented by yourself, and the manner in which those on the Makazzana have harassed the locations, I have felt it my duty to recommend the removal of the kraals hitherto tolerated on the latter stream, in order at once to put a stop to the nuisance, and at the same time to show the Caffres the determination of Government to adhere with firmness to the terms laid down by his Excellency the Governor at his late interview with the chiefs.

If this measure be approved of, I propose placing 150 of the civil force at your disposal, including those to be left at the post above alluded to when you dispense with the rest, whilst I also place a strong party at the head of the Makazzana.

Commandant of Cattrin.

I have the honour, &c.

(signed) A. Stockenström.

113

(Copy.)

No. 7.

Kat River, May 17, 1830.

Capt. Stockenstrom.

21 August 1835.

Sir,

I HAVE the honour to enclose copy of a letter this moment received from the commandant of the frontier, relative to the conduct and disposition of the Caffres under the chief Chale.

As one of the advantages of the locations on this river, I shall be able easily to station a party of Hottentots on the spot pointed out by Lieutenant-colonel Somerset, finding that he considers himself authorized to provide them with rations, and will be able to place an officer in command of the party, as I do not consider it prudent to intrust that entirely to one of themselves. I have also to regret that the great mortality which has lately raged among the horses will not enable me to have the whole party mounted. I shall cause them to be relieved every three or four weeks, and continue to do so throughout the winter.

The strong manner, however, in which the commandant speaks of said Caffres, and the posture of defiance which they appear to have assumed when that officer last entered their kraals, added to the manner in which they have harassed the Hottentot locations, by depredations on their flocks and gardens (particularly those who have been hitherto tolerated on the Mankazana, under the threat of expulsion in case of the least provocation), induce me to recommend that this threat be forthwith carried into effect, and that 150 of the civil force (which I can now provide at a very short notice) be placed at the disposal of the commandant, in order to enable him to chastise exemplarily any attempt at resistance or hostile array, or to rush upon any kraal known to have been guilty of aggression against the colony, or in which stolen cattle is known to be harboured.

All this is entirely consistent with the suggestions I had the honour of submitting to his Excellency the Governor's consideration at Graham's Town; and still adhering to the principles therein laid down to their fullest extent, I must take the liberty to give my strongest advice (whatever may be the range of the commandant's operations) against any capture of Caffre cattle. It is necessary that the authority of the British Government be vindicated, and any attempt to set it at defiance visited with immediate punishment; but it would be the worst policy to encourage the carelessness of the colonists by indemnification for the consequences thereof. Depredations, committed mostly by paupers not permanently subject to any chief, are the sole cause of the constant ferment on the borders. These all the efforts of the troops and the Caffre chiefs cannot prevent; the farmers alone can guard against them; and Lieutenant-colonel Somerset's enclosed communication affords another instance of the manner in which this is done. Greeffe has a sentry on his kraals till near daylight, yet the Caffres find no difficulty in taking thirty-six head of cattle out of that kraal about daylight and keep possession, though the loser had the whole day before him for pursuit.

I beg leave to add, that if his Excellency should be pleased to adopt the above coercive measure, it would be desirable to have it carried into effect as soon after the full moon as possible.

The chief Macomo is here, praying to be allowed to settle, with his family only, any where within the colony, representing his distress to be the very utmost; doubting his sincerity, I have declined entering upon the question, assuring him at the same time that the conduct of the Caffres was likely to lose more of the country for them.

I have the honour, &c.

(signed) A. Stockenstrom.

The Hon. the Secretary to Government.

(Copy.)

No. 8.

East Beet River, June 9, 1830.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 28th ult.* relative to the intended operations against the plundering Caffres, and to acquaint you, that after the most ample discussion with the commandant of the frontier yesterday, I have ordered 100 men to assemble on the Kat River, on the 14th or 15th instant, having there about as many more at my disposal, which, together with the former, I shall place under the orders of said commandant, to assist in the execution of the projected measures, which that officer will submit through the military secretary.

I shall proceed to the Mankazana myself to-morrow, to afford such co-operation as shall be required.

I have the honour, &c.

(signed) A. Stockenstrom.

* I regret that I have no copy of this letter by me; but it will be found fully to approve of the views contained in my foregoing letter, addressed to the Secretary to Government, dated May 17, 1830.

A. Stockenstrom.

The Hon. the Secretary to Government.

(Copy.)

No. 9.

Fort Wilshire, June 17, 1830.

Sir,

ABOUT 250 of the Burger force (though only 150 had been ordered) were assembled on the Mankazana and Fort Beaufort, on the 14th and 15th instant, from the immediate frontier, without troubling the distant divisions. Col. Somerset and myself met on the 14th. The

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p 2

chief

114

Capt. Stockenstrom.
21 August 1835.

chief Macomo came to us, expressed his fears, and stated that whatever the Government should do with him he would not venture again to mix with the Caffres beyond the frontier, not considering himself safe there. I informed him that I was not authorized to admit him into the colony. I acquainted the Rev. Mr. Thompson with the intended operations, and the chief Tyali having been sent for, came to us at sunrise on the 15th, being much alarmed. I told him that the late conduct of himself and people had provoked the execution of the threat held out to him by his Excellency the Governor.

After much evasion he admitted that he knew where a great proportion of the cattle stolen from the colony had been driven to, and offered to accompany any force that might be sent, to show them the plundering kraals where the cattle could be found. The same offer having been made to Colonel Somerset on the part of Pato and his party, with respect to other independent plunderers, it was deemed expedient (as the force consisted principally of those who had been losers by Caffre depredations, and who came forward so readily, in the hope that they would now have an opportunity of searching for what they have so lost), to afford Tyali and the other chiefs this chance of proving their sincerity of their present friendly professions towards the colony. Colonel Somerset has therefore divided the force now at his disposal into three divisions, which are to surprise the plundering kraals, as will no doubt be detailed by himself through the military secretary. I hope the cattle may be found, and an example made of those who have kept the frontier in this state of disturbance so long. At any rate the Caffres generally will see with what little trouble and in how short a time a strong force can at present be brought against them, and the colonists will be convinced, not only of the anxiety of Government to protect and assist them, but also that nothing but their own watchfulness can effectually prevent the loss of their cattle, for if these be not now found in Caffreland, but sent the tribes beyond as I expect, they must see that preventive measures alone can insure to them property of that description.

It is superfluous to add that there is a great desire among the farmers to procure Caffre cattle in lieu of their own, if the latter be not found; but we must resist any attempt at such indemnification, and I have informed those concerned that in case of doubt I shall have an oath exacted as to the cattle to be claimed, being in reality colonial property, so that those possessing themselves of Caffre cattle will have both the perjury and the theft to answer for.

Botman has crossed the Regskamma and taken up his residence beyond; if he be found harbouring plunderers or stolen cattle, we shall prevent his return to the colonial side of the river, and in that case it will be desirable to occupy up to the right bank thereof, in the same manner as has been done between the Kat and the Gonappe.

I have the honour, &c.

The Hon. the Secretary to Government.

(signed) A. Stockenstrom.

(Copy.)

No. 10.

Colonial Office, 25th June 1830.

Sir,

I HAVE laid before the Governor your letters of the 14th and 17th instant, and have the honour to convey to you his Excellency's approval of the measures detailed in the latter; but in case it should be necessary to prevent Botman's return to the country on the right bank of the Regskamma, his Excellency cannot sanction the occupation of that country in the same manner as that between the Kat and Konap being precluded therefrom, by an instruction received from His Majesty's Government subsequent to the formation of the new settlement on the former river. He desires, however, to be furnished with all such proof as you may be able to obtain against Botman, if he be really guilty of harbouring plunderers and stolen cattle, knowing them to be such.

I have already informed you, by letter of the 18th instant, of his Excellency's wish that you will postpone your journey to Cole Berg for a short time.

I have the honour, &c.

The Hon. the Commissioner-general.

(signed)

John Bell,

Secy to Government.

(Copy.)

No. 11.

Fort Beaufort, June 23d, 1830.

Sir,

As the military operations of the patrols which have just returned from Caffreland will be reported by the officer commanding the frontier, there only remains for me to acquaint you with the part which it became my duty to act.

It having been ascertained that the Caffre chiefs Sebeco, Geco, Magoogo and Jejane, were principally concerned in the depredations committed upon the colony, to surprise the kraals of those men became the principal object of the commandant. Magoogo was taken prisoner by the party under Captain Lowen, guided by the Caffre chief, Congo, but his cattle had been driven off and could not be overtaken. Jejane had removed farther east some time ago; Sebeco had also fled in that direction. Geco's kraals were surprised by the burgers under the provisional field-commandant Erasmus, and numbers of cattle taken from the colony (some being lately) were found therein. Mr. Erasmus reports, that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire where the colonial cattle were to be selected, he was furiously attacked by the Caffres,

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115

led on by Geco in person, in a thick bush, the result of which was, that this chief and several of his people were killed.

Capt. Stockenström.

Tyali accompanied the party under Captain Aitcheson, who has, however, informed the commandant that he received no assistance from this chief, but that on the contrary he (Captain Aitcheson) had every reason to believe that Tyali tried to mislead and deceive him throughout.

21 August 1835.

From every information I have been able to collect in Caffreland, I am convinced that the accusations against Geco, Magoogo, Jejane and Sebeco, were well founded, and the punishment of the former was justly merited; great quantities of Caffre cattle were necessarily brought with those recognized by the colonists as stolen, and sent out to Fort Wilshire, principally the property of Geco, but some claimed by Tyali. This man at first expressed himself very much displeased with the fate of Geco, whose cause he espoused, and the cattle taken from whom he claimed as his due; but on being asked how under these circumstances so many of the colonial cattle were in these kraals, he replied that he had only new found out the villany of Geco and his people, and would forthwith punish the latter, and deprive them of all they possess. I told him that it was not the intention of Government to let him profit by the depredations which he had at least connived at, if not encouraged, and that rather than leave Geco's cattle at his mercy, I should detain them; and as it was evident that he would possess himself of the same if they were allowed to recross the Regskamma, I had no alternative but to do as I said. The farmers were anxious that their deficiencies should be made up on the spot out of these cattle as far as they would go; this I objected to for reasons often repeated, and because it was impossible to make a fair distribution without the returns, which are to be found in Graham's Town only; but as it is an object to make examples of the kraals so clearly convicted of systematic plunder, and it would be very bad policy to enrich Tyali by such an acquisition, I ordered the cattle taken from Geco's kraals to be placed at the disposal of the Civil Commissioner of Albany and Somerset, upon the principles laid down in my letter to you of the 5th May 1829, and my suggestions to his Excellency the Governor, of September last.

I wish I could propose punishment of a different nature for Magoogo (who admits that the charges brought against his kraals are correct, and has no other excuse than that he cannot restrain his people), but under existing circumstances I could do no otherwise than cause him to be detained until his Excellency the Governor should decide on the subject, telling him at the same time that the cattle stolen by himself and his people, or an equivalent number, to be determined by Government, would be insisted on before his release.

The proceedings of the late expedition, I am sorry to say, seem the only ones likely to keep the Caffres in check.

The punishment of two notorious leaders of robbers may bring others as bad as themselves to reason, decide those who are wavering in favour of tranquillity, and confirm the majority of the chiefs in their present peaceable conduct; but I am not sanguine enough to predict a diminution in the loss of cattle by the farmers, which they alone can bring about, for at the very time the force was in the field, when it might be expected those living so near the frontier would be on their guard, the flocks were most of them as unprotected as if they were in the safest parts of the colony.

Enno, Ray, Macomo, Pato, and those under them remained perfectly quiet, and Lieutenant-colonel Somerset and myself used every argument to convince them of the benefit of such conduct, which was particularly evident when the patrols passed through their kraals without exciting the least disturbance or alarm, but showing mutual good-will and kindness.

From Mount Coke, I wrote to the Reverend Mr. Kay, the missionary residing in Kinsa's territory, requesting of him to explain to that chief the objects of the expedition, and to put him on his guard against those marauders of Magoogo's party, and some kraals connected with them between the Buffalo and the Rag.

To Tyali I communicated the highest displeasure of the Government, desired him forthwith to evacuate the Mankazana, which I told him would be cleared of Caffres by a patrol as soon as he shall have had reasonable time to remove his people and their property.

I have also deemed it expedient to order a party of twenty men to be left on the Kat River between Fort Beaufort and Fort Wilshire for a short time, to watch any movements of parties of Caffres attempting to enter the colony in that quarter.

The Hon. the Secretary to Government. I have the honour to be, &c.
(signed) A. Stockenström.

(Copy) No. 12. Colonial Office, Cape Town, 1 July 1831.

Sir, On the other side is a copy of a letter received by me from Lieutenant-colonel Somerset, to whose proposal his Excellency the Governor has assented.

As there may be some delay in this letter reaching you, and it seems proper that no time should be lost in making the attempt at recovery, I have sent instructions to the Civil Commissioner to afford the required assistance, and to report his proceedings to you; his Excellency is not desirous that you should be disturbed in this matter unless you shall deem your presence necessary.

The Hon. the Commissioner-general, Kat River. I have the honour, &c.
(signed) John Bell, Secretary to Government.

Capt. *Stoekenstrum*.

21 August 1835.

No. 13.

(Copy enclosed in the former.)

Sir,

Graham's Town, 24 June 1831.

THE Civil Commissioner of Albany having shown me a memorial of a farmer, named Prinslo, complaining of the loss of several horses and cattle, and praying for redress, I take the liberty to observe, for the information of his Excellency the Governor, that this farmer's case is only similar to a number of others, who have lately been plundered of their horses by the Caffres, in defiance of all my exertions to prevent it.

I have now, however, a Caffre prisoner, who was secured with horses he had stolen in his possession. This man has offered to me, on condition of his life being spared, to conduct a patrol to the place where a large proportion of these horses have been secreted. Captain Campbell is prepared to give the assistance of the field cornets, and farmers who have lately suffered these severe losses by the Caffres, to accompany a patrol to identify and assist in securing these horses. I have therefore written to the military secretary, stating the circumstances, and requesting the Commander-in-chief's orders, in order that this measure may be adopted as soon as possible, should it meet his Excellency's approbation.

I have, &c.

The Honourable the Secretary to Government.

(signed) *H. Somerset*,
Comm. of Caffraria.

(True copy.)

(signed) *J. Birch*,
Chief Clerk.

No. 14.

Sir,

Kat River, July 14, 1831.

I HAVE this moment received your letter of the 1st instant, relative to an authority granted by his Excellency the Governor direct, for the assembling of a force to enter Caffreland; and perceiving that his Excellency was under the impression that I was so far out of the way, that it was necessary, on this occasion, to dispense with so much of the 1st, 6th and 12th articles of his instructions for the Commissioner-general, as charges this officer with the necessary discretion, I beg leave to state, that I am here on the very spot where the operations are to commence, where I am best able to judge of the state of the country, and where a Burger force can be assembled with greater facility than in any other part of the country. Nor will his Excellency be disposed to consider the case one of pressing emergency, after he shall be acquainted that the Caffre who is to guide the expedition has been a prisoner for a considerable time, and that Prinslo's memorial, alluded to by Lieutenant colonel Somerset, was never forwarded to me, as explicitly directed by the 6th and 7th articles of said instructions.

I have the honour moreover to inform his Excellency, that Lieutenant-colonel Somerset spoke to me when I was at Graham's Town on or about the 10th of last month, proposing the expedition in question, to which I objected, considering it my duty to make the most minute inquiries before I should consent to any measure which could endanger the present tranquil state of the Caffre borders, which is such, that two men who accompanied me into Caffreland yesterday, did not think it necessary to arm themselves in the least. Such is the feeling at present; and the Caffre chiefs are in such awe, that Macomo and Chale have already sent out between 30 and 40 horses, and actually seized those of their own people to try to satisfy us. Yet the commando enters Caffreland next week. The authority under which it proceeds prevents my countermanding it, which I would otherwise do; but the 11th article of my instructions charges me with a duty, which his Excellency expects me to do conscientiously, and he will not be disappointed.

The Caffres have hundreds of horses as honestly acquired as we have any of ours; many from the colonists themselves. The Caffre prisoner, who has to save his life and regain his liberty by showing stolen horses, has only to show horses; (attempts have repeatedly been made to convince me that it is impolitic to allow the Caffres to have horses at all). Any number that may be found, though they may never have been west of the Regskamma, will find claimants in the colony; this we know from dire experience, and can be proved by incontrovertible testimony; all good inhabitants acquainted with our border warfare are horrified with the conviction. Two instances in point have just occurred, they elucidate my position so clearly, that they must fill even the worst enemies of the Caffres with compassion.

1. In the brigade major's return of the 3d June last, appears "36 cattle stolen from Gerrat Schessers, for which he (Schessers) got back 63." I at first believed this to be a mistake, but it is perfectly correct that Schessers said that he lost 36 (though field cornet Erasmus heard from Schessers' neighbour that there were only 15, but until we prove this, we will assume there were 36); that he not finding his own, got back 63 Caffre cattle taken from Botman's kraals, and that this chief to indemnify himself attacked a weaker kraal, but would attack the colony if he were strong enough. Schessers is one of those who accepted of a location between the Gonappe and the Kat Rivers, under the express condition that he should occupy it with no less than four serviceable men capable of bearing arms, two of whom were to herd the flocks, one to protect the family, and one to be ready for commando service. Now unless his cattle were taken by an overwhelming force, he lost them (if he did lose any) through his own neglect and breach of engagement, and his Excellency will at once perceive, that the taking of Botman's cattle was as decidedly plun-

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der as ever the Caffres were guilty of, the only difference is, that we being the stronger party can do by open violence what the Caffres must content themselves to do by stealth.

A farmer, named Botma, lately stole 24 oxen from his neighbour, drove them to the Kat River, and there sold them. If he had taken them from Macomo and driven them over my land to the Griaquas; if Macomo had followed the spoon and indemnified himself by taking from me double the number which he might have lost by his neglect, under the pretence that one of his oxen was worth two of mine, and that I might more conveniently catch the thief than himself, I should certainly be disposed not only to annihilate him and his coadjutors, but to carry fire and sword into the country, countenancing his proceedings, particularly if my family were to starve in consequence. If I had not the means thus to resent the outrage, necessity would soon compel me also to plunder my weaker fellow-subjects, and the system persevered in would, if our chiefs were as little able to oppose it as those of the Caffres, reduce us (within one generation) to the same state in which they are at present.

The second case in point is this: James Gordon also accepts of one of the locations on the above conditions; the Caffres take some cattle from him; he sends his brother-in-law, Stephanus de Bear, on the spoon, who declares most solemnly to Lieutenant Warden and provisional Field Cornet Groepa, that 25 head are lost, though the latter shows him the spoon of only 11. Mr. Warden, notwithstanding all De Bear's protestations and clamour, sends him back with only eleven or nine, of which De Bear only takes about half to Gordon, who immediately writes a letter to Mr. Warden, complaining bitterly of his having received only so few cattle back, whereas he had lost no less than 11. There is the assertion of the owner himself, and there are the traces counted, yet De Bear was ready to take all the oaths imaginable that there were 25 lost, for which (taking Schessers' case as a criterion) he could claim from the first Caffre kraal 43½ head of Caffre cattle, thus gaining 300 per cent. by losing cattle.

It was a positive understanding with the Caffre chiefs and the settlers beyond the Gonnappe, that no Caffre cattle should be taken for what we should lose; this preventive measure would insure care, caution and honest industry on our part, and security to the Caffres in the possession of their property; whereas the system pursued renders the whole arrangement so warmly approved of by Government useless, by giving to the bad a most powerful interest in sloth, false reports and perjury, and by harassing the good by an incessant warfare.

My representations in your office show, that I consider no punishment too severe for marauders and plunderers. If Macomo had been forced to surrender the perpetrators of the late murders within our boundary, or had himself become the victim of his refusal, I would have warmly supported the measure; but I shall be able to prove to the satisfaction of his Excellency the Governor, and His Majesty's Government, that the backward state of improvement of the border colonists, as well as of the Caffres, any necessity which may be found to exist for the least augmentation to the military force, or any difficulty in the way of a considerable reduction, is attributable altogether to the ferment we keep up among the Caffres, by depriving them of the means of subsistence.

I have the honour, &c.

The Honourable the Secretary to Government.

(signed) A. Stockenström.

(Copy.)

No. 15.

Sir,

Colonial Office, Cape Town, 29 July 1831.

I HAVE had the honour to receive, by yesterday's post, your letter of the 14th instant, which has been laid before his Excellency the Governor.

In regard to the intended expedition to Caffreland, you will perceive, from the copy of Lieut.-colonel Somerset's letter to me of the 24th June, which accompanied my letter to you of the 1st July, that his Excellency was not made aware of the fact that that officer had already communicated with you on or about the 10th of that month, on the subject of the expedition in question, and that you had objected to it. Had you reported that circumstance at the time, together with your grounds of objection, as he conceives it was your duty to have done, under the 11th article of your instructions, his Excellency would most certainly have refused his authority for the expedition. The allusion made by Colonel Somerset to Captain Campbell's "being prepared to give the assistance of the field cornets and farmers," tended to confirm his Excellency in the belief that the movement was necessary; and in a report of Captain Campbell's, dated 24th June, on a memorial from Prinslo, of the 16th May, the intended expedition was mentioned, without any objection on his part. On these grounds, his Excellency conceived that he would not have been warranted in refusing his authority for the execution of a measure which appeared to be of a pressing nature.

If, when on your return from the Klipplaat River, you found that the expedition, to which you had previously objected, was about to take place, and had ascertained that it had been authorized, under the impression that you were too far distant for previous reference for your opinion, and still retained your objections, you had protested against its proceeding into Caffreland, and withdrawn the Burger force from Colonel Somerset's command, his Excellency would have deemed you perfectly justifiable in having done so. He will not fail to communicate with that officer respecting his proceedings on this occasion.

118
Capt. *Stuckenstrom*.
21 August 1835.

112 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

In regard to the cases of Schessers and Gordon, particularly the former, if the representations you have made be substantiated in such a manner as to enable his Excellency to act upon them, he will most certainly deprive those persons of their promised grants of land.

I have the honour to be, &c.

(signed) *John Bell*,

Secretary to Government.

The Hon. the Commissioner-general.

(Copy.)

No. 16.

Sir,

Cradock, 13 August 1831.

I HAVE the honour to acknowledge the receipt of your letter of the 29th ultimo, relative to the authority lately granted by his Excellency the Governor to the Commandant of the Frontier, to send an armed party into Caffraria, from which letter it appears that his Excellency conceives that it was my duty to report to him the circumstance of Lieut.-colonel Somerset having proposed to me the expedition in question, and my having objected thereto. I bow to the implied censure, but beg leave to explain, that as the whole business ended with my stating my objections, I did not consider the matter of sufficient importance for farther notice. If Lieut.-colonel Somerset had told me that he considered himself responsible for more than the military arrangements of frontier defence, and that he would appeal to higher authority, I would have troubled his Excellency with my opinions in detail, and convinced the commandant that he had mistaken his province; but as the matter then stood, I am conscious that, if his Excellency were aware of the nature of the conference, he would conceive that any official representation of the same on my part, could only have been construed into a desire to show that there did exist differences between the commandant and myself.

I left Graham's Town under the impression that Lieut.-colonel Somerset had made up his mind, me answerable for any mistaken policy (which line of conduct would have been fully warranted by the nature of our respective situations), after he had evinced his zeal and readiness to act in his capacity; and I did not hear one syllable more on the subject, either from the commandant or the civil commissioner, who both knew that I was nearer the Caffres than either of them, until I was honoured with yours of the 1st ultimo. Under such circumstances, I hope his Excellency will excuse my surprise at the proceedings in question, being the same as his would have been if the application had gone direct to Downing-street, without the slightest notice or reference to himself.

His Excellency's statements as to my not protesting against the commando entering Caffreland, and my not withdrawing the Burger force after his sanction was granted, I likewise so highly respect, that I abstain from justifying the course I pursued; but as to substantiating any thing I have advanced respecting the cases of Schessers or Gordon, or any body or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought.

I have the honour to be, &c.

(signed) *A. Stockenstrom*.

The Hon. the Secretary to Government.

(Copy.)

No. 17.

Sir,

Colonial Office, Cape Town, 12th August 1831.

I AM directed by his Excellency the Governor to transmit, for your information, copy of a letter, addressed by the Commandant of Caffraria to the Military Secretary, dated the 5th instant, from which it would appear that the Caffres have committed numerous depredations during the last month; but as only one instance is stated, and no number of cattle stolen is given, it is out of his Excellency's power to judge of the propriety of resorting to any measures of the nature recommended by the commandant.

I also transmit copy of a letter of this date, addressed by the Military Secretary to Lieutenant-colonel Somerset, not alone for the purpose of making you fully aware of his Excellency's sentiments with regard to the late expedition into Caffraria, but to prove to you that he will not authorize any proceedings founded on the circumstances stated by the commandant on the 5th instant, until he shall have had the pleasure to receive your report and opinion thereon.

I have the honour, &c.

(signed) *John Bell*,

Secretary to Government.

The Hon. A. Stockenstrom,
Commissioner-general.

No. 18.

(Copy enclosed in the former.)

Sir,

Graham's Town, August 5, 1831.

I HAVE the honour to state, for the Commander-in-chief's information, that the Caffres have committed numerous depredations during the last month.

I have ordered out patrols of farmers (with the consent of the civil commissioner) and of the troops, to scour the country, and have exerted myself in every possible way to check the inroads of the Caffres.

A Hottentot belonging to the farmer John Van Boogen has been seized and taken off, together with the whole of this poor man's cattle (the same man whose Hottentot was murdered

murdered when his Excellency was on the frontier), and I have not yet been able to procure any intelligence of the Hottentot, or of any of the cattle represented as missing. Capt. Stockenstrom

I last week saw several Caffres and their chiefs, and I sent messages to others, cautioning them to exert themselves to put a stop to these depredations. 21 August 1835.

Unless, however, a speedy change takes place, it will be necessary to resort to severe and coercive measures, or the farmers will be totally ruined. The population on the immediate border along the Reiskamma and Chumia Rivers is so dense, and there are such numerous herds of cattle, that it becomes almost impossible to trace a spoon beyond the first kraal, and thus it is the Caffres escape detection. Talking to the chiefs is in most cases like appealing to the winds, and they do not exert themselves in the least; but make ten thousand excuses for their people.

I shall see several of the chiefs in a few days, and shall report for his Excellency's information by next post, as matters now stand. We are at peace with the Caffres, but they are at open war with us in every way, except that the chiefs do not openly head their people.

I have, &c.

(signed) *H. Somerset,*
Lieut.-col. Comm. of Caffraria.

(A true Copy.)

(signed) *J. Wade,*
Mil. Sec. Lieut.-colonel.

No. 19.

(Copy enclosed in the former.)

Military Secretary's Office, Cape Town,
August 12, 1831.

Sir,

WITH reference to your communication (No. 22) dated June 24, 1831, reporting recent Caffre depredations, &c. &c., I have it in command to transmit, for your information, the accompanying extract from a letter addressed by the Commissioner-general to the Chief Secretary to Government on the subject of the commando which his Excellency the Governor and Commander-in-chief was induced to authorize you to send into Caffreland, in consequence of the representations contained in that communication.

His Excellency desires me to express to you his surprise and regret that when you stated in your letter of the 24th June that you had communicated with Captain Campbell, who fully coincided with you as to the propriety of sending the patrol, &c. &c. &c. you should have omitted altogether to refer to the conversation which Captain Stockenstrom states he had with you on or about the 10th of that month on the same subject, and to the objections which he made to the measures you then proposed to pursue.

The opinion of Captain Campbell will at all times have due weight with his Excellency. But you must be well aware that on all subjects connected with the tranquillity of the frontier, and particularly as regards retaliation of Caffre depredations, it is of paramount importance to communicate with, and obtain in all possible cases the opinion of the Commissioner-general himself; and his Excellency feels that you cannot be ignorant of the very great value which his Excellency attaches to that opinion, or that if, on the occasion under consideration, Captain Stockenstrom's objections to the measures proposed by you had been communicated to his Excellency, the authority which was granted to send a commando into Caffreland would most certainly have been withheld.

His Excellency is very willing to impute this important omission on your part rather to inadvertence, than to any desire to withhold from his Excellency the fullest information which it was in your power to communicate to him; but his Excellency desires me to impress upon you in the strongest manner how much any proceeding of this nature must necessarily tend to diminish that confidence which he has hitherto placed in your official representations, as it most decidedly does, that cordiality and good understanding between the authorities on the frontier, the cultivation of which his Excellency has so frequently impressed on you as being essentially necessary to the welfare of the public service.

I have the honour, &c.

Lieut.-colonel Somerset, Comm. Caffraria.

(signed) *J. Wade,*
Mil. Secy, Lt.-Coll.

(Copy.)

No. 20.

Colonial Office, Cape Town,
19th August 1831.

Sir,

By directions of his Excellency the Governor, I have the honour to transmit to you the enclosed copies of communications addressed by the Commandant of Caffraria to the Military Secretary, under date the 12th instant, and to request you will take such measures, in conjunction with Lieutenant-colonel Somerset, as you and he may think proper for repressing the Caffres' inroads as therein represented.

I have the honour, &c.

The Hon. the Commissioner-general.

(signed) *John Bell, Secy to Govt.*

120
apt. Stockenstrom.

21 August 1835.

114 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

No. 21.

(Copy enclosed in the former.)

Sir,

Graham's Town, August 12, 1831.

I REQUEST to report for the Commander-in-chief's information, that the Hottentot herd belonging to John Van Boogen has been murdered by the Caffres, the body having been found cruelly mangled.

It appears that the Caffres put a biem round his neck and led him about three miles; they then appear to have thrown on the ground and to have dragged him by the neck for about 500 yards, and then to have beat out his brains with a kearia or club stick.

This unfortunate Hottentot was a mere youth of seven years of age, and the act has been altogether one of the most cruel and uncalled for murders.

I have, &c.

Lieutenant-colonel Wade,
Military Secretary.

(signed) H. Somerset, Lieut.-col. Comm.

(A true copy.)

(signed) J. Wade, Mil. Secy, Lt.-coll.

No. 22.

(Copy enclosed in the former.)

Sir,

Graham's Town, August 12th, 1831.

I HAVE the honour to report, for the Commander-in-chief's information, that one of the patrols which followed on the spoon of J. Van Boogen's cattle, traced it to some kraals of Macomo's Caffres residing on the Chumia, near its junction with the Reiskamma.

In consequence of the numerous herds of Caffre cattle grazing down this stream, it became very difficult to carry out the spoon; a captain of Macomo's, however, turned out his people, and at length succeeded in carrying into the kraals of Sebecha's people (one of Botman's captains), and I am happy to say that the result has been that yesterday Sebecha sent out one Caffre prisoner, and a part of the stolen cattle, and he states himself to be making every exertion to secure the other Caffres who committed this outrage and murder. I have the Caffre prisoner in the cells at Fort Wilshire.

I have sent various messages to the several chiefs on the subject of this and all other depredations that have for some time been going on.

I have not yet been able to see Botman, as he reported himself sick and unable to come to me; and my time has been entirely occupied in riding about giving the necessary orders to the patrols.

I shall, however, immediately proceed to his kraals, and make him use every exertion to detect the murderers, and call upon him for restoration of the cattle stolen; at the same time I shall not fail to point out to him the impossibility of the Government allowing the present conduct of the Caffres to continue and pass unnoticed.

The whole of Botman's kraals are a nest of the greatest vagabonds in Caffreland, over whom he uses little or no control; and from their residing so immediately on our border, they have the readiest means of committing depredations without detection; and but for the exertion of Macomo's Caffres upon this occasion, considerable difficulty would have been occasioned in getting any clue to the perpetrators of this last murder.

The prisoner acknowledges having stolen the cattle, but is altogether silent as to the act of killing the Hottentot.

I trust by next mail being able to report having the remainder of the party in custody, and to forward a more full and detailed account of the circumstances.

I trust his Excellency will authorize me to call upon the chiefs to bring those parties to trial, and to cause summary justice to be executed upon them in presence of the troops and Caffres assembled for the purpose.

Should those depredations continue, (and the country is full of Caffres yet) it will be necessary that whenever a patrol headed by an officer distinctly carries the spoon of cattle into any kraal, that the Caffres should be fired upon; and unless this example is made, the Caffres will not leave their present daring conduct, the farmers will be ruined, and the whole country continue in a most unsettled state.

Some of the reports I have received, arising from Caffre depredations having reduced the families of the farmers to a state of utter destitution, are of a most heart-rending nature.

When at Koomani's kraal yesterday, the officer commanding there reported to me that between the hours of eleven and twelve the previous night one of the sentries heard cattle passing at a brisk rate; as they approached nearer, he distinctly saw four Caffres driving a herd of cattle; the sentry challenged, when the Caffres abandoned the cattle, and the cattle immediately dispersed themselves in all directions, and several of these were found the following morning by the farmer close to the post, but he could not ascertain to whom they belonged.

I have, &c.

(True copy.)

J. Wade, Mil. Secy.

(signed) H. Somerset,
Lieut.-col. Commandant.

(Copy.)

No. 23.

Capt. *Stockenström*

Sir,

Kat River, August 31, 1831.

21 August 1835.

I HAVE the honour to acknowledge the receipt of your letters of the 12th and 19th instant, covering copies of correspondence between the Commandant of Caffria and the Military Secretary, and in reply to assure his Excellency the Governor that I shall exert myself to the utmost to co-operate with the commandant towards the tranquillity of the frontier, but the matter is of too great importance to the colony and the Government to withhold from his Excellency that I have the misfortune of differing altogether with that officer as to his views and proceedings with respect to the Caffres. The numerous depredations which have taken place since his Excellency's visit to the frontier are attributable to no other cause than the violation of that principle so positively laid down in his Excellency's conference with the Caffre chiefs, that no Caffre cattle would be allowed to be taken by parties in pursuit of cattle stolen or said to be stolen from the colony. Had this understanding been adhered to, the colonists would have found it their interest to be on their guard; the first attempts at plunder on the part of the Caffres would have proved abortive, and the mass of that nation would have been able to remain quiet; whereas the contrary system has held out the most irresistible temptation to indifferent characters to lose their property intentionally, to make false statements of depredations; peaceable kraals have been plundered to make good those real or pretended losses; the individuals thus plundered have become plunderers in their turn from necessity and starvation; they again brought others of their countrymen into the same scrape with themselves; the nation at large must become affected; its weakness only aggravates the irritation; murders follow; commandoes (ruinous to both parties) become unavoidable, and the tranquillity of either party is rendered impossible. All this can be prevented by simply making the colonists look after their flocks. The disgraceful neglect which takes place in this respect is well known, and proves that peace on the frontier would by many be considered a losing game. I shall prove this position by Lieutenant-colonel Somerset's own letters; the depredations are represented as "being numerous," the Caffres "most daring," the country "full of them," and "in a most unsettled state;" and "the reports of the destitution of the families of the farmers of a heart-rending nature." Yet in the midst of all this alarm, "the same man who had a Hottentot murdered when his Excellency was on the frontier" has the horrid cruelty to send "a mere youth of sixteen," alone, unarmed, to herd his flocks in the most dangerous tract at the very time, whilst patrols are in the field against the Caffres, and immediately after a commando had taken a number of horses from that people, when every body knows exasperation must have been at its height. Yet what do the Caffre chiefs do? they at once seize one of the murderers and deliver him into our hands, and are exerting themselves to gain possession of the other. The fact is, that so far from any alarm existing, the security and apathy on the frontier would be altogether inexplicable were it not known in what manner losses are repaired. I cannot better prove the mischief of our commandoes and patrols than by giving the history of one which took place last year.

You will remember, as it is recorded in your office, that upon the urgent representations of Lieutenant-colonel Somerset, I sanctioned an expedition into Caffreland about June or July 1830, with a view of recovering cattle stolen from the colony. The Boors were told that any man taking Caffre cattle would be severely punished, but the Caffres were threatened that if they offered violence to the commando, the cattle of the kraals so offending would be seized to indemnify the colonists for their losses. Lieutenant-colonel Somerset was of course obliged to divide his force into several divisions; the one under Provisional Field-commandant Erasmus came in contact with the late chief Zeco. Erasmus, on joining the main body, reported that he had been furiously attacked by Zeco and his people, and that this chief and several other Caffres had been killed in the rencontre. This was believed, and so reported to you. The Caffre cattle were disposed of as had been threatened, but it now transpires that Zeco and six of his men were murdered in cold blood, and another Caffre was severely wounded. These unfortunate men were told by the provisional field-commandant, that they might select their milch cows to leave at their kraals, and accompany the remainder to Fort Wilshire to ask their restitution from myself, provided they (the Caffres) would leave their arms behind; they did so, and were assisting the Boors in driving the cattle, when they were shot with nothing but their knives in their hands. There could be no other inducement for this brutal conduct but to have a plea for the confiscation of the Caffre cattle. I have not been able clearly to prove that Erasmus gave the orders to fire, but the confidence hitherto placed in him renders his false report the more unpardonable, and his dismissal I think a very necessary example.

I have also to refer to the expedition of last month, when Lieutenant-colonel Somerset proposed the measure to me at Graham's Town; my principal objection was, "the impossibility of preventing the colonists claiming Caffre property, and thereby bringing on the usual commotions." Lieutenant-colonel Somerset replied, "that it was exactly to prevent this that he wished those Boors to accompany the military who had lost horses, in order that only such horses as were actually taken from the colony, and no others, should be brought out, as otherwise he could accomplish his object with the troops alone." Yet every horse which was found was brought away, and the Caffres now complain, as I expected, that every one worth having, whether colonial property or not, has been claimed by the Boors. I had Macomo, Chale, Anta, and many more chiefs assembled in Caffreland on the 29th instant, to tell them that unless the remaining murderer of Van Boogen's Hottentot be given up, the kraal which shall be found to harbour him will be attacked and punished.

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Macomo

122

apt. Stockenström.
21 August 1835.

Macomo said, that the promptitude with which the one was seized and delivered over to us must prove that the other will not escape if he can be found. The chiefs complained bitterly of the patrols; they were unanimous in tracing all the evils of the frontier to the seizure of the property of the Caffres. Chale said that one of his men had lately been held down over an ant-hill by one of the patrols and severely beaten, and that another was innocently shot: of the cattle about which I wrote you last post, 16 only have been returned to him. Several other complaints were made which cannot remain unnoticed. Schessers is also still in possession of the cattle so unjustly taken from Botman: it would be a miracle if, under such circumstances, this man's Caffres were any thing else than Lieutenant-colonel Somerset represents them, "a nest of the greatest vagabonds in Caffreland."

Of the patrols of farmers, reported in Lieutenant-colonel Somerset's letter to the military secretary, dated 5th instant, as having been ordered out, with the consent of the civil commissioner, I have heard nothing except through you, nor have I received any communication of the operations of their late commando. Why I only am left in ignorance of what is going on, if the country be really in the state represented, is extremely mysterious; as for the patrols, they are useless, and keep up only the appearance of alarm. The farmers ought to be left at home to guard their flocks and to prevent the plea of their cattle having been taken, and their herds murdered while they were on patrol; 432 men, capable of bearing arms, are located between the Kat and Gonappe Rivers only; half of these are bound to herd the flocks upon 108 locations, many of them within hail of each other; if from these men cattle can escape, patrols can be of little use; and to show how careless the present system has made them, I have only to state that 10 days ago the Hottentots in this neighbourhood intercepted 13 head of cattle taken from the Gonappe, and to this hour they are not claimed or followed up, so that the owner is most likely not aware that they are gone. Here among the people against whom the Caffres are said to be particularly exasperated, every thing is perfectly quiet, not a single complaint against Caffres heard; where then the danger exists I cannot understand.

On Lieutenant-colonel Somerset's suggestion of firing upon the Caffres of those kraals into which the patrol shall carry the spoon of stolen cattle, I shall not dwell, being too well satisfied of the impossibility of such a thing being ever sanctioned. The mere avowal of the intention would justify every outrage with which the Caffres could visit the colony.

I have the honour, &c.
(signed) A. Stockenström.

The Honourable the
Secretary to Government.

(Copy.) No. 24.

Sir, Graham's Town, 2 September 1831.

I HAVE the honour to forward for your information the copy of a letter addressed to me by the Military Secretary.

I have nothing to add to what is contained in the letters, of which copies have been forwarded to you, farther than that some cattle have been sent out by the chiefs to replace those lately stolen, which have been handed over to the Civil Commissioner of Albany and Somerset.

My opinion as to the mode to be adopted for the punishment of the guilty party, is fully expressed in my letter to the Military Secretary of the 12th ultimo. I shall be most happy to receive your opinion as to the steps to be taken on this head; and I beg also to add, that I am at all times prepared to enter most fully with you upon all matters connected with the eastern frontier, wherein you may be pleased to communicate with me.

I have the honour, &c.
(signed) H. Somerset,
Lieut.-col. Commandant of Caffraria.

The Hon. Commissioner-general,
Eastern Frontier.

No. 25.

(Copy enclosed in the former.)

Military Secretary's Office, Cape Town,
18 August 1831.

Sir,

HAVING communicated to his Excellency the Commander-in-chief, your letters, Nos. 21 and 22, dated 12th instant, respecting the murder of the Hottentot servant of J. Van Boogens, and other Caffre enormities, I have it in command to desire you will communicate with Captain Stockenström, to whom copies of those letters have been forwarded on this subject; and his Excellency will approve of any measures being adopted, in the propriety of which you shall both concur.

I have the honour, &c.
(signed) J. Wade,
Military Secretary Lieut.-col.

Lieut.-col. Somerset,
Commandant of Caffraria.

(Copy.) No. 26.

Sir,

Fort Beaufort, 3 September 1831.

I HAVE this moment had the honour to receive yours of yesterday, and under the impression that you have been provided with copies of my communications to the Secretary to Government,

Government, relative to the commando which lately entered Caffreland, I beg leave to refer you to the same, as to my views on the present state of the frontier; but as my letter to the same department, dated 31 ultimo, cannot yet have been communicated to you, as most likely it will be, I deem it expedient in the meantime to inform you, that among other matters it contains the complaints of the Caffre chiefs:—

1st. That Zeco, and those who perished with him last year, instead of having lost their lives in the manner reported to you and me, were treacherously murdered, with nothing but knives in their hands.

2d. That the commando of July last took a number of horses belonging to the Caffres out of Caffreland.

3d. That lately a Caffre was shot innocently, and another held down over an ant-hill, and severely flogged by a patrol from the colony.

Whether both these acts were committed by one and the same patrol, and whether the patrol or patrols consisted of military or burgers, I have not hitherto ascertained.

In reply to the concluding paragraph of your letter, I beg leave to state that I have at all times been most anxious to co-operate with you, and will do all in my power still to do so, consistently with the line of policy laid down in my said letter to the Colonial Government.

I have the honour, &c.

A. Stockenstrom.

Capt. Stockenstrom.

21 August 1835.

Sir,

Downing-street, 18th September 1834.

I AM directed by Mr. Secretary Spring Rice to transmit to you herewith a series of questions, referring to the relations of the colony of the Cape with the native tribes, and to which he requests that you will furnish answers, together with any further information which you may be enabled to supply.

I am instructed to add, that it is of essential importance, that in alluding to particular occurrences, you should state the specific time and place, and the names of the persons present or concerned.

I am, &c.

R. W. Hay.

Captain Stockenstrom.

Sir,

Stockholm, 5 November 1834.

A LETTER, addressed to me, by your directions, by Mr. Under Secretary Hay, dated 18th September last, reached my lodgings here on the 3d October, whilst I was in Russia, so that its receipt could not be immediately acknowledged.

In reply, I have the honour to observe, that whilst I most readily comply with your desire, in answering the questions which you have propounded, as accompanying said letter, I must beg of you to bear in mind, that in so doing I am thrown entirely on the resources of my memory, as I have here no documents of any kind to refer to.

When I left the Cape I provided myself with such papers as I considered requisite to justify with the Home Government my motives for declining to continue in the situation I held there, under the circumstances which I fully pointed out to your predecessor. Those papers were necessarily left behind in London, when I found that my official relations with that colony had ceased; to them, and perhaps to others still more remote, it may be indispensable to have access, in order to be very minute in the detail of circumstances and facts to which you allude, or matters connected with them. This reference I shall of course most willingly proceed to have, if required; yet I trust that I may be able to prevent that delay, trouble and expense which would be unavoidably connected therewith, by the accuracy to which I will try to adhere, and by the appeal which I find I will be able to make to communications from myself, which are already in your office, and in which some of the points upon which you question me have been anticipated.

Thus I beg leave to acquaint you, in reply to Question 1, that

I proceeded to the interior of the colony in October 1808, and became assistant clerk in the Landrost's office at Graaf Reinet. In 1809 I accompanied his Majesty's Commissioner, Lieutenant-colonel Collins, in his excursions beyond the frontier, to act as his interpreter. In the Landrost's office I continued, till in January 1811 I joined the Cape regiment as an ensign, and in the same year I proceeded with that corps to the interior. In June or July 1812, I was appointed Deputy Landrost, and in 1815, Landrost of Graeff Rennet. On 1st of January 1828 my appointment of Commissioner-general commenced, and on the 31st of December 1833 it was abolished. So that from October 1808 till the end of 1833 I have been officially connected with the affairs of the frontier in question, with the exception of a few months in 1811, during which I did duty with the Cape regiment at Wynberg.

Question 2.—In order to give an intelligible answer to this question, it is necessary to point out the position of the border tribes, and refer to the causes of our troubles with them. A volume might be written on this subject, which has often been handled by persons more competent to do it justice. It will however suffice for the present purpose to state, that the white colonists having, from the first commencement of the settlement, gradually encroached on the territory of the natives, whose ejection (as is too well known) was accompanied with great injustice, cruelty and bloodshed, the most hostile feelings were entertained by the weaker party towards those whom they considered as their oppressors. The Aborigines who did not become domesticated (as it was called) like the Hottentots, seeing no chance of retaining or recovering their country, withdrew into the interior as the whites advanced, and being driven to depredations by the diminution of the game, which constituted their principal means of subsistence, and which gradually disappeared when more constantly hunted, and as the waters became permanently occupied by the new

Capt. *Stoekenstrom*.

21 August 1835.

comers, they often made desperate attacks on the latter, and in their turn were guilty of great atrocities. Some of the rulers of the colony in those days were no doubt favourable to measures of conciliation, but the evil soon got beyond their power of control. In proportion as the pastoral population increased, more and more land was taken possession of, and more desperate and bloody became the deeds of revenge on both sides, until the extermination of the enemy appeared even to the Government the only safe alternative, at least it became its avowed object, as the encouragement given to the hostile expeditions, the rewards of the successful commanders of the same, and many documents still extant clearly demonstrate. The contest being beyond comparison unequal, the colonial limits widened with great rapidity. A thin white population soon spread even over the great chains of the Suven and Newveld mountains, whilst the hordes, who preferred a precarious and often starving independence to servitude, were forced into the deserts and fastnesses bordering on the frontier.

It will be at once perceived that I am here alluding to a period of the colonial history not long previous to the close of the last century, and that the Aborigines spoken of are the Bushmen and some tribes of Hottentots, for our relations with the Caffres and others are somewhat of a different nature, as I will show in the sequel. Thus the isolated position of most of the intruders afforded the strongest temptation to the savages occasionally to wreak their vengeance. The numerous herds of our peasantry grazing on the usurped lands proved too seductive a bait for the hungry fugitives, who saw the pasturage of their flocks (the game) thus occupied; but their partial success against individual families was generally dearly bought by the additional loss of life and land in the long run.

An attempt was made to check these enormities, and generally to control the population in these remote parts by the establishment of a seat of magistracy at Graaf Reinet: but the disturbances which soon followed, and the inability of the Government to restore order, as well as the rapid changes of Dutch and English dominion, caused the interior to be left in a great measure in a state of anarchy, and mutual depredation had full scope. In the meantime, whilst this was the course of events in the northern and north-eastern directions, the colonists of the eastern frontier being no more under restraint than their brethren in other parts, continued to migrate eastward as the Caffres did towards the west, with equal injustice and cruelty towards the original proprietors of the soil; and here let me observe, that a late writer on the Cape colony (Mr. T. Pringle) is decidedly mistaken, when in his *African Sketches*, page 415, he gives the impression that the conquests of the Caffres over the Hottentots were more merciful than those of the whites. It is but a poor comfort to us that we have not been more ferocious than Caffres, but that consolation cannot be denied us, and historical truth forbids the suppression of the fact. However, the several tribes of Hottentots having been dispossessed by their Christian and Pagan enemies, these two conquering parties found themselves in contact upon ground to which both had obtained a title by the same means, unjust violence; jealousies, of course, forthwith sprung up between the dividers of the spoil. We were unfortunately again the first aggressors, but the Caffres being a better organized, more warlike, and more numerous people than the Hottentots, did not so easily give way, and the Government having at last gained strength, and being able to cause its authority to be more respected throughout the colony, did interfere; and it is unquestionable that in 1819 and long previous, Caffreland was understood to reach to the left bank of the Great Fish River, as high up as Exhenham's Port, and to the Raga and Winterberg chain of mountains. The incorporation of the territory between the said river and the Keiskamma with the colony has been so recent and so well known, that it is superfluous here to enter into a detail thereof. This was an act of the Government, but further north the encroachment continued, in spite of the law, fixing the boundary, and I must at once admit, that on no side of the colony were the migrations more extensive than from the district then under my own superintendence. They were checked as much as possible up to the year 1817, and thereby much dissatisfaction was given. At this period a deputation of field cornets waited on the Governor, who happened to be at Graaf Reinet, and by representing the losses they sustained among their flocks, owing to the droughts and confined pasturage, obtained his Excellency's permission to graze those flocks on the vacant tracts beyond the frontier during such drought. When once these men were but of the colony, to make them come back was out of the question; permanent settlements were soon established as far as the banks of the Orange River. In 1822, with a view of bringing those emigrants under the influence of the laws of the colony, and putting a stop to further migrations of the kind, a new line of boundary was fixed, embracing all these permanent settlements, and strict orders were issued against this boundary being crossed by the colonists.

It must here be observed that we had thus brought ourselves into contact with new neighbours, with whom, as long as we remained at a distance, we had no other than a friendly intercourse. These were the Corannas and the Griquas, a great proportion of the latter being descendants of Europeans by Hottentot women. These tribes had at an early period possessed themselves of part of the Bushman country beyond the Orange River, had gained great strength, and as the majority of them are expert on horseback and in the use of the musquet, and as well mounted and armed as the generality of the colonists, they are as an enemy more formidable than either Caffres or Bushmen. The majority of these men are well disposed, anxious to live at peace, and ripe for any experiment to civilize them, though their strongest advocates cannot deny that their treatment of the Bushmen and other fellow-natives up to a late period, has not been better than our own in the worst times. Parties have, however, withdrawn themselves from this community, and have even very lately committed the most inhuman outrages, not only against some colonists, but also against the black tribes in the interior, many of whom by these aggressions, as well as by the wars which

125
Capt. Stockenström.

21 August 1835.

which they have for some years been waging among themselves, have been plundered of every thing they possessed, and have either become servile among their oppressors or among other tribes in the colony, or have formed or joined gangs of freebooters.

Thus then at the eastern extremity of our frontier, we have the Caffres from the sea to the great chain of Caffre of Bushberg; beyond this there are some peaceable Tambookies; next follows the Corannas and Griquas, but all the country bordering on the colony out of Caffreland goes under the name of Bushman-land, and over it are scattered those kraals of Bushmen and other remnants of tribes above mentioned. The frontier is at least 800 miles in extent, along one-tenth of which (viz. as far as Caffreland extends) there are military posts established. The remaining nine-tenths of the distance were under the superintendance (until lately at least) of five magistrates, the nearest of whom was not resident within 70 miles of the frontier, and one much more than 200 miles distant therefrom. In these circumstances the field cornets were vested with the power, in cases of sudden irruptions or depredations, to collect a force, repel the attacks, and pursue the plunderers with a view of taking them prisoners and delivering them into the hands of justice, as well as recovering the property they may have carried off. It is needless to say, that with the mutual hereditary hatred and prejudices of the parties, as well as the wrongs mutually done, acts of the most bloody revenge were inseparable from these contentions, as the pursued party would not easily surrender, and the least resistance would be considered by an unscrupulous leader as a justification for proceeding to extremities, and too often the innocent suffer for the guilty. When these emergencies were not acted upon, a regular commando could be sent out, where I think the danger of mistakes still greater, as the real perpetrators would take care to be out of the way, and an excuse could easily be found for slaughtering all those who came in the way by provoking them to defend themselves. This is a system which has as a natural consequence grown out of the principle of colonization, which has prevailed in South Africa from its earliest history, and which has brought matters to such a pitch that it must puzzle the best disposed Government to know how to avoid extremes, either of which would be fatal to all parties concerned; but as you have set down a separate question on this point, it is superfluous to enter further into it here. It is still expedient to observe, that the only difference between our policy on the Caffre and Bushman frontiers is, that on the former the necessity of leaving so much to the field cornets is superseded by the existence of the military posts, and that the Caffres having property to lose, this has operated with many as an additional stimulus to keep up our quarrels with them. Our dispute with the mass of the Griqua and Coranna tribes is one about territory, which you have likewise made a discussion of itself. To more inland tribes it is hardly necessary to allude, as the only expedition undertaken against them has brought such indelible disgrace upon us that any attempt to prevent a repetition may be safely considered supererogatory.

With reference to your 3d, 4th, 5th, 6th, 7th, 8th and 9th questions, I must take the liberty to call your especial attention to a letter which I had the honour of addressing to your predecessor in the month of January last, in which, as well as in some statements transmitted therewith, I believe the subject alluded to in said questions have been fully discussed; yet, not wishing to shrink from the fullest investigation of the public transactions in which I have been concerned, I will try here to make such additional remarks as may serve to elucidate what may have been left obscure in said communication. Thus, I take questions 3d and 4th as inseparable; and I must, in answering the same, distinguish between, on the one hand the Caffres, Corannas and Griquas, who cannot be considered either as savages or bands of marauders, and on the other hand, the Bushmen and other scattered remnants of tribes who possess no property and live by hunting, by the roots of the field and by occasional plunder. With all these people our policy has been proved equally unsuccessful and injurious; but with the latter it appears to me that the same system will continue in operation until these unhappy beings exist no more (whatever laws may proclaim), unless some comprehensive plan be adopted with reference to all the bordering tribes by which protection can be given to these wanderers. An idea having taken root with all nations who surround them, that they cannot and ought not to have property, by none are they consequently allowed to have any thing; this insecurity makes them plunder each other; to keep flocks or cultivate the soil is with them out of the question; as soon as the game and wild herbs fail them they must plunder. Many, moreover, acquire the habit and disposition to live by plunder. Between these latter and those who are urged by want it is impossible to discriminate, nor could the plundered party be brought to draw the line. He says, that it is the law of nature that he may and shall protect his life and property; every law in opposition thereto will and must be disregarded; and where could magistrates be found to be present on all such occasions, and prevent the most cruel abuse of this right of self-defence? As for military protection, we have only to look at the map at once to see the futility of hoping to put a stop to depredations and retaliations over an extent of country, from the mouth of the Keiskamma to the coast of Namaqueland, by any troops ever likely to be spared from the Cape Service. And this topic leads us back to the eastern frontier, where we have had military for a number of years, and where our policy has been beyond comparison ruinous. Until 1817 we quarrelled with the Caffres about the possession of the Zuurveldt, and about some of them plundering us; but at that period the former question had long been set at rest, depredations were on the decrease, and by a good understanding with the chiefs these would have altogether soon been put a stop to when we committed an error, by which a wide road was opened, and the strongest temptation given for us to plunder them. The plan of capturing Caffre cattle, as a compensation for what would be plundered or said to be plundered by Caffres from the colony, was then adopted; the chance of enriching ourselves by the acquisition of Caffre cattle was thus added to the obstacles to

126

120 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Capt. *Stoekenstrom*.

21 August 1835.

peace then already existing; and to the obstinacy with which this system has been persevered in, the failure of all the attempts at conciliation and improvement, and the necessity of still keeping up a military force on the frontier may be attributed. The first year after the introduction of the plan we reaped a rich harvest of its fruits. A commando entered Caffreland upon a question totally unconnected with any loss of the colony, yet brought away about 30,000 cattle. The starving owners laid waste the Zuurveldt and other parts, murdered two valuable officers and a number of soldiers, attacked Graham's Town, and were beaten with great slaughter. The war of 1819 followed of course, and the seizure of the ceded territory was the result. In 1829 it was positively understood between the Governor of the colony and the Caffre chiefs, that no more Caffre cattle should be taken except in particular cases; but by some extraordinary fatality this agreement was totally disregarded, and the natural consequences did not fail. I believe, however, that my views on this subject are clearly developed in the papers in your possession, to which I have had the honour of referring you above, and that from them it will also appear to you that I do think a preferable system more accordant with humanity and civilization might be introduced.

Answer to Question 5:—

I am not conscious of having done more than other magistrates in this respect. My correspondence with the Colonial Government, and my orders to the officers of my department, must show my views. The system which I adopted, as appearing to me the best in the existing circumstances of the colony was, strictly to watch the proceedings of the field cornets, and cause the inhabitants of my district to expect the severest penalties of the law if I should discover any wanton aggressions. If any of my opponents dispute this, it must be easy to produce one single case in which I could obtain proof, and failed to punish or prosecute. Yet it will be found by all my representations, that I felt the necessity of putting down with a strong arm any gang of marauders, which was known to carry on depredations against the colony. And I here repeat, that whatever may be the cause of the degraded state of some native hordes, and however much we ourselves may have contributed to it the cause of peace and humanity, will not be served by leaving such deeds of plunder and blood unchecked. To enable the peaceable part of our neighbours to leave us unmolested (thus, for the sake of all), these congregations must not be allowed to exist. Late events on the northern borders of the colony have most forcibly illustrated this. But the question is, whether we cannot prevent the people composing these gangs from being thus driven to a state of desperation, or at least deprive them of all excuse for their conduct. One of my schemes was to get the farmers to contribute cattle and sheep, in order to set up some kraals of Bushmen as breeders. I was most readily supported by the inhabitants of my district, among whom there are many respectable men, as sensible of and as anxious to remedy the evils which we have brought on ourselves as I was. But an attempt made on a small scale failed. I found that we, not being able to protect beyond the frontier those to whom we had given some cattle, had only tempted others to attack them, and they, to escape the danger hastened to consume, instead of trying to increase what they received.

The colony of Hottentots, which his Excellency Sir Lowry Cole allowed me to establish on the Kat River, proved a much more successful experiment; the particulars thereof are well known in your department, and here I am obliged, in order properly to connect my replies, to anticipate your 7th, 8th, 10th and 11th questions, as necessarily involved in the discussion of this.

I do certainly "consider it practicable to establish amicable arrangements, not only with the Caffre, but with the Griqua and Coranna chiefs, for the maintenance of good order, and so obviate the necessity alleged to exist for continuing the commando system," for as far as those chiefs and their people are concerned; but the evils of a century and a half are not to be remedied in a day. The arrangements with these chiefs will not all at once stop the inroads of independent gangs of marauders; and if on the first injury done by the latter, we charge the said chiefs with a breach of their engagement, and plunder their people, those arrangements will prove as fragile as all former ones. These gangs are many and various, as I have above shown, and likely to increase, if matters be allowed to take their course. For the last six years migrations of colonists beyond the boundary (such as are mentioned in your 10th question) have recommenced. I have more than once ordered them back, and seen the order obeyed; but during the last year of my residence in the colony, I again found numbers of these emigrants out of the colony, and believe that many more were preparing to join them from various causes. This must prove the source of much mischief, for though there are among them many well-disposed men, there will necessarily be many bad characters who will not scruple (if even the others should) to follow the system by which their forefathers became possessed of land; and the present tenants, when ejected, will increase the number of plunderers, and be unmercifully destroyed. With the Griquas and Corannas these emigrants must soon come in collision; and if they should become strong enough to dispossess those who have peacefully settled, and have gradually consolidated themselves into a useful community, they will bring a very dangerous enemy upon us; at any rate the Griquas and Corannas stand on no more ceremony with the Bushmen and their land than the emigrants will, and between the two parties the savages will soon be homeless, so that from one extremity of the frontier to the other a constant ferment will be kept up.

Having thus, to the best of my abilities, laid open to you the existing evils, I will humbly attempt, in compliance with your 8th and 11th propositions, to submit to your judgment which I consider the best remedies in our present predicament. These appear to me to consist in strict justice, for as far as such is still possible, by permitting no aggressions on

the

124
Capt. Stochenström.

21 August 1835.

the part of the neighbouring tribes against the colonists to go unpunished, provided you have ascertained beyond all doubt who the aggressors are, and run no possible risk that you make the innocent suffer; and by punishing with the utmost severity every injury done by the colonists to those neighbours, as if it were done to ourselves; nay more, those tribes should be understood to have the right to deal with such aggressions according to their own laws, if they found them committing the injury in their country, and their possessions should be held by us as sacred as those of any of His Majesty's subjects. It is not always when the greatest clamour is made that there is real danger. You will find upon record, that I have repeatedly resisted the loudest cries for commandoes, when they were supposed even by the Government as indispensable; and that, though the required commando did not go out, the predicted misfortunes did not follow; in short, unless you find the plunderers in the fact, in nine cases out of ten you punish the innocent. And here lies the great evil, for it is the easiest and most lucrative mode of retaliation, yet at the same time the most demoralizing.

But in order to enable the Government to act steadily upon these principles, some steps must be taken to restore order beyond the limits of the colony, where an unlimited field for European philanthropy and civilization is to be found. One of my objects in setting on foot the Kat River settlement, was to make an experiment in how far such a system of colonization could be beneficially extended along our frontier, and even beyond it. I did not despair that its entire success would have induced the Government ultimately to permit me to adopt the same measures, under certain modifications, with reference to the Caffres who are located within the colony near the coast, between the Great Fish River and the Keiskamma, under the chief Pato. These people pretend to have some claim to this territory, founded on a promise of his Excellency Lord Charles Somerset, but at any rate sound policy dictates a liberal course towards them, and a permanent title might be given them on terms which would be of incalculable benefit to the colony, to themselves and to the Caffre natives generally. They are prepared to adopt many of our laws and customs, and would be happy to enjoy our full protection. Other Caffre chiefs, who have hitherto been upon a less amicable footing with us, but have been occasionally allowed to reside in the ceded territory, would soon be brought to adopt the same course, and we might gradually have obtained a dense population of white colonists, Caffres and Hottentots, from the Winterberg to the sea, all governed and protected by the same laws, and equally interested in the peace of the country.

On the northern frontier you have an extensive community ripe for good and for evil. If left to themselves, open to aggressions on one side, and with the temptation of weaker tribes, easily overpowered, on the other, it is to be feared that, in spite of the best intentions of some of the leading men, and all the efforts of the missionaries, they will retrograde. Whilst under our protection, which I believe they would most readily adopt, if extended upon liberal and just principles, they would vie with the Kat River settlement in improvement and in usefulness.

I am aware that here the great objection against the extension of the colony stands in the way, but the population is spreading itself, and has been doing so ever since the middle of the seventeenth century in spite of the Government. If the Boors migrate beyond the frontier in great numbers (which I fear they will), who is to bring them back? they tell you they are doing nothing illegal by withdrawing from a country in which they have no room for their flocks or do not feel themselves comfortable, and that if you cannot extend the protection of your Government to them, they are ready to forfeit it, and those who talk of fetching them, or forcing them back by means of the Griquas, understand neither the nature of the people, the country, nor the question, or are certainly not averse to scenes of bloodshed. Nor have I any desire to shut up the whites within certain limits for the benefit of any particular class, whilst all equally encroach. The disposable land in the interior is of unlimited extent, and the white man will have his share do what you will (the history of every colony proves this); but the question is, whether he shall be allowed to go forth without control, dispossessing the natives, destroying them upon the least resistance, and the Government follow when the mischief is irremediable, as has been the case heretofore, or whether the Government shall take the land, prevent any thing being taken but what the nations choose to part with, taking care that they be amply indemnified, that this indemnification be applied to their advantage, and that extensive tracts be reserved for their own support, in which they should be protected upon an equal footing with the most privileged classes, and in which I do not despair the means might thus be provided to reclaim those who have been forced into a marauding life, and for whom otherwise there appears no other lot in store but extermination. I am of course alluding to those tracts adjoining the colony in which there are only wandering disorganized hordes to be found, and into which our emigrants find such easy access, for with those nations who can control and protect themselves, I would only maintain the most amicable treaties, watching cautiously our borderers, who would then be under our check, in their treatment of and dealings with such nations.

The accomplishment of something like this I was at one time sanguine enough to hope, and to suggest the adoption of some similar project, improved or matured by your superior wisdom or that of the persons you may see fit to employ in the execution, is the best and indeed only answer that I can give to the said 8th and 11th questions. Yet I will humbly allow myself one remark, founded on long experience, viz. that if you should think the scheme worthy of a trial, it would be desirable for a long time to come to let a black rule Blacks where such is practicable, and to let as few whites (middlemen, if I may use the term,) as possible stand between such black authority and the higher functionaries who may have the management of the frontier. Whether such an undertaking would require the immediate supervision of some high authority on the spot, I hardly consider myself competent to judge,

122
Capt. Stockenström.
21 August 1835.

for, as I must admit that I feel strongly on the subject, I may not be totally free from bias. The Commissioners of Inquiry, however, recommended the creation of a particular office for the control of the eastern division and frontier, and Lord Goderich did create one to which I was appointed, but which, under the management of the Colonial Government, dwindled into a perfect sinecure, which I refused to hold, and it was abolished. The revival of a situation having to contend with such peculiar prejudices is hardly to be recommended, for no officer worthy of your confidence for so important a trust will long submit to the Governor and Colonial Secretary (whatever may be his personal respect for their high characters) carrying on his duties with the inferior officers of his department, and leaving him a cipher in the matter, whilst an almost bankrupt treasury is paying for an unperformed task. He will withdraw himself from so degrading a position, though that step should expose him to the inconvenience and mental suffering in which a similar one has involved me, and add to the confusion previously existing; under such circumstances it would appear preferable to leave the whole management in the hands of the Governor and the frontier Commissioners.

To question 9, I can safely say, Most certainly. In a military point of view, the troops are even now of little importance; the Cape frontier defence has nothing military in it. Both officers and men have the most arduous, harassing, ungrateful and even degrading duties to perform, particularly in trotting after every cow which a Boor fancies and reports stolen, but military field discipline and courage is never called forth, a pitched battle never takes place (the solitary instance of Graham's Town showed the Caffres the madness of such an attempt), it is all a bush hunt, where military tactics are out of the question, and where the Boor is as good a soldier as the man who has been drilled ten years. It is, therefore, not by its physical strength (for the shooting part used to be performed too well before there was a soldier in the country), but by its moral influence that the military force might have benefited the frontier. The colonists as well as Caffres know that it acts under the direct orders of Government, and respect it accordingly; the officers being generally honourable and respectable men, would have been the best referees in the many disputes between the two parties, who would readily have abided by their advice and decision, and the military posts would thus have operated more as a check upon, than a facility for, patrols to take cattle. As it is, you will find by the statements of the military commandant himself of 1831, that then, after so many years of military coercion, the frontier was in as deplorable a condition as it ever had been (*vide* again my said communication to your predecessor); would any man tell you that that is because there are not troops enough? Let him then say how many it would take to protect a frontier of 800 miles, if more than 1,000 cannot do so with 80 miles. But the fact is, the force employed is found more than enough, as a considerable part of it is always far away from the frontier, where the head quarters happen to be. If the present system be persevered in, we may require the troops to be increased tenfold, for every cottage and every flock may require a guard, and by an opposite course, such as above suggested, or a better one, we may hope to see them dispensed with altogether. Of the expense of the former alternative, if practicable even, I need say nothing more than that of the ruinous cost of commandoes Government can have no idea, as the losses of the farmers who are called from their homes by their absence from their business, and the horses, &c., which they often leave behind on these expeditions are never brought into account.

There now remains your sixth question. Of the three cases there stated, as known to me in my official capacity, I only recollect the two first, both which are much more fully detailed in my above-mentioned representations to your predecessor than I could possibly relate them from mere memory. As to the third, I can only observe that I had a case before me in which a man named Rezendenhout was accused of maltreating a Caffre, and that, from as much as he himself admitted, his conduct had been most outrageous. I fully remember speaking in terms of great severity to him on the subject, but I cannot say positively whether this is the case you allude to. The Caffre had been plundered of his cattle and cruelly beaten, after having killed a cow to feed Rezendenhout and his party, and exerted himself to find some oxen, which they said they were in search of. I am equally at a loss to state any other recent cases of a similar description in the absence of records; some you will find in the communication to which I have had the honour of repeatedly referring you, and you will find no difficulty in the colony to obtain proofs. Messrs. Bruce, Kay and Pringle are responsible for what they publish, and they can be compelled to give up their authorities. Some of the most heinous things they have said I know to be quite true, and I have never scrupled openly to give my sentiments on them. When the first or second case on your list was reported by myself to the colonial government, I received for answer (as you will see by one of the secretary's letters) that the parties should be punished if his Excellency the Governor should find the statement confirmed. I expected that a regular Court of Inquiry would be held, and determined on bringing forward the said case of Rezendenhout, and several others of a most galling nature; but if any steps have been taken in the business, it has not been deemed necessary that I (the officer, as I conceive, most responsible) should know any thing about them.

I have been severely judged for feeling hurt at such proceedings, whereas now I may, perhaps, be placed on the defensive for having been too passive. Yet I fondly trust (relying upon the character you bear) that every thing that may in the most distant degree reflect upon my conduct whilst in office will be sifted to the bottom. I possess nothing more dear to me than the admission of all those under whom I ever served, that I have done my duty honestly and zealously during a long public service; and I hope that in my retirement, to which I have been forced by the most unwarrantable, arbitrary treatment, which remains to this hour unexplained, no advantage, with you at least, will be allowed to be taken of my distance from Downing-street and the colony. I will consent to suffer if the native tribes,
or

or any party at the Cape, have justly to complain of me. All I pray is a fair investigation. I know that my views generally, as above stated, are not popular. I am aware that many friends of humanity and civilization think them not sufficiently liberal and enlightened with reference to the blacks, whilst, on the other hand, some of my countrymen charge me with abandoning the cause of the whites. No man can feel more respect than I do for the principles and objects of the former party, amongst whom I have the pleasure of counting some of my most valuable and intimate acquaintance, however much I may differ with them on particular points of expediency; and birth, education, prejudices and ties of affection warmly attach me to the other, who, though thrown by the course of particular events into unhappy circumstances in regard to some of the lower classes in their midst, constitute, nevertheless, under a sound system of policy and just treatment, in the aggregate, the best disposed and easiest managed people in His Majesty's dominions. But I am not called upon here to please either; I have the cause of truth to serve; I am to call "murder, murder," and "plunder, plunder," whatever be the colour of the perpetrator's skin, or the power and influence of the man who countenances the same, in order (by stating facts as they are) to enable you (as you are known to have the wish) to apply such remedies as will render the Cape colony what it is capable of being made, one of the most prosperous and happy communities on the face of the globe.

I have the honour, &c.

A. Stockenström.

Capt. Stockenström.

21 August 1835.

QUERIES for Captain Stockenström.

CAPTAIN STOCKENSTROM, late Commissioner-general for the eastern districts of the colony of the Cape of Good Hope, having been, as it is understood, intimately acquainted with the relations of that colony with the native tribes for many years past, the following Queries are submitted to His Majesty's Secretary for the Colonies, with a view to their being forwarded to Captain Stockenström, and answers received thereto:—

1. How long have you been personally acquainted with the state of affairs on the frontier of the colony of the Cape of Good Hope, as a public functionary, or otherwise?

2. What, so far as your observation and experience extend, has been the system of policy pursued by the colonial government, in regard to the native tribes or hordes beyond that frontier?

3. What is your opinion of what is commonly called the commando system, as a system of frontier defence?

4. Is it your opinion that a preferable system, and more accordant with views of humanity and civilization, might be introduced?

5. Did you, as a magistrate, make any attempts to introduce or to recommend a more conciliatory system, and what was the result of any such attempts?

6. You have been referred to as a public officer, cognizant of the fact, by several persons who have recently published accounts of alleged outrages committed by the colonists upon the Caffres, namely, by Mr. A. Bruce and John T——, who have published letters in the Cape newspapers, and by the Rev. Stephen Kay and Mr. Thomas Pringle, who have respectively published works on the Cape in England; among other cases, reference has been made to you in the following:—

1. In the case of the alleged slaughter of a Caffre chief named Soko, and several of his followers, in June 1830.

2. In the case of a patrol granted to recover stolen cattle, at the instance of the Boor, Gerrit Schessers, wherein the Caffre chief Botman is said to have been very unjustly treated and oppressed.

3. In the case of a Boor named Rezendenhout, and a Caffre named Gimhusha, in which the latter is said to have been oppressed and maltreated.

Be pleased to state what you know of these cases, and of any other recent ones of a similar description.

7. Do you conceive it practicable to establish amicable arrangements with the Caffre chiefs on the frontier, for the maintenance of good order, and so obviate the necessity alleged to exist for continuing the commando system?

8. What measures would you propose in order to attain this object?

9. Do you think that any considerable saving might be effected, in the expense of supporting a strong military force on the eastern frontier, by the introduction of more amicable relations with the Caffres?

10. Do you know any thing of the alleged facts of a considerable number of Boors having taken possession of a large tract of country beyond the northern frontier of the colony, and of having refused to obey the order of Government to return within the boundary?

11. What scheme would you propose for preventing or punishing encroachments of this kind upon the territory of the independent tribes, or so far as past encroachments cannot now be remedied, for extending the execution of the colonial laws, for the proper government of the self-excited colonists, and for the protection of the natives?

130

Rev. William Shaw, called in; and further Examined.

Rev. Wm. Shaw. 1099. HOW many years have you served as a missionary?—Upwards of thirteen.

21 August 1835. 1100. You have had a full opportunity of seeing the result of missionary exertions?—Yes.

1101. Have you ever considered whether the best mode of instructing the natives is through the medium of civilization in the first instance, and then leading them to Christianity, or instructing them as far as you are able in the truths of Christianity first, and through that medium leading them on to civilization?—That has formed a subject of long and very anxious study to myself and my associates in the mission, and the conclusion to which we arrived was, that the only possible means of civilizing rude and barbarous people is through the influence of Christianity; this opinion is founded partly upon the history of the world, which, since the establishment of Christianity, exhibits no instance of the raising a people from a state of pure barbarism into that which is called a civilized state, independently of the influence of the Christian religion. The case of some of the ancient heathen, but comparatively civilized, nations of the world as they existed before the Christian æra, we conceive may be accounted for, without at all contravening this principle, and in fact when carefully examined, their civilization will be found to have originated in the light of early revelation. Then as to our actual experience we found the only natives (I speak of the Caffres) who were at all desirous of adopting the civilized habits which they saw practised by their European neighbours, were those natives who had come more or less under the influence of Christianity; and we found most decidedly that the greater the influence Christianity had obtained over any of their minds, the greater was their avidity to adopt the habits of civilized life. In illustrating this matter, I would refer to an attempt made, as it was said, partly with a view of civilizing the natives, and partly with a view of extending our trade at a place called Port Natal, where no missionaries were included in the arrangement, and I believe after many years have passed away no very important results favourable to civilization have followed. Now I would beg leave to contrast the results of that mere commercial settlement with those arising from about the same number of years' operation on the minds of the natives, through the means of Christianity, on the missionary plan, and in the Caffre country, as showing the decided superiority of the latter method. I would further remark that, admitting that barbarous tribes could be reclaimed to habits of civilization without the intervention of Christianity or Christian missionaries, it would, I conceive, be exceedingly difficult to find any other suitable class of agents who would be willing to go and reside amongst them, solely with a view to the improvement of their morals and habits. No person of competent qualifications could be induced to reside amongst barbarous tribes, unless stimulated either by very large pecuniary interests, or the only other adequate motive, and that by which missionaries profess to be actuated, viz. a benevolent and ardent desire to propagate the principles of the Christian religion. The question has been somewhat unexpectedly proposed to me, but what I have now said contains an outline of my frequent thinkings upon the general subject. I may, however, also add, as another result of actual experience, that notwithstanding attempts were made, with a view of establishing a commercial intercourse with the Caffre tribes, before we had much missionary intercourse with them, the design of which on the part of the Colonial Government was, I believe, to civilize them, as well as to extend our commercial interests, yet the arrangements for the extension of our commerce with the Caffre tribes failed almost entirely, until the missionaries had more fully established themselves in the country, and I could easily show from documents in my possession, that it was not until the truths of Christianity had been very extensively preached in the country, and the missionaries had acquired a considerable degree of influence among the natives, that it was possible for the Government really to establish any tolerably efficient system of trade.

1102. Had Gaika become a convert to Christianity?—No.

1103. Had Macomo, or any other chief?—None made the profession of Christianity except two or three of the chiefs.

1104. I think you said that we had failed to establish any influence with the natives, except through the instrumentality of Christianity; how do you reconcile that with the fact you now allege, that none of the chiefs became Christians?—I was about to explain that: there were only two or three of the chiefs who could be regarded as having embraced Christianity; a considerable number of the leading chiefs

chiefs were nevertheless under a great degree of missionary influence. There were chiefs on the border, who paid deference to some of the leading truths of Christianity, but whom the missionaries, however, did not deem it expedient to recognize as members of the Christian church. When I speak of the influence of Christianity, I wish to be understood as connecting with it the influence of those who are its professed teachers, and which (perhaps from the peculiar circumstances under which they appear in the country) is much greater than the influence which can be obtained over them by any other class of persons whatever.

1105. Have you any reason to believe that missionary influence has been exerted during the late disturbances, to the preservation of the lives of the settlers?—Each of our missionary stations in Caffraria became a place of refuge for a number of the scattered traders, and in every instance when they reached our settlements, our missionaries were enabled to afford them protection. I cannot at this moment charge my memory with the precise number, but a very large number of British subjects fled to Wesleyville, and were preserved; many of these traders have acknowledged that there could have been no means of escape from being murdered, had they not fled to those places.

1106. So that the missionaries not only were enabled, by the influence they had obtained over the minds of the natives, to secure their own lives, but had the means of affording safety to others, who but for their influence would inevitably have been murdered?—Exactly so.

1107. Do you happen to know whether any of the missionaries were employed as agents in communications with the natives, and that the native chiefs refused to come into the British camp, except they obtained a pledge of their safety from the missionary?—There have been frequent instances of that kind; at my last examination I related a case in which I was personally engaged, when the chief, though it was absolutely necessary that he should attend a conference with a British officer, peremptorily refused to do so, unless I accompanied him and would give my own promise that no harm should happen to him.

1108. Were there several cases of that kind besides your own?—I believe there have been several cases of that kind.

1109. Are you master of the native language?—I speak it tolerably well.

1110. Is it a language very difficult to learn?—It is extremely difficult, especially under the circumstances in which the first missionaries had to apply themselves to the acquisition of it, there being at that period no books written in it, and indeed no grammar or dictionary of the language.

1111. Is there a grammar now?—A grammar has been compiled and recently published.

1112. By whom?—By the Reverend William Boyce.

1113. A missionary?—Yes, a missionary of the Wesleyan Society; he arranged and examined materials collected by myself and others, made many large collections of his own, and ultimately compiled a grammar on a plan so excellent, as to leave very little to be desired in that department of missionary labour.

1114. Has there been any portion of the Scriptures translated into their language?—A considerable portion of the New Testament and some parts of the Old.

1115. Was there any difficulty in learning the language, arising from the extraordinary length of the words?—Yes; but more especially from some great peculiarities in the pronunciation of the language; I refer now to those peculiar sounds called clicks, and which are wholly dissimilar from any thing found in the languages of Europe; there are three sorts of these clicks which occur in the Caffre alphabet, and a deep guttural.

1116-17. Are you acquainted with any class of missionaries who, in their attempts to instruct the natives in Christianity, combine the principles of Christianity and civilization?—That is precisely the plan on which the missionaries of the Wesleyan society endeavoured to act; and I should have remarked, with reference to the various opinions which prevail upon this subject, that there are three different theories; some persons seem to imagine that rude people may be civilized without the influence of religion; another class of persons appear to think that people in that state may be civilized by merely preaching the doctrines of Christianity, without the aid of any other concurrent means of civilization. The opinion of myself and most of my missionary brethren has ever been, that while Christianity alone can give us influence with the natives, and excite in them a desire of improvement, yet we ought to connect with the inculcation of its principles every judicious plan which we can possibly bring to bear on their case, so as to raise them to an im-

132

Rev. Wm. Shaw.

21 August 1835.

proved condition ; and on that principle we have been endeavouring to proceed for some years. The first plan will be found to be totally inefficient in practice ; the second may produce beneficial moral changes, but it would leave the converted natives in a comparatively rude state ; whereas the third plan makes the work of conversion and civilization proceed concurrently, and therefore more efficiently and rapidly.

1118. In the early stages of imparting Christianity, would you propound to the natives the most striking doctrines of Christianity first, such as eternal happiness and punishment?—The first general truths we were extremely anxious to impress upon them were (I speak of my own ministry, and I dare say my brethren adopted a similar plan) the existence of God and the immortality of the soul. And in attempting this, I discovered that the Caffres had some notion of the existence of God and of a future state, as they had an idea that their fathers, and especially the great chiefs, lived in another state ; for they call the separate spirits “iminyanyd.” Taking advantage of their own notions of a future state of existence, I endeavoured through that medium to convey to their minds the more correct and scriptural views which I wished to impress them with. I should not, however, wish it to be understood that a very great length of time was invariably occupied in dwelling on those two leading points, but they were first established as a sort of foundation upon which we might immediately proceed to build the other and more distinguishing truths of Christianity.

1119. Are the natives addicted to incantations?—They are.

1120. Do you think that that habit at all prepared them to understand the doctrine of miracles?—I think that their notions upon subjects of this nature certainly prepared them to receive with credit the testimony derived from miracles to the truth of Christianity.

1121. Then, in fact, superstition itself paved the way for the reception of the important truths of Christianity?—Undoubtedly ; and as I conceive there are few superstitions existing in the world, but their origin may be traced to true religion, of which they are usually the corruptions, I conceive the best mode of imparting religious instruction to a superstitious people is to avail ourselves of the light which is thus blended with the shadows of superstition itself, and by this means with greater facility to impress the infallibly certain, because divine, truths of Christianity upon their minds.

1122. What was the general disposition of the Caffres towards the English Government?—That question can only be answered by dividing the Caffres into classes. There were some of the Caffre tribes which I could mention who were certainly very favourably impressed towards the British Government, and extremely anxious to live upon amicable terms with us. There were others who, from a sense of the injustice they had received or supposed themselves to have received, were certainly not influenced by the same friendly feeling towards our Government.

1123. What are the injuries which they suppose themselves to have received?—They generally stated them to consist in having been deprived of a large portion of the country at different times ; and they also frequently remarked upon the injuries which they sustained from time to time as arising from the system of pursuing stolen cattle and making reprisals, not discriminating the innocent from the guilty. I speak now of the causes of their dissatisfaction in very general terms, as I understand the question to refer generally to the state of feeling.

1124. Does there appear to be patriotism or any love of country among the Caffres?—There is a decided love of country among the Caffres ; they regard it as an exceedingly great evil to lose their country or to be separated from their countrymen.

1125. What have you found to be the disposition of our people towards the Caffres? Do they look down upon them as an inferior race of people, who may be trampled upon with impunity?—I have already said in a former part of my evidence, that I consider the British settlers in Albany to be influenced by the most kind feelings towards the Caffre race, a proof of which, I think, may be found in their great readiness from the beginning to further the views and wishes of the missionaries in their conversion and general improvement. Of course, in so large a community as that of the district of Albany, there will be found some persons who do not accord with the views of the inhabitants generally, and amongst those there are individuals who, I fear, are not influenced by generous and upright principles with reference to the Caffres.

1126. Have any marks of commercial enterprise appeared among the Caffre tribes?

tribes?—Commercial enterprise certainly exists among them. The trade among them was originated by that which commenced between the colonists and the border Caffres, who at an early period of the border traffic used to take a portion of those articles which they purchased from the English much further into the country, and therewith bartered for cattle with the tribes beyond them. They realized very considerable profits on those transactions; and in that way it is that I would account for the great increase of the stock of cattle possessed by the Amagonakwaybie tribe living immediately on the border. I may also here add that the rapid improvement and great increase in property in that tribe arising from the cause now stated, undoubtedly aided much in producing that state of feeling which has induced them to remain perfectly quiet during the recent disastrous war, as they had, I am sure, sufficient sagacity to perceive that they had every thing to lose and nothing to gain.

1127. What British manufactures are used in Caffraria?—All kinds of hardware, culinary articles, iron cooking pots, considerable quantities of cotton goods, especially handkerchiefs, which are used as part of the head dress of the females, and which they prefer to their own skin turbans; more recently, a considerable demand has arisen for a coarse description of woollen cloths and baize.

1128. And what articles do they give in exchange?—Principally the produce of the cow; viz. hides, tallow, horns; also the skins of wild animals, and at one period the gum that exudes from the mimosa tree, and ivory, consisting of elephant's and hippopotamus' tusks.

1129. Do they ever respect the rights of property?—To a very considerable extent; within the limits of their own tribe the rights of property are held sacred. The chiefs, however, possess great power, and sometimes, by what may be called the Caffre forms of law, great injustice is perpetrated and property is rendered insecure; that is, doubtless, one great preventive to their more rapid improvement.

Mercurii, 26^o die Augusti, 1835.

CHARLES LUSHINGTON, ESQUIRE, IN THE CHAIR.

Major *William Bolden Dundas*, of the Royal Artillery, called in; and Examined.

1130. YOU occupied several official situations on the eastern frontier of the colony of the Cape of Good Hope, will you specify in what capacity you served, and from and during what period that service existed?—I was appointed as landrost in the district of Albany; I arrived on the frontier early in March 1825; I continued in that situation till the latter end of 1827, then I was appointed as civil commissioner of Albany and Somerset, which I held till the latter end of June 1828; I remained on the frontier however some months longer.

1131. Were you not also military secretary to the governor for some period?—I was appointed in October 1828, and continued in that capacity till the beginning of February 1830.

1132. Will you state to the Committee your opinion with regard to the treatment of the Hottentots generally, and their condition as a servile race?—It is hardly necessary for me to enter into an historical account of the Hottentot nations; as so much has been written and said on the subject, I perhaps need only say that from the period of the colony falling into the hands of the English in 1796, I believe the condition of the Hottentot race to have gradually improved up to the period of 1828, when a total emancipation, I may call it, took place; with respect to their treatment as a servile race, all I can say is that they were forced into contracts, and whether their servitude may have been onerous or not, would be according to circumstances, according to the dispositions of those into whose hands it may have been their lot to fall.

1133. Do you mean by "contracts" contracts of service?—Contracts of service generally for a year, or two years; of course I allude to the men, and those grown up; the children generally were apprenticed after their arrival at the age of eight years for a longer period.

1134. Do you mean by being compelled to enter into contracts, that those contracts of service were enforced by the government?—I mean of course that the

Major
William B. Dundas.

26 August 1835.

128 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

colonial law was enforced; these contracts were apparently voluntarily entered into by the parties; the laws required that the Hottentots should be in the service of some colonist, or should belong to some of the missionary establishments.

1135. Was that the ancient Dutch law handed down to us?—It was the law which I believe had existed for some years; the Dutch law.

1136. Which we adopted from the Dutch?—Which was continued; the Dutch law was continued unaltered, I must observe, until the general change which took place in the colony; I believe that the law regarding the service of Hottentots was in operation till the passing of the 50th ordinance early in 1828, I had an opportunity of seeing the operation of that ordinance to a certain degree. The Hottentots no longer finding restraint upon them, took, I may say, their liberty, and they became extremely troublesome; there was no restraining law made to meet the circumstances of their case, there was no obligation on their part to live but as they pleased; there was in fact no vagrant law which would oblige these people to be useful to the community, and the consequence was, they were exceedingly troublesome. The Hottentot by disposition is little disposed to labour; he is idle, drunken and improvident, and requires to be held under restraint; I am now talking of the Hottentot character generally, not of particular cases, for I have met with very good and excellent persons among them; and I do not here refer to the degraded tribe, the Bushmen.

1137. Was it with reference to the vagrant habits which the Hottentots contracted by their emancipation, that the government was induced to place them in the location of the Kat River?—By no means; the greater part, or the best part of those persons that were placed on the Kat River are Bastards (men who possess considerable property), and individuals generally who would belong to some of the missionary establishments.

1138. Under the denomination of Bastards you mean those of a mixed race?—Yes; Captain Stockenstrom had taken pains to collect the best materials he could for forwarding the establishment, and I had an opportunity afterwards of seeing the successful result of his efforts.

1139. Speaking of the vagrant habits of the Hottentots to whom you first alluded, how do they obtain their subsistence?—A great number of individuals who had long lived in servitude before the ordinance before alluded to was passed, were possessed of considerable quantities of cattle and of sheep; as long as they remained on the farms of the Boors they were supported by them of course, but as soon as they were without the control and restraint of servitude, they wandered about the country and lived where they could, upon vacant places as well as others; very frequently they would force themselves upon the farms of proprietors, and there remain in spite of the farmers.

1140. Was any systematic effort made to dislodge them?—Every effort was made. Wherever they did place themselves, the chances were they made free with the property of the farmers; they plundered to a very great extent.

1141. Are there any considerable number of the vagrant hordes now existing?—I would not call them hordes, I would say families; it was very soon found necessary to exert the old Dutch vagrant law, which is most severe on the vagrant habits of the people; the prisons were soon filled with these people, for depredations out of number were committed by them, and altogether they became extremely troublesome in the country.

1142. Can you give the Committee any idea of their numbers?—It is impossible to say what their numbers may be; I know that on an average of some years in the frontier districts of Grathnet, Somerset and Albany, there were from 300 to 400 Hottentots apprehended for robberies and vagrancies, and acts committed by them as vagrants; I think that I could procure a return of the coloured people that were committed for acts of vagrancy in the districts named during the three or four years that followed the issue of the 50th ordinance.

1143. The object of the question was to ascertain if those people were likely to be formidable in consequence of their numbers, or to give serious trouble to the authorities?—There is no doubt they might if they were to associate in very great numbers, but that they could not do, they could not live in great numbers without drawing the attention of government; the usual mode of their existence when disposed to vagrancy is by associating in families only, and getting into some woody or difficult part of the country, conceal themselves, and from thence they issue and commit depredations.

1144. Is it correct to assume that there are three classes of Hottentots; those
Hottentot

Major
William B. Dundas

26 August 1835.

Hottentots who are engaged in domestic employment with the settlers; those who are vagrants you have just described, and the settlers on the Kat River?—They are all of the same class; if they are desperate and bad, of course they are not received among the settlers as servants, or on the Kat River; for all admitted there are supposed to possess some character, and, generally speaking, some little property; neither will any of the missionaries receive them at their establishments. The Hottentot is notoriously improvident, and what he gains in servitude he very soon spends, generally speaking, in dissipation and wasteful extravagance, so that there is perhaps as much real and abject poverty and misery among those people as is to be found among any people in the world; those who feel themselves disposed enter into the service of the farmer, and are often good and useful servants; but as I have before said, there is a large proportion of extremely bad and worthless men who become plunderers of the country, and fill the gaols of the colony; those men are irreclaimable; if they attempt to go to any of the missionary establishments they are rejected; they cannot be admitted to the Kat establishment for want of character, and in many cases they are so bad, that none of the farmers, however they may require servants, will employ them. What is the consequence? they are obliged to prey upon the public; in fact they are like other bad men in all countries.

1145. Do they generally plunder the colonists, or do they go beyond the frontier and plunder the native tribes?—They plunder the farmers and commit great depredations among their sheep, and thereby supply the wants of nature.

1146. Is it correct to suppose that Lord Caledon was the first governor who passed an ordinance in favour of the Hottentots, and that that ordinance was afterwards confirmed by General Bourke, for removing their disabilities?—Lord Caledon's proclamation or act certainly very materially improved the condition of the Hottentots, but General Bourke's ordinance emancipated (I think you may so say) the Hottentots altogether.

1147. That is the enactment perhaps to which you alluded in the early part of your evidence?—Yes.

1148. Will you describe to the Committee the establishments under the missionaries who have had for their avowed object the civilization and religious and general instruction of the Hottentots?—The object of those establishments of course would be, that of pure benevolence, and unquestionably a great deal of good was done in bringing together and keeping together the wrecks of the Hottentot nation. Their avowed object was of course to christianize as well as to civilize, and I have no doubt, nay, I am sure, that a great deal of good has been done by them. The establishments immediately on the frontier and within the colony are Bethelsdorp, Theophilus and Enon.

1149. Those were chiefly for Hottentots?—Yes, and Bastards. Those who attached themselves to these establishments, were not required to enter into the service of the farmers, but many did, and after a service of a year or more, or less, they returned, with the produce of their labour, to their families, who during such service generally continue at the establishments.

1150. The Moravians were the principal promoters of Christianity among the Hottentots, were they not?—They were the first who made any effort to civilize this people, and that as far back as 1737, under the missionary Schmidt.

1151. Does the establishment of Moravians at Gnadendahl at all flourish?—Yes, it is a very useful and respectable establishment. There is another which is calculated to effect much good among the Tambookies, there is also one near Uitenhage, and another near Cape Town at Groen Kloof.

1152. Are not the Tambookies described as a gentle race comparatively speaking?—As neighbours, they have always been quiet and have conducted themselves well; I have heard very few instances of a plundering disposition being shown by them.

1153. Do you understand that many of them have been converted to Christianity?—I should question the fact, it is not easy to christianize a barbarous nation. It cannot be done unless in a long series of years, and painful exertion on the part of the missionaries; they may nominally become Christians, but I doubt their being so in fact. Much may be done with the rising generation, but to make a savage a Christian is a very difficult matter; to give him ideas other than those he imbibed in his infancy is next to an impossibility, it is unnatural.

1154. But though the missionaries may unfortunately have failed in making converts to Christianity, I suppose that their course of proceeding must have eminently conduced to the civilization and the improvement of the conduct of the Tambookies?

136
Major
William B. Dundas.
of August 1827.

bookies?—Very little has been done, indeed I know of no establishment except that on the Clijat River, among the Tambookies. I know of no establishment among them, at least up to the year 1830; but they are the fathers of the Caffre nation; it is not perhaps strictly correct to speak of them and the Caffres as two distinct tribes.

1155. Has this Moravian establishment mentioned been established among them since 1830?—No, it was before 1830.

1156. Your official situations must have afforded you various opportunities of intercourse with the Caffres, and favourable occasions of observing their characters and manners, will you state to the Committee your opinion of their character and disposition, and also at the same time state the attempts of the missionaries to civilize and christianize that class?—I had frequent opportunities of intercourse with them, I was often in their country, indeed I took a considerable interest in the Caffre people, I did what I could, as far as I could, to improve our relations with the Caffres, but the Caffre is very different to the Hottentot; indeed he is a perfect contrast to the Hottentot, he is manly, enterprising, and warlike in his disposition, but still savage; ready at all times for offence as well as defence, regardless of human life, either of his own or others, roving from place to place with his cattle, and living a wild life, he is more likely to become the oppressor than the oppressed. He is sunk in barbarism, he has but indistinct views of rights of property, and his first principle seems to be to exert the power which nature has given to the strong over the weak, by robbing him of his property. He is in fact by nature and disposition a thief, and he among them is most honoured and esteemed who conducts his expeditions against his neighbours with the most success, and returns with most plunder. The young are urged on to action by the desire of possessing wives, who can only be obtained by purchasing them with cows; to procure the requisite number of those, five or six, as many years' servitude in their own country would be required; this period they are naturally desirous of shortening; the motives are strong, the temptation great, and the colony is before them; and when they succeed they are welcomed as returning from a successful war; and they pay tribute to their chief with part of the plunder they may have stolen. They are sure of escaping discovery, for the stolen cattle are removed into concealment beyond the reach of the colonists, until the search for them may have been made. Thus the Caffre is early initiated into scenes of robbery, success makes him bold and enterprising, he goes on from theft to theft, and only relinquishes his trade when he possesses a sufficiency of cattle for his support, and then leaves the field to the younger and more needy.

1157. Under your view of the subject the Caffre must be a very troublesome neighbour?—Nothing can be more so.

1158. Are they the habits you have just described that chiefly operate in rendering the Caffre troublesome and dangerous to the colony?—Decidedly; he is ever ready for plunder, when temptation is before him. From his earliest youth, as soon as he is circumcised, which takes place at the period of 14 or 15, he is anxious to accumulate property for the purchase of a wife, for without a wife he has no comfort, the ground is not cultivated, he can have no hut to live in, for the Caffre man is degraded by cultivating the ground or building a house.

1159. Do you imagine that the system of reprisal which has been so long pursued on the frontier has been attended with any salutary consequences, has it tended to deter the Caffre from his inroads?—Certainly not. Nothing in my opinion will deter the Caffre from enterprises of a predatory nature; he is poor, he wishes to become independent, and he takes the readiest means of being so; he risks every thing, for he is indifferent as to the consequences; he sacrifices his own chance of life without hesitation; in short, he is a desperate character, while he is poor he will therefore attempt to plunder as long as there is any chance of his succeeding.

1160. As you consider the reprisal system is ill calculated to attain the object which is contemplated by it, the Committee may conclude you do not approve of the commando system?—They are not immediately connected; it ought to be understood that the greater part of the Caffre depredations are in the small way: two or three young men associate together and come into the colony, to possess themselves of 40, 50 or 60 head of cattle, for a robbery of that kind a commando may not be called out. The military upon the frontier is generally sufficient to recover and to make reprisal for the cattle so taken; it is only on great occasions that a commando is called out, and to repress any general movement of the people. It is a curious fact that, from the period of my arrival on the frontier till

I left

131
Major
William B. Dundas.

26 August 1835.

I left it, there had been only one small commando called out, to restrain Caffre depredations, or to punish the Caffre: in two or three other cases, large commandos have been embodied for the purpose of defending the Caffre tribes against the incursions of large hordes in movement from the north to plunder and overwhelm them; for their defence and their's only, were commandos called out during the time I was on the frontier, with the small exception named.

1161. What is the name of those tribes?—Those that first threatened the Tambookies were the Mantatees, the second were the Fichanes or Monguanas.

1162. But though, during the period of your service on the frontier, the commandos were only called out for the purpose of protecting the Caffres, is it not consistent with your knowledge that the commandos have frequently been called out to punish the Caffres themselves?—I mentioned that only in one instance; within the period I have stated had there been a commando called out for the purpose of punishing the Caffres. A commando implies the calling together the boors, or farmers and burghers on the frontier, to unite with the military for the general defence of the frontier; I am aware that a great number of military inroads were made during the time mentioned, but no commando, nothing that may be considered as a commando, with the exception of one small one, which occurred to the best of my recollection in the year 1828.

1163. What period does this embrace that you are speaking to?—Early in 1825.

1164. From the beginning of 1825 to what time?—To 1828.

1165. To what period in 1828?—Late in 1828. I left the frontier in October. During this period, however, an immense number of cattle had been taken from the colonists by petty theft; I should say between 3,000 and 4,000 head of cattle nearly, and perhaps 120 horses annually; and I think I am within the mark when I say that not one-tenth part of those (a very, very small proportion) were recovered by means of the reprisal system; by means of the reprisals and inroads of the military. Cattle were always reported to the commandant when stolen, and the commandant, I suppose, sometimes gave directions for those cattle being reclaimed, and sometimes he did not, according to circumstances; but I believe the period of those three years and a half might be considered as particularly quiet; there was no general commotion among the tribes, except those arising from the fears of attack from the north, and no disposition to avenge any fancied injuries; we were not much disturbed by them, except by those small depredations. I do not know how it was possible to restrain those depredations or recover cattle, except by sending in for them. Until General Bourke, early in 1826, altered the system on the frontier, perhaps the Caffre might occasionally have had some reason to complain. If stolen cattle had been traced to one particular kraal, the orders of the government were to seize from that kraal, either the cattle taken, if there found, or to make reprisal to the amount of the cattle taken; but it very seldom happened, when they were traced to the kraal, that the cattle were to be found there; no sooner were colonial cattle, which to them are extremely valuable, received into any kraal, than they would be sent off to a distance into the more difficult part of the country, where it was impossible to follow them.

1166. Do the Caffres depend entirely on their cattle for subsistence?—Not entirely.

1167. But chiefly; and as the young men of the tribe look to the possession of a certain number of cattle to enable them to settle in life, is it not clear that the depriving them of their cattle must necessarily stimulate them to new outrage and renewed depredations?—I never admitted that they had been deprived of their cattle to my knowledge; to my certain knowledge for every ten head of cattle they took, we did not receive one in return.

1168. The balance was generally in favour of the Caffre?—We did not get back one-tenth part of those that were taken by the Caffres; I speak of my own time only. There is another cause of depredation which I may as well mention: the Caffres are notoriously improvident of their corn when they possess it; after the harvest is taken in, they consume without regard to the future, and when about the time the produce of the harvest is consumed winter comes on, when there is a scarcity of grass, and consequently of milk, and from mere starvation, actual starvation, they are forced to exist by plunder, and for this purpose they get into the woody parts of the colony, and there remain for weeks together, they send out a party of one or two to seize a fat beast and drive him into the wood, and there they remain till the carcass is consumed, and they continue in that way

138

Major
William B. Dundas.

26 August 1835.

till beast after beast is taken : the loss of a single beast from one flock is not immediately perceived, and they continue till they are either tired with actual repletion or they find it necessary to return with the burden of the skins they may have got. They carry on a profitable trade with those skins, and they find a ready sale for them on their return to their own country ; indeed for the value that they get for a single skin, by going 150 miles to the rear, they can purchase a living animal.

1169. Do you conceive that the interests of the British settlers on the eastern frontier have been much depressed, and if so, be so kind as to state what has operated to retard the general improvement and to render their persons and property insecure?—I conceive the continued inroads of the Caffres have had the effect of rendering their persons insecure, have prevented increase of cattle, and consequently any improvement in their condition ; in short, they can have no certainty that the cattle they possess one day is left to them the next. A man who has expended his little all in the purchase of cattle, may lose the whole of those in the course of a night. He is, perhaps, from comparative comfort reduced to abject beggary ; for the English settler depends quite as much on his cattle as the Caffre does, and from the nature of the frontier, from the circumstance of the Caffres not having been cut off from the Fish River, his incursions are made with perfect impunity, and with very little chance of being detected. It was, therefore, greatly injurious to the interests of the settler, indeed a very unwise policy, which prevented the entire occupation of the ceded territory—(I will not call it neutral, for that term never was known till after Sir Rufane Donkin left the government of the colony, at least I believe not.) It is, therefore, to the nature of the frontier and the impossibility of defending the frontier, that the circumstance of the low and depressed state of the frontier interest may be owing.

1170. Are you of opinion, generally speaking, that as much protection was given to the frontier as the resources of the colony and the military force at the disposal of the authorities enabled the government to afford?—I have already stated, that in my opinion the loss occurring to the colony arose principally from the nature of our boundary. Had the frontier, had the ceded territory been occupied as it should have been, there would not have been one-tenth part of the depredations committed on the frontier that happened.

1171. But was, in your judgment, as much military protection afforded as could reasonably be expected from the government?—It is a difficult question to answer ; I am not in my own mind of opinion that as much was done for the protection of the frontier as should have been done. It is, perhaps, one of the most expensive governments of all the colonies of Britain ; there is a small population extended over a very large extent of territory ; there is a very long boundary to defend, and a very small number of troops is given for that purpose : The occupation of posts at the distance of 30 miles from each other never can have the effect of restraining the Caffres, never.

1172. Where were you when the Caffre chief Macomo was expelled from the Kat River?—I was in Cape Town, acting there as military secretary.

1173. Can you apprise the Committee of the course of the removal of Macomo?—I can ; the two Tambookie chiefs, Poowanna and Gelala, had had some dispute (I believe they were relations), they had had some difference respecting succession of property, they had moreover a short time before this, (two or three months) in consequence of an inroad of the Fichane, been driven upon our frontier and not very far from Macomo's country. Macomo had heard of the differences between them, and he, I presume, thought this a good opportunity of enriching himself ; he went into the Tambookie country with a very considerable force, and made an attack upon both these chiefs ; they fled for protection, with their cattle, into the colony, into the district of the Tarka ; Macomo followed, and committed there many murders, and took nearly 3,000 head of cattle from them, and that within the boundaries of the colony. On this being reported to the governor, it was directed that Macomo should be required to restore or make restitution for the cattle stolen, and reparation for the injury he had done to these unoffending people, or in the event of his not complying, that he should be forced to leave the Kat River, where he had been allowed to remain on sufferance during good behaviour ; if I remember right, indeed I am sure his reply to the person who was sent to him was, that he did not see that the English had any right to interfere between him and the Tambookies, and he would not give up the cattle. An order was consequently sent to the commandant to expel him, but to give him three

or

139
Major
William B. Dundas.

26 August 1835.

or four months to take in his crops and to complete his movement. When he found the governor was determined to expel him, he sent back 300 head of cattle, saying those were all that fell to his share, and his people would not give up the remainder. He was, however, expelled, and orders were given to the commandant; indeed positive orders were given, that Macomo should on no account ever be allowed to return within the boundaries of the colony. What has subsequently taken place as to Macomo, I know nothing, except from the public prints, and hearing details from persons who were in the country. But I know this, that Macomo ought not to have been in the colony; and, therefore, the circumstance as to the latter expulsion ought not to have taken place. I mean to say, that if the orders of the governor had been acted up to in the first instance, he would not have been in a situation to be expelled.

1174. Then the expulsion of Macomo had no connexion with the prospect of locating the Hottentots and Bastards in that district?—Most assuredly not; I think it must have been six weeks after the expulsion, that the suggestion of Captain Stockenstrom was made to be allowed to locate the Hottentots.

1175. The Committee have reason to believe that the colonial policy in the management of frontier affairs, as connected with the Caffres, has been far from uniform, if such be the fact, please to describe the several changes with which you are acquainted?—From the time the frontier was occupied by the military, that is from 1812, when Colonel Graham was sent up for the purpose of expelling the Caffres, it may be necessary, perhaps, to go beyond that, but to me that is all matter of history. I know nothing of my own knowledge of what the state of the country was previously to the period when I myself went to the frontier. The country up to the Fish River had been occupied, as early as 1773 or 1775, by Boors from the northern part of the country, from Graafrinet, and they remained in possession of that country, the Zuurveldt, until about the year 1793, when they were first expelled by the Caffres, or rather partially expelled; some few, however, remained till about 1799, when the Caffres plundered them of their property and destroyed their houses, and massacred wherever they went, and in short took forcible possession of this part of the colony, where they remained; some feeble attempts were made in 1797 or 1798 to drive them out, but they were not finally expelled till 1812, when the original occupants of the land, the Boors, were invited back, and certain advantages offered to those who came from other parts of the country to occupy; that is, the lands were to be given to them free of expense, and in short, every encouragement was given for the purpose of the occupation by a dense population of this frontier district. The military government of the frontier, or the military establishment of the frontier, was made in the year 1812; from that period the system was changed. No Caffre was allowed, without a pass, to appear on the right bank of the Fish River; no settler or farmer was to be found on the left bank; very severe penalties of flogging, even of death, were ordered; at least these penalties were continued, and an old law was re-enacted, with the view of preventing intercourse which might lead to disputes, &c.; the Caffres who were found, as they could only be on the right bank of the Fish River for the purpose of plunder, if they would not deliver themselves up when discovered, were ordered to be followed up and shot, and many, I have reason to believe, were shot.

1176. Do you know whether the settlers passing over the river to the Caffre country were equally punished?—I have just stated that the then law was, that if any person should be found on the left bank of the Fish River he was liable to punishment, corporal punishment, and the law extended as far as death in certain cases.

1177. As you say the Caffres were liable to death and were punished with death, do you know whether the settlers were liable also to death, and were punished with death?—I have stated that Caffres found on the right bank of the river were, if they did not deliver themselves up and give a proper account of themselves, shot; I dare say they were.

1178. Was the same punishment inflicted on the settlers when they transgressed the bounds?—The laws were altered I believe in some degree previous to the period of the settlers arriving in the colony; but this I do know, that Lord Charles, by proclamation called to the recollection of the colony, particularly the inhabitants of the frontier, that such a law was in existence. I know that colonists who had gone over for the purpose of carrying on an illicit trade with the Caffres for cattle were apprehended and tried.

1179. And convicted?—Yes, there were convictions.

Major
William B. Dundas.

26 August 1835.

1180. What was the punishment?—They were confined for a limited period.

1181. Do you recollect what period?—I do not exactly recollect, five or six months perhaps; there were several imprisoned, but these people went over for the purpose of smuggling, with a good understanding with the Caffres, and for the purpose openly of carrying on trade—a very profitable trade, in cattle and ivory. They, to my certain knowledge, did not go over intending aggressions against the Caffres. This law was in force until General Bourke assumed the reins of government. As part of the frontier system of management I should here mention, that when cattle were stolen by the Caffres, the flock or herd of cattle were followed by spoor or track into the Caffre country, and if they were overtaken, of course the party recaptured them, and if any opposition was made by any Caffres driving them off, the Caffres were shot; or again, if they were traced to any particular kraal, the cattle if there found were recaptured, or reprisals were made if they were not found; and if any opposition was made, then it was lawful for the parties to fire.

1182. How many expeditions of this kind, for the purpose of recovering stolen cattle, took place during the time you were in the neighbourhood?—That I cannot tell. This I can say, however, that no week, during the three years and a half that I was on the frontier, passed without depredations to a serious amount taking place among the cattle of the settlers; and as these depredations were so frequent it was perfectly impossible, with the small military force of the frontier, to send parties to recover every one of these lots of cattle.

1183. The military were constantly employed by these expeditions into the Caffre country?—That they were frequently employed there is no doubt, they were continually employed (I mean those who were on the immediate line of the frontier) on patrol; they were continually passing along the boundary of the colony to observe whether there might be marks of cattle having crossed the main roads, and follow such, and to intercept any cattle they might by chance observe while being driven from the colony.

1184. How many expeditions do you imagine to have taken place during the year into the Caffre country to recover cattle?—I really cannot tell, but I can tell this, that during the whole time I was on the frontier, three years and a half, there was but one commando, properly so called, that is, a joint assemblage of burghers and military force, for the purpose of enforcing the restitution of cattle; there were other commandoes, but they were set on foot to defend the Caffres and Tambookies against the inroads of other nations.

1185. Do you mean to say that there were incessant robberies going on of colonial cattle, and only in one case the military were employed?—No, I particularly explained what I considered to be a commando; a commando is the joint assemblage of burghers and the military force in considerable numbers for the purpose of punishing the Caffres for depredations, or forcing the restitution of stolen cattle. There were frequent military parties that went in for the purpose of recovering cattle, or demanding the restitution of cattle.

1186. Do you know how frequently these military parties or expeditions took place into the Caffreland?—I cannot tell, I was not there in a military, but in a civil capacity only; the frontier was in some cases 70 miles, in others 40 or 50 miles away from me, and what may have happened on the immediate frontier I could not know; very frequently, indeed, I have reported the loss of cattle; (such losses were always reported to me as chief magistrate, and I forwarded the reports to the commandant); I may have heard that 30 or 40, or 50 or 60 head of cattle may have been taken in any one day, as many may have been reported, and perhaps recovered, or the Caffres have sent out cattle in their stead; or on the other hand, the cattle may have been forced from the unwilling Caffres.

1187. Please to continue your description of the changes of policy which have taken place towards the Caffres?—On General Bourke assuming the government he changed the system by which reprisals were to be made. He directed that when cattle were stolen they should be followed by the proprietors, or by as many people as might in the hurry and haste of the occasion be got together, either by himself or some field-cornet, when the track or spoor of the cattle would be followed till they arrived on the Caffre boundary; they were then on no account to pass the boundary, but they were to proceed to the nearest Caffre kraal; when there, they were to demand that the track or spoor of the cattle should be followed up with a view of recovering those actually stolen. I will read a memorandum I have before me on the subject of a system of what may be called forbearance, but it was a very mischievous one for the

the colony, and I would say, as far as the interests of the colonists were concerned, it was carried to a criminal extent.

1188. You mean the system under General Bourke?—Yes. If the robbers with their plunder were followed, an attempt was to be made to apprehend them, but no gun was to be fired except in case of resistance. Thus the Caffres would continue to drive off their cattle (the stolen cattle), and the losers must, by patience and forbearance, only endeavour to recover them (so says the proclamation.) If this be done by firing at the party, and death ensue, then is the person offending this regulation to be subject to a trial for manslaughter. The party following was not on any account to pass the boundaries, but to leave the track, and proceed to the first kraal, and there demand that the plunderers should be followed up. This demand was almost invariably left uncomplied with, as the chiefs who might follow would thereby excite an ill feeling towards themselves; expostulations from the Caffres themselves were made on this point, and nothing thereafter was done; the Caffre chiefs would not follow in their spoor. It is needless to say that no cattle were, after a time, recovered by these means; and as to the regulation, in my opinion so very absurdly framed, the colonists might doubt the legality of attempting the recovery of their own property. They were obliged to submit, and the Caffre depredations were carried to a greater length than ever: such was the law that yearly brought much loss on the inhabitants of the immediate frontier, and which was continued until 1830, when the impolicy of the measure was made apparent, and the old system, with some modifications, was again resorted to by order of Sir Lowry Cole.

1189. Might a deputy field cornet order a military expedition to go out upon his authority for recovery of cattle into Caffreland?—That may have been customary at one time on the frontier, but on the military occupation of the frontier by soldiers, the boor or farmer, the field cornet or the deputy field cornet, as the case might be, when he had followed the cattle to a certain distance, and finding that they had passed the frontier, he was bound to go and make his report to the nearest military station, as he could not of himself go further. I am now talking of the regulations for the country immediately fronting the British settlers.

1190. Are you quite sure that that was the fact, that Sir Lowry Cole did not, in his proclamation, give authority to the deputy field cornet to order out an expedition to enter Caffreland?—That order of Sir Lowry Cole was given, if any such were given, after I left the colony. I am talking of the principle on which we acted during the time I was on the frontier.

1191. In what year did you begin to be landrost?—In 1825.

1192. That continued till what time?—I continued on the frontier till October 1828.

1193. When you first entered on the duties of the landrost office, was there much robbery of cattle, was there a robbery every week?—Speaking in general terms, I would say yes; I never knew of any period of absolute peace and quiet on the frontier.

1194. You cannot speak of your own knowledge beyond that period of 1828?—Oh yes; I can speak beyond the period when I left the frontier, because being in the situation of military secretary, I was in weekly communication with the commandant on the frontier, I knew therefore of every movement he made, and the cause of the movement.

1195. Do you consider that the original boundary of the Fish River was objectionable?—Most decidedly; it is perfectly untenable. The lower part of the Fish River passes through a very difficult thickly wooded jungle country, that gave shelter in former times to great numbers of elephants, the only tracks through this country; the original tracks were elephant tracks; the thick bush occupies an area of very nearly 300 square miles. When the Caffres get into this country it is perfectly impossible to find them and to drive them out; from thence they sally and make their incursions on the colonists with almost perfect impunity. Had the arrangements of Sir Rufane Donkin—the proposal of Sir Rufane Donkin, taken place to colonize the ceded territory—had these arrangements been allowed to be acted on or continued, there would have been some protection for property on the frontier.

1196. That would have been incompatible with the treaty made?—The treaty was broken in upon by allowing the Caffres themselves to return; it was a most impolitic measure the allowing them to return at all, for if you have a bad frontier it is natural—it is necessary to improve it. Had this country been occupied, there is no doubt whatever but the Caffres would have been restrained: It would have

Major
William B. Dundas.

26 August 1835.

142

Major
William B. Dundas.

26 August 1835.

been much more humane to have taken possession of that country, for the allowing it to remain unoccupied was one of the great causes of the depredations. It was a bone of contention, being unoccupied, between us and the Caffres, and it was perfectly impossible to watch it narrowly; they came over at all times, and in all parts, and made their inroads without being seen, and without the possibility of being seen, into the colony.

1197. Do you think that, if we have an inconvenient military frontier, that we have a right, for the purpose of improving that in a military point of view, to make any encroachment whatever on the property of the natives?—I would answer that by telling you to look back to the history of the world; where have you found that when people have power, they have not used that power? The settlers were brought to that country—sent to that country by government; and it was right and it was proper that the situation of these settlers should be rendered as defensible and as secure as possible. I talk of this particular case—I do not talk abstractedly; there are many things which civilized beings do which are not to be defended.

1198. But reverse the case; supposing the Caffres found it convenient to make an encroachment on our property, and had come in for any purpose of their own profit for the recovery of their own property into our country, should you not have deemed that such an aggression, as would have justified the declaring war upon them?—I think I understand the question; if the Caffres came into our country it is very clear that we should try to defend ourselves. The present attack of the colony is a case in point; they have come into the country, they have murdered with savage fury every body they have caught; I say in doing that, (I do not speak now of any reason they may have for entering upon this war,) they show thereby their characters, which I know to be blood-thirsty, savage beyond measure. I have made myself acquainted as much as possible with the nature of man, and the nature of man in all countries, and I do not believe that there is a more desperate character, a more blood-thirsty character, in existence than the Caffre. I think that the New Zealander is not worse than he is.

1199. You think, then, that in the encroachments that we have committed on the Caffre, on his territory, that we have only followed the example of civilized men in all parts of the world; wherever he has power, and his neighbours are weak, that encroachments for his convenience are constantly made?—I cannot go as far as that—I cannot answer that question; for in the question you assume that facts have taken place which I do not admit. I cannot allow that; you may call them encroachments if you please; those persons, those Caffres, are themselves intruders in the country that does not and did not belong to them half a century ago. They are more intruders than we are. Our object may have been to civilize, at all events to make the colony as available as possible; but I do not consider that we are intruders on them, they are intruders on the land of the Hottentots.

1200. We found them in possession of the country, did we not?—We occupied the country of the Fish River as early as 1773; they drove the colonists out of that country. The fact is, they are a greatly increasing nation; from a small and insignificant horde, in the course of 140 years they have become extremely numerous, living on cattle, and increasing their cattle by every possible means; by theft and by breeding they have got a very great quantity, which it is necessary for them to find land to support. I think really that one of the principal causes of their present aggressions, or the war they have made on us, is to find more land to graze, to feed their cattle.

1201. But they having had possession of these fine tracts of country, their natural territory, in former times, having been driven into a corner, is it not natural for them and justifiable in them to desire to recover that territory that belonged to their ancestors formerly?—It did not belong to their ancestors.

1202. Did it belong to the British?—It did not; to the Hottentots.

1203. At all events, Gaika had as good a title to it as the British, and he had possession into the bargain?—I am not denying the fact of possession, but as to his title, that I question.

1204. Still, is not the title of the Caffre buried in some obscurity?—We know perfectly well that Gaika himself was born beyond the Kei—we know that; and we know that until after his birth the country on the west side of the Kei was only occasionally occupied by Caffres during some periods of the year; they never cultivated the grounds and built huts except for their herdsmen; they never cultivated on the right bank of the Kei possibly until during the lifetime of Gaika's

father

143
Major
William B. Dumas.
26 August 1835.

father, but certainly not previously to that. Therefore it is not a country which was occupied by the ancestors of this people.

1205. You have spoken something of an intention to civilize the country and that that had in some degree promoted our encroachments in the Caffre country?—I spoke of the acts of civilized men in general.

1206. Do you think a nation has a right, on the grounds of intending to civilize a savage nation, to take possession of their grounds and cattle?—The assumption is so monstrous I would not for a moment entertain it. I cannot answer the question.

1207. Do you not think that we civilized men have, for some reason or other, taken possession of Caffre and of the land of the savage nations in South Africa?—There is no doubt of our occupying the country, I will say that I do not think there is more legality in our property as far as the Fish River than there is beyond it.

1208. What year did you go to the Cape of Good Hope?—In 1822.

1209. Will you state to the Committee what districts since 1822, which were then inhabited by the Caffres, have been taken possession of by the British Government?—I hear by the last account from South Africa of a country having been annexed to the colony which I know pretty well, having passed over it three or four times at different points between the Kei River and the Keiskamma.

1210. Is it within your knowledge that a portion of the territory was taken possession of by the British in the years 1819 and 1820?—I am aware that something like a treaty or arrangement was made between Lord Charles Somerset and the chief Gaika, by which military possession was taken of the country between the Fish River and Keiskamma, up to a certain point of the course of the latter river.

1211. Do you consider that if the Caffres had done to us as we have done to the Caffres, namely, sent continual military parties into our country during the three or four years you were landrost, that it would not so have exasperated us and our Government, that we should have made war upon the Caffres?—If I were by nature a plunderer and a thief, having some reason, and knowing the consequence arising from such acts, I should say, my acts make me liable to punishment, I therefore must take the consequence. I mean to say, that the Caffres, from the numerous depredations that were committed by them on the property of the colonists on the frontier, could not expect any thing but that attempts should be made to recover the property stolen by them.

1212. Do you think that the Caffre plundering in detail, as you say he did, while you were there, is a greater robber than the civilized christian Englishman who has plundered wholesale, and taken away the territory of those people?—I think that the Englishman, or the English Government, were placed in the situation of judges to adjudicate on the act of the robber.

1213. They were placed in the situation of judges, and they had to inflict a fine or punishment, but is it quite right that the judge should inflict the fine when that fine is to be to his own advantage?—It was not to his own advantage, I deny that positively, I declare that for every head of cattle taken by us, ten were taken by the Caffres during the time I was there.

1214. But as to the territory, you are not aware of any instance; are you aware of any instance in the last 50 years in which the Caffres or the savages had taken possession of European territory, and converted it for a series of years to their own benefit?—I am aware that civilized man has a very great advantage over the barbarian, that where he places himself, he generally places himself with some power, power sufficient to enable him to remain in his position, therefore I do not see the possibility of such a situation as is imagined. I do not think we, the English, are likely, when we do occupy lands, to be driven out again.

1215. Did you ever recollect a Caffre expedition into our country in which they seized at one time 30,000 head of cattle?—It is a matter of history, but I know that they did.

1216. That the Caffres did?—Yes, they carried off every head of cattle that was to be found on the frontier; they swept the frontier bare.

1217. Do you suppose that amounted to 30,000?—25,000 head of cattle, and 1,500 horses.

1218. What year was that?—1817.

1219. Are you able to speak to that fact of your own knowledge at all?—I had access daily to all the records connected with the frontier; I was chief in my office, and there would be no papers there kept from my eye; of course I had access to every thing, and I suppose those papers gave a faithful recital of all that took place; I know from them that what I now state to be the fact, is correct.

Major
William B. Dundas.

26 August 1835.

1220. Are you aware, in the situation, in the military situation that you held there, of the promotions which took place in the Cape corps?—You are touching on very delicate and tender ground; I believe that those promotions, I think, at least, had nothing to do with the Caffre depredations, or very little; I know a great deal that would not be necessary to communicate to this Committee on the subject, but I know it in the same way, it is to me matter of history only.

1221. In the same way as you know the other facts you have been stating, from your access to documents?—I do know it; for my brother-in-law, Colonel Graham, was concerned, and deeply concerned in the business.

1222. You mentioned that the boundary of the Fish River was an objectionable one, was the boundary, acquired by the extension of our frontier with the Keiskamma, an improvement?—It was, inasmuch as it was, generally speaking, an open country; but it is a boundary that is passable in all places, it has no actual natural difficulties, it is passable at all points; it is however sufficiently marked and defined, and being in an open country, it is more easily defended and guarded, and therefore infinitely better than the former one; I mean that of the Fish River, which, if it were resumed, I would recommend that the government at home should send out ships to bring every Englishman from that part of the colony to England.

1223. Have you any local knowledge of the country which we are said to have lately acquired between the Keiskamma and Kei?—I have passed over it four several times, and by three different roads.

1224. Is it a fruitful country?—It is a very fine country.

1225. Do the Caffres possess large herds in that tract?—Yes, very large.

1226. It is in evidence that the Caffres had been dispossessed of territory; first of all of a tract 50 miles broad and 50 miles long; then another tract of 18 miles broad and 60 miles long, and lastly, according to the public sources of information, they have now been deprived of territory to the extent of 7,000 square miles; such being the fact, must not the inevitable consequence be that the Caffres must be reduced to very great extremity, and be compelled to commit depredations on their neighbours on all sides, for the purpose of subsistence?—As to the first slip of land that is mentioned, is the Committee alluding to the Zeureveldt? if so, as the Dutch colonists had possession before the Caffres, and were forcibly expelled by them, I cannot admit that they, the Caffres, were dispossessed.

1227. When did the Boors get possession of that country?—They first occupied it in 1773, 1774 and 1775, or about that time.

1228. How did they get possession of it?—In the way they got possession of all other parts of the colony.

1229. How was that, by purchase or by military force?—I have heard that some part of the western portion of the colony was purchased; I have heard so; I have seen in books that it is so.

1230. Did you find any record in this office of which you have spoken, and in which you had access to all the papers, of any purchase of territory made by the Dutch or ourselves at that time?—I cannot say that I ever did see any thing in the shape of a record which spoke of purchases made by the Dutch from the Hottentots, except in a collection of papers laid before the House of Commons by the Commissioners of Inquiry.

1231. Do you, in point of fact, in the slightest degree doubt that the Dutch got possession of this property by force?—There is no doubt but that they got possession in the way that possession is got in all such cases; they placed themselves on the land, and as they wanted more they spread themselves gradually over the country; it is the natural operation of man in colonizing.

1232. It is the natural operation of man, but do you conceive it is just?—It is one of those assertions I should never make; I do not admit for one moment that man has a right to tyrannize over his fellow man.

1233. The Caffre being driven out of the fruitful land of which he was recently in the occupation, must necessarily retreat on other tribes?—Yes.

1234. And for his subsistence he will necessarily plunder those tribes?—Or those tribes will plunder and master him.

1235. At any rate he will be necessitated to attack them; therefore, will not the consequence of our extension of boundary be accompanied with very great injury, not only to the Caffres, who most likely deserve it, but also other tribes beyond them, who are not at all instrumental in their outrages?—Unquestionably the Caffres have been dispossessed of the country between the Keiskamma and the colony, but I would keep this country as a matter of expediency; our colony is there, and there it must remain, and unless we have that country we cannot exist; as a matter
of

145

Majon
William B. Dundas.

26 August 1835c

of expediency I would keep that country; I say nothing about the latter acquisition, I will not even say that it is judicious, or that it is on the other hand right or proper. The revenues of the Cape are not very great, but the expense of keeping that country will be enormous; you may send over a vast population from England, or some other place, for the purpose of occupying that country; your present military force is not sufficient to occupy it or to defend it, and it must therefore be increased; and unless it is occupied, it will be the constant cause of warfare between us and the Caffres; it must be occupied in force or be given up.

1236. Do you conceive there is any probability that those distant tribes should combine with the Caffres for the purpose of committing aggression on our territory so far advanced, and so difficult of defence?—I know the contrary; I know the nations, the immediate neighbours of the Caffres; I have passed through them, I have visited the whole of the neighbouring nations; they will never unite with the Caffres.

1237. Are those the nations that will suffer by the retreat of the Caffres?—The Tambookies are peaceable good neighbours, and conduct themselves well and quietly to us, and have been useful neighbours too; I think they are not likely to be dispossessed of their property, for the colony would assist them, besides which, they are as numerous and powerful as the Caffres themselves; if they go further back they will meet with a very powerful chief, the chief of the Amopantees, who will not allow them to set a foot on his land; if they should pass through his land and go beyond him again, which they might do by his concurrence and consent, they would find unoccupied a despoiled country about 120 miles in extent by 40 or 50 in breadth; nearly 5,000 or 6,000 square miles perfectly laid waste and destroyed and depopulated, without a human being on it; this has been depopulated by the wars of the interior.

1238. Do you think the forcing back of the Caffres in the way we are at present forcing them, will not be likely to produce wars with those other chiefs to which you have alluded, and that in addition to the wrongs inflicted on the Caffres, we may not by those means perpetuate wars, and produce that extermination that you speak of, as having taken place in the most remote parts of the country, that we may produce that in the centre of the country?—There is no doubt whatever, if you dispossess those men, if you drive them back on others, there must be a collision between them. If they are stronger than others in war, then they exterminate and destroy them, or drive them further back; it is a natural operation.

1239. Is it not the natural and inevitable state of things, that we excite wars that may become wars of extermination among those natives, and by that means may ultimately depopulate that part of the country at present inhabited by those tribes?—That wars will be the consequence, or that differences between those and other neighbours will be the consequence of this there is no doubt, none whatever.

1240. Do you conceive that this last extension of our boundaries will diminish or add to the amount of evil which has been inflicted on the natives, by our intrusive dominion in the colony of the Cape of Good Hope?—There is no doubt whatever that a great deal of inconvenience will arise, a great deal of evil will arise, a great deal of misery probably will arise to those people, from having been expelled.

1241. In explanation of the question, do you think it will lead to the renewal of war between the Caffres and ourselves, and the frequency of massacres and the destruction of property on both sides?—Unless those men feel themselves in the quiet possession of their lands and property, they will become public disturbers, they will commit depredations on us and upon all the nations around them; the other tribes will rise on them, and either absorb them into their own body or they will massacre them.

1242. Do you consider sufficient territory still remains in the hands of the Caffres for their comfortable subsistence?—No doubt; if they choose to go beyond Umzamboobo, they will find a finer country than they occupy at present, more productive and better watered, streams more numerous, and capable of supporting a much larger quantity of cattle, which is now unoccupied.

1243. Then as we want accession of territory for our farmers, why should not our farmers do this?—They would be very glad, they would very readily go there.

1244. Would it not have been a more convenient arrangement that we should have left the Caffres in undisturbed possession of their own property, and have gone to this deserted land?—The present accession has arisen from their attack upon us. Upon my faith I declare, I do not believe that the British settlers of Albany

Major
William B. Dundas.

26 August 1835.

had any right to expect the conduct the Caffres have displayed towards them; I know that the British settlers were kind on all occasions towards them; I never heard of a well-attested fact of their having made inroads or aggressions upon them or their property; I am talking of the British settlers! They never formed any part of the commandoes that entered their country, never; those commandoes when made were always composed of the Dutch and the military, and when the Caffres were attacked, it is very true a considerable number of Englishmen, young enterprising men, did break through the custom which is general there, of not joining the commandoes, and went to assist in their defence; the English settlers were not generally capable of entering upon the duties of commando—they were not armed, they had but few horses; there was hardly one man in ten who had a musket, I believe before this last Caffre incursion. This conduct towards the Caffre nation certainly deserves a very different treatment in return from that which the Caffres have shown to them.

1245. You were not at the Cape near the time in which the late war broke out?

—No.

1246. You cannot speak as to the points on which that war originated?—Yes, I can.

1247. Are you aware of a military expedition under the command of Lieutenant Sutton and Lieutenant Sparkes?—I believe the cause had its origin long previous to that.

1248. Do you recollect that?—No.

1249. You have said that, according to your view, the aggression has been on the part of the Caffres, the neighbours. You were asked in candour, if we had a Caffre officer sitting here, and we were asking him those questions, he would not say the aggressions and the cause of the wars had been on the part of the English?—I do not believe he would; he knows his people and himself too well.

1250. Are you aware of a letter that Macomo has sent to the commander-in-chief, stating in the strongest terms, that the war has originated in the encroachments made by the British?—If such a letter has been written, it has been written by some of the London missionaries; it is their act, and not the Caffres'.

1251. What makes you think so?—I believe it, I may say.

1252. Have you seen the letter?—No; I assume it as a fact that such a letter has been written; I say if it has been written, it was written by them.

1253. Do you believe it impossible a native should write a letter of that kind?—I do; I can positively affirm that Macomo can neither read nor write. If Macomo had been properly treated from the beginning, there would have been no occasion to expel him from the country he is driven from.

1254. You think the London missionaries have an opinion the Caffres have been improperly treated?—The London missionaries have put frequently such opinions into their heads.

1255. What proof have you of that?—The impression is on my mind that it is so; I could state circumstances that have occurred, which though they did not occur in my presence, yet I honestly believe to be the case; I believe that, and I allude principally to an occasion in which the chief Botman was concerned; I believe that Dr. Phillips told him plainly and positively, that he ought not to be satisfied with the arrangements of the government, that the country between the Fish River and Keiskamma was the property of the Caffres, and that they ought to get it; thus making the Caffres dissatisfied with the arrangements of the colony.

1256. You think it an offence in a man, more especially in a missionary, if he has strong impressions that justice is not done to the natives, to give them every facility in his power, and every encouragement in his power to obtain justice?—I say it is but right and just and proper that the missionary should, if he conceives the natives have been oppressed, do his utmost to remedy the evils; but he should not make them dissatisfied with the arrangements of government, by speaking out plainly that such is the case. I say it has, in my opinion, been very generally done by some of the missionaries, and therefore I say that much of the evil which has lately arisen to the Colony is attributable to them.

1257. Will you state the evidence you have to prove that Potman was stimulated by Dr. Philip to make demands that he otherwise would not have made?—It is impossible to know whether he would otherwise have made those demands or not, but this I do know, that my impression, I tell you my impression is, that a conversation, a public conversation took place between Dr. Philip and Botman to that purport, and is on record.

147

Major
William B. Dundas

26 August 1835.

1258. Is it in your possession?—No; but it is on record.
1259. When did this conversation take place?—I cannot tell.
1260. Who was present at it?—That I do not exactly know.
1261. Then are the Committee to understand you make this charge against Dr. Philip?—I do not make it—well, I will make the charge.
1262. That charge you make against Dr. Philip is for language he held at a time when you were not present yourself, when you do not know who was present, and you do not know the date of that conversation?—I have been forced into an answer to the question; I stated my impression, that much injury had been done by some of the missionaries in making the Caffres dissatisfied with their situation.
1263. What is the record to which you allude, cannot you state to the Committee?—I believe that a report was made to government.
1264. Was the substance of that report this, that the natives, being dispossessed of a certain part of their property, Dr. Philip said to one of those natives, that it was improper that they should be so dispossessed; was that the nature of the conversation?—I said, that Dr. Philip had said to Botman, that the land on which he then was, was by right his; and he ought to recover it.
1265. That could not be so, you mean?—I mean the land on which he was then standing.
1266. That was some land he had been dispossessed of?—I presume so.
1267. Suppose you were in this situation, that you had a communication with a man who had been dispossessed of a field, and you said to that man, "You have been dispossessed of this property; I think you ought to possess it;" would you think that an offence, either for a christian or a man?—No, the case is different; the one case involved merely a disputed question of private property; here is a matter on which depends the comfort, safety and security of the frontier.
1268. The principle is the same?—I do not see that, abstractedly, the principle may be the same; but where a question becomes of importance, and involves the safety and interests of many thousand persons, it is then very widely different. I would say, that Dr. Philip, speaking openly in that way, forgot himself, and forgot what he was doing. He was not then the minister he pretends to be of religion, but he was the minister of—he was, in short, serving mammon, not his God.
1269. He was not the minister of religion, but of justice. He said to a man who was deprived of property, he ought not to have been deprived of that property?—He should privately, in my opinion, have tried to restore those people to their property, and not to have rendered the people dissatisfied, till he found no other means could be taken.
1270. Had you any other reason to complain of Dr. Philip for not privately doing what he could to get justice done to those people? Had you reason to think he did not do his utmost privately to obtain justice for the natives?—I do not know what he had done privately.
1271. Do you know that he had not done his best privately?—I do not know indeed; it is one of those things I cannot answer to.
1272. You just now said that it was not serving God, but mammon; do you mean to imply by that, that Dr. Philip was actuated by any personal or interested motive in the course he has taken with regard to that?—I firmly believe that was Dr. Philip's motive; that he has done a great deal to disturb the frontier; and that he has been influenced not by the best motives, or at least, if he has been influenced by the best motives, he has not gone always honestly to work to forward them.
1273. Be kind enough to state the facts to which you allude?—He has written a book, and that book will speak for itself; in that book there are many statements and many assertions which an honest man ought not to have made, to serve his own purpose; to become important in the eyes of a certain set in England, he has written that book, and he is disturbing the peace and quietness of that country by having done so.
1274. In the same way pretty much as the missionaries in the West Indies disturbed the peace and quiet of the colonies; and from pretty much the same motive?—I am speaking of things I know about.
1275. Have you got that book by you?—Every body has got the book; I dare say it is on this table.
1276. Could you specify to the Committee some of the particulars as to which you have in general said there were exaggerations and mis-statements?—Why, I know there were exaggerations; I know there were mis-statements; I know he

148

Major
William B. Dandus.

26 August 1835.

was prosecuted for a malicious calumny on one of the public officers there; I know that he was sentenced to a very heavy fine in consequence.

1277. Does that refer to this book that you speak of?—It was out of this book that he was convicted.

1278. A libel published in that book?—Yes.

1279. Do you really believe that Dr. Philip got justice on that trial?—Yes, but less than justice.

1279.* Are there any other circumstances you can mention?—Yes; I will name another, in which I was myself concerned. Dr. Philip came into my office one day, and he thanked me for the kindness, the attention and the humanity I had always displayed towards the Hottentots; and as I had always proceeded on one principle, that of fairness and justice to them as men, I took the compliment in good part. When the book came out, to my astonishment, after the praise he had given me, I found a direct attack upon me on the very circumstance he had praised me for.

1280. Can you state to the Committee any other particulars bearing on the charge of exaggeration and mis-statement in this book of which you speak?—Oh, I could not now go over a work of that kind; I know that there are, but I do not remember them at this moment.

1281. Are the Committee to understand the case to which you alluded, the libel for which he was punished, was the most striking case that occurred to you?—I do not say that it was the most striking; I merely introduced that, because the libel was proved in a court of justice against him, and he was fined accordingly.

1282. You do not recollect at this time any other particular instance of exaggeration or mis-statement?—I really cannot at this moment, in any particular.

1283. You stated that you had an impression that a certain conversation had been heard between Dr. Philip and one of these Caffre chiefs; did you state to the Committee your reasons for that impression?—I stated the circumstance was communicated to the government.

1284. Do you know that of your own knowledge?—I believe it.

1285. Is it hearsay or direct evidence?—I have seen a copy of the letter, a report of a conversation between Dr. Philip, the missionary, and Botman, a Caffre chief.

1286. Have you any objection to state who was the author of that letter?—I must consider for a moment, because if I state who the author was—if I might be allowed to state who the author was—I might perhaps as easily give a copy of the letter; but that it exists—a copy of the letter—I vouch on my honour and faith.

1287. But the question is whom the letter comes from?—From an authority.

1288. Was the substance of that letter ever communicated to Dr. Philip, and was he called on to vindicate himself from it?—I cannot tell.

1289. Are the Committee to understand that this copy of that letter to which you allude is the only reason for the impression you have formed as to that conversation taking place?—That copy of that letter—yes, that is the only reason.

1290. Do the Committee derive a just inference from the animadversions you have made on Dr. Philip's communication with the native chief, that you consider a missionary mixing up political topics in his intercourse with the natives whom he professes to christianize, acts inconsistently with his primary duty as a missionary?—Most certainly; but for that impression I should not have said a word against Dr. Philip.

1291. You think missionaries have been useful in the Cape?—Some have. I think the Wesleyan missionaries have done wonders, more than possibly could be expected from people in their situation. I have the highest opinion of them and of their usefulness. I was in almost daily communication with some of them; their works, their acts, and their discretion bear me out in my opinion, and the influence they seemed to have over the Caffres in restraining depredation and plunder to a certain extent. Mr. Shaw, who was before the Committee, has done more than it is possible to imagine any human being could have done; he has kept in due and proper restraint some 10,000 or 15,000 people, by the most discreet conduct on his part; but the missionaries further to the north, what have they done? I believe they have hardly christianized a single individual; they have no influence whatever over the minds of the people they have been amongst.

1292. Which do you mean; what class, what establishment of the missionaries?

—The

149
Major
William B. Dundas

—The Wesleyan missionaries have better materials to work upon than those further to the north, among Gaika and Gaika's sons, and his people.

1293. Whom do you allude to as the missionaries to the north, who have done nothing?—I am talking of those in Caffraria.

1294. What description of missionary did you refer to?—I am talking of those immediately on the frontier of Albany.

1295. Of what denomination?—There are some Wesleyans among them, some Glasgow missionaries, excellent and good men; they have done every thing they could possibly do, yet they have done nothing; the seed has fallen on an unfruitful ground, and nothing has been effected.

1296. It is the fault of the field, not of the labourer?—I am not talking of the labourers; I have the highest opinion of them. Mr. Thompson, one of the best men on the frontier, has done what was possible for a man to do, but he has done nothing which, from its results, can be seen.

26 August 1835

Veneris, 28^a die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Captain Richard Blakeman, called in; and Examined.

1297. YOU were a captain in the 54th regiment?—I was.

1298. Were you quartered at the Cape of Good Hope?—I was.

1299. In what year did you go there?—We arrived in Simon's Bay at the Cape of Good Hope, on the 1st of June 1819.

1300. How long did you remain at the Cape of Good Hope?—I left the colony about September 1822.

1301. Were you quartered upon the frontier of the colony?—I was on the extreme frontier; I commanded there.

1302. At what point?—Willshire Fort; as soon as it was completed, I had an extensive command from the sea to the Winterberg.

1303. State what took place, with regard to the treatment of the Caffres, during the time you were in that command?—As soon as Willshire Fort was built, I was ordered to command there, having a patrol of 200 troops, half cavalry, half infantry; but the cavalry were not sent, in consequence of the horses being sick. I was to keep parties out constantly on patrol, to shoot all Caffres, armed or not, that entered the colony.

1304. Were your instructions that your men were to put to death the Caffres, armed or unarmed, whenever they met them?—Most pointedly, and pointedly repeated were my orders; the Colonial Office has not only my reports on such communications, but documents to prove those reports.

1305. Did any of your men, during the time you were in command, obey that order, and put Caffres to death?—I have no qualification to that answer; I shall give it direct. I promulgated those orders, reading them most expressly, and enforcing them on the men; notwithstanding that, I trust I need not mention the officers' names, which I fear I must do to be correct.

1306. If you can avoid mentioning names, it is better; the Committee do not wish to have any thing personal, if they can avoid it; if it comes before them, they will not refuse it?—At present, then, I will dispense with officers' names; there was a captain, nearly of as old standing as myself, had used to give those patrols beads and buttons, with the intention, and which he actually did, of luring the Caffres into the colony; he getting an ox for about 25 buttons, or for a few strings of beads and ivory, in proportion; and being accused of it, when my orders were so express, that I should send other parties out; and certainly, according to the reports, the official reports, I doubt not the creatures were shot while they were giving their cattle or receiving the baubles; this was reported, and this was proved, by documents forwarded to the commandant, Major Jones.

1307. Is that officer to whom you allude alive now?—He is dead.

1308. Did you state this officially in your report to Government?—Most directly to the commandant on the frontier, Major Jones; and I have every reason to believe, from the general orders or observations communicated to the frontier from Sir Rufane Donkin, that he knew—in short, I am convinced he did, from the

Capt. R. Blakeman.

28 August 1835.

150

Capt. R. Blakeman.

28 August 1835.

reports promulgated, particularly as Colonel Daniel wrote to me to reprimand the lieutenant.

1309. Were you employed at any time under the command of Lieutenant-colonel Willshire?—Particularly so; Sir Rufane Donkin, then in communication with Willshire Fort, ordered Major Jackson to command there; Colonel Willshire had objected to it, saying I was an experienced soldier, who had gone through every gradation, and he thought extremely zealous, and that I should be more fit for that duty; consequently I was sent there, and Major Jackson not.

1310. During the time you were under the command of Colonel Willshire, were you employed by him in making an attack on a Caffre village?—Yes, most particularly.

1311. Will you be kind enough to state all which occurred?—One evening, I forget the date, but I imagine about four or five o'clock, Colonel Willshire sent to my quarters, and told me to be ready to march that night, at about seven o'clock, into Caffraria; that I was to take the command of 200 men, to ambush three Caffre kraals. I went to Colonel Willshire himself, when he was repeating his directions to me, but, fortunately for me, he observed, "I will go with you myself." We commenced our march about seven o'clock, crossing the Keiskamma River; he brought two Caffre guides with him; we arrived at the first kraal I should imagine about twelve, or one or two o'clock, in the desert; having no watches I cannot be exact as to the correct time, when Colonel Willshire observed to me, "Captain Blakeman, load every third man;" I did so; "now," says he, "take, I think, 70 or 75 men, and place them under the command of Captain Coote, or the next Captain in command, next in seniority to you."

1312. Had those 75 men all loaded muskets?—There was a proportion of them arrived only.

1313. You took a third of the men as they stood?—Yes; there were orders most expressly given and pointed; Colonel Willshire addressing me, though Captain Coote stood as near him as I was, "Captain Blakeman, you will order Captain Coote to lie in ambush as close as he can lie, and on no account is he to make any alarm; wait for daylight, and when there is daylight sufficient for him to distinguish men from women, he is to rush into the kraal, bayonet the men, but take care of the women and children."

1314. What occurred after that; were those orders carried into execution?—Yes; as soon as he gave these orders, we marched immediately to ambush the second kraal, which was intended for a small party, it being a small kraal, but the guides, through some mistake, came right into the centre of the kraal, instead of leading them to ambush; in consequence, there was a rush of the Caffres took place, when one of Colonel Willshire's party fired, and shot a man dead, for I saw him dead. It was ascertained I believe afterwards that there were stolen cattle there; after this Caffre was shot, Captain Coote, just across the ravine, commenced an indiscriminate firing on the people that were dancing round the fire in a state of nakedness, men, women and children. It was Colonel Willshire's party that gave the first fire, but the others kept it up in a most random manner for a considerable time.

1315. Were women and children killed in the attack made by Captain Coote?—There were; I saw two children brought in wounded. This alarming the Caffres, we had nothing to do but to visit the extreme kraal to collect the cattle; those cattle had been stolen, and, as I understood, murders committed by the Caffres; they stopped, and fired the whole of the huts, after collecting the cattle; the cattle were sent about eight o'clock, but the party were detained for five, or six, or seven hours afterwards; but when we returned with Colonel Willshire, Colonel Willshire was apprized; he had heard the shots, but he did not know the effect, but he was informed that men, women and children were shot, and that a Caffre woman was thrown into the fire of her own hut. Captain Coote commanded this party that had so fired. Colonel Willshire immediately wrote to him, as he told me himself—I did not see it—to state in writing most particularly why he fired against orders, and to state most particularly what he knew of the report of a Caffre woman being thrown into the fire alive. On my return home—I had been on duty absent from home about 30 hours—my wife met me at the door, exclaiming, "Good God! what have you been doing? a Caffre woman has been ill-treated, and thrown into the fire alive by a lieutenant;" this lieutenant was passing my door at the time; I called him in, and put these questions to him. The first question, "Did you throw a woman into the fire?" Answer, "I did." Second question, "Was she dead?"

dead?" Answer, "Yes." Third question, "In what part of the body was she shot?" Answer, "In the knee." Question, "Had she any other wounds?" His answer evidently implied, not that he knew of, or a confession, and no direct answer to it. Fifth question, "Why did you throw the Caffre woman into the fire?" Answer, "To prevent the wild beasts from devouring her." I made in my communication an observation of every thing the Caffres did, not only to their dead, but also, I was informed, to their dying.

1316. Is the lieutenant in question alive or dead?—He died a captain; he was promoted; he was intoxicated, I was informed in the official letter that Captain Coote, who commanded this party, wrote to Colonel Willshire; he stated, that he was informed a Caffre woman had been thrown into the fire, but that she was dead. This report, I cannot say what report, but there was such a report sent to Sir Rufane Donkin at Cape Town, as occasioned him to communicate something to Colonel Daniel, my commanding officer; and he sent me a very strong reprimand to communicate to the lieutenant, which I gave him.

1317. Was any sort of inquiry instituted into this transaction?—There was not; which my papers particularly observe, in my correspondence with the colonial secretary in London, there was no inquiry.

1318. No inquiry, either of a civil or of a military nature?—No.

1319. You said that beads and buttons were given to the Caffres, to induce them to come into the colony?—Given to the soldiers sent out to shoot the Caffres, if they crossed the river, to lure them in, which they did.

1320. Were you engaged in shooting the Caffres that were thus enticed into the colony?—I did send other parties out when I got my information from Dr. Fynam. I did send parties out to carry into effect the orders I had received; my orders were express, and very pointed.

1321. Were the Caffres absolutely shot who had been seduced and enticed into the colony by these means?—I received frequent reports that they were shot, but, officially, to the amount of four or five, which I officially communicated to the commandant on the frontier.

1322. Were those Caffres who had been enticed into the colony that were thus slaughtered?—I never saw it with my own eyes; but officially, from the different parties that went out, I received official statements of four or five being shot, which statements I forwarded. I believed them, and I believe they were believed at head quarters.

1323. Have you good reason to suppose these four or five Caffres who were shot had been allured into the colony for the purpose of being so shot?—I do believe it.

1324. Can you state the dates of the transactions you refer to?—I cannot state them.

1325. Do not your reports exist in the office?—Yes, in the Colonial Office; everything I have stated has been received from me.

1326. The dates, then, would appear on the official reports?—Yes.

1326.* Do you mean that the papers are in the Colonial Office in London, or in the Colonial Office at the Cape of Good Hope?—At the Colonial Office in London; the correspondence so long going on abroad, between Lord Charles Somerset and Sir Rufane Donkin, occasioned the reports to be constantly going.

1327. You are convinced the reports are in the Colonial Office?—Yes, and if they are not to be found there, I think I can point out where they are to be found.

1328. Did you consider your orders so imperative upon you, as that if you had known individual Caffres had been lured over the border in the way you describe, you would have felt it your duty to shoot those who had been so tempted?—I followed my orders in sending out patrol; I felt much, but the idea of duty superseded every other idea in my own mind.

1329. If you had been in the command of the country, and knew that individual Caffres had been lured over the border, should you have felt it your duty to have shot those individuals?—No, I should not.

1330. Did you send your despatches direct to the Colonial Office in this country?—Yes, since I came home, through Lord Fitzroy Somerset, military secretary.

1331. Did you make reports of these transactions to the government in the colony?—I was under command; I made reports to Major Jones, and it was his duty to report to the government.

1332. When did you send them to the office here?—I had a long correspondence for three or four years, when Lord Charles Somerset came home under accusation;

152

Capt. R. Blakeman.

28 August 1835.

I then stated all these occurrences, and sent them to the military secretary, and they were forwarded by him to the Colonial Office, as I was informed.

1333. Can you, by reference to your papers, discover the period at which you sent the report of the attack upon the Caffre villages?—I think I can if I had the papers, but they were taken from me on the 3d of October 1831, with my orderly book.

1334. Have the goodness to look at that letter, and state whether that is your hand-writing, and whether it will refresh your memory in any degree—[*a Letter being shown to the Witness*]?—Yes, I remember that date extremely well, it was my first correspondence with Mr. Parker; it is essential placing my letter on the Minutes of Evidence, for at that date I had the papers and orderly book in Limerick.

1335. Does that give you the date?—Yes, when I was sent out with the 200 men, when I accompanied Colonel Willshire on that duty, was the 16th of August 1821.

1336. When you say your papers were taken away from you, was that in the ordinary course of duty?—No, I was put into custody; I apprehend Sir Frederick Roe can give some information upon that.

1337. On what ground did they take your papers?—On the ground of insanity, as though I was insane, which I believe it will be proved I never was.

1338. Your papers never were restored?—No, my orderly book and every thing, and other memorandums, very extensive ones, were taken from me.

1339. Were you placed in confinement for any considerable length of time?—I was confined first of all in Mount-street establishment, I believe called the hospital, where I was six weeks afterwards; I was taken out with a pretence of taking me to the bank to receive money, and to be liberated, when I was taken to Hanwell Asylum, and there remained 10 months, from the 3d of October 1831 to the 3d of November 1832; I was between the two establishments 13 months in confinement.

1340. Were you ever in confinement on a similar ground at any other period?—No, never; I am convinced there is evidence to prove I never was insane.

1341. Have you conclusive evidence to prove that this charge made against you of being insane was groundless?—I think so, on investigation, I have no doubt it will be proved so.

1342. You were placed between the Fish River and the Keiskamma?—I was.

1343. That territory had been taken from the Caffres?—It had.

1344. It was denominated neutral territory?—It was.

1345. Were you present on any occasion in which a chief of that district earnestly supplicated to have some portion of the land assigned to him?—I was.

1346. What was the name of that chief?—King Gaica.

1347. What was that petition?—He repeatedly made application to get some tract of ground where he and his other captains had been reared, but more particularly to have permission to graze his cattle on the neutral ground, stating that King Slambie had driven him from all his ground in the rear, and that his cattle were starving.

1348. Were you personally present when Gaica, in the most earnest and abject manner, prayed a small portion of his own territory should be restored to him?—This I wish to qualify by giving what is more tantamount, and which I am more certain of; he was constantly making this application—I was the commanding officer, but on this occasion the commandant of the frontier, Major Jones, was there,—that his cattle were starving, and he begged, prayed and urged that he might be allowed to graze in the neighbourhood of his own kraal, and constantly did he, on behalf of himself and his captains, make an application for ground where they were bred.

1349. Do you know this fact of your own knowledge, and with your own hearing, or was it communicated to you from some other person?—I heard it on one occasion, but frequently it was communicated to me.

1350. You heard King Gaica himself on one occasion earnestly supplicate and entreat for a portion of his own land to be restored?—I will qualify that by saying I think; to the best of my knowledge, but I could swear most positively that he begged and prayed in the most earnest manner that permission to graze on that frontier might be allowed him, as there was no grass near him, and his cattle were starving; a day or two after this my orders were so peremptory, that I seized 50,

60 or 70 head of cattle so grazing, and sent them in as government property to Graham's Town. Capt. R. Blakemo

1351. Were they ever restored after that?—I believe they were a fortnight after, but my orders were express. 28 August 1835

1352. Are you aware of Lord Charles Somerset having entered into any treaty with the Caffre chiefs, that the territory between the Great Fish River on the west and the Keiskamma on the east, should be neutral?—Yes, Lord Charles Somerset did, as I am informed, enter into a treaty that that was to be neutral ground, not to be occupied by either party.

1353. Was that treaty observed?—It was not, as large locations were established on the neutral ground that is between the Great Fish and Keiskamma Rivers.

1354. By whom?—By Sir Rufane Donkin, after Lord Charles Somerset left.

1355. You state that Sir Rufane Donkin established large locations?—As I was informed, it cannot be doubted, it was so generally known.

1356. If Sir Rufane Donkin established large locations (in the plural number), be so good as to give the names of those locations, and state where they were placed?—Between the two rivers, the ground was very extensive; I cannot take upon me to say I never furnished papers about the settlers, but on my frontier duty I was closely confined to that duty.

1357. You state that Sir Rufane Donkin violated this neutral territory by establishing several large locations (in the plural number)?—So it was considered by all.

1358. But you do not know that of your own knowledge?—No.

1359. Did you ever hear of a place called Fredericksburg, established by Sir Rufane Donkin?—No, not particularly; I can enter into no further particulars than my general information leads to; I had my duty to perform.

1360. You never heard of a location formed by Sir Rufane Donkin called Fredericksburg?—No.

1361. Consisting of disbanded soldiers from the Royal African corps?—I remember a large establishment going out to the officers of the African corps; they went to locate, and I believe some of the disabled soldiers, but what part of the country, any further than between those two rivers, I know not, for I was never in that neighbourhood.

1362. Your statement that Sir Rufane Donkin's having violated this neutral territory by placing large locations (in the plural number), rests solely on hearsay, and not on your own knowledge?—Yes, certainly, except that I know they were established there.

1363. You appear to have known Gaica; and to have communicated with him?—I did know him well.

1364. Did you ever learn from him that Sir Rufane Donkin established this post of Fredericksburg at Gaica's own request, and with his entire approbation?—No, I was always led to believe differently.

1365. Do you not know that one of the leading rules of that establishment was, that it should not be a cattle station, that there should be no cattle to tempt the Caffres, but that they should cultivate corn, and be an advanced post, to prevent the Caffres entering our territory?—No.

1366. You know nothing about those locations but from hearsay, which hearsay conveyed to you no information about Fredericksburg?—No.

1367. Are you aware that by the treaty of 1819 the Caffres agreed to give a portion of their cattle for the restoration of that neutral territory?—No, I never knew or heard a word of that, they had to give an indemnity for the 20,000 head of cattle, to indemnify the farmers, as compensation for the cattle that were stolen.

1368. Are not you aware of the treaty of 1819?—No further than was merely communicated; I was not of course one in authority, that was on the staff, or any thing of that kind.

1369. Are you not aware that it was made one of the terms of the treaty of 1819 that the Caffres were to give a portion of their cattle for the restoration of that neutral territory?—No, I always understood that the army seized cattle to the amount of 20,000 to indemnify the farmers for those stolen.

1370. Do you know any officers who were engaged in the negotiation of 1819?—No, I do not.

1371. Do you not think that Sir Rufane Donkin, had he established a number of locations on this neutral territory, would have violated a solemn agreement made with Gaica?—Yes, I should think so.

154

148 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Capt. R. Blakeman.

28 August 1835.

1372. Was Sir Rufane Donkin a sort of man to break faith with a Caffre chief, or had he the character of being tolerably honest in his transactions?—I am of opinion that Sir Rufane Donkin was considered a conciliatory man.

1373. An honest man, or otherwise?—I should say so: I believe not an honest man in existence could give universal satisfaction to the general wish of the locators at the time.

1374. The question goes to the character of Sir Rufane Donkin as to honesty and integrity, and whether or not you think him a man likely, from his general character, to violate a solemn agreement made with one of the Caffre chiefs?—I have heard general talk that it was done in many transactions, particularly by the locators that made application for grants; I have heard a general complaint.

1375. The question respects the general character of Sir Rufane Donkin?—I had the duty of a soldier to attend to; I had nothing to do with locations.

1376. Do you, of your own personal knowledge, know any transaction in which Sir Rufane Donkin was engaged, which impeached his honour, integrity or veracity?—No.

1377. You are not aware of any further facts bearing on the subject than those you have given in evidence to the Committee?—No.

1378. Are you acquainted with the hand-writing of General Darby?—I am.

1379. Is that letter in his hand-writing—[*a Letter being shown to the Witness*]?—I am sure it is, I have a copy of it.

[*The same was delivered in and read, as follows:*]

Dear Sir,

Clifton, Dec. 20, 1824.

I have received both your letters, and lest my silence might have the appearance of reluctance to bear testimony as to what you say concerning Captain Blakeman, formerly of the 54th regiment, I feel not the smallest difficulty in assuring you that whilst he was under my command, which was the whole campaign in Egypt, and afterwards for three years in garrison at Gibraltar, that he was considered by all as a very humane, deserving officer, extremely correct in all matters that came under my observance, and that I shall feel great pleasure to bear testimony to it whenever his veracity may be called in question. I do not understand the point in question, nor do I wish to have any thing to do with it, not doubting but those persons to whom government have thought proper to intrust power, they had perfect right so to do, and at so great a distance from them, knowing so little of the truth of all the circumstances, we are enabled to form no accurate judgment of the transactions. My dislike to enter upon a subject of which I know but little, prevented alone my replying to your first letter, and which the fear of my not answering your second might be prejudicial to Captain Blakeman, makes me do now. I beg my compliments to all your family,

To Wm. Parker, Esq.
Passage West, Ireland.

And am, very truly, yours,
(signed) C. Darby.

Exclusive of this character, Major Jones, a friend of Sir Rufane Donkin, wrote in general orders, returning me the highest thanks, and Colonel Willshire the same.

—Captain A. Stockenstrom, called in; and further Examined.

Captain
A. Stockenstrom.

1380. WHAT paper is that in your hand?—I have throughout my evidence tried to impress upon the Committee what my view of the frontier system has always been. I gave it as my opinion that we were punishing the innocent for the guilty, and that by adhesion to this system we had brought the present misfortunes on the colony. A gentleman present in this room, unconnected with the colony, hearing my evidence, has put into my hands two papers, received from an officer from the Cape of Good Hope, now I believe on the governor's staff, which is so confirmatory of my position that I should merely wish to read the passage to the Committee, and the Committee may make whatever use of it they think proper, because it was given to me with *carte blanche* to do with it as I please. This is a letter dated Cape Town, 20th of January 1835, written by Captain Alexander, sent out by the Geographical Society (as I have been informed), now on the Governor's staff; it is a very short passage. He says, "The cause of the irruption of the Caffres is simply this: the old commando system; thieves and bad characters among them plundered the settlers; occasionally the commandoes proceeded to the nearest kraal (innocent of course, for the guilty were far in the interior), and took from it cattle equal in number to those stolen. Human nature could not stand this." Here is another letter, dated 10th March 1835, in which the same officer says, "There is a great outcry here against the missionaries; the blame is laid on them for having occasioned the present war. I think they have had very little to do

155
 Captain
 A. Stockenström.
 28 August 1835.

do with it; we must go back to 1811, when the Caffres were driven by the commandoes from their purchased territory, from the Sundys to the Great Fish River, an extraordinary treaty made with Gaica in 1817, who was considered improperly as the head of the Caffres on this side of the Buffalo River, the fine pasture between the Fish and Keiskamma at one time allowed to be occupied by the herds of the Caffres, and then their huts burnt off the land. Macomo has been served in this way three or four times. A few new settlers here, unacquainted with the Caffres, petitioned the governor to reduce the Cape corps; it was reduced, and 250 men only left to defend the whole line from the Winterberg to the sea." This confirms what I have stated, that our reprisal system, and the blood shed in consequence, has proved the misfortune of the frontier.

1381. Did you, when you returned to this country, communicate with any individuals, and give them the information that you had collected in South Africa, or did you reserve your communications for Government alone?—In common conversation, whenever the subject of Southern Africa was upon the carpet, I expressed my sentiments, as every individual had a right to do, both for and against; but, notwithstanding being repeatedly requested to assist in bringing forward the colonial and frontier system, I invariably declined; and though written to over even to the continent three or four times, my answer was uniformly that I had stated my sentiments to the Government; that as a Government servant I had candidly given my opinions when I agreed and also when I differed with that Government; that to that Government I was responsible, and that when officially called upon I should most undoubtedly not shrink from repeating those sentiments, but should never lend myself to any party of any kind against either the Government or any body else. I may also add, that when I came to this country I had letters of introduction to some influential men, which are still in my possession. One of them only I delivered, because it contained business, but I delivered it without even leaving my address, being determined to meddle with no party; and with the gentleman to whom this letter was addressed I had the honour of subsequently becoming acquainted through other means. I abstained, from first to last, from joining in any thing that could by any construction be called combination, collusion or faction, as well in the colony as in this country. Temptation enough there was; it is known how high party spirit runs at the Cape; but let any man come forward connected with the press, or with any other body or set, private or public, to say that up to the moment I left that soil I had, directly or indirectly, by word or deed, printing or writing, stated one iota to the annoyance or embarrassment of any authority or power whatever. My sentiments were invariably given to the Government direct; from them I never shrunk, and never will.

1382. Was it not repeatedly intimated to you, that Mr. Buxton was desirous of obtaining your information as to the frontier system, and did you not decline giving it to him as an individual, saying, that the information you had was at the disposal of Government, you were their officer, and did not think it right to communicate to individuals?—I must particularize. I left the colony in possession, I believe, of two strong letters of introduction to Mr. Buxton, which were pressed upon me. I came to this country, and the moment I arrived I delivered one of those letters at the door of Mr. Buxton, because it was on business, and had a parcel attached to it. Mr. Buxton is in the chair, and will admit that that letter was left without my address, for I was determined to connect myself with no party whatever, but as a public servant to adhere to my duty to the Government, to whom however I had not the slightest intention of, in any way, sacrificing my duty to the public, as I considered these two duties by no means incompatible, but on the contrary, look upon them one and the same thing; but I was not long in London when I received a call from a gentleman with whom I thought I should never communicate again; this was Mr. Thomas Pringle, who had unfortunately mentioned my name in a representation to the Colonial Office in a manner which he has often repented since; but which caused a feeling on my part which induced me to think that the gulf was impassable; however, that gentleman did call upon me, and on seeing him come forward, all feeling on my part dwindled into air, and our intimacy was renewed; through him did I get acquainted with Mr. Buxton, and why should I shrink from an acquaintance with Mr. Buxton or any other man? I did get so acquainted, I had the honour of repeatedly speaking to Mr. Buxton, as well as to individuals connected with Government. I have repeatedly, when circumstances which had occurred at the Cape were mentioned, warmly expressed my sentiments; but again, let Mr. Buxton, let any man in this country, let any man at the

156

Captain
A. Stockenstrom.

28 August 1835.

Cape of Good Hope, say, that I ever lent myself to any dark or underhand manœuvres against any power or individual. I am no volunteer here, I am dragged into this business. I may be said almost to be on my defence, but I have no cause to shun the contest. I was directed by the Committee the other day to produce certain papers with reference to the character I bore in office; I wish to observe that I have private letters, which I should beg may not be published, but I have others which the Committee may use as it shall see fit. I commenced, as I have said, my official career under Colonel Collins, who was His Majesty's Commissioner on the frontier when I was almost a boy; that officer left the colony, and joined the army in the Peninsula; before he left the colony he offered to obtain for me a commission in the army as a proof of his satisfaction of my conduct. My father had intended me for the civil service and I declined; I soon afterwards got a commission by the kindness of Lord Caledon, having changed my views in life. This, Colonel Collins, then fighting the wars of his country at the head of a Portuguese brigade in Portugal, heard; and immediately wrote out to me to say, that he had recommended me to his own battalion, wishing me to join it as soon as possible; that letter I must have left at the Cape, but soon after this I received the following, dated—"The 9th of June 1812. My dear Sir,—The inclosed will inform you, that your expected appointment to the 83d has not taken place. I understand the cause of this was, that the ensign whom you were intended to succeed, was recommended for a lieutenancy in another corps, which he did not obtain, because Government does not intend to fill up any lieutenancy in it until all the additional commissions of that rank become void. I am very much concerned at this disappointment, as it will, I fear, prevent our having you in the 83d regiment, but I have no doubt that Lord Wellington will soon get you removed to some other corps of the line. The army is assembling between this and Ciudad Rodrigo for the purpose of penetrating further into Spain; we have the fairest prospect of success. I beg my kind respects and remembrance to your father and mother, and remain, dear sir, yours very faithfully, Rd. Collins.—P. S. I hope your father has received the letter which I wrote to him some time ago to acquaint him with my application for your removal. The letters which Captain M'Dougal informed me that he and you had had the goodness to write have never reached me, R. C."—Here is a letter from Lord Wellington's secretary, Lord Fitzroy Somerset, to Colonel Collins, dated the 6th of June 1812:—"I regret to have to acquaint you, that Ensign Stockenstrom's appointment to the 83d regiment has not taken place according to Lord Wellington's recommendation, but his Lordship will take an early opportunity of again recommending him." By the time that reached me, my father had fallen by the hands of the Caffres, and my friends deemed it indispensable that I should remain as the protector of a widow and a family of orphans, therefore I did not then leave the colony. I also served under Colonel Graham for a long time, and my mother received this letter from him; it is dated 11 July 1812:—"Madam,—I forbore doing myself the pleasure of answering your favour of the 8th inst., until I was enabled to congratulate you on your son's appointment to be Deputy Landrost of Graaf Reinet. I have not yet made application for leave of absence for him to proceed to the Cape; but shall lose no time in doing so, and am confident his Excellency the Governor will accede to my request. Permit me, madam, to assure you, that the conduct of your son, during the late trying occasion, has been such as to excite a just admiration, and confirm the high opinion previously entertained of him by all who know him. He possesses a strength of mind and warmth of heart rarely to be met with, and particularly at his time of life. If any thing can contribute towards rendering less heavy the loss you have sustained, certainly it is the being possessed of such a son, whose chief ambition, to his honour be it spoken, appears to be a faithful discharge of filial and fraternal duty. I have the honour to be, madam, your most obedient and very faithful servant, John Graham."—In the Cape Government Gazettes, January 1812, in which the death of my father is announced, mention is made of myself; it shows how I stood with the Government at the time; that paper I have not been able to obtain, but it is an imperishable record, and can at all times be got. This I received from Lord Howden at the time of my appointment as deputy landrost:—"Government House, Cape Town, July 15th, 1812.—Sir, From the representation of Lieutenant-colonel Graham, of your good conduct under his command, and the opinion he entertained of your principles and disposition, that you would make a just and impartial magistrate, I have had great pleasure in appointing you to the situation of Deputy Landrost of Graaf Reinet. The example of your much revered and lamented parent adds to my confidence that you

154
 Captain
 A. Stockenström.

28 August 1835.

you will do honour to the appointment, and that his memory will remain preserved in the succession of the son to his father's virtue. As an officer and enlightened magistrate, I am sure I need not impress upon you the principles of the enclosed (circular) letter lately addressed to the several landrosts; but it is proper to make known, that such are the instructions from His Majesty, and that the British Government is resolved to enforce them, if required, throughout all his dominions. I anxiously add my warmest wishes for the success of all your exertions, and have the honour to be, sir, your most obedient humble servant, J. C. Cradock."—Lord Charles Somerset succeeded Lord Howden, and this is part of a letter which I received from his Lordship, in answer to my thanks for his Lordship's appointment of a brother of mine to a situation for which I had considered him too young:—"Friday, January 1st, 1819. My dear Mr. Stockenström,—I have this moment received your letter of the 18th December, and feel by no means to merit the warm expressions of gratitude you have used towards me; I can assure you, that any little mark of my esteem that I have shown to you or your family has arisen from the most conscientious motives, not only as regards the personal merit of the individual, and my own respect for him, but as a duty imposed upon the situation I hold in this colony to notice those whose public conduct is so meritorious. It is no compliment to say, that this Government has in its service no officer whose duties are performed more ably certainly (I might also say so ably) as yours. Neither is there any officer to whom I can with greater confidence intrust a difficult or intricate task. I can assure you I feel much concern that my power of evincing my sense of your able services is so very limited."—Sir Rufane Donkin held the government while Lord Charles Somerset was in England. This is a letter which I received from Sir Rufane Donkin, at a time when my friends urged me to obtain a grant of land from the colonial government, as almost every functionary had done, and as up to that time land was given away with a most liberal hand to any body that chose to ask for it. Sir Rufane then (the 19th June 1820) spontaneously, and unimportuned, says, "You may rest assured, that I am quite disposed to comply with any thing you may ask, for I well know and appreciate the services you have rendered to this colony;" that gentleman is a member of this Committee, he may either confirm or cancel that statement. The latter, however, I do not fear, as he has already here expressed himself in terms far above my merits. General Bourke succeeded Lord Charles Somerset, and ushered in the new system of government at the Cape.

1383. What was the new system?—I was then landrost of Graaff Reinet; the situations of landrost were abolished; civil commissioners were substituted, and I then obtained the situation of Commissioner-general of the Eastern division: Gen. Bourke, on the 15th Nov. 1827, informed me of this appointment, and said,—“My dear Sir,—You will be informed officially by this post, of my intention to appoint you Commissioner-general of the frontier provinces, an employment which will afford you an opportunity of continuing your services to the colony, and has enabled me to testify the value I set upon those you have already rendered to it; upon these grounds, I felt much pleasure that the Secretary of State had left to me the power of filling it up.” Though classed among the colonial Dutch functionaries, the British settlers in the Albany district sent me this address, expressive of their desire that I should reside amongst them; this also I have no objection to hand to the Committee, but I will read the passage which bears particularly on myself:—"We cannot conclude without congratulating ourselves that so important a trust has been reposed upon a gentleman whose long experience of the real and true interest of the colony, and whose liberal sentiments eminently marked him out as the most qualified for that high situation, to the beneficial effects of which we look forward with extreme solicitude and hope." This comes from a set of men as respectable as any in the colony, who had no connexion with me in any way; they were perfect strangers to me, as an individual might even have been excusable if they had felt a bias against a chief who was not by birth their countryman, but they generously raised themselves above all prejudice, and acted upon the character I had always maintained in the country. The gentleman, through whom this numerous signed paper was communicated to me is present in this room, Mr. Thomas Phillips. General Bourke was succeeded by Sir Lowry Cole; I have been only able to pitch upon one particular letter, which I had the honour of receiving from the colonial secretary on a subject of no importance, but containing, nevertheless, a passage which will state the sentiments of the government with respect to me, at least, on the 12th of August 1831:—"I am directed by his Excellency to express to you his entire approval

158

Captain
A. Stockenström.

28 August 1835.

152 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

of those arrangements in which he finds only an additional proof of the value of your public services on every occasion." It may perhaps not be beneath the notice of the Committee to know even the sentiments of the Caffres and the Hottentots with respect to me; I have already stated, that my object was to set down with a determined hand the reprisal system, and stop the blood flowing in consequence.

1384. Zealous as you were for putting down the reprisal system, were you equally zealous in exterminating the hordes of Caffre and other banditti who might infest the colony and the borders?—Most decidedly; it was the basis on which I acted, that all parties should be protected, and that for the sake of the peaceable natives themselves those hordes of robbers and murderers should be crushed. I had, at a meeting of the Caffre chiefs, told them, that if it should be proved that Erasmus had slaughtered Zeko and his people in the manner complained of, that man should not go unpunished: I had told them that the cattle taken from them by Schessers should be restored to them, and that every such instance should be punished with severity. I have already pointed out that after this I had no direct control over the affairs of the frontier. More than a year later, when I had not seen the Hottentots of the Kat River or the Caffres for several months running, I received this communication from the field cornet of the Hottentots; it is written by an illiterate man, and therefore in a way of simplicity that perhaps may disgust; if, consequently, the Committee wish it, it may be expunged: I found it in rummaging through a great heap of old papers in search of the above documents. I shall give it in English, as it is verbatim in Dutch; it is dated the 9th of October 1832: this man says, "I have the honour to inform you, that the lands," he means those on the Kat River, "that the lands at present have been considerably extended since you were here the last time in the Kat River, so that if you come back to us to the Kat River, I shall be able to put before you fruit from the trees; I remain in the highest degree thankful to you, that you the last time rode with me and made peace with the Caffres"—(it is here necessary to observe, that this is his simple way of speaking of the matter; he refers to my speaking to those men, and telling them what I have said above)—"and the Caffres declare that you are the only government" (meaning authority) "who deals with them, and has dealt with them justly, and thereby we live in peace. I have the honour to be, &c."

1385. By whom is that signed?—C. Groepe; he does not mean to say that I am the only one who did the Caffres justice, or did it better than others; but the poor man only means to convey that my system contributed to peace, and that both Caffres and Hottentots approved of it and were thankful; he is at the head of the Kat River establishment. Finally, I come to the letter I received from Downing-street, announcing to me that my situation was abolished, and this will give an idea of the manner in which I stood with the supreme government up to the last moment of my official existence: "Downing-street, 11th December 1833. Sir,—I have laid before Mr. Secretary Stanley the letter which you transmitted to me, under date of the 3d instant, and I am directed to acquaint you, in compliance with your request to be so informed, that it is intended to abolish your office of Commissioner-general, as part of a general arrangement, founded principally on motives of economy; and that application will be made to the Board of Treasury for the purpose of obtaining the sanction of that department to the grant of a retiring allowance to you. I am further directed by Mr. Stanley to acquaint you, that in forming the arrangements by which your present situation will be abolished, he has been altogether uninfluenced by any imputation thrown upon you, or by any doubt of your active and conscientious discharge of your duty; and that if it be your intention to return to the Cape of Good Hope, Mr. Stanley will be prepared to recommend you as one of the unofficial members of the Legislative Council, as the reasons which caused your retirement from that body no longer subsist." That was my exit from the public stage, and I trust without any cause to blush.

1386. Did you apply for the retiring pension which was granted?—No, I did not.

1387. You were asked to produce any documents you might possess as to the Kat River settlement?—In travelling through an immense mass of papers to get at something like a character for myself, I happened to pitch on the very first manuscript ever written, with reference to the Kat River colony, and upon which it was founded; I have also found the very paper I gave in when I came from the Cape;

Cape; it was written with a view of supporting my theories against the apprentice clause in the Slavery Abolition Bill, when I advocated a more ample compensation and unqualified emancipation; it was written, in some measure, to show that men liberated will work when perhaps apprentices will not.

159
Captain
A. Stockenström.

28 August 1835.

[*The same was delivered in and read.*]

THE questions which I have been called upon to answer appear to me to resolve themselves into the following propositions: 1. Whether the Hottentots in the colony of the Cape of Good Hope were not, previous to the enactment of the laws framed for their "emancipation" in a more degraded condition than the slaves: 2. Whether their sudden "emancipation," led to any great abuse thereof by vagrancy to any considerable extent: 3. Whether the cessation of compulsion to work for others, and the unrestrained liberty to dispose of their labour to their own advantage and at their own discretion, induced a cessation of industry, or increased that apathy and improvidence which, till then, were considered the main characteristics of the nation: 4. Whether I conceive that the enforcement of the laws existing in the colony would have been sufficient to prevent Hottentot vagrancy, even if no land could have been granted to the Hottentots: 5. Whether I conceive that the colonists have suffered any material injury from the want of the labour of those Hottentots who did leave their service in consequence of the 50th Ordinance. In reply, I have no hesitation in saying, that until the Hottentots were placed on the same footing with the rest of His Majesty's free subjects in the said colony they were decidedly in a more degraded condition than the slaves, in every respect, except that they were not saleable, and this very advantage was itself the cause of that greater degradation. They were employed in every species of occupation in which slaves were employed, subject to the same description of coercion and punishment; they were certainly not so well fed as the slaves, and seldom clad; there was not that interest to render them comfortable which operated in favour of the slaves; the dangers and privations to which the slave-owner would never think of exposing his slave would be forced upon the Hottentot without scruple or hesitation. Male slaves, it is true, often took Hottentot wives from the natural consideration of the blessing of having free children, but few female slaves took Hottentot husbands. It was considered "a falling off," the Hottentots were universally far less respected than the slaves, and consequently far less respectable; they gradually sunk in their own estimation as they became weaker and weaker as a nation, and as they were treated with more and more severity and contempt. I have often heard many well-meaning humane farmers who had passed all their lives among, and constantly employed, both slaves and Hottentots, maintain, when the experiment was suggested of leaving the latter to do the best for themselves, and take care of themselves, that such a scheme was chimerical, that the innate improvidence of the tribe rendered leading strings necessary for them till their dying day; they would contrast the recklessness of the Hottentot, who would expend all his wages in strong liquor or useless fineries as soon as he obtained the same, and squander away all his stock as soon as it was left at his disposal, with the anxiety of the slave to add to his little; and they would thence argue, that if property were not involved you might beneficially and safely do with the slaves what with the Hottentots it would be dangerous to all parties to attempt, forgetting that this opposite conduct was easily accounted for, not by the difference in the nature of the two classes, but by the stimuli which ever the slave possessed, and to which the Hottentot was a stranger. To the second question, I must answer, that vagrancy to a considerable extent, immediately after the promulgation of the 50th Ordinance, did take place, but this, in the opinion of Mr. Justice Burton and others, the laws of the colony were fully sufficient to restrain; many, nay the greatest of the Hottentots, left service as soon as their then existing contracts expired; some believed themselves authorized by the new law to break those engagements; they flocked to the vicinity of towns and villages, where the temptations of cheap brandy, procurable by little labour, soon betrayed them into dissolute habits, and led many of them often to depredations on the flocks of the farmers, who did in many instances suffer considerably, and became very clamorous, but the ease with which this evil could be averted, independent of the laws above referred to, will appear from my reply to the third question; viz. The government, wishing to give full effect to the provisions of the 50th Ordinance, and well aware that this law could never operate to its full extent in favour of the class in whose behalf it had been framed, without a fair field being opened for the exertions of its industry, determined on the experiment of allotting lands to a certain number of Hottentot families. This experiment was intended to be upon a small scale. Hottentots of good character, or possessing property, were invited to settle in the branches of the Kat River. They were to be located in the immediate vicinity of the Caffres, who were then in a state of great irritation against the colony. Some families of Hottentots soon made their appearance on the spot, few of these possessed property to any amount, they were poor, as might be expected, but were generally known to be steady men. It was soon, however, found to be impossible to draw a line of distinction. Hottentots flocked in from all quarters, many of them known to be indifferent characters; even some of those who till then had been vagabondizing came and begged to be tried. To exclude these became difficult; to refuse a man the opportunity of bettering his condition only because it was suspected that he would prove unworthy, appeared cruel. In the mean time the Caffres threatened the new settlements, and it became necessary to arm the new settlers, or to expose them to be massacred—ruin was anticipated from such a step. The Caffres with their assegais were thought less dangerous to the colony than a congregation of Hottentots armed with muskets, with little or nothing to eat. That these men would turn the weapons which

160

Captain
A. Stockenström.

28 August 1835.

154 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

we had put into their hands against ourselves as well as against the Caffres, and that the country would be deluged with blood, was confidently predicted. The clamour became loud, and the projectors themselves began to doubt whether they might not have acted too rashly; but the step, whether wise or rash, was taken; hundreds of able-bodied men, well armed and supplied with ammunition, but with little food, were within hail of each other; hungry men, so circumstanced, might (it was thought) make short work of the numberless flocks of the Caffres and colonists on both sides and all round them. Such were the predictions then expressed; but the conduct of the Hottentots soon gave them a practical contradiction. They were told "Show yourselves worthy of freedom, and your farther improvement is in your own power." Instead of collecting in a mass, eating and sleeping until the little they then had should be consumed, and then carrying fire and destruction over the country, and allowing the Caffres to surprise them, cut all their throats, and with their muskets carry on a more equal warfare with the colony as was anticipated, they set immediately to work, cut canals which, considering their tools and the rock and indurated soil through which they had to penetrate, would have been thought impracticable. They cultivate by means of the most miserable implements an extent of country which surprised every body who visited the locations, including the governor. Those who had no food lived upon wild roots and by working for those who had something; these again were obliged to economize to support their families, until in a few months they had an abundance of pumpkin, India corn, peas, beans, &c. Instead of apathy or indifference about property, they become (now that they had property to contend for) as covetous and litigious about land and water as any other set of colonists. They display the utmost anxiety to have schools established among them. Several of these schools are in a flourishing state, and so eager are they for instruction, that if they find only one amongst them who can spell, where nothing better can be obtained, they get him to teach that little to the rest. They travel considerable distances to attend divine service regularly; their spiritual guides speak with delight of the fruits of their labours. Nowhere have temperance societies succeeded half so well as among this people, formerly so prone to intemperance. They have themselves petitioned the government that their grants may contain a prohibition against the establishment of canteens or brandy houses. They have repulsed the Caffres on every occasion on which they have been attacked, and are now on the best of terms with that nation. They have cost the government nothing beyond the salary of their minister, from fifteen to twenty mudes of Indian corn, and a few more of oats given them for seed the first year 1829, and the loan of the muskets, together with a little ammunition given them for their own protection as well as that of the country in general. They pay every tax like the rest of the people; they have rendered the Kat River decidedly by far the safest part of the frontier; and the same plan, followed upon a more extensive scale, would soon enable government to withdraw the troops altogether, and put an end to that desultory warfare which must retard the improvement both of the colony and its barbarous neighbours, whilst no excuse would be left for Hottentot vagrancy.

Petty misdemeanors we must suppose occur in this as in every community, but they have not hitherto cost the public a magistrate, and the nearest functionary of the kind is two long days ride distant. I only recollect two cases tried before the civil courts in which settlers of the Kat River were the accused; one was a bushman who had stolen some goats before he joined the settlement, and was taken up after he had reached it, and the other was the case of two Hottentots who had stolen a Caffre cow, which was discovered by the vigilance of the head of the party to which they belonged, who arrested and sent them prisoners to Graham's town, though the owner of the cow wished to make up the matter by receiving back another cow. In short, the most prejudiced men who have travelled through the locations admit, that the Hottentots have done wonders; that as far as the land is arable they have made a garden of it from one end to the other; they have already supplied the military posts with forage and provisions to a considerable extent, and just as I was embarking the commissary-general handed to me a memorandum of some of their tenders which he had just accepted. The above statement may possibly by some be considered as too favourable, and individuals may be found who, jealous of the success of this experiment, in refutation of all their sinister predictions, may point out indolent and bad characters in the Kat River settlement, such of course existing there as well as in every other place where numbers of men are congregated. But to these objectors I would reply, that I never meant to represent the Hottentots as faultless or better than any other race of people in the aggregate. I have only wished to show that as soon as they were treated as reasonable beings they acted reasonably, and the facts now stated can be proved to the letter. The fourth question I at once answer in the affirmative, and am borne out by the superior opinion of Mr. Justice Burton; a few trifling examples would have convinced the Hottentots that the law did not authorize their roaming about without means of subsistence, and those who could not obtain land would necessarily have returned to or stayed in service, as a great proportion did, but of course upon a more liberal footing than before. 5. Some inconvenience, no doubt, was the immediate result of the Hottentots leaving the service of the farmers, but the general complaint was not about the loss of that labour; the cry was "Take the Hottentots to the Kat River or any where else, provided only you prevent them hovering in the bush, about our farms, and preying on our flocks." Great jealousy naturally exists among the ignorant classes on the subject of political importance acquired by a set of men who have so long been looked down upon, but the community at large wishes them well, and many thinking persons will admit that the privation of Hottentot service has at least had the good effect of forcing numbers into habits of industry who had rendered themselves totally dependent upon that labour.

161
 Captain
 A. Stockenström.
 28 August 1835.

1388. How long was that report written after the first establishment of the settlement?—The settlement began in 1823, this was written when I came home in June 1833; but I have described the state of the settlement and people as it was when I left it.

1389. Are the Committee to understand generally that you consider the Hottentots, generally speaking, in the lowest possible state of degradation, morally and physically?—The degree of degradation can go to an immense depth below that of the Hottentot, for instance, if we take the Bushmen in their present condition, they are far beneath what the Hottentots were, but the latter were certainly in a most degraded condition; I speak of the mass of them that were servile, particularly in the remote districts, far from the eye of the magistrate, and certainly far more degraded than the slaves.

1390. Were they also more oppressed than the slaves?—Unquestionably, that is inseparable.

1391. You saw, with your own eyes, this extraordinary transformation of character, so that men habituated to drunkenness became sober, men accustomed to steal became honest, men abhorring work became industrious, and all through the influence of liberty being given to them?—I must be specific in my reply to that question:—As to men accustomed to steal, I never considered the Hottentots a nation of thieves, nor the Caffres either; hundreds and thousands of them do steal, and are charged with stealing, particularly sheep; but I have never said anywhere that either the Hottentots or the Caffres were a nation of thieves: then as to another part of the proposition, the immediate result of liberty was not their sobriety; moreover it must not be forgotten, that my paper speaks exclusively of the Hottentots in the Kat River colony; their sobriety was certainly brought about by means of the Temperance Societies, which were introduced and spread into that colony, principally, perhaps exclusively, through the efforts of the missionaries Thompson and Reid. I never visited the location after the establishment of a Temperance Society there, so that I could have no influence or merit in it.

1392. Are the Committee to understand you go so far as to say that those beings who were in a greater state of degradation than the slaves themselves, were transformed into a body as industrious, as honest and as respectable as the ordinary population of this or any other country?—Decidedly, (I speak of the Kat River people) with the exception of respectability, and that applies only to their poverty; they were a poorer community, and they could not at once raise themselves on a level with the opulent classes.

1393. They were a thriving community and likely to improve their property, were they not?—Decidedly; I slept one night at the place of the head of a party there; he is now, I saw by the Cape almanack, if I mistake not, a deacon of the church. I supped there with Mr. Thompson the clergyman, when I went to introduce him to his congregation; we slept in the hut he had built there; he showed me his miserable plough, made without iron, and the land he had cultivated with it; he gave us as decent and respectable a supper and a bed as the generality of peasantry in some of the poorer parts of Europe; yes, much better than some; there was evening service, the man read his chapter to his family, and the clergyman Thompson was delighted; this man was by origin, I believe, a bushman. There are many such instances. I am pledged to prove to the letter the contents of my paper.

1394. Did those Hottentots, though located in the land which the Caffres claimed, yet contrive to maintain peace and harmony with the Caffres?—They were, when I was there last, upon the best of terms with the Caffres, and continued so, or at least were so at the date when that letter was sent me by Groepe, which I have read to the Committee. At the time Colonel Somerset requested me to sanction an expedition against the Caffres in 1831, I went in with a few Hottentots, who took me in and came out again, and none of us had as much as a penknife with us in the way of arms.

1395. Are you to be understood to say that the expense to Government of this Hottentot settlement was only their rations?—They got no rations at all from the public.

1396. It was the expense of seed?—Yes, a few bushels of seed, as I have stated.

1397. Was the expense of the settlement made by Government in Albany as economical as this settlement of the Hottentots?—I was not engaged in the settlement of Albany, I was not then connected with that part of the country, and I can speak to that only from hearsay.

162
Captain
A. Stokenstrom.

28 August 1835.

156 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1398. Are you aware that the expense of the settlement of Albany was very great?—That is matter of public notoriety.

1399. You say you went with two Hottentots into the Caffre country; was any attempt made to detain you there?—Not in the least; I am not safer here at this moment than I was there.

1400. Would they have thought it a deviation from honour and rectitude to have detained you as a hostage in that country, and was your safety owing to that feeling on their part?—I cannot say what their impulse and motives were, but they behaved to me as kindly as possible, though they were then making to me many statements of grievances.

1401. Did you know Hintza?—Yes, when I was there with Colonel Collins, I saw him.

1402. Was he the paramount chief of Caffreland?—Yes, and I heard Gaica admit to Colonel Collins that he was superior to himself, but the positive relations existing between them, how far that subordination or subjection went, whether it was of a feudal or other nature I know not, as the colonel did not enter into particulars.

1403. Are the Caffres exceedingly attached to their chieftains?—Yes, I think they are.

1404. Do you think the death of Hintza, supposing that death to have occurred when he came into our country under promise of safe conduct, calculated to alienate the minds of the Caffres from the British, and to render them still more dangerous enemies than formerly?—I do not know on what terms he came.

1405. Supposing he came of his own free-will, and under safe conduct?—If he came under the promise of safe conduct, and fell by an act of treachery, it will undoubtedly exasperate the whole of Caffreland—it cannot be otherwise.

1406. Can you conceive any thing more calculated to prevent an amicable settlement with the Caffres than the death of Hintza, supposing that he came into the British camp of his own free-will, and not as a prisoner?—I know nothing of the particulars, but it is but natural to suppose (and from what I know of the Caffres I have reason to think) they would not feel or act otherwise in this point than any other nation; most decidedly that must be the effect if he really did fall by treachery, of which I know nothing.

1407. Supposing he did not actually fall by treachery, strictly so called, but if he fell in the manner which has been represented in the public newspapers, what effect would that be likely to have?—I do not understand exactly the link of the chain of communication in the papers. I have asked in various places to obtain a regular statement from first to last, but I have not been able to obtain it.

1408. Do you not think that in our intercourse with savage tribes, we should not very strictly apply the rigid notions of European warfare and agreements?—To a certain extent and under particular circumstances you may have a discretion, but good faith must never be broken either with savages or any other nation.

1409. That we should interpret acts in an indulgent manner with regard to interference, for instance, an European officer who was running away from a party whom he had engaged to guide, would, in the opinion of every reasonable man, be justifiably shot, but should those strict notions be applied to such persons as the Caffres?—It is impossible to say what an individual might do. Do you ask me what I would do myself? No—well, then, I should say that you must lay down a principle or rule for your dealings with all nations. The law of civilized nations is the best you can adopt; else you are without rule, and no man can know how to act. I think that if you act fairly and openly to any people, and do not do them an injustice, any special indulgence would be very praiseworthy in the individual so disposed to act, but strictly speaking, they are entitled only to justice, and as long as that is done, there is no danger of just war.

1410. You think we are not bound, as being superior in civilization and intelligence, to make any allowance for the ignorance of savages on such occasions?—What we ought to do is another question. Do you mean what an individual, leaving justice out of the question, might take upon himself to do?

1411. The question refers to what we should do as a nation?—I do not think we are bound to do any thing more than justice. I would not oppress them, I would give them no cause of complaint, I would be as indulgent as possible, but I do not see that we should be called upon, as a matter of right, to deviate from what is established among civilized nations. If your severity or leniency is to be proportioned

163
 Captain
 A. Stockenström.

proportioned to the degree of civilization of the nation you deal with, you can have no fixed rule for your conduct.

1412. You would wish, of course, the European and the savage to stand on equal terms, how can you say that they stand on equal terms, when one is so enlightened and the other so ignorant, would you not draw an inference, that indulgence should be conceded to those in ignorance, and that we should relax in some degree from our strict notions of penal infliction?—If I am asked whether I should wish to see that done, that is another question.

1413. Should it not be done from a feeling of equity?—Yes, it might, and it would be all the better; but not as a matter of strict justice.

1414. Of how many did the Hottentot settlement consist at the end of last year?—There are official returns; I should not like to commit myself by answering—I have a very vague recollection.

1415. Can you give the Committee any idea what proportion of those Hottentots came into that settlement possessed of property?—There are returns; I cannot state the proportion without them, the proportion must be, at the very furthest, a third or a fourth. I do not mean by property, one or two or three goats, that is not property, it would dwindle away immediately.

1416. Did any Hottentots who were located in the new settlement of the Kat River come from Genadendal or any of the missionary settlements?—Very few; I can recollect but one or two from the Moravian establishments, but a great number from the London missionary stations.

1417. Do you think those who came from the London missionary stations and those from the Moravian establishments, contributed a great deal to the improvement of the settlement?—Yes, but not more so than many that came from farmers with property.

1418. With respect to chief Hintza, his notions of right and wrong were sufficiently clear to know he was acting wrong upon the occasion, which led to his death?—As I say, I was very young when Colonel Collins travelled there, I have not much recollection of him, but he appeared to me and was considered by the whole party as a sensible man for a barbarian.

1419. Do you allude to the Hottentots throughout the colony, or only those on the Kat River?—The Hottentots on Kat River are composed of Hottentots from all parts of the colony.

1420. Are the Hottentots, in consequence of their good treatment by missionaries, on the increase, or the Bastard race on the increase?—The Bastard race is on the increase from their amalgamation with Europeans and other classes.

1421. Had you an opportunity of ascertaining whether the intercourse Doctor Philip held with the Caffres was likely to conduce to the good conduct of that race of men or the contrary?—I never saw any intercourse between Doctor Philip and the Caffres.

1422. You are not sufficiently acquainted with the matter to give an opinion upon it?—I did hear once that Doctor Philip had made a speech to chief Botman in the presence of a British officer, and that speech, as reported to me, was thought extremely indiscreet and imprudent.

1423. Of that speech you know nothing yourself?—Nothing: all report and hearsay.

1424. You say that the Caffres represented to you their grievances, on the representation of those grievances did you sympathize with them, or appear to sympathize in those grievances, or remain perfectly silent?—I did not remain silent; I told them if those things were true they should get satisfaction, and that the parties concerned should be punished.

1425. Was not that, as far as you had an opportunity of judging of the speech, said to be made by Doctor Philip, the precise course he followed on their representing their grievances, is he not said to have told them that those grievances ought to be redressed?—I cannot exactly recollect, for I never got or sought further evidence; I was told the government had inquired into this report; of this I am not even certain. I cannot at this moment state what the words were, but I must admit, that at the moment when I heard them stated, I was much displeased with the doctor.

1426. Were you to be understood to say, that supposing Hintza came in of his own free-will, and without compulsion, and that then he was detained a prisoner, and ultimately put to death; if those facts prove to be so, they were calculated to produce extreme dissatisfaction among the Caffres?—Under those circumstances, most decidedly.

164
Captain
A. Stockenström.
28 August 1835.

158 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1427. Be good enough to read that proclamation from the governor, the first three paragraphs—[*the same being shown to the Witness*]—“ Twelve days ago Hintza, the heart of his country being occupied by the troops of the king, my master, his personal residence in danger, and his farther resistance useless, came into my camp and sued for peace. I there set forth and prescribed to him the terms upon which peace could alone be granted ; and on the following day, having duly considered them, he accepted them all, and solemnly ratified them, remaining himself with his son and heir, by his own choice and free-will, as hostages for the fulfilment of the treaty which he had then ratified.”

1428. Did it not appear from that official proclamation, that he came to our camp of his own free-will, and that of his own free-will he remained in our camp?—It appears to me that he remained as a hostage voluntarily.

1429. Is it not said that it was of his own free-will and choice?—Yes, that is clear.

[*The Proclamation was read, as follows :*]

His Britannic Majesty's Governor of the *Cape of Good Hope*, Commander-in-chief of His Majesty's Forces in *South Africa*, to *Hintza*, Chief of the Country between the *Kei* and the *Bashee*.

1. Twelve days ago Hintza, the heart of his country being occupied by the troops of the King, my master, his personal residence in danger, and his farther resistance useless, came into my camp and sued for peace.

2. I there set forth and prescribed to him the terms upon which peace could alone be granted.

3. And on the following day, having duly considered them, he accepted them all, and solemnly ratified them, remaining himself with his son and heir, by his own choice and free-will, as hostages for the fulfilment of the treaty which he had then ratified.

4. This deportment on the part of the chief appeared so frank and honourable, that I was induced to abstain from using a power reserved to me by the concluding article of the treaty, that “ of continuing hostilities until the first instalment of cattle should have been paid ;” and to save his people from the scourge of war in the mean time, I accordingly caused hostilities to cease on the part of my troops, thereby foregoing the additional advantages which the then following up those already gained could not have failed to secure.

5. What return has Hintza made for all this forbearance? he has deceived me throughout.

6. He has, it is true (very reluctantly) complied with the 2d stipulation of the treaty ; but the 1st, 3d and 4th, the most important of all, are still unexecuted, and although their fulfilment has been repeatedly urged to him, no effectual steps have yet been taken for that end.

7. In these circumstances I have a full and just right to consider and treat him as a prisoner of war, and send him to Cape Town, but as I am still disposed to believe his asseveration, that his presence in the midst of his people may give him the power of fulfilling his solemn agreement, I will abstain from doing so, and will not for the present send him out of his own country ; but it is upon the condition proposed by himself, that he accompanies a division of my troops through such parts of the country as its commanding officer, Colonel Smith, may select, and exert his full power as chief of it, to collect the cattle and horses due, and to apprehend the murderers of the two British subjects, and supply the 300 head of cattle demanded for each of the widows of the murdered men.

8. Meanwhile I retain as hostages, according to the 5th demand of my treaty, Hintza's son Creili, and his relation Bookoo, making the latter especially responsible for the two murdered Englishmen, who were murdered in the district under his government, and near his residence, and whose murderers it was his duty at the time to have apprehended, and caused to be duly punished ; and considering the breach of the solemn treaty which has been committed as above, I will also retain in my hands the other followers of Hintza now in my camp, with the exception of Umtinee, and two others whom the chief may select.

(signed) B. D'Urban,

Governor of the Cape of Good Hope,
Commander-in-chief.

Done at my Head Quarters,
on the Kei, the 10th May 1835.

Read to Hintza sentence by sentence, *seriatim*, by the Governor and Commander-in-chief, on the left bank of the Kei, immediately after the Proclamation of this morning, and translated to him into the Caffre tongue by Mr. Shepstone, Caffre interpreter, in the presence of us,

H. G. Smith, Col.-Chief of the Staff.

John Peddie, Lieut.-col. commanding 1st Division.

J. Murray, M. D. Principal Medical Officer.

C. C. Michel, Surveyor-general.

I certify that I faithfully translated this communication to the Chief Hintza, in the hearing of his son Bookoo and his councillors, and that he declared his perfect understanding of the same.

10th May 1835.

(signed) T. Shepstone, Caffre Interpreter.

(A true copy.) G. de la Poer Berrysford, Aide-de-camp.

Captain

165

Captain *Charles Bradford*, called in; and Examined.

1430. IN what service are you employed?—In the East India Company's service on the Madras establishment. Capt. C. Bradford.

1431. Have you recently visited the Cape of Good Hope?—I arrived at the Cape of Good Hope in March 1834, and left it in February of this year. 28 August 1835.

1432. Did you go to the frontier?—Almost immediately after my arrival in Cape Town I left Cape Town for the frontier, and was absent on the frontier and during my journey eight months.

1433. Had you an opportunity of communicating with the Caffres on the borders, and making yourself master of the relations between them and the Europeans?—I visited Caffreland twice, and to a certain extent I interested myself in the state of the Caffres and their connexion with the colony; I have taken down a number of memoranda from a journal I kept at the time, from which I could read to the Committee such observations if it is desired.

1434. Are there charges against any individuals?—I have avoided as much as possible using the names of Government authorities or private individuals, where any slur may be cast upon them, but on some occasions I have been obliged to mention names; I have divided the extracts into different subjects—one connected with so much information as I gained relative to the Hottentots, and the other portion relative to the Caffres. I wish to observe that many of the statements interwoven in this journal have been given to me by other persons, as of course I could not have been an eye-witness to them all myself. "I entered the colony of the Cape of Good Hope an entire stranger to all parties and persons residing in it, and not till some time after I commenced travelling into the interior did I become acquainted with the existence of the separate interests which caused so much angry discussion in the public papers. Uninfluenced, therefore, by any party views, I commenced travelling within a fortnight or three weeks after landing at Cape Town, and was absent in my journey and on the frontier altogether eight months, during which period I had frequent opportunities of mixing with all classes in the colony, and of personally witnessing the state of the Aborigines, as also of gathering from the Dutch and English farmers their sentiments towards the natives, and their views in advocating certain systems, which, in their opinion, might tend to improve their own condition in the colony. I have thrown together in this paper a few circumstances and remarks which I have extracted from my journal, written at the period of those events presenting themselves before me, and if they tend in any measure to throw such light upon the affairs and state of the colony in South Africa as may not at present be before your Honourable Committee, I shall be proud to have the honour of reading them before you; soliciting, gentlemen will bear in mind that they are merely extracts from a private journal written at the time for my own satisfaction; without any idea of the present use to which they are made subservient, and therefore, due allowance will be made for their abrupt or obscure references to past events. The Caffre nation, amounting in numbers to about 100,000 souls, is entirely pastoral; their wealth is also their chief means of supporting life, consisting almost entirely in cattle; they are governed by independent chiefs of tribes, under the general authority, in time of war, or other great national question of Henya the King, whose immediate territory lies north-west of the Kei River. The whole of the chiefs consider themselves to possess the right of becoming parties to any negotiation affecting the general interest before it can be considered binding on the nation at large; it is therefore on this plea I am given to understand the chiefs connected with Macomo's tribes complain of that track of country, denominated neutral or ceded territory, having been taken possession of by the British under some treaty with Gaika, the late chief of all the Southern Caffres, without the concurring sanction of the other chiefs. Having travelled twice through Caffreland, I held repeated conversations with the chiefs; they were most anxious for the arrival of the government on the frontier; their first question usually put to me being, 'When will the English governor come to see us?' and immediately afterwards they would add, 'That his coming amongst them had been so long promised that they despaired of seeing him.' On one occasion I was present at a meeting of several of the chiefs, with their councillors and followers, assembled to consult on the expected arrival of the governor, and their grievances. Macomo, the regent of the Southern Caffres, (the young prince being a boy of 12 years of age) was the chief in rank; he spoke with great spirit and energy, and at times with considerable dignity; he adverted to the treatment his people had met with from the English,

166
Capt. C. Bradford.

28 August 1835.

160 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

and indignantly complained that any white man, whatever his rank, was permitted to enter his country at pleasure, whilst he and other chiefs could not cross the English boundary for a few hours, without obtaining permission from some colonial authority. He then remarked upon a summons he had just received from Colonel Somerset, to meet him with the other chiefs at the Buffalo River, and of his having refused to attend, as Colonel Somerset had not first obtained permission to enter his country. Macomo then complained bitterly of the system pursued by the British; of his having been driven from the country of the Kat River, which he claimed as his own, till the English seized upon it and gave it to the Hottentots. That he had even procured a missionary for his people; he had built houses and planted gardens; but that his huts were burned—his cattle driven off—his people shot; that the arrival of the governor was promised—redress was promised—all was unfulfilled. That he avoided quarrelling with the English—his people had not strength—had not arms to cope with the English; though his people urged him to revenge his wrongs, he avoided war—he repressed the violence of his people. They were accused of stealing the white man's cattle. He had sent back many cattle to the colony. (He here produced receipts given by Major Burney for a quantity of cattle and horses delivered up at different times by himself at Fort Willshire.) The Caffres, he continued, would steal, but were there no thieves among the white men; did no people steal in the colony or in England; he never encouraged his people to steal, but he could not discover every thief. He then adverted to the conduct of the commando taking any man's cattle that was met with, and thus the innocent suffering for the guilty; and strongly urged the injustice of the system itself. Botman, another chief, also spoke to the same effect, and argued as clearly on the simple principles of justice as would have done credit to a man of far higher pretensions. Their feelings were evidently in a state of great excitement from the delay of that justice which had so long been promised; and they looked forward to the arrival of Sir Benjamin, to put a stop to a system as cruel as it has proved itself impolitic. Adverting to Macomo's statement of being debarred from entering the colony, an instance took place, in which he was personally treated with the greatest indignity; having proceeded to the Kat River, without permission, to attend the anniversary of that establishment, and being seated in the midst of the party assembled in the chapel, a guard of mounted troopers galloped down the heights, under command of a serjeant, who placed Macomo between two soldiers, with the threat to shoot him instantly if he attempted to move from between them, and in this manner conducted him to the military outpost, where, at the intercession of Mr. Reid, he was released, and permitted to re-enter his own country, whilst at the same time, I am informed, there were no less than 150 or 200 traders residing in and travelling over Caffreland without molestation; and on a friend of mine asking the wives of some of these men, if they were not alarmed at their unprotected state, at such times as their husbands have gone into the colony; their reply has been, that they considered themselves as safe as if residing in Graham's Town, and seldom or ever were their huts robbed, although containing those things esteemed by the Caffres precious. The absurdity of charging the whole of the Caffres as thieves is most apparent, when at the same time, we find both traders and farmers going to reside amongst them, because they cannot obtain, as they state, the protection of the government against them. Independent of Macomo's statement of having delivered cattle up at the military outposts, which he had discovered amongst his people, I received accounts from the frontier of the chief Thiali, just before the breaking out of the war, having pursued, and brought back to the colony, on several different occasions, cattle stolen from the farmers. The second time of my leaving Caffreland was in October, last year, in company with a gentleman, who was to return towards Hantam; we passed through the country of the Guga, at 10 o'clock at night; the Caffres were enjoying themselves after their custom, with their shouting, feasting, and midnight dances; they allowed us to pass unmolested; some time after I received a letter from the gentleman who was my travelling companion on that night, written just before the breaking out of the Caffre war; in it he says, 'You recollect how joyful the Caffres were when we crossed the Guga; but on my return, a dense smoke filled all the vales, and the Caffres were seen lurking here and there behind the Mimosa; a patrol, commanded by an officer, was driving them beyond the colonial boundary. (This piece of country has very lately been claimed by the colony.) I saw one man near me, and I told my guide to call him to me; the poor fellow said, 'No, I cannot come nearer, that white man looks too much like a soldier;' and all our persuasions could not induce him to advance near

near us. 'Look,' said he, pointing to the ascending columns of smoke, 'what the white men are doing.' Their huts and folds were all burned; when the Boors cross the northern boundary, you hear the civil commissioner and Colonel Bell saying the drought compels them to intrude into the country of the Guiquas. I suppose Boors are men, Caffres are beasts, or why not use the same argument for all classes of our fellow-men? Thus much of this gentleman's letter, upon whose veracity I can implicitly depend. It was about this period that the case of the Caffre Goube came on, when the magistrate of Graham's Town awarded to a Caffre 50 lashes on his bare back, and an imprisonment of two months, for 'resisting a sergeant in the execution of his duty,'—such being the civil charge, as may be seen in the records of the magistrates' court of Graham's Town. The poor Caffre being a subject of Macomo's, had, as it appears in evidence, built his hut on a part of the neutral territory, so called, probably the Gaga. The sergeant being about to set fire to the hut, the Caffre is said to have threatened opposition; he afterwards went through the Caffreland, showing his wounded back to his countrymen, and calling down their vengeance. Numerous were the instances of commandoes or patrols, of which I heard when in Caffreland, carrying off the cattle of the Caffres, burning their huts, besides the misconduct of the traders and farmers. One of their own number assuring me that he deemed the greater portion of them far more infamous in their conduct to the Caffres than the latter would be, even if all the accusations brought against them were founded in truth. The case of Bowls and Stubbs attached, will afford a specimen of their conduct, as well as of the truth of the statement, that the traders often use the threat of Colonel Somerset's name, and a commando, to frighten the Caffres into compliance with some atrocious demand. Immediately prior to the breaking out of the war in December last, I am informed, some colonial horses had either strayed into Caffreland, or had been stolen. A patrol, under the command of a young officer, proceeded in search of them, entered Caffreland, and not finding the horses, seized some cattle, and were driving them towards the colony; the plundered Caffres followed the party and menaced them with words and gestures. The officer ordered his men to fire; an affray took place, and the officer was wounded in the arm. The Caffres' cattle were brought into the colony."

1435. Does the statement of the misconduct of the traders and farmers apply to the Dutch boors or the English settlers?—To the English settlers, inasmuch as the traders are settlers.

1436. Do you speak this from your own knowledge or hearsay?—Merely from what I have heard in the colony, not from my own knowledge. I beg perfectly to be understood, that the greater part of these circumstances are what I have heard in the colony, not that I have been an eye-witness of them.—"This affair is made a pretext for driving the Caffres out of the neutral territory where they had been permitted to graze their cattle. This takes place just as their corn is ripe, as was the case where they were driven out of the Mankusana in 1833; and again out of the Gaga in the following year. Regarding the chief Macomo's statement, of having brought cattle to the military outpost, an officer of His Majesty's 75th regiment assured me, that when he has been on command at the outposts, he has known the Caffre chiefs bring large herds of colonial cattle out of Caffreland to deliver over to the authorities. That he had known as many as several hundred brought out at one period, and this too unsolicited on the part of the colony. He also detailed the method adopted by the officers at these outposts when application was made to pursue cattle said to have been stolen. A boor or farmer, having lost horses or cattle, states the number supposed to have been stolen, which account of the number missing from the particular farms must be corroborated by the field cornet, or petty authority of the district. This field cornet is too often connected with the boor by ties of relationship or mutual interest. However this may be, his testimony is deemed sufficient, and the officer proceeds with a party of soldiers into Caffreland. If he succeeds in finding the spoor, and tracing the cattle to a kraal, he takes from that kraal an equivalent for the number lost. If they cannot be traced, he goes to some other kraal he may fall in with, and takes the same number as before specified. The poor Caffres who are thus unjustly deprived of their cattle are told to go and find the stolen cattle for themselves. The obvious injustice of such a system must be open to every unprejudiced person; yet there are few frontier farmers, whose moral sense of right and wrong has not been so obliterated by personal interest as to perceive the iniquity of such a system, independent of the premium thus held out to the boor and farmer to state their losses at any amount,

168
Capt. C. Bradford.

28 August 1835.

162 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

being pretty certain that the Caffres only will be the sufferers; besides the possibility of a farmer's cattle having only strayed away, as a case which took place about a year ago will illustrate. Forty-three head of cattle were missing from the grazing ground of field cornet Croep at the Kat River; a commando of Hottentots was ordered out in pursuit, who traced the spoor of some cattle, which ultimately turned out not to be the same, as far as the Gorga ridge of hills. They here halted for the night, and the officer commanding the military outpost of the Chumie joined them on the following morning with a detachment of soldiers, left the spoor or track, entered Caffreland, and captured 45 head of cattle, 27 of which were the property of one Caffre of Thyali's kraal, who was desired to go and trace the stolen cattle in place of his own. The Rev. Mr. Reid having to pass through Caffreland at this period, the poor fellow who had just been robbed of his cattle came to him with the bitter lamentation that his children were crying for food, that the calves of the cows that had been driven away were starving for want of their accustomed milk. Mr. Reid represented this case to Captain Campbell, the civil commissioner, who happened to be at Kat River at the time, and it having been discovered that the supposed stolen cattle had only strayed into the neighbouring thicket, the Caffre's cattle were restored. The injustice of demanding, as is frequently done by the colonial authorities, all the colonial cattle that may be in Caffreland, is apparent from the officer's statement before quoted, that when the colonial cattle cannot be discovered, Caffre cattle is seized in its place; restitution to the amount stolen having been made, such cattle necessarily becomes the property of the Caffres; and it would be equally vain to argue that, when claimed, they are only claimed from the men who stole them, for that would presuppose there was no such thing as exchange or barter amongst the Caffres, which is void of foundation; besides the frequency with which they obtain cattle from the traders or missionaries, in exchange for their own. I have been informed by men who have resided amongst or in the vicinity of the Caffres for years, they have remarked how very much the number of cattle in Caffreland has diminished, compared to the immense herds that were formerly seen grazing on their hills; and it is a remarkable fact, as noticed in a late Cape newspaper, how correspondingly great has been the increase in Albany during the same period; and if a fair account were taken of cattle, lost on both the British and Caffre sides, we should find the Caffres had been very far the losers, as acknowledged by a gentleman, who was an eye-witness to 20,000 head being driven out of Caffreland by the commando of 1823. When travelling in Caffreland, in October last, and the chiefs being in daily expectation of the governor's arrival amongst them, Colonel Somerset sent for them to meet him at Fort Willshire, to communicate a message from the governor. The note directing their attendance was put into my hand; Macomo stated to me the message was, that, according to the books or register of loss of cattle by the colony, there were still 400 head of cattle and 70 horses in Caffreland, and that unless Macomo and the other chiefs brought them out, a commando would be sent into Caffreland, and seize an equal number from the Caffres. The ill effects of such a message, at such a period, and as coming from the governor, to whose arrival they were looking as the means of putting a stop to the iniquitous system, so long carried on, may be imagined. An instance of the many acts of abuse of authority, I shall here transcribe, as stated by several men who were in Caffreland at the time. In June 1830 or 1831, a commando of boors entered Caffreland, for the purpose of seizing all colonial cattle that might be found in the country. The Caffres had received warning a few days previous of the approach of the commando, with its object, and that only the property of the colony would be taken; that they must not appear out of their huts with arms in their hand, lest some disturbance might arise (it being customary for every Caffre to carry his assegai in his hand at all times). The Boors separated, by order, into small detachments. One of which, under the command of one Pict Erasmus, a field-cornet, residing near the Kouga outpost, proceeded along the Debe flat, and swept off all the cattle feeding in large herds on the plain, making no distinction between Colonial and Caffre cattle. The chief Sicker, brother to the powerful chief T'Slambie, with many other Caffres, followed the party unarmed, that was driving off their property. The Boors seeing the Caffres following, turned and fired upon them; killed 7 or 8 Caffres, amongst whom was the chief himself. A quantity of Thiali's cattle were captured on this occasion, but on his making a complaint at Fort Willshire, his cattle were restored. A circumstance of a much later date was stated to me by the chief Botman, on the 1st October 1834, on the banks

28 August 1835.

banks of the Keiskamma River, which I shall give in his own words. At the time of the last new moon, a patrol, consisting of 20 mounted soldiers, under an officer, and another officer with a farmer from the colony, came among my people, and charged them with having stolen 10 head of cattle, whose spoor or track, it was stated, was traced to a Caffre chief's kraal (chief's name is Ghamboo); on hearing of their approach, I fled to the wood for protection. The officer cocked his gun and presented it at the heads of some of my people, and threatened to shoot them, unless they immediately brought me to them. The soldiers seized Ghamboo. The other chief fastened a thong round his neck, and brought him in this manner to the house of a trader, named James Baker (who corroborated this part of the statement), and kept him tied in this manner from the morning till the evening. The assegais of several of my people, who were quietly seated on the ground, were taken from them, and carried away by the soldiers, and several of my people were beaten on the head and shoulders with the sticks of the assegais by the officer and soldiers. Cattle, to the number of 47, were then seized and taken away by the patrol, and after they had left, a message was sent with a soldier, that I must send 20 head more cattle, with which I complied. The 10 head of cattle stolen from the farmer had been taken by a stranger, who had lately come to reside amongst Ghamboo's people. The farmer had come the day before to my place, when the cattle he had lost were offered to be restored to him, with 10 others, which he refused, and brought the patrol. As a contrast to this method of affording justice to a colonist, at the expense of the Caffres, I shall afford you an insight of what a Caffre has to expect at the hands of the British, when, in his turn, he lays a complaint of similar losses. On the 15th of May, 1834, I was travelling in the neutral country, towards the boundary of it and the Caffre country, in company with the son of a missionary—"

1437. What is the name of the missionary?—Mr. Reid—"and my Hottentot servant; about daylight, I saw approaching on the high road, a guard of mounted soldiers, of the Cape mounted rifles, conducting two Caffres, apparently close prisoners, being fastened round their necks by a leathern thong which bound them together, sufficiently loose to admit of their walking along the road. The end of the thong was held in the hand of one trooper, the other two riding in the rear as a guard. The Caffres were stout powerful-looking men, and seeing them in this manner, being conducted towards the colony, and having heard so much of Caffre depredation, (for this was on my first arrival on the frontier) I naturally supposed them guilty of some heinous crime. My surprise was correspondingly great to learn from the troopers, that these two men were not criminals, but the plaintiffs! They had been to Fort Beaufort to lodge a complaint before the officer commanding at that outpost, against some farmer who had entered Caffreland and stolen away their cattle. The officer directed them to be tied in this degrading manner, and conducted by the troopers into Graham's Town."

1438. You saw this?—Yes.

1439. Do you know the name of the officer?—I inquired, and heard that Major Cox was in command at Fort Beaufort, but I did not hear from the troopers whether he was the officer who directed them thus to be tied. "The officer directed them to be tied in this degrading manner, and conducted by the troopers into Graham's Town, a distance of 50 miles, that they might lay their complaint before Colonel Somerset, the commandant of the frontier. I felt indignant at the recital of their story, and asked them if they willingly submitted to such a method of conduct. To this they replied, that rather than be robbed of their cattle by the Boors, they would submit to the indignity, in hopes of obtaining justice; but whether they succeeded I never learned."

1440. Had you an interpreter?—The following passage will explain that: "The Hottentot troopers spoke a little English, and through their interpretation I held communication with the Caffres; and Mr. Reid's son also spoke English and Dutch; one of the Caffres was a Ghonaqua, or a mixture between Hottentot and Caffre, he could speak Dutch."—"These two facts alone, were there not abundance of a similar nature, may account for the late irruption of the Caffres. On the 26th of May, I rode into Tambookie land to the Moravian Institution of Klip-plaat; here I was informed by Mr. Bonaty, a German missionary, that some Boors of Cradock district, in the field-cornetcy of Cobus Potgeter, had on the 22d of the same month, entered Tambookie land, on the plea of having lost eight horses, and demanded from the chief Marpas restitution. The chief called on the Boors to show the spoor or trace of the horses into his country; this they at first refused to do, saying, it was too much trouble to return and trace the spoor; however, on Marpas declining

170

C. Bradford.
28 August 1835.

to comply with their demand, they pointed out a track, which proved on examination to be the spoor of the animal called the Quagga; however, the Boors, determined not to lose their intended plunder, carried off 60 head of cattle. This case was afterwards told me by a young Tambookie chief, nephew to the chief Marpas, who also stated, that only a fortnight previous, the Boors had stated they had lost five horses, and came and drove away the cattle from two kraals. Such conduct, was well calculated to produce the results that have actually followed. A few days before my arrival at Klip-plaat, Colonel Somerset had been in Tambookie land, and desired the missionaries to direct Marpas to go to him in the colony. Marpas proceeded on the expedition, and intending to pass by the Winterberg, he arrived at a farm-house. The Boor, from some motive, told him that Colonel Somerset only desired to make him a prisoner, and cautioned him against going into the colony. Marpas immediately returned to his kraal, where he discovered that during his absence the Boors had entered, and stolen a considerable number of his cattle; he came to the missionary station in great distress of mind, and highly incensed against the missionaries, who, he supposed, had played him a trick to get him out of the way, whilst the Boors came after his cattle. This, of course, was denied, and seeing that I really sympathised in his distress, he allowed me to persuade him to ride into the colony, that he might lay his grievances before Colonel Somerset; and he actually accompanied me on the following day to the Kat River, where I gave him a note to the officer commanding the military outpost, requesting he would give the chief a pass into the colony; but whether he ever obtained the redress he sought, I am not aware. I shall now state a circumstance which may enable the Committee to form an idea of what measure of light may be expected to be thrown on the frontier system, by those authorities to whom the Government would most naturally look for information. The following case refers to an officer in the colony; I should prefer not mentioning his name, if that will be the means of bringing that officer into any trouble; I have not mentioned his name in the statement.

1441. The Committee are not in the habit of asking for names, unless it becomes necessary, they wish to avoid charges against individuals?—"I was passing the Glasgow missionary station of the Chumie, situated just within the Caffre frontier, at the foot of the Chumie mountain. Mr. Chalmers, the missionary, had been detailing the injustice of driving the Caffres from the beautiful and fertile country of the Gaga, on the plea of its forming part of the neutral territory from which they had lately been ejected by the military, although the colony would be in no measure benefited by the act, the ground in question being far from the colony, and the Caffres living peaceably and quietly on it; and also that when the Caffres were driven out of the Mankasana in October 1833, the Gaga was left as a part of the Caffre country,—the Hottentot troopers riding along the ridge of hills which separate that country from the Mankasana, knowing that, in obeying the orders they had received, they were to leave the Caffres in undisturbed possession of the former country. Having borne his testimony to the injustice as well as unnecessary cruelty of this measure, he mentioned an extraordinary requisition of a neighbouring magistrate. I must explain, that the chief Thiali wrote a letter to the editor of a Cape newspaper, relative to an occurrence in which this magistrate had taken a prominent part with reference to his connexion with the neighbouring Caffres; highly incensed at the letter, the magistrate demanded from Thiali the name of the writer, as the Caffre was of course obliged to employ some person who could write in the English or Dutch language; Thiali refused to give up the writer; however, as the one party mentioned the names of several persons, to each of which the chief replied, 'no;' he at length mentioned Mr. Chalmers; the chief here was silent; this fixed the imputation upon him, and immediately a declaration to the following effect was sent for Chalmers to sign: That he acknowledged himself the writer of the obnoxious letter, and deep regret at having done so: that he henceforth promises and engages never again to write or interfere in any manner with what may transpire touching the conduct of the government servants towards the Caffres; and in short, that whatever may happen he will make no report of the circumstance, but confine himself strictly to his ministerial duties as missionary. This declaration was accompanied by a threat to obtain the removal of Mr. Chalmers from Caffreland, as also to report his conduct to the directors of the society in Scotland, to which Mr. C. belongs, should he refuse to sign the paper. Mr. Chalmers, I need hardly add, indignantly refused. Mr. Weir, an artisan, corroborated this account. The motives which called for this attempt to stifle

Capt. C. Bradford.

28 August 1835.

stiffe information need no comment. The interests of the white population in South Africa flow so much in one current, that in remote parts of the country the missionaries can alone be looked to for information of the many abuses existing in that unhappy country; and if by any means these can be silenced, either by threats or fair speeches, I deem it in vain for the home Government to expect correct information, unless by sending out another commission of inquiry. There are but few men I have met with in South Africa so unblinded by self-interest or party prejudice, as to give a clear opinion of the character of the system pursued as well by the government servants as the Boors and farmers; and so obtuse does habit and association render their moral vision, that the settlers of South Africa would think themselves deeply calumniated, were the character and tendency of their conduct and sentiments truly demonstrated. I have been shocked to hear the indifference with which many have spoken of shooting the Caffres, who were otherwise perhaps considered humane men, and respectable members of society. Even in Cape Town I have met the same ignorance of the true state of the frontier as might be expected in this country, excepting so far as the newspapers afford some accounts. A few visitors from India travel through the country, and having been eye-witnesses of the working of the system, openly bear their testimony against it whilst at the Cape, but they most generally return to India, and their testimony, so far as it might be of service to the home Government, is rendered ineffective; consequently if the missionaries were silenced, the coloured classes would be almost friendless; hence the necessity of a missionary, so far as benevolence may require to enter into the political relations of the people amongst whom it becomes his lot to minister; against this there has of course been a great outcry, but if this had not been the case, the people of South Africa would at this time be in a more deplorable state of bondage than that from which the slaves of the same colony have just been liberated. The ultimate and long anticipated effect of our conduct towards the Caffre nation has at length manifested itself in the outpouring of their indiscriminate vengeance on the colony—a result which, when travelling on the frontier, I expressed my surprise had not then taken place; even up to the latest hour, if we are to believe accounts from the frontier, of which we have no reason to doubt, we hear of commandoes and patrols. An officer, having been in pursuit of some horses said to have been stolen, seizes upon some cattle instead; resistance is made, and the officer is wounded. Next follows the burning of some Caffre kraals, and the Caffres driven again from the neutral ground. The chief Thiali is ordered to send a number of cattle; he remonstrates; a commando is sent into his country; his men are fired upon, two Caffres killed, and Thiali's own brother shot in the head. On the spilling of the blood of Gaika, the late Prince, from the veins of his son, the Caffres driven to desperation, boiling in anger, burst forth in all the violence of long repressed wrath. When in Cape Town I had access to the memoranda of a deceased officer who served in Africa between the years 1814 and 1820, in them he had stated numerous commandoes and patrols, day after day, on which he had been ordered to serve, noting down numbers of Caffres slain by his men, and also his own abhorrence of the system till the very hour when the Caffres burst upon the colony in 1819, and very nearly captured Graham's Town. Here we find a repetition of the same system—a repetition of the same results. To proceed: three tribes, under the brothers Pato, Cobus and Kama, alone stand aloof from this desolating irruption. Their territory lies to the south-east of Caffreland, bordering on the mouth of the Keiskamma and the sea, and at once profess themselves the friends of the traders, and afford shelter and protection to every white man or colonist who fled to them. How shall we account for this, when the Caffre nation has burst through every barrier to wreak its vengeance in deeds of horror and bloodshed on our devoted countrymen. One large and powerful tribe under these brothers should stand aloof from these heartrending scenes of slaughter, refuse to participate in the spoil of the white men, and act as mediators and friends. Are these Caffres better taught, or more merciful in their natures? No; we must trace its explanation to another source, than which nothing more clearly develops the effect of the relative policy pursued by the authorities in the frontier to the different tribes. I was informed by the missionary, and others residing amongst the above-named tribes, that no commandoes or patrols had been amongst these people for 10 or 12 years, and that few thefts were traced amongst them. Why did these people cease from stealing, or require no commandoes to keep them in order? Because they were left in undisturbed possession of their lands and cattle; their safety and their peace was guaranteed to them; more than

172
 Capt. C. Brailford.

28 August 1835.

this, they were permitted to reside unmolested on a part of the neutral territory, graze their cattle and plant their gardens; a system of equity and encouragement being pursued, there were few thefts and no commandoes. They had equal or greater facilities than Macomo's men to steal and secrete the property of the neighbouring settlers, had they been so disposed; hence in the hour of trial they remain firm friends; on the other hand, we find Macomo and Thyali driven from their houses, from the homes of their fathers, their huts burned over their heads, their people shot; at one period permitted to reside for a few months on the neutral territory, then suddenly ejected; their huts in ashes over their children's heads; their gardens, just before the ripening of their corn, destroyed; their people robbed of their cattle, and this system pursued year after year and month after month, till the very hour of the breaking out of the war. This alone can account for the otherwise wonderful difference we perceive in the conduct of distinct tribes of a people whose progress in civilization is equally the same, and whose advance in the distinguishing feature of mercy towards the enemies of their nation has been evinced by the Caffres having invariably spared the lives of the women and children who fell into their hands, being contrary to the practice of all their former wars. Thus we behold human nature acting under the influence of two systems; the one calculated to produce the lamentable results we are now called on to deplore, the other showing what might fairly have been anticipated from all the tribes in Caffreland, had justice and equity been the basis of our colonial policy, which would have retained the friendship and mutual benefit of our intercourse with the Caffres, and instead of suddenly losing a trade highly advantageous to the colony, we should shortly have doubled its produce, as well as conferring a most essential service in a moral point of view on the Aborigines of the country." Here are two cases to which I have alluded, which I have inserted as a kind of appendix; one is connected with the Caffres, the other with the Bushmen; this is a case given "By the chief Macomo and christian chief John Tymtso. Case of the traders, Bowls and Stubbs. About the 3d of September 1834, a disagreement took place between Kneuka, a chief and brother to the late T'Slambie, and some men of T'Slambie's tribe, in consequence of which the chief Kneuka permitted his people to go into a kraal of T'Slambie's tribe, and carry off 40 head of cattle; these cattle were in a kraal in which the traders, Bowls and Stubbs, had placed some of their own cattle, and which formed part of the 40 head carried away. Kneuka's men passed the house of the trader Bowls, whose people recognized the cattle; however, they were still driven forward till Gaika's men also recognized the cattle, took possession, and delivered them over to the men of the kraal, whence they were seized, who immediately drove them back to the place where they were taken. Thus things remained the same as before the attack on the kraal was made. Stubbs and another Englishman about three days after this went to Soutoo, the head of Gaika's tribe, and complained that Kneuka's men or some Caffres had stolen 100 head of cattle from them, amongst which were a number of valuable black oxen they had brought from beyond the Orange River, and at the same time threatened to send into the colony for a commando, unless restitution was made; on this threat Soutoo sent a commando of her own people, accompanied by the two Englishmen, and seized from Kneuka's people 400 head of cattle; some resistance having been made, six men were wounded. The Englishman was ordered to examine the cattle, to see if any of his were amongst them, but finding none, he demanded 100 head of the captured cattle in their place; this being complied with, he drove off his spoil, leaving 26 head at Bowls' kraal; Kneuka's people having represented the true state of this transaction to Soutoo, she applied to Bowls to restore the 26 head of cattle left at his kraal, the others having been driven into the colony. This application being without effect, Macomo, the chief regent, was applied to, who wrote the following letter to Bowls:—"Sir, I would beg you to be kind enough to give back the cattle of my people from five kraals, as I have investigated the case, and found that these five kraals are all innocent. I am, Sir, the Captain Macomo."—To this letter Bowls thus replies: "Maccow, September 5th, 1834.—Sir, I have just received your note at this moment; I was going to Graham's Town, to report to Colonel Somerset respecting my cattle that have been stolen from this place. There were from 70 to 80 stolen, of which number I am now eight short, exclusive of what were stolen belonging to Fauno and his people; all that I have as yet received for payment are eight young oxen, five young bulls, ten old cows, three young heifers, three calves—29; of which two cows and one calf since dead—26

Since

28 August 1825.

Since I have been in this place I have had my cattle repeatedly stolen, and this is the first time I have been able to detect the thieves; therefore I am determined to report the same to Colonel Somerset, and will prosecute the offenders as far as the laws of the country will allow. Yours, &c. &c. (signed) William Bowls.— William Bowls commences by saying, that there were from 70 to 80 stolen, and that of this number he is still eight short. He then goes on to say, that of this number he has only received 26 in return for, say, the lowest number, 70, said to have been stolen; there would still be due to him 44 head of cattle, instead of the lesser number of eight which he claims; it is not to be imagined that a man of his profession and character would voluntarily concede 36 head for eight which he claims, if his statement had any foundation in truth. The whole of this case from the commencement is worthy of note, as illustrating the conduct of the traders in Caffreland, and what degree of credit may be attached to their claims upon the Caffre people." Bushman case: "Extract of a journal kept at the Bushman station, near Caledon River, 1829, December 11th. Yesterday evening we were informed that a party of farmers had shot a Bushman named Flink, about five miles from this station; this morning, accompanied by Mr. Clarke and the Hottentots of this station, Stoffel, Swarthay and Willem, we rode to the spot, to which we were directed by a Bushman, and found the dead body of Flink covered with stones, which the Bushmen had covered in this way to prevent it being devoured by wolves or vultures; on examining the corpse we found that a bullet had entered the left thigh, and remained in some part of the body; a short distance from the spot where the deceased was lying, about 70 paces, were discernible the footmarks of five horses; we traced these footmarks to a place where a party of farmers had taken up their temporary abode; neither the Bushmen or ourselves were aware of any other party of colonists remaining near our station at this time except these persons. The Bushmen stated that it was a Boor of the name of Willem van Aswegan who had shot Flink, and that they knew him; we ascertained that the said party of Boors consisted of the following persons; Henning Suble, Willem Smid, another Suble, Barton and Willem van Aswegan. The Bushmen confessed that they had stolen two head of cattle from this Willem van Aswegan, but that Flink was quite innocent; he had unfortunately met them at the spot, when the commando attacked them, and, in endeavouring to escape up the hill, he was shot. A Caffre named Jaunary also testified that these very Boors had told him that they had lost some cattle, and that he saw them going and returning from the commando; and that the horses' traces we had followed were the traces of the horses of the Boors who had shot poor Flink. When Captain Stockenstrom visited the Bushman station, he said to Mr. Clarke and myself, that Van Aswegan confessed to his having shot the Bushman, but no further notice was taken of this transaction, as Van Aswegan afterwards denied the assertion; excepting that we received a letter from the clerk of the peace of Graaf Reinet, requesting one of us to come to Graaf Reinet to substantiate this case, but at the same time stating that it was doubtful if the Attorney-general could take cognizance of it, as the deed was perpetrated beyond the boundary. We requested, in reply, to know whether the colonial authorities had power to punish the delinquent, if the case was proved against him; to which communication we received no reply, and the murderer remains unpunished; he has not even, to our knowledge, been prohibited to cross the boundary. The Boors were all under the jurisdiction of the commissioner of Graaf Reinet."

1442. You landed at Cape Town?—I did.

1443. You staid there a fortnight?—About a fortnight or three weeks.

1444. Had you a companion in your journey?—For the first 300 miles I had a companion, an Indian officer, he returned to Cape Town, having left his family there; the remainder of my journey, till I arrived at Kat River, I was by myself, excepting that portion of my journey between Graham's Town and Kat River, where I have stated I met the troopers conducting two prisoners; at that time Mr. Reid's son was with me.

1445. Were you introduced from Cape Town by any persons to the frontier?—I had letters to some parties on the frontier from Cape Town.

1446. To whom were they addressed?—I had an introduction to the missionaries of different institutions I had to pass in the route, to enable me to inspect them, and amongst others one to Mr. Reid, the missionary at the Kat River; also letters to some of the Dutch magistrates and field cornets along my line of route.

194
Capt. C. Bradford,

28 August 1835.

160 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1447. From whom did you get them?—Some from Dr. Philip, and others from gentlemen in Cape Town.

1448. You mentioned in your statement that a great deal of information contained therein had not been what took place under your own observation, but what you received from conversation with other persons?—Yes, such was the case.

1449. Some whom you have mentioned, others you do not?—Just so; I have the names of the parties who gave me information.

1450. How many would you like to put upon the minutes?—I have no objection to name all except that of the officer of the 75th regiment, which the Committee do not desire.

1451. Perhaps you will be good enough just to mention the names of the parties from whom you received the particular information detailed in your statement?—That relative to Macomo's having been forcibly conducted from Kat River by a party of soldiers, was given to me by Mr. Reid, of Kat River, and his son, and corroborated by Hottentots on the station; the name of the person who wrote me the letter relative to the huts burning in the Guga country was Mr. Kolbie; I received the other information I have stated from other individuals, whom I will name if it is desired.

1452. How long were you on the frontier?—I was on the frontier itself about five months.

1453. Including your residence in Caffreland?—Yes, that is including my travelling in that country; I did not reside in Caffreland at all.

1454. In your intercourse with the Caffre chiefs, how did you manage to get an interpreter?—There was generally some person at the missionary stations; John Tymtso, the christian chief, was the chief interpreter when I met four or five Caffre chiefs in council.

1455. When those Caffre chiefs gave you an account of their hardships, you took them *cum grano salis*, of course?—I could form no judgment of the truth, or otherwise, of their reports.

1456. If you had gone on the other side of the frontier and talked to a Dutch Boor, he would probably have given you a very opposite account?—Yes, probably.

1457. Then you would have had to judge between two parties?—Yes, I should form my judgment from the general character of the people, and the object they might have in deceiving me, or otherwise.

1458. Have you not drawn conclusions that would be likely to lead to error in consequence of only having heard one side of the question?—I heard only one side of the question from the Caffres, but I have heard the other side of the question from the colonists, from the English settlers in Albany, and have drawn my conclusions accordingly; their statements have generally been on the opposite side; theirs have been complaints of the conduct of the Caffres themselves; complaints of want of protection from the Cape government against the Caffres.

1459. The correspondence you have had with the British settlers is not alluded to in your statement as regards the Caffres?—No.

1460. But you still adhere to the opinions pointed out in your statement?—I do with regard to the Caffre nation and the commando system; in my communications with the colonists they do not deny the inefficiency of the system, and say that they do not receive the protection they require.

1461. The Committee conceived that the complaints were between the Caffres and the Boors, and not the English settlers?—I have heard the English settlers complained of by the Caffres.

1462. The chief complaint is against the conduct of the Boors?—The chief complaint is against the commando system, and also when I was in Tambuckland it was undoubtedly against the Boors and not the settlers; the settlers had little access to the Tamhanhies, they are removed to a distance from them.

1463. You spoke of the exemplary conduct of three of the Caffre chiefs, Pato, Cobus and Kama, they are settled on the Keiskamma, near the sea, are they not?—On the other side of the Becka.

1464. They are in close contact with the British settlers, are they not?—They are in closer contact with the British settlers than the Dutch, the Dutch being much higher up.

1465. Then the Committee may draw a favourable inference from the facts you have stated, that the British settlers in that part have behaved very well to the Caffre chiefs, inasmuch as there has been no aggression on their part?—As far as I have heard, there are not those complaints of the English farmers as there are against

against the Dutch farmers; but there are those complaints against some of the English traders in Caffreland.

1466. In going higher up where you approach the Dutch locations, there it is that the commando system is more complained of?—Yes, I did not hear personally any complaint when I was at Westville, a station situated amongst the people of Pato's tribe, in whose vicinity are located the English settlers, but within the colony.

1467. Then a great part of what you consider the difficulties in the way of an amicable arrangement between the colonists and the Caffres, consists more in the commando system than any other?—Chiefly in that system.*

1468. Have you considered at all how you would obviate those difficulties in future?—I have certainly heard much conversation on the frontier on the acknowledged difficulties of arranging some system.

1469. Have you not thought of some plan in your own mind?—It appears to me that the foundation of the system, whatever it should be, would be what Captain Stockenstrom has stated, that of equal justice between man and man; that is, the same system of international justice should be established between the British nation and the Caffres, as between the British nation and any European nation; and possibly the plan of a civil commissioner or political agent, with a body of police stationed on the frontier, through whom all intercourse between the colonists and the Caffres take place might be arranged, something similar to the system on some of our frontier districts in India; the military not to be employed at all excepting under the direction of the civil commissioner or political agent; that is the idea I have formed myself on the subject, but it is acknowledged in Africa itself to be one of very great difficulty.

1470. Do you think that if the same system were observed in our dealings with the natives of South Africa as are observed with the border natives of India, we should maintain peace in Africa as we do in India?—I do.

1471. Do you think it would be a great advance in improvement to adopt the same system in Africa as is adopted in India?—I do.

1472. Will you explain that?—I was passing through the district of Masulipatam about two or three years ago; a magistrate at that period, with whom I was residing, stated that the district of Masulipatam had been infested by robbers from the neighbouring country of the Niyam, of Hyderabad; that by order of the government no soldier was permitted to enter into the Niyam's country to follow up the robbers or depredators, but civil police alone were employed under the orders of the civil magistrate; on some occasions whole villages were plundered, and baggage could not be conveyed without an escort, but on no occasion did he employ any military; that the civil police alone were employed, who, if they had any track, followed the marauders into the Niyam's country, who employed his own military within his own territory in conjunction with our civil police in putting down the robbers, and in the course of a very few months it had considerably decreased.

1473. Do you suppose that, for a long time to come at all events, the Caffres will be in that state of civilization to admit of their performing their part of the contract; if the Caffres stole cattle from the British territory, do you imagine that through the intervention of the chiefs only those cattle could be brought back?—I think that the greater portion of those thefts would be discovered, and that the cattle would either be restored, or an equivalent would be awarded by the Caffre chiefs, provided a system of equity and justice were adopted towards the Caffres.

1474. The Hottentots make very good soldiers?—So I understand.

1475. Did you see any of them?—Yes, I saw the Hottentot troops.

1476. You would not recommend that they should be done away with?—Certainly not.

1477. Perhaps you would recommend that they should be increased, being the soldiers of the country?—Yes; I think under present circumstances there should be another regiment raised.

1478. Is it your wish there should be a greater quantity of troops placed upon the border than there has been?—No, certainly not. I should say employ civil police.

1479. How many troops have been employed on the frontier?—At the time I was there there was one European regiment in Graham's Town, partly broken up in small detachments, and a detachment of artillery and the Hottentot mounted corps.

176
Capt. C. Bradford.
28 August 1835.
22 61 100 2 1/2

170 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1480. A regiment, or part of a regiment, would be necessary for garrison duty in the town, would it not?—Yes, it would.

1481. Then it would be a Hottentot corps who would be employed?—Yes; Colonel Wade can answer that question better than I can; before the breaking out of this war, or before the crisis that led to it, I should think there was no occasion whatever for the increase of troops; possibly, since the breaking out of the war, and the excitement which has arisen, there may be a necessity for troops, of which I am not able to judge.

1482. Supposing the Hottentot corps amounts only to 200 men, acting principally as an armed police, would you think that 200 men was sufficient to guard the frontier?—As a military force to guard the frontier, certainly not.

1483. Do not you think that, in the scattered nature of the country, it would be difficult to get a police of the character, you have described?—I think the Hottentots are extremely well suited to it.

1484. It must be by Hottentots?—I think that they would make the best police for that country.

1485. After all, you consider that an additional force of some description would be necessary?—Possibly, after this war; of that I am not able to judge; I think before the war, or had the causes been removed which led to it, an increase of troops would have been necessary.

1486. Provided there were no soldiers on the frontier, and the Boors had their cattle stolen, what remedy would you give to them; would you have them apply to the Caffre chiefs?—No, not personally.

1487. Would you wish there should be a civil force, under the direction of a civil commissioner, in preference to the plans which have been adopted?—Yes.

1488. But still that it should be by Hottentots?—I think the Hottentots better fitted for that description of service than any other description of men, particularly than Europeans; the natives of the country are able to trace the track of cattle better than Europeans; a blade of grass, or a little sand turned, will enable them to ascertain the direction cattle have taken; and they better understand the method of travelling through the country.

1489. You must be aware that, in the statements you have given, you have complained of the system, and in a great measure of men who reside on the frontier, for their conduct to the Caffres; on a review of what has been stated, do you still adhere to the same opinions?—I do.

1490. Was it a matter of surprise to you that the war broke out with the Caffres, from what you had seen last autumn?—Not at all; when I was in Graham's Town, on the frontier, when there was no idea of any thing of the kind about to take place, I expressed my surprise that the Caffres did not attack the colony.

1491. Did your surprise arise from a supposition that the colonists were weak, or did it arise from a conviction that the treatment was such as to exasperate the people against us?—That the conduct was such as to exasperate the people so much as to make them unmindful of their own weakness and inefficiency in an attack upon the colony, and that at all hazards they were impelled to wreak their wrath upon the colony.

1492. Would it be going too far to say that they were goaded to a degree of desperation, and that that produced the war?—I should say, in my opinion, that was the case, that they were goaded on to the war. I merely give that as an opinion.

1493. You have said that during the time you, a stranger to the colony, were upon the frontier, you heard of a great variety of instances in which military expeditions had been sent into the Caffre country?—Yes; I did hear of very many instances in which the military were employed in patrols within the Caffre boundary.

1494. Had you any intercourse with the Hottentots which enabled you to form any estimate of their conduct and character, the situation which they formerly held, and the situation to which they have been now elevated by the 50th ordinance?—I resided at the Kat River for four or five weeks; during which time I had constant intercourse with the Hottentots at the Kat River; and I was very much struck with the improved condition of the Hottentots there, compared with what I had read of the Hottentots in former years, and what I had heard of what they were formerly.

1495. Did you find that the Hottentots there stationed were willing to undertake large and laborious works?—Inasmuch as the improvement of their locations, cutting

cutting canals to draw out the water on their lands; and, in fact, if I am allowed to speak in this manner, Captain Stockenstrom's statement regarding the condition of the Kat River locations at the time he left them, is such as I can most fully corroborate it as being a correct description of their improved condition, as I left them in October of last year.

1496. Did they not seem elevated in civilization?—They were very anxious for education. I was present at the examination of their schools, and was witness to the very great advance they had made in reading and writing, and the common simple elements of education, and the anxiety with which the old as well as the young came to the Sunday schools to obtain the instruction.

1497. How many did you see assembled together on the Sunday?—I have seen as many, I should think, as 400 children assembled at an examination of the schools, at Kat River.

1498. Did it appear to you that they answered as well the questions put to them as an equal number of English children, who had had the same period of education?—Many of the children showed a great deal of shrewdness and intelligence, and answered the questions extremely well; of course there must be great difference of capacity between children.

1499. Did you hear that those Hottentots were much addicted to drunkenness?—Not at the Kat River; I did hear, when I passed through different villages and towns in the colony, there were repeated complaints of the drunkenness of the Hottentots, and I certainly saw many in the vicinity of canteens; spirits are sold at a very low rate. I never heard of a single instance of drunkenness at the Kat River.

1500. Are there any canteens at the Kat River?—No.

1501. Do you know whether the non-allowance of canteens there had originated in a petition presented by the Hottentots themselves, that they might not be allowed?—I was given to understand that the Hottentots had sent in a petition to government that no canteens should be allowed at the Kat River; and in the Temperance Society, when I was there, they numbered 1,600 Hottentots.

1502. How many is the whole population of the Kat River?—I understood something under 5,000.

1503. Amongst the population whom you saw, during a residence of five weeks at the Kat River, in which you communicated constantly with the natives, did you see a single instance of intoxication?—Not one.

1504. Did you hear that any number of those persons raised from so low a station had been guilty of crimes of which they had been convicted before the magistrates?—No, I did not. I heard of one instance which took place; I do not exactly recollect when, but only one instance; and I rather think that is the one Captain Stockenstrom mentioned in his evidence, from the circumstance of two cows being stolen.

1505. Did you feel that your property was secure while you were in that location?—Perfectly so.

1506. Did the people seem happy and contented?—Perfectly so; more so to appearance than at the missionary stations in the colony; there was a marked difference in the expression of their countenance to that I noticed in the other part of the colony.

1507. Had you ever seen the Hottentots during the time they were in that state of bondage in which they were previously to the 50th ordinance?—No, I had never been in the colony before.

1508. Have you seen persons in slavery in any part of the world?—So far, that the slaves were just liberated at the time I arrived, at least under the apprentice system.

1509. Upon the whole, do you represent the colony of Kat settlement as prosperous, the people as industrious and as moral as people are usually in locations; and that altogether that experiment has entirely answered the expectations that were entertained of it?—I should say yes; at least all expectations that I had heard were entertained of it; I should say, that the Hottentots at the Kat River were, generally speaking, a more moral and a better conducted class than a very great number of the lower class of settlers residing in South Africa.

1510. Does a person found drunk at Kat River cause an expulsion immediately?—I have never heard a particular instance of a person being found drunk at Kat River.

148

Capt. C. Bradford:

28 August 1835.

1511. Have you visited Ghenadendal?—Yes, I have; I was a few hours there; I just went into the church, and saw the people at public worship.

1512. The plan at Kat River is similar to that at Ghenadendal, is it?—No, it is quite different.

1513. Do you happen to know whether an experiment was made in the neighbourhood of Kat River of some natives who were instructed in matters tending to civilization, without the introduction of Christianity?—No, I have not heard of that circumstance.

1514. You have drawn out some notes respecting the Hottentots, will you have the goodness to read them?—

[The same were read, as follows:]

HAVING journeyed between seven or eight hundred miles, visiting the villages and missionary stations scattered along the line of my route, I arrived about the middle of May 1834, at the Hottentot settlement of the Kat River; here I was forcibly struck with the cheerful and happy demeanor of the Hottentots, as well children as adults, compared with the general feature of the same class of persons whom I had met in the colony. Though, in point of law, the latter are as free from restraint as the former, still there is a buoyancy of spirits, a vivacity on the countenances of the Kat River Hottentots, which I in vain looked for in the colony. This I can alone attribute to the independence of their situation as possessors of land, and freedom from a vassalage, the recollection of which, from long habit, operates to depress the minds of those still residing amongst their former masters and oppressors, having so recently been emancipated from a system by which it was illegal for a man of colour to be possessed of a single rood of land, or to move even a few miles to purchase the common necessaries of life, without a written permission from some petty authority. The missionary stations became at that period his only refuge. These stations have not, however, the means of furnishing support for the numbers who still flock to them, nor can they afford to allot lands as permanent property to individual Hottentots; the consequence has been a want of that impulse which a sense of personal or individual interest in property would give to exertion, and the Hottentot is therefore, with some show of justice, accused of indolent habits, yet such habits are naturally engendered by the very position in which they are placed, for it would be contrary to sound principles to expect laborious exertion on the part of individuals, unless we supply them with a sufficient motive or stimulus; hence it is of paramount importance to the future condition of the Hottentot population, and, considering their numerical strength and advance in civilization, to the well-being and prosperity of the colony, that some measure should be adopted, not by coercion but encouragement, to train up so large a class in industrious habits; for this purpose, in addition to the lands at the missionary institutions, government might resume tracts of land in the vicinity of the country towns, or missionary institutions, to confer in perpetuity upon that class. When land is constantly put up to sale at such very low prices, the expense to government would be so trifling as to be scarce worth mentioning; and that something of the kind is absolutely necessary, as well as our duty, we find acknowledged by Colonel Wade, in Council, at the Cape of Good Hope, though on that occasion he proposed to give all the colonial waste lands, whereas I am given to understand, the whole of the colonial lands available to the purposes of life are already disposed of. Such a gift should be made under certain conditions; that is, the land in question should be inalienable from the coloured classes for a given number, say 20 years. Such also should be the tenure under which the lands at the Kat River should be assigned to the present occupiers. The object is of course to prevent the Hottentot, either by temptation or fraud, being ejected by the white inhabitants, which would most probably be the result were he left to himself. The act itself, as acknowledged by the advocates for the vagrant ordinance, would be one only of simple justice as well as of common humanity to a starving population, it would be the best measure to render industrious a large and increasing population, improve the condition of the country by the cultivation of extensive tracts of land, which are now only made use of as sheep-walks, or on which to herd a few hundred head of cattle yielding little or no revenue by gradually improving the coloured classes, by holding out a stimulus to exertion, increasing their artificial wants, at the same time affording them the means by personal activity, of gratifying their newly-acquired tastes and habits, together with the inducements of independence, and teaching them to respect themselves, we shall raise up a class of persons who will prove the wealth and strength of the country, as Waterboer, the Griqua chief, is now on the north-east frontier, we shall enhance the value of all lands, stimulate the Dutch boors to exertion, produce an immense demand for our European manufactures and produce, and in a very few years the increase in the revenue will more than repay the first trifling outlay. The Kat River establishment has not been in existence more than five years, and the taxes paid by its inhabitants, their improved mode of dress, the comfort in many of their houses, and advance in education, are a sufficient proof of the result that may be anticipated, together with the fact that they have just subscribed a sum to the amount of 499*l.*, partly in money, part in material, to build a new church, and had also prepared to lay the foundation of another before I quitted them. Respecting Waterboer and the Griquas, over whom he is chief, I conclude your honourable Committee are in possession of a copy of the treaty lately entered into with him by Sir Benjamin D'Urban. The other chief of the Griquas, whose country is immediately north-east of the district of

Hautam,

1749
 Capt. C. Bradford
 28 August 1835

Hantam, Adam Cock by name, I met with at the Kat River when he arrived in expectation of the governor's presence on the frontier. He is possessed of considerable property, his sheep amounting to 10,000, cattle 500, horses 250, and five waggons. His people consist of Griquas dressed in European costume, Coronnas and bushmen possessed of numerous flocks and herds of cattle. He complained bitterly that every fountain and river in his country had been seized upon by the boors who had migrated from the colony to depasture his country. That at that period there were 600 boors, with their flocks and herds, who had driven his people from their places and property. The chief's statement was corroborated by an European who had resided, by permission, in his country, and who stated that unless the Cape authorities attended to the chief's petition, and caused the boors to return within the colony, that the whole of this rising class must be ruined, or fall back upon the more northern tribes. They had considerably progressed in education and civilization. The danger of driving such persons to predatory habits must present itself to every thinking person. The same gentleman who corroborated Adam Cock's statement, adverted also to the state of the bushmen on the north-east frontier, the oppressions they suffer from the boors into whose service they are compelled to enter, and the necessity there existed that the government should adopt some efficient measure to ascertain the number of bushmen residing in the service of the boors when each bushman became subject to his present master. The wish of the bushman, if such service be with his free consent, should be ascertained, and the certificates of contract should be examined. As there is much reason to believe that the bushmen on that frontier are in a perfect state of slavery, under another name, an instance in point will perhaps make the case more clear. A boor not very long since went to a missionary station in the Griqua country, and claimed two bushmen residing on the station as his servants under contract, who he stated had run away from his service. The bushmen were known on the station, and also denied the servitude. The boor, however, pulled them out of their huts, and forced them away into the colony. The missionary complained to the field cornet of the district, and insisted upon seeing the register of the contract, or that the bushmen should be released. It ultimately proved that the whole was false, and the boor was obliged to give up his claim; we do not hear that any punishment of the boor ensued. In this instance we find the field cornet forced to do his duty, by the energy of the missionary; but when we hear of the magistrate and civil commissioner of one of the most extensive frontier districts saying that he found it necessary to wink at the illegal or misconduct of the boors, we can hope for but little justice towards the poor natives from the hands of the petty functionaries, such as field cornets and field commandants, some of whom I understand are so ignorant as to be incapable of signing their own names. Accompanying is a single bushman case which will illustrate the inhumanity of some of the frontier farmers. Regarding the conduct of the local authorities in the country districts, a very respectable settler in Albany, when conversing on the subject of the Vagrant Act, expressed his opinion that they were only deterred from acts of injustice by the fear of being ejected from their situations from the known probity of the present governor, and that the power of dispensing its several enactments may, without fear of detection, be abused to an almost unlimited degree in the districts far removed from the watchful eye of Sir Benjamin; hence the urgency with which it is advocated, together with the known result of the Hottentots being forced into service at whatever wages it may please the master to give. The interests of these functionaries are blended with the remaining portion of the white inhabitants. They are equally prejudiced against the coloured classes, and identify their sentiments with the popular outcry against the aborigines, whose services they would secure at the lowest possible rate of remuneration. The correctness of their reports as to the necessities of the country may well be received with caution, when their personal interests and prejudices preponderate so heavily against those very persons whom it would become their duty to defend from the oppression and exaction of the surrounding cultivators of the soil. The fact of every magistrate and civil commissioner, excepting Mr. Van Riet, of Nitenage, having given his opinion in favour of the Vagrant Act, together with a petition from 82 Hottentots of the Kat River to the same effect, would seem to establish its necessity, did we not know the above connexion to exist between the magistrates and the white inhabitants, who in very many cases in the Dutch districts, are united by family ties of relationship, binding together many families as one man; together with the positive fact, that the Hottentot petition was carried about for signature by two field cornets, or petty justices of the peace, and that many who signed have since confessed that they were told it was a petition to some other purport, and earnestly desired to do away with the ill effect of the requisition. Other Hottentots at the Kat River openly told me that, although possessed of property, they would migrate from the colony and reside amongst the uncivilized northern tribes, rather than be subject to its oppressive provisions. An instance of the conduct of the field cornets came before me at the Kat River; sixteen Hottentots arrived from the Snewberg, with their families and flocks, having been directed by the boors, by the field cornet's orders, to enter into permanent contracts of service or proceed to the Kat River; they preferred the latter. On the road, in consequence of the drought, they lost a considerable number of sheep. When they arrived, the civil commissioner of Graham's Town informed them that government had not issued any order of the kind, and that at the Kat River there was no space for them. And again on my return from the eastern frontier, I found during the agitation of the Vagrant Act question, hundreds of Hottentots had fled to the several missionary stations for protection from the boors and justices of the peace; and at George Town the chief magistrate had, only the week prior to my passing through, cancelled fifty illegal contracts of service into which the Hottentots had been forced by the field cornets, the whole having come to his knowledge by mere accident

180

Capt. C. Bradford.
26 August 1835.

accident. These instances are sufficient to prove the character of the Vagrant Act itself, together with the object of its advocates, and may throw some light on the measure of justice that may exist in the remote districts. I shall merely add that in a journey of upwards of 2,000 miles within the colony, I met with only one or two parties of travellers of the coloured population, and from repeated conversations I have held with the Dutch and English farmers, the impression is left on my mind, that a selfish desire of personal aggrandizement at the expense of the coloured classes is alone the motive of the white inhabitants. I should not omit to state that since the establishment of the Kat River settlement, now five years, I am given to understand there has not been one criminal conviction of any one of its members, and in Judge Kekewich's address to the grand jury in Cape Town, in October last year, he commented on the decrease of crime annually since the year 1830, shortly after the passing of the 50th Ordinance, removing the disabilities under which the Hottentot was placed; and in the present year making a decrease of 26, compared with 1830, being 42 to 65.

In conclusion, I must solicit your honourable Committee will bear in mind that I do not hold myself responsible for the truth of such statements as I have given on the authority of others, by their authority they must either stand or fall; all I can assert is, that such opportunities as I possessed of gaining information, I made use of simply for my own gratification, having no further interest in the colony than that of a passing stranger, and so much as any benevolent mind must feel which welcomes the good and deprecates the evils of the society through which he may walk. I have, therefore, so far as was consistent with the full understanding of the subject, concealed the names of individuals, imagining that it is the system with which you desire to be made acquainted, and not the exposure to the public of those persons who have, unfortunately for themselves, been its supporters. I have no reason whatever to doubt the truth of those statements whose veracity must depend upon the testimony of strangers, who could have no possible interest in deceiving a traveller, whom they had never before seen, and whom they would probably never meet again. And in giving you the general impression left on my own mind, I give you the result of considerable observation and much toil, uninfluenced, by party or personal feeling, and the opinion of one who is only desirous to render his information subservient to the welfare of the state.

Lunæ, 31^o die Augusti, 1835.

THOMAS FOWELL BUXTON, ESQUIRE, IN THE CHAIR.

Sare Bannister, Esq., called in; and Examined.

S. Bannister, Esq.
31 August 1835.

1515. HAVE you had opportunities of observing the conduct of our officers in the colonies towards the native inhabitants?—I have.

1516. In what colonies?—Personally, in New South Wales and the Cape of Good Hope, and having affairs to conduct in the Canadas, and from extensive inquiries in New Zealand, Van Dieman's Land, and in the South Seas.

1517. Have you ever been in Van Dieman's Land?—Yes, I have; but for a very short time.

1518. How long were you at the Cape of Good Hope?—From about March 1827 until July 1829; and in New South Wales, from 1824 to 1826; my first acquaintance with the Canadas was in 1822, so that my practical acquaintance with the affairs of the Aborigines of the different colonies was from 1822 till I left the Cape of Good Hope in 1829; since that time my acquaintance arises from a careful examination of such subjects.

1519. What part of the frontier of the Cape colony did you visit?—I visited the Caffres. I was upon the frontier of the Cape in 1828.

1520. Had you much communication with the Caffres?—I saw as much of them as could be done by riding about the country for a few weeks. I was six weeks in the Caffreland, and at Graham's Town and Bethelsdorf, riding about alone, with a Caffre guide, on horseback, and I visited missionary stations of all denominations, Moravian, London, Glasgow and Wesleyan.

1521. Had you any colloquial intercourse with them by means of an interpreter? Yes, I had frequently; I saw as many of the chiefs as I could find means of access to; my guide was a Caffre, who had lived many years in the colony, and spoke English very well, he had been servant to the Rev. Mr. Wright.

1522. Did your observation enable you to form a determinate judgment of the dispositions and habits of the Caffres?—Yes; I formed an opinion upon that subject.

1523. Will

1523. Will you state the conclusion at which you arrived?—I think they are capable of any degree of civilization which any nation may attain. I think I saw enough of them to justify that opinion as to their general capacity. I think their state of society approaches much more to the barbarian than the savage. I have no doubt that they have fixed laws upon many points.

1524. Do you conceive that they are perfectly competent to discern between justice and injustice?—I have no doubt of it, I think they have among them various systems of rewards and punishments, punishments more particularly than rewards. They have the elements of a civil community. I will mention one fact, which, if I am correct, is very curious, and shows to what extent their respect for *meum* and *tuum* is carried; I think that upon a theft being committed, and it being suspected that A. B. is the thief, it is necessary to have a warrant before his hut is broken into, in which it is supposed the matter stolen is deposited; that is to say, it is necessary to have the authority of the head of the village before the hut can be broken into; if that be correct, as I believe it is, it shows that their civil polity is very high.

1525. Is that warrant generally granted upon regular information being tendered?—I am not aware what sort of evidence they require; but my impression is, that the hut cannot be entered without some proof. I think the authority would be granted upon the information of the parties complaining.

1526. Had you any opportunity of ascertaining any thing with regard to the system of commandoes and patrols at the Cape of Good Hope?—Yes, I examined that subject, but I think I am hardly prepared to go into a detail of the reasons upon which I should object, to what is commonly called the commando system.

1527. Are you prepared to state your views with regard to the general treatment of the aboriginal inhabitants of countries upon which we border, or with which we are connected?—Yes.

1528. Will you state what methods you will adopt for the purpose of introducing civilization and christianity amongst those aboriginal inhabitants?—I would say in the first instance, that the documents and the proceedings which show our relations with the Aborigines are not enough known, and unless from day to day, and from year to year, more is known in England of what passes in all the colonies, and more is known in each colony of what is passing in other colonies, it is extremely probable there will be a recurrence of mistakes leading to fatal consequences, such as are now within almost daily experience. I would say, that unless that be done to start with, we do nothing; and I would say, that there should be a system of publicity, to a very extensive degree, immediately instituted.

1529. Has there occurred to you any mode by which that publicity could be given?—I think there might be, without any inconvenience, in each colony published, the orders issued from the government; the orders upon which, either the functionaries are to act, or upon which the intercourse between the borders and the natives is to be carried on. Frequently orders exist in manuscript, and frequently prosecutions have been carried on in various parts of the world, upon the breach of local laws and orders which have been so in manuscript. Now, it appears to me that the expense of such publication will be quite inconsiderable, compared with the advantage. All existing laws and regulations should be published; but though I would have a much more frequent publication, even of the reports of functionaries, it is possible that particular cases might arise in which there might be occasion for a prudent suppression of the report; but generally functionaries' reports should be published; then there should be a very careful report of all trials of all sorts. Some trials do come out now to a certain extent, but there is nothing like a universal printing of those cases.

1530. Does any mode occur to you in which we could obtain an universal publication of all trials?—Yes, the authorities in each colony would print their own, and copies might be laid before Parliament. It is frequently happening that some good measure is devised in one colony, which after a time finds its way into another. The advantage of printing, and sending to each colony what is happening amongst its neighbours, would be, that each would be judged of by impartial people in other circumstances, and frequently would be adopted, so that they would have an interchange; but they ought all to come home. Then I would have provided the means of learning the aboriginal languages upon an extensive scale. It was begun with some advantage at the Cape of Good Hope. In my time, in New South Wales we could not find an interpreter to come into any court of justice in the country. A missionary had recently learned something of the language, but he

182

S. Bannister, Esq.

31 August 1835.

was not always to be had, and we had again and again to ask questions of Aborigines, without means of ascertaining what they meant. Then we ought forthwith to begin, at least, to reduce the laws, and the usages of the aboriginal tribes to language; print them, and direct our courts of justice to respect those laws in proper cases. The same state of things would then arise as existed all over Europe in the middle ages. Courts of justice had half a dozen sets of laws, which they executed without great difficulty. Just as now, the privy council have to take notice of many sets of laws, so in each colony the judges would have to pay proper regard to the laws of the Aborigines, as for example, in the Cape of Good Hope to the laws of the Caffres. Generally they would not be very unlike our own, and upon knowing the shades of difference, we should, with much greater facility, bring them into a uniformity with our own; in cases where they varied, they ought to have the benefit of that variety. The fourth point I would mention is, that no native who has not the practice in his own country of making an oath in a court of justice, should be compelled to take an oath in our courts; he should be admitted as a witness upon the same terms as regulate him in his own country. At this moment, I believe in Canada; I know it was so when I made particular inquiry in 1822; and it was so in New South Wales up to 1827; our law on this point constantly stopped justice. Men, whom we should have believed upon the most important occasions elsewhere, are not heard in courts. If the commander of the troops wants information as to where an enemy was, he believes the same individual without the slightest hesitation, who is rejected if brought into the witness box; the first thing he has to do then is, to make an oath, and he has no form of oath. If he is a Hindoo or a Mahometan, we adopt the form of oath he uses. But the New Zealander, the Australian, the Caffre and the Indian, have no such usage. I have seen again and again cases of great hardship on this subject; for example, the New Zealanders serve in numbers on board our ships, and they are often ill-used by the captains. They come to Sydney, and willingly submit themselves to our courts of justice, upon demands for wages or complaints of assaults, but we refuse to hear them. It has occurred to me half a dozen times, as attorney general of New South Wales, to have such cases in my hands. This stops the civilization of these people at the threshold, and it would be just and wise to pass a law, making their evidence admissible without oath in all cases.

1531. You come to this conclusion in consequence of the experience you had while you held the office of attorney general in New South Wales?—Yes; and in consequence of having specially inquired into it, in reference to the Canadas, as early as 1822, when I communicated with our colonial lawyers on the point. I found the same thing at the Cape of Good Hope in 1828, and believe the matter is notorious.

1532. Have you any other suggestions to offer to the Committee?—I would have juries *de medietate* to a certain extent where practicable; and if it cannot be arranged to have juries half of Aborigines, to have at least some as assessors. Again, it is a principal point to be established in all the colonies, that justice be administered equally to the Aborigines as to the whites. The transportation report of 1812 noticed the fact, that where Aborigines were injured by a white man, the punishment was very slight; but in the same case, if the party injured were white, this punishment would have been severe. So in New South Wales, 30 years ago, there were atrocious murders of some of the Aborigines; the murderers were tried, and there was no doubt of their guilt, but the governor at the time thought it his duty to suspend execution. Now, if it had been the case of white people, execution would have followed immediately. After five years, the home government sent the case back, and execution was never done. In my own time, something of the same sort occurred; a case in which a little boy was murdered, and it was difficult to find any extenuating motive. The parties were condemned under circumstances, not leaving the slightest ground of doubt, but the men were not executed. If it had been a black man killing a white person in the same circumstances, there is no doubt execution would have followed. These are cases, showing that we do not, in the ordinary course, deal out equal justice in regard to those people.

1533. Do you consider that the Aborigines of New South Wales are capable of appreciating the atrocity of the crimes to which you have referred?—Unquestionably; justice not being done in such cases tends directly to occasion dissatisfaction and revenge on the part of the natives; and impunity encourages the colonists to hold the lives of the natives cheap.

[The

[The Witness was obliged to attend another Committee; and left the following heads of measures, which have appeared to him proper to be adopted in the particular Colonies specified, and also, other heads for all the Colonies.]

S. Barnister, Esq.

31 August 1835.

PAPER delivered to Mr. *Burton* the 19th August 1835.

For the COMMITTEE of the HOUSE OF COMMONS, appointed to inquire into the State of the ABORIGINES of the COLONIES.

1. Measures affecting all the Colonies.
2. Measures affecting the Canadas and all the North American Colonies.
3. Measures affecting New South Wales.
4. Measures affecting Van Dieman's Land.
5. Measures affecting Swan River and all new Australian Colonies.
6. Measures affecting New Zealand and the South Seas.
7. Measures affecting the Hottentots.
8. Measures affecting the Caffres.

STATE of certain MEASURES which appear to me to be indispensable towards ensuring Justice to the ABORIGINES of the COLONIES, and which heads may be developed by such details as the Committee shall require.

1.—MEASURES affecting all the Colonies.

- (a) That appeal to the Privy Council be put upon a proper footing, and that appeals from the Aborigines be heard as of right before the Judicial Committee of the Council. The necessity of a new system of Privy Council Appeals for the Aborigines of Colonies is proved by the fact, that the last occupied 70 years on the old system.
 - (b) War not to be made without form. One tribe of Aborigines not to be set up to fight another tribe. All instructions which authorize Governors of Colonies to kill the Aborigines without form of law to be recalled.
 - (c) Land to be given in the Colonies to Aborigines, and the rights of Aborigines to their own land to be respected. Maps and boundaries to be made.
 - (d) Establish civil agencies upon the plan of the United States' Indian Code of 1834, but add surgeons to the establishment, or take the superintendents from the medical profession.
 - (e) Grant sums of money to each of the existing Missionary Societies, in proportion to their present expenditure on the one hand, and to the wants of the Aborigines on the other.
 - (f) Conferences to be periodically held with the Border Chief, and minute reports of the proceedings and speeches to be always printed in the Aboriginal and English languages.
 - (g) Appoint an agent in London for the affairs of the Aborigines of all the Colonies, like an ordinary colonial agent. Let him be appointed by the Privy Council, not by the Secretary of State for the Colonies. Let him have authority to communicate direct with the Aborigines. Let him make annual reports to Parliament, as the Board of Trade did under William the Third and Queen Anne during 14 or 15 years.
 - (h) Employ Aborigines as much as possible as public officers.
- Many points of law specially affecting the Aborigines require attention in all the Colonies, but the details are too minute to be expressed in short heads.

2.—MEASURES affecting the Canadas and all the North American Colonies.

- (a) Reform the Indian department as proposed in 1822-3, and as begun in 1828.
- (b) Print the plan of the Reform presented to the Secretary of State for the Colonies in 1823, and approved by the Hon. Dr. Stuart, since Bishop of Quebec.
- (c) Print the case of the Mowhawk lands appealed upon in 1822.
- (d) Print an abstract of the plans of Dr. Morse and the American Indian Society, founded by Dr. Morse in 1822.
- (e) Print the Indian Code of Congress of 1834.

3.—MEASURES affecting New South Wales.

- (a) Gradually abolish the transportation.
- (b) Print the plans of the Church Corporations begun in 1826, and their result.

4.—MEASURES affecting Van Dieman's Land.

- (a) Abolish gradually transportation.
- (b) Print all the recent dispatches on Colonel Arthur's system for the Aborigines, and the objections made to it.

5.—MEASURES affecting the Swan River and other new Australian Colonies.

- (a) Make treaties with the natives before proceeding farther.

184

178 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

S. Bannister, Esq.

31 August 1835.

6.—MEASURES affecting *New Zealand* and the *South Sea Islands*.

- (a) Print all the dispatches and plans concerning the Aborigines of these countries received by the Government in the last ten years, and especially the details upon the late attack upon the settlement in New Zealand.
- (b) Print periodically such parts of the logs of all ships as sail in the South Seas, and as concern affrays with the Aborigines.
- (c) Invite New Zealand chiefs to come to Sydney periodically to confer with the Governor and Council.

7.—MEASURES affecting the *Hottentots* of the different races.

- (a) Grant them lands in the Cape Colony.
- (b) Invite the chiefs of the Griquas to hold periodical conferences at Cape Town with the Governor and Council.

8.—MEASURES affecting the *Caffres*.

- (a) Compensate them for the injuries they have sustained since 1820, and especially do justice to Macomo.
- (b) Hold conferences with all the chiefs to settle their compensation, and to arrange a new border system.
- (c) Annul the proclamation and orders of Governor Sir B. D'Urban of the 10th of May 1835 respecting Caffreland.
- (d) Establish civil agencies amongst the tribes to Natal.
- (e) Invite the chiefs as in N° 7 (b).
- (f) Establish the colony of Natal upon the principles proposed to the Government in 1829.

Thomas Philipps, Esq., called in; and further Examined.

T. Philipps, Esq.

1534. YOU were present when an address to Captain Stockenstrom from the English settlers in the Albany district was brought before the Committee, were you the organ, as he stated, for presenting that address to him?—I was.

1535. What were the circumstances under which that address originated?—We had been just about that time disappointed upon the subject of having a lieutenant-governor to reside amongst us; and as we considered that Captain Stockenstrom, in his appointment as commissioner-general, had nearly all the powers of a lieutenant-governor, it was suggested to me by a mutual friend of the civil commissioner of Albany, that we should draw up an address to him for the purpose of requesting that he would come and reside at Graham's Town, as we unanimously considered it essential that he should do so, instead of at the village of Uitenhagen, where it was rumoured he intended to remain, in order to arrange matters between the Caffres and ourselves, Graham's Town being nearer them, and more convenient for that purpose; that was the purpose of the address; it is so long ago that I had forgotten it till Captain Stockenstrom mentioned it the other day.

1536. In what year was it?—I cannot recollect.

1537. Was it about the year 1828 or 1829?—I think about 1829.

1538. Is it the wish of yourself and the other settlers in that district, that there should be a commissioner-general who should have the management of colonial matters in that district, rather than that they should be placed under military authority?—We want an authority on the frontier to prevent the necessity of an appeal to the governor on every occasion; we want no more than what the Commissioners of inquiry recommended; the general idea when I left the colony was, that the commissioner-general should be put in possession of the powers granted to him by the Secretary of State, and appointed to reside in Graham's Town, and that this functionary, together with the addition of a council, would suffice for the purpose of directing the arrangements with the Caffres; since that period the appointment of the commissioner-general has been abolished, and we are as bad off as ever.

1539. Do you think it would be more satisfactory to the settlers that the authority should be placed in civil hands than in military?—For my part, as a civilian, I do consider that under the peculiar circumstances of the frontier, where interests are so various, it would not be advisable to centre the military and civil duties in one individual; we have at present a most active military executive in Colonel Somerset, who has been commandant of the frontier for some years; we do not wish any alteration in this appointment; had the office of commissioner-general been allowed to become effective, as it must have been intended by the then Secretary of State who ordered the appointment, we should have been satisfied, as it was generally understood it would have been the province of this officer to watch over the border affairs;

affairs; whatever may be the future arrangements, either military or civil, it would be necessary to guard against any collision, and none would be more effective than a council composed of all the authorities on the frontier, together with a certain number of individuals, agricultural and mercantile, whose local knowledge and information would greatly aid in supporting a better policy; for as I have before observed, it is not only the inclination, but the interest of the colonists to cultivate a good understanding with all the neighbouring tribes, whether Caffres or the numerous others which inhabit Southern Africa.

1540. Is it your opinion that it would conduce to the peace and security of the settlers bordering on the Caffres if the system of commando, as hitherto executed, was suspended?—Yes, it is, most undoubtedly; I know that it is also the opinion of many of the military; the present system of commandoes is one which they themselves are heartily tired of.

1541. Do you think it would tend to give a greater degree of security and peace to the settlers, and consequently promote the extension of commerce and agriculture, if the system of commandoes was done away?—I certainly do, on the present system.

1542. Do you speak not only your own opinion, but the general opinion of the respectable settlers in the colony?—I do most certainly, and of several military likewise, who have been employed on the commandoes.

1543. The Commissioners of Inquiry concluded their report by saying, "It is at once consolatory and satisfactory to recollect that any measures which have a tendency to preserve the tranquility of the frontier on the side of Caffraria, will in the same degree contribute to the prosperity and commercial enterprise of the colony;" and one of the methods which they propose as calculated to promote the tranquility of Caffraria, is the abolition of the system of commandoes: do you concur in that sentiment?—Most decidedly.

1544. You think that the abolition of the present system of commandoes and patrols would promote the tranquility of the border, and would in the same degree promote the prosperity and commercial enterprise of the colony at large?—Most certainly, an alteration is loudly called for.

1545. Have you any documents that you wish to deliver into the Committee?—I have first, copy of a document prepared by Mr. Boyce, the Wesleyan missionary, who has long resided in Caffreland, which he delivered in to our present governor, Sir Benjamin D'Urban, at his Excellency's request, in March 1834; and I have also a list of the subscriptions raised in the district of Albany for the last six years towards the funds of the Wesleyan Society, to aid the cause of their missions in Caffreland; large sums are also raised to aid the London Missionary Society, but these are principally for the Hottentots; and I have likewise copy of a letter addressed to the committee of the Wesleyan Society in London by three missionaries, dated Graham's Town, 31 January 1835. I have thought it incumbent on me to procure and to lay these documents before the Committee, as they must tend to prove that the British colonists in Albany are equally as undeserving of the slanders bestowed on them by a few casual travellers, as they are of the wanton cruelties inflicted on them by the misguided and unreflecting savages.

[The Witness delivered in the same.]

COPY of a LETTER to Sir Benjamin D'Urban, Governor of the Cape Colony, on the best means of preserving the peace of the Colonial Frontier, written at his Excellency's request, by Wm. B. Boyce, Wesleyan Missionary, 31st March 1834.

INTRODUCTORY REMARKS.

IN the month of March 1834, being at Cape Town, in my way to England, I received a note from Sir Benjamin D'Urban, requesting me to call upon him. When I waited upon him, he asked me many questions about Caffreland, &c., and concluded by desiring me to commit the substance of what I had said to writing. This I did, and the following pages are a copy of what I wrote to him, which copy I kept, that the Secretaries and Committee of the Wesleyan Missionary Society might be aware of the extent of my intermeddling in Colonial politics, and the occasion which compelled me to give my opinion.

W. B. Boyce.

186

180 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

T. Phillips, Esq.
31st August 1835

REMARKS on the best means of preserving the peace of the Colonial Frontier, bordering on Caffraria; in a Letter addressed to Sir Benjamin D'Urban, Governor of the Colony of the Cape of Good Hope, written at his Excellency's request March 31st 1834, by William B. Boyce, Wesleyan Missionary.

The following remarks on the best mode of preserving the peace of the Eastern Frontier of the Colony are respectfully submitted to your Excellency's consideration.

1. *Settlement of the Colonial Boundary.*
Although the boundary line of the colony has been fixed by proclamations of preceding governors, the Caffres are to this day ignorant of the extent of the claims of the colonial government upon their territory. Part of the ceded territory between the Fish and the Keskamma Rivers is inhabited by several Caffre tribes, who fully expect to hold possession according to promises of former governors, so long as they do not disturb the peace of the colony. The recent expulsion of a portion of Magom's and Tyalie's people from the northern portion of the ceded territory, has created a feeling of jealousy among the Caffres, as to the intentions of the colonial government, which can only be removed by a formal official declaration, pointing out a line beyond which it is not the intention of the colonial government to permit the advance of the colonists. By these means the Caffres would be satisfied, that beyond this line their lands were their own, free from any claims on the part of the colony. It would be extremely unjust and impolitic, to drive the Caffres out of that portion of the ceded territory which they now possess, at the same time it is desirable, as a check upon their future conduct, that they should continue to hold these lands as colonial fiefs (the nature of which they well understand), and be prevented from exceeding the limits at present assigned them. Let the chiefs now residing within the limits claimed by the colony, be informed of the nature of the tenure by which they hold their present possessions, and to prevent further encroachments upon the colonial lands, let them be immediately settled by colonial subjects (I mean the unsettled portion of the ceded territory not inhabited by the Caffres). By thus making the colonists and Caffres near neighbours, theft would be very much checked, as the chance of discovery would be very much increased.

2. *The maintaining the present salutary impression of the superior power of the colonial government, by the prompt and severe punishment of wrongs inflicted on the colony, or on colonists in Caffreland.*

In the discussions which have taken place respecting the policy of the colonial frontier, party-feeling has led on the one hand to an undue estimation of the Caffre character, and on the other hand to an unjust depreciation of it. The Caffres have all the vices and all the virtues incidental to a semi-barbarous state of society. Among the former we may mention a love of predatory warfare, among the latter hospitality, kindness to strangers, fidelity to their employers, but certainly not with a scrupulous regard to the rights of property possessed by their neighbours. No Caffre deems it wrong to steal from another tribe or from the colony, and the chiefs are only restrained from plundering each other and the colony by a fear of consequences. This salutary fear it is necessary to maintain, and it can only be obtained by the prompt and severe, yet just punishment of wrongs committed upon the colony or the colonists of Caffreland. I am aware that many humane individuals, averse to the use of coercive measures, think that trifling acts of theft or oppression to individuals should be overlooked. On the contrary, it is my decided impression that the prompt and severe, yet just infliction of punishment is productive of a moral influence, extremely beneficial to the continuance of our friendly relationship with the Caffres, the extent and value of which can only be estimated by persons residing in Caffreland. It will be found that mistaken lenity or remissness on the part of the colonial authorities in the prompt punishment of thefts, &c. is the greatest cruelty, as such conduct being by the Caffres attributed to a want of power, will encourage them in their thefts and aggressions, and these in the end will provoke severe and exemplary punishment, and bring upon the Caffre tribes the usual fate of all semi-barbarous nations bordering on European settlements. Whatever treaties the colonial government may enter into with the Caffre chiefs, the necessity of a military force on the frontier will remain for the present, until some decided change takes place in the habits and feelings of the frontier tribes. If from any reliance upon the schemes of benevolent speculative men, some of whom never saw a Caffre, or from any hope of economizing the expenditure, the colonial government makes any reductions seriously affecting the efficiency of the present military force on the eastern frontier, it will soon be found that neither the views of the philanthropist nor of the economist have been served by such an apparently feasible yet absurd policy.

3. *Treaties may be entered into with the Caffre chiefs—*

1st. As to thefts from the colony.

It would be desirable for the commandant of the frontier to enter into agreements with the chiefs separately, not collectively, as to the punishment of thieves, and the best mode of detecting them. If the chiefs were informed that in accordance with their own customs, the colonial government would hold them responsible for cattle stolen from the colony, the spur of which was traced to their country, they would soon find out the thieves. Not a single head of cattle can be stolen out of the colony without the knowledge of all who reside near the thief, and the fact is soon brought to the chief's ear; but unless compelled by a sense of his own responsibility to punish the thief, he will not do it, as such a voluntary

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T. Phillips, Esq.
31 August 1835.

tary strictness in the administration of justice would deprive him of his popularity, but if made responsible by the colonial government, then his people would not blame him for detecting and punishing theft, and every man would feel that his own interest and the interest of his tribe were concerned in the furtherance of this object. The chief should be allowed the assistance of a patrol if he require it, as the thieves may perhaps be supported by influential men, with whom the chief would be too weak to contend, without a formal gathering of the military force of his tribe, which would occasion a delay favourable to the escape of the thief, and the loss of the property stolen. In such cases a patrol would prevent bloodshed. If the person of the thief were claimed, and the claim insisted upon, or in the event of his having made his escape, the person of the master of his kraal (without whose knowledge he could not have committed the theft), very few thefts would be committed. In all cases the legal fine, varying from four to ten head for one, should be levied upon the kraal where the thief resided, and this fine should be divided among the chief and those who assisted in tracing the spur of the lost cattle. It would not be politic to allow any part of this fine to go to the colonist whose cattle have been stolen, as it might encourage unprincipled men to be careless of their property, if assured of its restoration and a recompense besides. I am aware that to many persons unacquainted with the laws of Caffreland, and the state of society there, which fully justifies the strictness of the law respecting thefts, the above measures may appear harsh and unjust. There can however be no harshness in dealing with Caffres according to their own laws, founded on their own views of international justice; and if it be considered that at present the Caffres owe their very existence to the generous interference of the colonial government in 1828, by which they were saved from extermination by the Fictani; that every thief assists in destroying the good feeling which subsists between the Caffres and the colonists, their natural protectors against the powerful and more barbarous tribes beyond them, and that all the authority of Britain and of the colonial government cannot save them eventually from the common fate, which has hitherto been the lot of all savage tribes bordering on European settlements, if they provoke the enmity of the colonists; then it will appear evident to the most humane, that no regulations can be too harsh and severe, which have for their objects the prevention of those continued thefts from the colony, which would ultimately lead to the loss of the independence and property of the Caffre tribes, and to their final extinction.

2d. As to protection to traders residing in Caffreland.

Many Europeans with their Hottentot servants are occupying temporary residences in Caffreland near the kraals, or in populous neighbourhoods for the convenience of trade. Most of them, so far as I have observed, conduct themselves with great propriety and moderation, but yet some of them, either from ignorance of native customs, or from natural ill-temper, behave in a very overbearing manner. The ill-will which the conduct of a few produces, extends to others who have not merited it, and recently many of the traders here suffered many personal insults and much loss of property taken from their trading places, and from their wagons while travelling on the road. As the colonial government has not as yet taken any notice of the complaints of the traders, the Caffre chiefs imagine them to be beyond all colonial protection, and therefore feel no anxiety to redress their injuries. The importance of the Caffre trade to the colony in a pecuniary point of view, and its utility as the means of promoting a good feeling between the colonists and Caffres by convincing both parties of a community of interests, render it highly desirable that the Caffre chiefs should be made clearly to understand that British subjects are under British protection, and that complaints from the chiefs respecting the conduct of British subjects would be attended to by the colonial authorities. The appointment of consular agents to the native chiefs has been recommended to the colonial government, and if the services of suitable persons could be commanded, the scheme would perhaps succeed, but even then the probability is, that collision of sentiment between the civil agents, and the military commandant of the frontier upon whose ability after all the main dependence is to be placed, would more than counterbalance the good which might result from such appointments. However, as the colonial government cannot command the services of suitable persons, the scheme is not likely to be tried. None but missionaries who have resided some time in Caffreland would be qualified for such purposes, and no missionary ought to be so employed, as the duties of this office would completely secularize his character, and deprive him of the influence which, as a teacher of religion and as a peace maker, he already possesses. However defective the present system of governing the colonial frontier through the medium of a military commandant may be, it is the best of which circumstances will admit. The abuse of power on the part of the commandant is almost impossible, checked as he is by the presence of so many missionaries interested in the welfare of the Caffre tribes; and of many other Europeans employed in trade. The fact of the responsibility of the peace of the whole of the colonial frontier resting with the commandant is one of the strongest securities for the right discharge of the duties of his important office, whereas a divided responsibility would give rise to endless disputes, the possible sacrifice of the peace of the frontier.

4. *The maintaining a regular communication with the principal chiefs of Caffreland, on this side the Umzimvubu.*

Besides the chiefs of the frontier with whom the commandant is in constant contact, there are several other powerful chiefs who are not merely chiefs of distinct clans, but a sort of feudal sovereign over a collection of clans: Hintza, the supreme chief of the Amaxosa or Kufus, Vadanna of the Amatambu or Tambookies, and Faku of the Amaponda.

188

T. Philipps, Esq.

31 August 1835

ponda or Mambookies; with these it is desirable that the commandant of the frontier should preserve a regular communication. If an officer were sent once or twice a year with an escort of a dozen soldiers (for the sake of form) to visit these chiefs with a message and a few presents, not only would a kindly feeling be kept up, but the officer would have an opportunity of observing the conduct of Europeans in Caffreland, and of checking any oppression on the part of the natives: he might receive complaints, and demand redress, and in no just cause of complaint would he receive a refusal. He would also have the opportunity of recommending the chiefs to remain at peace with each other, and in this respect his influence would be very great. A periodical visit of this kind would act as a salutary check both upon Europeans and natives, and the chiefs of the frontier clans would be intimidated when they observed a regular communication kept up between the distant chiefs and the commandant of the frontier.

5. *The prevention of improper and dangerous persons from settling in Caffreland.*

The frontier tribes are inundated by troops of idle Hottentots from Albany and the Kat River settlement, whose presence in Caffreland is most injurious to the good understanding which at present subsists between the Caffres and the colonists. Many of them possess guns, which they sell to the Caffres, and some of them are discharged soldiers, who are induced by the petty chiefs to settle with them, and act as interpreters; these men are without exception the greatest rascals in the whole country. They are considered by the chiefs as possessing a thorough knowledge of the plans and designs of the colonial government. They impose upon the credulity of the chiefs, by misrepresenting every act of the colonial government, and thus raising unfounded jealousies. It is highly desirable that all these should be sent out of Caffreland, and that in future, no man, European or coloured, should be allowed to enter Caffreland without a pass. This regulation would be no inconvenience to the respectable European or coloured person, while it would materially check the idle migratory habits of a very considerable portion of the inhabitants of the Kat River settlement.

CONTRIBUTIONS of the BRITISH COLONISTS of the Albany district, South Africa, to the FUNDS of the WESLEYAN MISSIONARY SOCIETY, more especially for the extension of Christianity among the Caffre Tribes, at the Annual Auxiliary Mission Meetings, held in Graham's Town.

	£.	s.	d.
1829, Subscriptions from 1st January to December 31st	297	9	7
1830, - ditto - - - ditto - - -	322	13	7
1831, - ditto - - - ditto - - -	362	16	3
1832, - ditto - - - ditto - - -	365	-	3
1833, - ditto - - - ditto - - -	308	-	-
1834, - ditto - - - ditto - - -	279	-	-
	<u>1,934</u>	<u>19</u>	<u>8</u>

In addition to these sums, many valuable presents of clothing, &c. for the use of the Caffre children in the mission schools, have been made by the colonists during the same period.

London,
30th August 1835.

(signed) John Beecham,
Secretary to the Society.

Honoured Fathers and Brethren, Graham's Town, 31 January 1835.

You will doubtless be greatly surprised to hear of the difficulties and dangers in which we are placed by a sudden invasion of the Caffres upon the colony, throughout the entire line of our frontier. A more wanton aggression upon a peaceable people, who were desirous of promoting their best interests, has never been committed; and the effects resulting from it are so disastrous, that the colony must be brought to the verge of ruin. The hordes of Caffres are murdering, robbing them of all their property, and taking their flocks and herds of cattle without any resistance, the inhabitants counting themselves happy if they can only escape with their lives to Graham's Town. Village after village is forsaken, our military posts are most of them evacuated, and all are concentrating in Graham's Town, awaiting with considerable anxiety the termination of this critical posture of our affairs. Our chief hope lies in the righteousness of our cause; for, although not a few have accused the colonists of cruelty towards the Caffres, from a thorough knowledge of most transactions connected with Albany, we are bold to maintain that such accusations are unjust. To a great extent true philanthropy prevails amongst the people here, without that ostentatious boast thereof which is found in some who excel therein more in word than in deed. It is a mysterious Providence that within one short month after our celebrating the abolition of slavery in so devout and appropriate a manner, these things have been permitted to befall us; and we must calmly await the end, trusting in God that this systematic, extensive and most perfidious war upon the colony will be overruled by the Almighty Governor of the world for the general welfare of all parties concerned.

Bathurst

Bathurst is forsaken, and many of the places round about are desolated. The greater part of the inhabitants of Salem have likewise escaped to Graham's Town, and the two brethren who resided at those places are now here, and affix their signatures to this hasty letter.

Brother Shipstone is yet safe, though in much danger, at Wesleyville; and Brother Dugmore is as yet uninjured, at Mount Coze; but of the distant stations we can hear no tidings. Commending ourselves to the care of God, and begging an interest in your fervent prayers, we are, honoured fathers and brethren, your obedient servants,

(signed) *W. J. Shrewsbury.*
S. Young.
R. Haddy.

To the Secretaries of the
 London Wesleyan Missionary Society.

T. Philippi, Esq.

31 August 1835.

1546. Do you entirely approve of the plan recommended by Mr. Boyce?—I do entirely, as far as regards our position with the Caffres previous to the late invasion of the colony; that circumstance must naturally occasion some alteration.

Veneris, 12^o die Februarii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
 Sir George Grey.
 Mr. Hindley.
 Mr. Andrew Johnstone.
 Mr. Hawes.

Mr. Plumtre.
 Sir Rufane Donkin.
 Mr. Charles Lushington.
 Mr. Bagshaw.
 Mr. Wilson.

MR. FOWELL PRESIDING CALLED TO THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

1547. HAVE you since your last examination received any appointment in any of the colonies?—Yes.

1548. What is that appointment?—I have been appointed lieutenant-governor of the eastern division of the colony of the Cape of Good Hope.

1549. What does that eastern division comprise?—The districts of Graaff Reinet, Albany, Somerset, Uitenhagen.

1550. What are the powers which you will possess in that capacity?—I have not received any detailed instructions from the Colonial Department.

1551. Have you received an intimation that those instructions will be delivered to you before you leave this country?—Yes.

1552. Have you turned your attention at all to the subject of the best mode of protecting aborigines, in countries where we make settlements, from receiving any injury or sustaining any oppression from intercourse with Europeans?—Yes; it strikes me that we have only to go back to the causes of the present disputes with the natives. I have been very full in my evidence as to my opinion what those causes were; and I should think that the plan would be to adopt measures which would serve to prevent these very same results. It strikes me that the great error which has been committed, upon the first establishment of the colony of the Cape of Good Hope, was, seizing upon the territory of the aborigines, and allowing our people to migrate and scatter over extensive tracts without any sufficient superintending control on the part of any government whatever. It soon happened that those people were extended over such an immense tract that the government could not have any check upon the enormities which, upon the frontier at least, would be committed, not only by our own subjects against the aborigines, but by the aborigines, by way of retaliation, against our people; and thus at last the government became as impotent in controlling our own excesses as in protecting us; the natural consequence of which was, that greater latitude was given to our own subjects to protect themselves occasionally: and then, any man that consults human nature will soon see that the strongest party will master and oppress the other, and as invariably the most civilized party will, at least till it comes to a great length, be the strongest. It has always turned out that our people had the power of the greatest oppression, and did oppress till the opposite party, being driven to desperation, retaliated. Those seem to me the original causes by which gradually we have been brought to the present state of things.

1553. What regulations or restrictions would you propose, in order that the superintendence

Captain
A. Stockenstrom.

12 February 1836.

190

Captain
A. Stockenström.

19 February 1836.

superintendence and protection of the British Government might be effectually afforded both to the settlers and to the natives?—In one of my letters to Mr. Spring Rice, I entered rather fully into that subject, and I think that the plan would be, in new colonies, never to take any land but what was got by treaty, by bargaining with the people. Now it depends in a good measure upon what description of natives you come into contact with. For instance, with respect to the Cape of Good Hope, I would wish the Committee to observe, that there is a wide difference between our connexions with the Caffres and with the Bushmen; the Caffre tribes can protect themselves in a great measure against all surrounding people except ourselves, and with them certainly treaties ought to be made. If that had been adopted from the very first, and both parties had kept within bounds, and the government had not been in that state of impotence that they could not prevent emigration eastward on the part of the colonists, this evil would not have arisen. But the mischief had come to a great length before the government had the power to interfere, for the history of the colony will show that for a considerable time the colonists were in open arms against the government, and the government had no power over the frontier. But with reference to the Bushmen, it is a different question; those people are scattered over an immense tract, without any system of order or government; to bargain with them for land will be a very difficult matter; and there I should say, that the thing that the government ought to take care of is, that extensive tracts should be reserved for those people, in which some plan might be adopted for their protection. They principally live upon game and wild herbs, and when these fail they are in a melancholy predicament. With those people I should not object to an amalgamation, for they must gradually disappear, and must die out, as it were; in their present state they cannot remain. We must try and improve them as well as we can, and try to concentrate them in particular spots; give them instruction, and protect those tracts in which they hunt. I do not see any other mode to be adopted.

1554. Do you contemplate the tracts in which they hunt as being within the limits of the British territory?—No, that cannot possibly be; the population of the northern half of the territory must always be a nomade population. They go about with their flocks and take possession of the springs; the springs are few, and when they are occupied, the game must disappear, and consequently you cannot preserve tracts for game in the British territory at the Cape.

1555. When you speak of protecting those tracts in which they hunt, do you mean protecting them from other native tribes, or from the incursions of British settlers?—From both parties to a certain extent. You would take those people under your protection; you would try and gain an influence over the tribes beyond and prevent their aggressions against the Bushmen. I understand that the governor has entered into a treaty with the Griquas. Those Griquas have committed as great enormities upon the Bushmen as ever the colonists did; but since this treaty was made, the government must have a considerable influence upon those Griquas, and must be able to obtain their co-operation in the protection of the Bushmen.

1556. The lands occupied by the Bushmen are very extensive?—They are.

1557. Will you state what kind of line you would lay down there?—I think a good deal may be done by means of the missionaries. I dare say I shall give offence to some of the missionaries by saying that I do not think they have done so much in the way of Christianizing as I think they have been useful in a political point of view. They may be of great service in co-operating with the government. I have already shown, in speaking of Mr. Shaw and Mr. Wright, what these people have done. Their influence is really wonderful, but it is more of a political than a religious nature; I differ from those who think that the principal object is to start with religion; I think that the benefit which these men have hitherto effected has been more of a political than of a religious nature. Look what Mr. Shaw's influence has done with one set of Caffres in the midst of all this last war; that decidedly is political; and if we look at the number of real converts which they have made in a religious point of view, I should think they would be found few in proportion to those who have been kept out of harm's way in other respects.

1558. The effect is political, but may not the cause of that effect be that they have obtained such an influence over the minds of those savages, that they were able to control them in any mischievous attempts which they might be inclined otherwise to enter into?—I think the influence which they obtained was more of a political nature, because these natives looked upon them as a sort of medium of communication between them and the government. I know that there is a different
view

191
 Captain
 A. Stockenström.

12 February 1836.

view on this subject; in some quarters of great respectability it has been said that the missionaries have no business with politics, but for myself I think they can be principally beneficial, at least those beyond the frontier, in making representations on behalf of those natives and warning the government of the state of things, as also by their advice restraining the depredations of the natives.

1559. Do you think that the missionaries have addressed themselves to the people in the first instance upon political grounds?—The first instance decidedly not, but all their correspondence with government must be of a political nature.

1560. Do you think they could have acquired the influence which they acquired with those aborigines without having inculcated upon them the religious principles which they taught them?—The two ought to go hand in hand, and I should hope that one of the principal benefits will be ultimately their conversion to the Christian religion; but I think their being brought together and led to adopt peaceable habits, results principally from the natives looking upon them as a sort of protectors. The missionaries have generally adopted the plan of espousing the cause of the natives, and those people have looked more to them as a medium of communication with government and to their becoming a sort of protection to them, than to their preaching. There are a number of Bushmen and Caffres who look up to the missionaries as a sort of protection in case of grievances, that have never heard a single word of their doctrine preached.

1561. Does not this appear to be the cause of the influence which the missionaries possess, that whereas the natives have been exposed in many instances to great oppression on the part of our people, they have found the missionaries almost invariably acting a friendly and an honest part towards them; and they have been their benefactors upon the spot and their protectors with the government?—I think so; that is just what I have attempted to convey. Any man just going through the colony must know that every inch of ground we tread upon we have removed those people from, and the first missionaries that went there, the Moravians, at once set up as advocates for the aborigines, and by this means they have gained and kept their influence.

1562. Do not you conceive that at least it has paved the way for the reception of Christianity amongst them, that they have found the persons who are the professors of that religion invariably amongst their best friends?—Decidedly, there can be no doubt of it. Their security paves the way to religious conversion, and the missionaries can be thus politically beneficial by gaining an influence over the natives and convincing them that peace with us is their best policy; but then the missionaries must go hand in hand with the government.

1563. You spoke of new lands being given to the settlers by treaty; how far do you consider the lands belonging to the colony extend?—I was speaking of a new colony. I meant to say, that in a new colony I would try to buy certain tracts, and reserve certain tracts, and all the money which I received from the settlers for the tracts that I bought, I would appropriate to the improvement and the protection of the natives on the other lands; those I would appropriate to themselves.

1564. What specific regulations would you think it desirable to adopt with reference to the lands of the natives?—Take, for instance, a nation like the Caffres, if they were not disposed to part with any of their land, I would leave them entirely to themselves, and would not establish a colony in such a country at all; I would only trade with them. It is possible that a country may be so thinly inhabited, that certain tracts may be taken, without the slightest injury to the natives. I would then try to bring them to some sort of understanding, and enter into a treaty with them, and get certain tracts, such as I would gradually be able to people, upon certain principles which I would lay down, to prevent the mischief of their scattering into the interior without control; and whatever should be paid for such land, I would make in payments of such a nature that it could be appropriated to the benefit of the natives, always reserving certain tracts, which ought to be kept invariably in such positions, that as I extended my colony I would be able to extend my protection over them also; but the principal point to be guarded against is possessing yourself of particular spots to which these people are attached, as hunting grounds, &c., and taking from one tribe what perhaps belongs to another, and what that tribe have no right to dispose of.

1565. Are the Committee to understand that you think that the land of the natives ought in no case to be taken possession of, except by bargain, and their receiving some recompense in return?—Certainly.

1566. Are the Committee to understand that all such bargains ought to be made by the government, and not left to individuals?—I would not trust individuals.

192

Captain
A. Stockenström.

12 February, 1836.

186 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1567. Would you leave it to the government to fix the value of the land they acquired in each case?—When I say that I would not trust individuals, it is because I would have the government stand between the colonists and the natives, and therefore I would not trust any private interested individual; because I think the government could act fairly between both parties at the outset, and prevent mischiefs that would bring the colony into expense and trouble.

1568. Do you think that the appointment of an officer as a protector of the natives would be beneficial, in so far as a person conversant with the real situation of that district would be upon the spot, to act as an umpire between the Europeans and the natives?—Decidedly; but I do not attach so much value to that as to having men resident amongst the natives themselves. I cannot illustrate that better than by referring to the London missionary, Mr. Wright, and Mr. Shaw, the Wesleyan missionary. Upon that principle, I think they could be more beneficial; but I have no objection to the other. Such a man could be very useful, especially if he be a man of zeal, that will at once apply himself to learn the language of the natives, to instruct himself as to their feelings and prejudices, and to make himself the friend of the natives. For instance, I would have such a man residing near the frontier, and have some chief residing with him. I think that would be a great benefit, this chief being a sort of ambassador. I am now speaking with reference to the Caffres, for instance; but I attach more weight to having our own people residing among the natives upon the spot; they could also act in cases of disputes.

1569. In what character would they reside among the natives?—It would be something resembling our consuls or our ministers, provided you can get proper persons, that will insinuate themselves into the good graces of the natives, and learn to understand their language, and make it a point to gain their friendship.

1570. Then they would reside among them rather as political characters, with a view to protect and promote trade, than for religious purposes?—Yes. There seems to be an objection to blending the political and religious character of those men; but I have never been convinced that there is any harm in it; I find that those men can do a great deal of good. I never objected to the missionaries having a right to correspond with the authorities on political matters.

1571. You mean when beyond the colony?—Yes; I have already said beyond the colony.

1572. When you speak of obtaining land by treaty, and giving compensation for it, what would be the nature of the compensation?—For instance; with the Bushmen, if I were to ask them for a certain tract of land in a particular district, which I would wish to people, so as to be able to protect them, I would give them sheep in return, and I would try and bring them under certain restrictions, so that instead of devouring those sheep, they should breed them. Make them possess and respect property; but this must be done with caution. At a particular time I made an attempt to raise a subscription in the district of Graaff Reinet, where I was magistrate, and then to bring those Bushmen to settle together in particular places, and by giving them cattle and sheep, to induce them to breed, instead of leading a wandering life and plundering. The farmers came forward very liberally; I collected a considerable flock, and I did what I have now mentioned; but I found that it did a great deal of mischief, because, without being able to protect those people, I only injured them, in so far that other tribes who did not possess property made an attack upon them, and deprived them of what we had given them: those who foresaw this, ate the sheep or cattle, and again resumed their wandering life; consequently, unless we can protect them, this is a very injurious plan.

1573. When you said that you would employ the missionaries for this purpose beyond the colony, are the Committee to understand that you think it improper to employ missionaries within the colony in any political character?—It does not appear to me to be necessary, and I think it would rather be undignified; there are other officers and other means of getting the same thing done within the colony, which I would have done by missionaries or consuls beyond the frontier; for the object I have in view is more of a diplomatic nature, merely to have a person there upon the spot; and I think it would be the cheapest way. Those missionaries have the greatest influence upon the natives, and they would gain the goodwill of those people, and by their influence be very useful indeed.

1574. But you would not invest the missionaries with anything like a diplomatic character within the colony in any case?—No, decidedly not; I do not see the necessity of it, or how they could act.

1575. As missionaries, either within or without the colony, you would not invest them with a diplomatic character?—No; I only say that I think, as missionaries, they

193
 Captain
 A. Stockenström.

12 February 1836.

they gain the goodwill of the natives, and as missionaries they ought to be upon good terms with the government, and the government ought to let them see that its object is to benefit the natives; and they would go hand in hand with the government, and be best able to convince the natives of the good intentions of government, and to explain to the chiefs what you want of them. Suppose a farmer is plundered, then, if the government has an agent of that kind, who has gained the goodwill of the chief, instead of sending a detachment to carry war into the country, let that man go with a letter to such diplomatic agent, to explain and settle matters between the parties.

1576. Are not the missionaries themselves unwilling to assume political functions, as injurious to their spiritual character?—I have heard it said by the missionaries that they would rather not have anything to do with it. Mr. Thompson told me that it interfered very much with his religious duties.

1577. You think it is indispensable, either within or without the colony, that we should have some person holding some political character, for the purpose of protecting the natives; and out of the colony, you consider the most eligible persons to be the missionaries; but that within the colony you might get either missionaries or other people?—In the colony I said that the situation of protector would be useful, but I do not find it indispensable, because my view is, that it is the duty of every person employed by the government to protect the natives, and to prevent the mischiefs resulting from wars.

1578. Looking at the situation in which you stand as lieutenant-governor of the eastern division at the Cape, do you think it will require a protector of those natives within the colony under your jurisdiction?—It does not strike me so; such a man might be of great use, to be sure, but I would not think it indispensable; because I think it my duty, and I think it the duty of every officer under me to support me in doing that which the government would demand of such an officer.

1579. Have not instances occurred within your knowledge in which the officers of government have not borne the character of protectors of natives, but have been rather inclined to exercise their influence in a different direction?—I think that in much of the evidence it has been clearly proved, that there has been too strong a disposition to resort to coercive measures on the part of some functionaries within the colony against the natives. There were a number of men that conscientiously believed that coercive measures were indispensable.

1580. Do you consider that it would be beneficial to the country that missionaries within the colony should have the power that has been described as belonging to a protector of the natives?—No, I do not see that the missionaries have anything to do with that, and I do not want missionaries to interfere in any way, but just to assist the government by keeping peace between both parties. I wish the government and the missionaries to be upon such terms that both will have one object in view, which is to keep the natives in peace, and that those men should use their influence over the natives in co-operating with the government to maintain peace, and to explain all misunderstandings that may arise between them.

1581. You approve of treaties with the Caffres as a general principle?—Decidedly.

1582. Do you recollect being present at a treaty made by Sir Rufane Donkin with the Chief Gaika, in 1820?—Yes; in my former evidence it was stated.

1583. Was not that a treaty based upon a mutual arrangement for the occupation by us of a portion of land which the Caffres supposed they had some claim to?—Yes, that is fully explained in my former evidence.

1584. Was that treaty faithfully observed by the Caffres?—The Caffres were allowed by the government to take possession of part of that land again conditionally.

1585. Are you aware of any wilful infraction of that treaty on the part of the Caffres?—The depredations continued on the part of the Caffres, but the understanding between Sir Rufane Donkin and the Caffres did not refer to them; it was merely agreed that he should have a right to occupy the territory, which, according to the understanding with Lord Charles Somerset, the government had no right to do.

The Rev. *William Yate*, called in ; and Examined.

1586. IN what situation have you been in the South Sea Islands?—As an ordained missionary of the Church Missionary Society.

1587. In what year did you go out?—In 1827.

1588. Have you been resident there from that time to this?—Yes, till within about a year and a half.

1589. Are you speedily going out again in the same situation?—Yes ; I am to embark again on Monday morning.

1590. In what island did you principally reside?—The Northern Island of New Zealand.

1591. Your duty there was to act as a missionary of the Church Missionary Society?—Yes; to establish schools, and to get the natives to attend them, and to preach to the people.

1592. Did you reside in a town?—In a small station of our own, a little distance from a fortification.

1593. What was the population in the neighbourhood?—About 3,000 within two miles of the settlement.

1594. Have you written a book in reference to missionary exertions in New Zealand?—Yes.

1595. That book was published in the last year?—Yes.

1596. What is the character of the New Zealand inhabitants, so far as you have come into contact with them?—We found them decidedly a savage people, addicted to cannibalism, to murder, and to every thing which was evil.

1597. What has been the system of conduct observed towards them by the English who have come in contact with them ; the traders and others?—In some instances they have kept faith with them, and in others they have treated them in the most barbarous manner possible.

1598. Do you know any instances in which they have been overreached or cheated by those traders?—Yes, I know of a great number of instances in which they have been overreached and cheated by them.

1599. What was the consequence of this conduct?—The natives have made their complaints to us, and have asked us how they ought to proceed, and in what way they should act with the Europeans, and would it not be fair for them to make reprisals upon persons that had not injured them, in order that they might obtain satisfaction for the loss they had sustained from others.

1600. Were they mutually inclined to cheat in return?—Yes, they were at times ; I have known instances of it, but not frequently.

1601. You stated that you found them of very savage dispositions : were any of them of industrious habits?—They were decidedly industrious for savages, but it would scarcely be called industry in England. They were much more industrious than any of the inhabitants of the South Sea Islands.

1602. Were the missionaries ever employed in making peace between them and those who had injured them?—Many times they have been called in for that purpose by both parties.

1603. With what success?—Invariably bringing them to terms, and making peace between them ; there was one particular instance in which we were called in by the captain of H. M. S. Alligator and the British resident in New Zealand.

1604. Can you state any particulars to the Committee in reference to that case?—A man of the name of King, a person who had escaped from New South Wales, had entered into an engagement with Pomare, a chief of one of the tribes in the Bay of Islands, to give him a certain number of muskets and a quantity of powder for a certain quantity of the produce of the country. He gave him several loads of flax, and a quantity of timber and potatoes. King sold those things to the masters of other vessels that came into the harbour, and then left the country without making any payment to Pomare. King possessed a small schooner, about a 15 ton vessel ; he sold the schooner to some merchants there ; and when Pomare found that the vessel which belonged to King was still in the island, he took possession of it, and would not give it up to the persons to whom it had been sold. They represented this to the British Government at New South Wales, and the captain of the Alligator received instructions to obtain this vessel from Pomare, and to see that right was done. Pomare still refused to give up the vessel, and then the captain wrote to us to interfere to get Pomare on board. Mr. William Williams

Williams and myself went and succeeded in getting him on board*, and when the matter came to be sifted, we found that Pomare was perfectly right, and that the Englishmen had been altogether wrong. Pomare had been cheated out of the whole of his property; and so convinced was the captain of the Alligator that the New Zealander was right, that he gave him the full payment for the property which he had been cheated out of, and Pomare then restored the vessel which he had taken possession of as payment for it.

1605. The Alligator was a King's ship, Captain Lambert?—Yes.

1606. You state that he was sent to recover possession of the schooner; was he also authorized to inquire into the facts of the case, and to do justice between the parties?—I believe he was.

1607. And that was the result of the transaction?—It was.

1608. Do the missionaries possess any lands in New Zealand?—The Church Missionary Society does. As individuals we are not allowed by the Society to possess any land.

1609. In what way has the Society come to possess those lands?—Every inch of ground has been purchased, and the boundaries of every piece of land have been distinctly marked by the natives themselves. In most instances the land has been purchased at the request of the natives.

1610. Then no missionaries hold land in New Zealand, except what has been purchased from the natives?—Not an inch. And when any tract of land has belonged to different tribes, the different tribes have been called together to give their consent and receive their payment in public.

1611. What sort of payment?—Things that would be likely to be useful to them, blankets, clothing and axes, and so on.

1612. How is the bargain conducted?—By their giving their consent, and approving of the payment, which is laid upon the ground. Sometimes they hold out a long time, for the purpose of getting more; but when we think it enough, we refuse to give more, and then we take back our goods.

1613. Are the missionaries generally acquainted with the language of the natives?—The greater portion of them understand it, but not all; there are some who have but lately gone there; but all who have been there above three or four years understand the language.

1614. What sort of reception have the missionaries met with in general from the inhabitants?—The last seven years the kindest possible reception; received with open arms by every one; and those distant tribes with whom we were totally unacquainted, having heard from the Bay of Islands that peace had been established by us between hostile tribes in that district, very frequently sent messengers, 20 or 30 of their sons, to request us to form stations in the midst of them, primarily with the desire of our making peace between hostile tribes in their neighbourhood.

1615. In what instances have the missionaries exercised their influence in making peace between contending tribes?—The first instance was the battle of Hokianga. A young man, the son of a chief, came over to the Bay of Islands, and when he arrived there, he took up a stone, and dashing it upon the ground, said, "This stone is Warrehumu." That is one of the greatest curses that he could utter; and the custom of the country is always to punish the tribe to which the party belongs that has uttered the curse, and not the party himself. Immediately that Warrehumu heard that he had been cursed by this man, he went and began to punish the tribe, which punishment they resisted. One man loaded his musket with ball cartridge, and fired it into the midst of the party; a skirmish ensued; Warrehumu was shot dead, his wife and children and 20 of his men. The rest escaped, and told their tale in the Bay; and the chiefs assembled to consult together what they ought to do, and they were unanimously of opinion that it was impossible to make peace till they had had satisfaction in blood to double the amount shed on their side. There were two or three of them that were very desirous of making peace, on account of the great slaughter that must take place if they fought, for they were equally well armed, and about 2,000 on each side; and one of the principal men jumped up in the midst of the consultation, and said "There are these missionaries that

* So frequently had this man been deceived by the masters and crews of vessels, that he would not trust himself on board till we told him that the wives and children of the missionaries at Paikia were in his power, and would be hostages for his personal safety.

190
The Rev. W. Yates.
12 February 1836.

190 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

that have been talking to us for 15 years about peace, let us see what they can do." They came, and requested us to go. We went, five of us, in a body. We found 2,000 people on one side of a little eminence, and 2,000 on another side, within musket shot, waiting the arrival of the chiefs to commence the attack. We pitched our tent between them for three successive days; we went from tribe to tribe and from hut to hut to endeavour to make it up between them. At the end of that time there was great division in their councils, and we seemed to be as far from effecting our purpose as at the first moment; and then we requested them to leave the decision of it to one individual, which they resolved to do, and left it to Tareha, a chief of great importance in the Bay, but a very dreadful savage. We succeeded in getting him to our tent, and he resolved in his own mind to decide for peace; we tried to work upon his mind in the best manner we could.

1616. Is he connected with either of those parties?—Yes.

1617. Both parties placed it in his hands?—Yes, it was left to the Bay of Islanders to decide; the other people could not say a word.

1618. Was it in consequence of your communications with Tareha that he was induced to take the resolution in favour of peace?—Himself and the whole of the 4,000 people attributed it entirely to that, and from that moment we date our present influence in the country.

1619. Did you then secure peace between the contending tribes?—Yes; and they have been the firmest friends and allies of any distinct tribes we are acquainted with in the country ever since that time.

1620. What sort of arguments did you use with that person?—We first began to tell him of what would be the effect of it in lessening their own numbers, even if they gained the victory, and that the people from the south would then come down upon them; knowing that Hongi was dead; they would come in a body upon them and destroy them: and then we endeavoured to point out to him the evil of it in the sight of that God whom we came to make known. After our consultation he got up, and as he was passing out of the tent, he said, "Perhaps I shall be for war, perhaps I shall be for peace, but I think I shall be for war; perhaps we shall fight, perhaps we shall not fight, but I think we shall fight." We then tried to work upon his fears; he was an enormously large man, and Mr. Williams called out to him, "Take care Tareha, you are a very big man, and no musket-ball can pass by you."

1621. Have they generally fire-arms?—They are all armed.

1622. Where do they get those arms?—From the whale vessels and the vessels that come for flax and timber; I have seen the Bay of Islanders make a present of a thousand stand of arms to their enemies, the people at the south.

1623. When was that; during a war?—Just after a war. After a war the enemy visits them and dwells for some time in their residences, and it is the custom of the country to make them presents, and that particular present was to show that they were not afraid of them.

1624. Was the result of your interference, that what would have probably been a bloody battle was prevented, and that peace was made between the contending tribes?—Yes; and they have remained upon the most friendly terms ever since.

1625. Do you believe that if it had not been for the interference of the missionaries, this conflict would have taken place?—There is no question in my own mind, nor in the mind of any New Zealander I have ever met with.

1626. Did the measures which the missionaries took upon that occasion tend to extend and enlarge their influence afterwards?—Yes, throughout the whole country. It was made known in the southern parts of the island, and brought great numbers to request our interference in their quarrels also.

1627. Do you recollect any other instances in which the missionaries have been engaged in promoting peace?—Not in which I myself have been engaged; but many in which my brethren have, at the different stations.

1628. Can you speak of those from that kind of information that you can confidently state that you know the facts?—Yes.

1629. Will you state any that have come to your knowledge in that way?—There was the battle of Taurunga; the first rise of that was the captain of an English vessel, a whaling ship, had a quarrel with some women on board his vessel; he was very angry about it, and determined to get the natives of the interior to punish those on the coast for the insult which those two women had offered to him in that quarrel. He sent into the interior to fetch the chiefs, telling them they

must

194
The Rev. W. Yate.
12 February 1836.

must come to fight a battle for the insult of those two women. They refused to do so, saying, that it was not according to New Zealand custom; that they only fought when people had done some real injury, but that they never fought when it was all mouth, and that this had been nothing but mouth, and consequently they refused to fight. He told them that he would make it known in England; that every one in England thought the New Zealanders were a brave people; but he would let the English people know, and let the King know that they were cowards; but that if they would fight he would supply them with arms and ammunition. They could not bear this, and therefore they resolved to fight. They brought down a great number of people. We were rather too late in going over; we did not know so much of it as we do sometimes; and about a quarter of an hour after the battle we saw a hundred of the people dead and wounded upon the beach. Then according to the custom of the country, a number of the New Zealanders went to the south to seek satisfaction for the death of their friends. Those persons who went down intending to cut off some of the tribes of the south as a payment for the death of their friends, were fallen in with by a large armed party of the natives and were all cut off themselves; 41 went and only one returned. This caused the whole of the Bay of Islanders to arm themselves and to go and fight with the tribes of the south for the loss of those 40. There were between 50 and 60 canoes. The canoes were attended by our missionary ship, the *Active*, the missionary boat, and a small cutter that we have. Mr. Williams accompanied the flotilla. They were five weeks before the fortification of the besieged, negotiating with the besiegers, but without effect the first five weeks. The missionaries then returned home, and afterwards, not satisfied, they went back again. Mr. Williams went down in his boat a second time, with Mr. Chapman, Mr. Kemp and Mr. Fairburn, and effected a reconciliation between the two parties. The Bay of Islanders returned home without having destroyed a single individual.

1630. What was the amount of the body of the Bay of Islanders that went upon this expedition?—About 1,500.

1631. Had you endeavoured to deter them from going originally?—Yes; we tried to stop them, but they would not listen to us; they said it was so perfectly contrary to the New Zealand custom that 40 should be destroyed without their death being paid for, that they would not listen to anything.

1632. Is there any other land held by the British?—Yes, there is; but, as far as I know, it has all been purchased. The New Zealanders would not allow anybody to take possession without. If houses were erected upon a New Zealander's land, without giving some payment for it, he would burn them down.

1633. Are the Englishmen pretty well liked by the New Zealanders?—Yes, they are.

1634. Besides the two instances you have mentioned, in which peace was procured by the instrumentality of the missionaries, have any other cases come to your knowledge?—Yes, several. I know of five instances where the schoolmasters, who are missionaries, have interfered. They have been sent for by the tribes who have been quarrelling, and prevented their fighting.

1635. Have they not certain customs called *tapuing*, which form a material obstacle to their civilization and improvement?—Which still form a material obstacle in the southern parts of the island, but not in the north, for they are nearly extinct.

1636. When you first went there were those customs in the north in full force?—They were.

1637. Have they been removed through the agency of the missionaries?—Yes; all within the last six years.

1638. Do you consider that that is likely to have a considerable effect in promoting the improvement and civilization of the people?—Decidedly so; it was so great an obstacle before, that nothing could be done.

1639. Will you state any particular case in which the missionaries were instrumental in removing that system of *tapuing*?—There are two distinct *tapues*, one with respect to persons, and the other with respect to things. A man will sometimes *tapu* a river or a part of the sea, and not allow any living creature to go upon it.

1640. What is the *tapu*?—It is a separation for some particular purpose. When they are making their nets upon the banks of a river, the whole of that river is considered as sacred till the first fish is caught, and any living creature that is found upon it is destroyed; any property found upon it is consecrated and given to the priest.

198

194 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

The Rev. W. Yate.

12 February 1836.

priest. We found, sometimes, that it so far interfered with us, that we could not go down to the Bay.

1641. What was the period of your first successful interference with the natives?—Seven years and a half ago.

1642. In what manner were the missionaries treated by the natives previous to that occasion?—Previous to the death of Hongi, we had very great difficulty to deal with them at all; our lives were in continual danger. The missionaries and their children very frequently slept with their clothes on, and boats were kept afloat in the Bay, that if hostile parties came upon us, we might take to the boats for refuge.

1643. You had not then many converts to Christianity?—Not one then.

1644. Are you acquainted with Mr. Busby, the British resident at New Zealand?—Yes.

1645. Do you know what the nature of his powers are?—He has no power, no authority; he has nothing more than the King's letter.

1646. Do you conceive, that if power were given to Mr. Busby, it might be productive of commercial benefits, as well to Europeans as to natives?—I think decidedly so.

1647. What practical change would you recommend in the position which Mr. Busby occupies in New Zealand, which you think would be beneficial?—I would give him magisterial authority, and something like a constabulary force. He has not even the power of a magistrate.

1648. Would you give him that magisterial power over British subjects only, or over the natives also?—I think over British subjects only; because the natives must be dealt with through the influence of the chiefs. There would never be any difficulty in bringing the natives to a conference.

1649. What would be the benefit of giving to him magisterial power?—He would be able to take up convicts that escaped from New South Wales, and send them to New South Wales; he would be able to restore sailors that had run away from their ships, and left the ship without the complement of men; and he would be able to take affidavits of different people, that might go for evidence before courts of justice, with respect to injuries by Europeans to the natives, or by Europeans to each other.

1650. At present can offences of that nature in New Zealand be tried in the court of New South Wales?—They cannot be tried in the courts of New South Wales, if the crime is committed in New Zealand; but if committed on board a ship, they can, as in the case of Captain Stewart.

1651. How would you propose that such persons should be tried?—In the court of New South Wales.

1652. You would propose to give the courts of New South Wales jurisdiction over offences committed by Europeans in New Zealand, and to enable the residents to take the evidence in writing, and transmit it to the court of New South Wales?—Yes, which should go for evidence in those courts. You never will be able to get people to go 1,100 miles to give evidence.

1653. You think there is no means of constituting a court, even for minor offences, in New Zealand?—I am afraid not, unless it could be done by some of the King's ships, all of which that go to the South Seas visit New Zealand.

1655. Would the removal of those runaway seamen and convicts be a great benefit to New Zealand?—It would.

1654. Have you found any mischievous effects, from the presence of those people, upon the natives?—Upon the natives we do; but they will never come near our settlements at all, if they can avoid it.

1656. Have you any means of ascertaining their number?—Yes, I think I know about 30 or 40 myself.

1657. In what way are they prejudicial to natives?—From instructing them in every thing that is bad; and when they have been there a little time, and gain a little influence over one or two individuals, they procure flax from them, and then they procure a cask of rum, and set up a rum shop.

1658. Do you think sufficient means exist to enable the resident to exercise the magisterial power of apprehending people?—Yes, I think so, especially if one or two constables were sent from New South Wales.

1659. Do you think they would meet with opposition from the natives in their attempts to apprehend them?—No, I think not; I think they would meet with assistance.

1660. Then

1660. Then you think it is rather the technical and legal difficulty of the resident not possessing power which prevents such persons being apprehended, than anything else?—Yes, I think so.

1661. The cause is that it is not within the King's territories?—Yes.

1662. Have you known injuries by Europeans upon natives which have been unredressed for the want of such a power?—Yes, many.

1663. Can you mention any instances in particular?—There was the case of Captain Stewart, in which a trial took place in New South Wales, but for want of evidence he was acquitted; that was committed on board a ship.

1664. Do you know any cases of offences committed in New Zealand, and which were, therefore, cognizable by no court?—Yes, I have known several instances of murders which have been committed upon the beach at Kororareka and other parts; I have known several instances where the natives have been killed by Europeans.

1665. What class of Europeans?—They have been some part of the crew of a vessel.

1666. Do you think that if the resident had had a legal authority to apprehend those persons, he would have had the physical means of doing it in those cases?—As he now stands he has not.

1667. Supposing him to have had a magisterial power, would he have met with resistance upon the part of the remainder of the crew?—I think they would not have attempted any resistance to legal authority of that kind.

1668. Then you attribute the escape of those offenders merely to the defect of his magisterial authority in apprehending them?—Yes; but those circumstances took place before Mr. Busby was appointed.

1669. Do you think his appointment, even with his defective power, has been serviceable in preventing injuries of that kind?—Yes, I think it has; they were afraid of the notice he might take; and although he has not magisterial power, he has the power of representing it officially.

1670. In case of a man-of-war being upon the coast, would not the captain apprehend the parties?—I do not know that any case has ever been brought before him of the kind.

1671. Do you know how many British subjects there are in New Zealand?—Upon the whole island from 1,800 to 2,000; and at times there are a great many more. I have known 1,000 at a time in the Bay of Islands, but that has been composed of the crews of several ships, with the residents.

1672. What number of runaway convicts are settled throughout those islands?—You can scarcely distinguish between runaway convicts and runaway sailors. Of runaways there are about 150 or 200 altogether.

1673. What means of safe confinement would there be of an offender till an opportunity occurred of sending him to New South Wales?—I think that no Europeans would attempt their rescue if they were confined in Mr. Busby's premises.

1674. How often do opportunities occur?—Very frequently, once a month at least, and sometimes much more frequently.

1675. Do you think that one resident where Mr. Busby is, with the power you have recommended he should possess, would be sufficient for the purposes of justice?—I should think so, because he can go down the coast at almost any time.

1676. You would give him jurisdiction co-extensive with New Zealand itself?—Yes.

1677. You have mentioned the case of Captain Stewart; will you state what that case is?—He came down to one of the tribes on the western coast who he knew was at enmity with another tribe; he told them that if they would give him 10 tons of flax, he would take a number of them on board of his vessel, and conceal them in the hold, and then take his ship down to Kapiti, and when he got down to this village he would entice the chief and his sons and some of his friends on board, and then he would let those 50 out of the hold of the vessel and they should murder them, upon condition that they gave him those 10 tons of flax. They went on board, concealed in the hold; he took his ship down to Kapiti and anchored her off the village, and the chief and his wife, and three sons and 27 men went on board, and they were then secured, tied up, and the next morning they were murdered, the whole of them, on board this vessel by the 50 natives; some of them were tied up to the boom of the schooner, and their blood was drained and drank by the chief. The poor captive chief had his child in his arms at night; he threw it overboard, that it might not fall into the hands of those wretches con-

The Rev. W. Yate.
12 February 1836.

cealed in the hold. So disgusted were the murderers themselves with the treachery of the captain, that they refused to give him the stipulated payment; the son of the murdered chief died in my arms of a broken heart, calling for vengeance upon the white people as the destroyers of his friends. The whole of this statement I have heard repeated by hundreds of the natives.

1678. Captain Stewart was tried at New South Wales?—Yes; he was taken into custody, and was put on bail by the magistrates. He was left at liberty in the colony, and he smuggled the whole of the evidence out of the colony before his trial came on; two of the witnesses came down to New Zealand, and are residing there now. On the trial there was no evidence which could convict the captain.

1679. What is the length of the passage from New Zealand to New South Wales?—The average passage is from ten days to a fortnight.

1680. Do you think if competent courts could be established in New Zealand, there would be any difficulty in procuring the necessary evidence to convict parties?—I think not.

1681. You think that evidence could not be transmitted to New South Wales for the purpose of conviction?—Not without great difficulty. A merchant, for instance, would not like to leave the whole of his concerns in a place like New Zealand, unprotected as his property would be, to give evidence in a court of justice.

1682. If a competent judge should visit New Zealand occasionally, do you think there would be any difficulty in having a trial upon the spot?—I should think not; but that scarcely seems to be a feasible plan.

1683. Can you suggest any plan by which offenders may be brought to trial, being confronted with their accusers, and having the power of cross-examining the witnesses?—None other than by letting the trial take place in New Zealand.

1684. Why do you think it would not be feasible to accomplish it by the periodical visits of a judge?—On account of the great expense of taking the judge and his attendants.

1685. What do you think would be the expense?—It is not merely the judge, but the number of persons attending him; it would be very trifling if he could be sent down in a man-of-war from New South Wales.

1686. How often do the men-of-war go?—All that touch at New South Wales visit us. About once in nine months.

1687. Suppose on the visit of a man-of-war she was to bring a judge, three times in two years, do you think that would remedy the evil to any great extent?—I think it would. If there was a certain day when those things could be judicially examined into, it would be a means of preventing those evils very much, but it is the certainty of impunity that causes them to be committed.

1688. Where was Captain Stewart arrested?—In New South Wales.

1689. Do the New Zealanders make any objection to allow the English to settle there permanently?—Not if they are willing to purchase.

1690. Does Mr. Busby reside among the New Zealanders, or has he any territory which has been acquired by purchase?—He resides upon a small spot of land which he purchased.

1691. Have any other great outrages, committed by the whalers or by merchant ships, come to your knowledge?—Yes; a man of the name of Captain Jack, after those 40 were destroyed at the south, who went down to take vengeance upon the natives there for their loss—

1692. Have not disputes arisen within your knowledge between Europeans and the natives?—Yes.

1693. Did you ever know a case in which, when the facts were really sifted, the fault did not originate with the Europeans?—Not one case has ever come under my own observation, never under any circumstances, but what the Europeans have been the aggressors, or have committed some breach in a known New Zealand law; though I will say that the natives have not always punished the right, that is, the offending party.

1694. But the origin of the dispute and the original fault has been with the Europeans?—Yes.

Sabbati, 13^a die Februarii, 1836.

MEMBERS PRESENT.

Mr. Charles Lushington.
Mr. Plumptre.
Mr. Wilson.

Mr. Hindley.
Mr. Andrew Johnstone.
Mr. Pease.

MR. CHARLES LUSHINGTON IN THE CHAIR.

The Rev. *William Yate*, called in; and further Examined.

1695. *Chairman.*] CAN you give the Committee any further information relative to the conduct of Captain Jack, alluded to in your evidence yesterday?—After those 40 natives, who went from the Bay of Islands, were destroyed by the people of the south, he went and purchased the heads of 13 of them, and brought them down to the Bay of Islands, called a number of the people together, and ordered a sack to be brought up from the hold of the vessel, which contained those heads, and then he emptied them down before the parents and friends, the brothers and sisters, and other relatives. That is one of the most dreadful things that can be done in New Zealand. It is invariably punished with death to touch the head of a departed friend by any person but those who are appointed so to do. The chiefs wept bitterly over the relicts of their friends; they went on shore, and told the captain that it was their intention to bring a party and take possession of the ship, and put the laws of their own country into execution. When he found that they really were in earnest, and that they were bringing their war canoes alongside, he cut his cable and went out of the harbour. They met him a short time afterwards at Taurunga, and he was obliged to slip his cable again, and to get away. This was represented to the colonial government of New South Wales, and General Darling issued a government order, that no New Zealander's head should again be imported into New South Wales as an article of traffic. I have known people give property to a chief for the purpose of getting them to kill their slaves, that they might have some heads to take to New South Wales. Now the effect of this conduct of Captain Jack's will be, that the natives at some future time will take vengeance upon some ship's crew where there happen to be a few of the sailors on board that formed the crew of Captain Jack, and for doing this they will of course be branded with cruelty. But there is no question whatever that it will very much interfere with the trade of British merchants to New Zealand.

The Rev. *W. Yate.*

13 February 1836.

1696. How happened it that Captain Jack did not become an instant victim to the exasperated feelings of the natives?—Because there were not a sufficient number of natives to insure their own safety at the time, or they would have taken vengeance upon him individually, and the matter would have ended.

1697. Are you aware of any instances of corrosive sublimate being imported into New Zealand?—Yes; one particular instance came under my own observation.

1698. For what purpose?—For the purpose of teaching the natives to invite their enemies down as friends, and then to poison them.

1699. By whom was this corrosive sublimate introduced?—It was by the captain of a vessel trading from New South Wales to New Zealand. One of the principal chiefs, Rewa, came up to me one day with a small paper parcel of corrosive sublimate in his hand. He said to me, "Captain so-and-so has given me this paper parcel; he has told me that if I will ask the Taurunga people down here as friends, 300 or 400 of them, and then give them a feast, we, according to our custom, waiting upon them, if we sprinkle a little of this white powder upon their potatoes, they will all die, and our lives will not be in danger, and so we shall be able to get possession of their lands. Now I am going to do so, but I have not quite enough of it, and you are a doctor, you have white powder upon your shelves, and I want you to give me some more of it."

1700. Have you any objection to state the name of the individual who suggested this nefarious scheme?—The name of this captain was also Stewart, but not the same that committed the other barbarity alluded to in my evidence of yesterday.

1701. And the name of the ship?—I do not know the name of the ship.

1702. When did this take place?—About three years ago.

1703. On receiving this communication from the chief to whom you have referred, what reply did you give?—I immediately told him that it was a very wicked thing, on the part of the man who had advised him to do so. He gave me the sublimate to look at, and I immediately contrived to throw it upon the ground. I was then in the garden with him; I threw the whole of it upon the ground. He was excessively enraged, and threatened to destroy me; he said he would certainly burn the whole of the houses in the station, and drive the whole of the missionaries out of the country for preventing him effecting his purpose, and destroying his enemies in that way. The same Captain Stewart had, but a short time before, produced to me, out of his quadrant case, a bottle of laudanum, with which he told me that, when the natives did anything that he did not like, and were particularly troublesome, he gave them a little of this, which destroyed them at once; and they did not know the way in which they were killed; he put a little of it in their grog; he told me that himself in a passage which I took with him in another vessel to New South Wales; but I thought at the time that this was mere bravado.

1704. Did you receive this information respecting the corrosive sublimate before you went to New South Wales?—No: but regarding the laudanum, I merely took it as among the number of the fearful lies which he was always telling respecting what he had done, and what he intended to do; but when this corrosive sublimate was brought before me, and the packet actually put into my hands, there could be no question about it; I knew it to be corrosive sublimate.

1705. But you considered the mention of the laudanum, at the time you heard it, as mere bravado, and therefore you did not think it worth your while or necessary to make any communication at New South Wales upon the subject?—Certainly not.

1706. *Mr. Plumtre.*] Have the merchants or other importers introduced into New Zealand articles of traffic for their own private advantage, which, in your opinion, have a tendency to increase the cruel dispositions of the natives?—I think not, except muskets and powder, which have now become a benefit to the country. At first the introduction of these weapons of war was a curse, but now it is a blessing.

1707. Has it come to your knowledge that it is the intention of any parties to import Congreve rockets into New Zealand?—I know it was the intention of the late master of the King's ship Buffalo, if he was appointed to New Zealand again, to request the Admiralty to supply him with Congreve rockets, as an article of barter; he told me so himself; I came home in the Buffalo.

1708. What would be the effect of the use of those rockets among the natives, in your opinion?—I think it would have a very injurious tendency; it would lead the people to whom those rockets were given to make some predatory excursions upon distant tribes, with whom they were not at enmity, for the purpose of destroying them, and taking possession of those parts of the country. It would be putting a fearful weapon of destruction into their hands, when they do not know the use of it; and if such a thing could possibly be prevented, it would certainly be well to prevent it.

1709. Would not the use of them, in parts where women and children are living together, be very destructive?—Most terrific. A fortification does not occupy more than half an acre, and sometimes there are 2,000 women and children within it, collected together for safety, and merely surrounded by fighting men; and to throw a Congreve rocket there would destroy the whole of them.

1710. *Mr. Hindley.*] You said that there are about 2,000 British subjects in New Zealand; in what are they principally engaged?—Some of them are engaged in procuring cargoes for merchant ships, others are engaged in cultivating small portions of land, and others again in procuring fresh supplies; some are engaged as ship-builders and ship-carpenters for repairing vessels, others as general merchants, supplying with all kinds of stores any vessel or any person that wants them.

1711. In what part of the island do they reside?—Those that I now mention mostly reside upon the eastern and the western coast, north of the Thames.

1712. At what distance from the British resident?—The greater proportion of them are within four miles of him, others within 30 or 40.

1713. What

1713. What proportion of each sex does the 2,000 consist of?—Certainly not 100 women, excluding the wives of the missionaries. The Rev. W. Yates.

1714. So that they are not persons who are permanently settled in New Zealand?—Some of them are; there are about 12 or 14 families that are permanently settled there, and they are for the most part respectable men, treat the natives very well, and there is a very good understanding between them and the natives. 13 February 1836.

1715. Is there any resident of any other power in the island?—None.

1716. *Chairman.*] Can you give the Committee any information relative to the expedition which was sent from New Zealand to Sydney, for the purpose of recovering the wife and child of Captain Guard?—Nothing from personal knowledge; I would refer the Committee to the published statement of Mr. Marshall, the assistant surgeon of the ship.

1717. Is Mr. Marshall in England now?—He is.

1718. *Mr. Anson Johnstone.*] Are you aware of the case of a captain of a vessel securing certain natives and turning them ashore at the Bay of Islands as slaves?—Yes.

1719. Will you state any circumstances in relation to that case?—I do not know the captain's name nor the name of the vessel. I only know the fact itself. He went down to the East Cape and enticed a number of the natives of that village on board, then weighed anchor and came down to the Bay of Islands. He knew that the Bay of Islanders were at war with those people, and he delivered those 25 young men, who were all of them the sons of chiefs, into the hands of the Bay of Islanders as slaves, to do what they pleased with. Immediately that the missionaries heard of it we took 50 blankets, and with a pair of blankets each, redeemed those men out of the hands of the Bay of Islanders, kept them in our schools for three months, and then returned them to their friends.

1720. What was the date of this transaction?—It was two years last Christmas since we restored them, and it was about three or four months before that that they were brought down.

1721. *Mr. Pease.*] What nation did the vessel belong to?—She was an English ship.

1722. Do you know what the captain of the vessel received from the Bay of Islanders for doing this?—I do not know that anything was received from them, but it was merely to obtain favour in the eyes of the Bay of Islanders, and to procure from them fresh supplies for his vessel.

1723. Are you aware of the object of the captain in visiting those seas?—Yes, it was for whale fishing.

1724. *Mr. Johnstone.*] What became of those young men?—They were taken down by myself and Mr. Williams and restored to their friends, and when we arrived with them and told the people that we had brought their friends home, they were perfectly astonished; they thought they had been murdered on board this ship in the same way that the natives were murdered in Captain Stewart's ship, the Elizabeth, mentioned yesterday. They had gone through the whole of their funeral ceremony, and had buried images in representation of what they considered to be their murdered friends.

1725. Did they receive you with grateful feelings?—The most grateful imaginable; nothing could possibly exceed their gratitude; indeed, we had great difficulty to leave the place, and it was only by the promise that when I got to England I would endeavour to persuade our English friends to send missionaries to them that I could get away.

1726. Were any of them converted to Christianity?—Not any of them; they had never seen a missionary before, nor heard of one, except by the report of a few natives.

1727. *Mr. Pease.*] What length of time might those 25 prisoners have been on board the vessel?—That I cannot answer. It is about 300 miles from their village to the Bay.

1728. Did they give any account of the treatment they had received on board the vessel?—I did not ask them any questions upon that subject.

1729. What has been your own observation as to the conduct of captains and crews of merchant vessels at New Zealand?—Highly demoralizing, but not cruel in general.

1730. In what respect demoralizing?—From the interference with the daughters and wives of the natives.

1731. In any other respect?—Yes; establishing grog shops, and sending rum

204

198 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

The Rev. W. Yate.
3 February 1836.

into the interior of the country for the chiefs to give to their children, to bring them up with a taste for this pernicious liquor.

1732. Are you aware of their supplying arms and gunpowder?—Yes; that is done by every ship, and that now cannot be an objection; it would be well for every one to have a musket, for so many muskets and so much powder has been introduced, that it would be well for every man to have his musket, they would then be equally armed, and there would be less aggression.

1733. *Chairman.*] Are the tribes in general hostile to each other?—Yes; some of them are continually at war.

1734. Of how many islands does New Zealand consist?—Of two large islands and one small one at the southern extremity; they are about 900 miles long by 250 miles wide.

1735. Are hostile expeditions frequent between the two large islands?—Not between the two large islands; there are only a few fishing parties upon the Southern Island; it is mostly a continued range of mountain.

1736. Is it your opinion that the enlargement of the powers of the British resident at New Zealand, thereby increasing his ability to protect the natives, by active interference, from the misconduct of Europeans, would be acceptable to the natives?—Yes, I think so; and decidedly advantageous to the European trade, and to the well-conducted part of the community.

1737. Do you think that they would be willing to co-operate with him upon such occasions?—In most instances they would, I have no doubt.

1738. They would not think it an undue interference?—Certainly not.

1739. Do you think that they would be willing to make any reasonable sacrifices for the purpose of maintaining and enforcing such authority?—The greater portion of the chiefs would, and their people would of necessity follow them.

1740. Do you think that such augmentation of the power of the British resident would tend not only to the comfort but to the civilization of the natives?—I think there can scarcely be a question upon that.

1741. Then you imagine that they are not averse to a fair system of civilized government?—I think, from all I know of them, they are desirous of it. They are continually applying to us to give them rules and regulations by which they should conduct themselves in their intercourse with Europeans, and with each other.

1742. Do not you consider that such enlargement of the powers of the British resident would have a tendency to infringe upon the independence of the native chiefs, and therefore might be unacceptable, and probably lead to disagreement?—Not so long as it is confined to Europeans; but the natives would, I believe, resist to the death any attempt to take possession of their country.

1743. *Mr. Johnstone.*] You would approve of the British authorities there being in the condition of consul or minister?—Yes, something of that kind.

1744. You would not approve of our attempting to give them jurisdiction over the natives?—I cannot see how that can be done without making it a British possession, and taking possession of the country.

1745. *Mr. Hindley.*] What is the population of the Northern Island?—About 180,000; of whom I have myself seen the greater proportion.

1746. Where does the British resident generally reside?—In the Bay of Islands.

1747. *Chairman.*] Is the capital situated there?—The most powerful and influential tribes reside there.

1748. What is the extent of this principal town?—It is not a town; but there are a number of villages and fortifications in the vicinity of the British resident, say at a distance of two miles and a half from any large native fortification.

1749. Is there any assemblage of houses in such a number as can be called a city?—I think not; there are 200 or 300 houses in one large village. The natives do not generally live in villages, but scattered about a small district; and there is one place to which they always fly in times of war, which is their fortification, there they all assemble.

1750. Then the largest village you knew consisted of about 300 houses?—Yes.

1751. When the natives are not engaged in war, do they occupy themselves in agriculture?—In agriculture, making their fishing nets, fishing and shooting, and preparing flax for exportation, preparing their own garments with that flax, preparing their canoes, and felling timber for exportation.

1752. *Mr. Hindley.*] Do you think any machinery for preparing flax might be advantageously sent out from this country?—I think so; the reason why this

article

205
The Rev. W. Yate
13 February 1836

article has failed has been latterly that the natives' wants have been supplied, and they are now careless in preparing it; and in so long a passage, not being properly prepared, it receives material injury, and is not fit for use when it comes to England.

1753. Has machinery been imported there?—We have a little ourselves. Mr. Hamlin, who was a weaver, was supplied by the Society with machinery for weaving and preparing flax, which we are now teaching the infants in the infant schools to prepare, that they may know that they can supply themselves with European clothing, manufactured from the produce of their own country.

1754. Are there any different dialects in the island?—No, they speak precisely the same dialect from one-end of the island to the other.

1755. Mr. *Johnstone*.] Is it a written language?—It was not; it is now. We have composed a grammar, translated the whole of the New Testament, and printed it, and have now a printing press in the country, which will be worked eventually by the natives themselves.

1756. Have you circulated any other portion of the Scriptures, except the New Testament?—No; except a few chapters of Genesis, and those portions which come in the Liturgy of the Church.

1757. To what extent have you circulated the New Testament?—Supplied every one that could read with a copy, about 1,800.

1758. *Chairman*.] In endeavouring to propagate the doctrines of Christianity among the natives, did you meet with any opposition from the priests?—None whatever from the priests more than from the other natives. We met with opposition for 15 years; at least they would not attend to us; they told us they did not want to be bothered with those things; if we talked to them about their muskets and powder, their cultivation and so on, they would attend to us.

1759. Then their indifference arose more from general indisposition than from any strong feeling of superstition or bigotry?—Yes, from its interfering with their evil passions more than anything else; their own corrupt principles.

1760. Mr. *Hindley*.] What is the number of converts in your society?—I can answer the question so far as my own district goes, but not now with reference to the other stations; there are 70 communicants in my church; there are about 300 adults baptized, and I had 1,000 candidates for baptism before I left. I told them that they must remain as probationers till my return; that if the schoolmaster gave a good report of their behaviour during my absence, I would admit them to baptism upon my return. The greater proportion of those are men; but comparatively few women have embraced the Gospel in New Zealand.

1761. How do you account for that?—I do not know; I think the women are more volatile in their disposition than the men, and less thoughtful.

1762. Do you use the Prayer Book?—Yes, the Liturgy, and all the services of the Church of England.

1763. Can the people read?—Only those that have been instructed in our schools, and those that have been instructed by persons brought up in our schools.

1764. What proportion of the population do you think can read?—A small proportion as yet; it is a very short time since we have been able to establish schools, not more than seven years; not one could then read or write. I should think in round numbers about 2,000 together, in the whole of the stations.

1765. *Chairman*.] Do the unconverted natives molest the new Christians?—I have not known an instance of it; there was one attempt to do so by one of their principal chiefs, but it failed.

1766. Then you find those who are not individually troubled upon the subject have no repugnance to the introduction of Christianity as a general system?—None whatever; they find that it has made them more comfortable, their slaves more obedient, their wives more faithful, and the whole of the people more industrious.

1767. Mr. *Johnstone*.] Does slavery exist to any extent amongst them?—Captives in war are always considered as slaves.

1768. Are there many slaves among them?—Yes, a great number; all that were taken captives in war not butchered upon the spot.

1769. Have you any idea what number it may extend to?—Half the population of the northern district of the island are slaves, and perhaps one-tenth part of the southern.

1770. Have those converted to Christianity shown any disposition to abolish slavery?—They have allowed their slaves to do as they pleased. The whole of the northern part of the island has now established the Sabbath; they allow their

206

The Rev. W. Yate.
13 February 1836.

slaves to attend worship, and require no labour from them; they give them every possible advantage on that day and leave them entirely to themselves.

1771. Then although they have not abolished slavery, still the effect of Christianity among them has been to mitigate it very much?—Decidedly, to alleviate it in every sense of the word, and the slaves there are now as happy as their masters, and I may almost say, have as full liberty, except that they cannot return to their friends.

1772. *Chairman.*] Are you of opinion that the circumstance of not having to contend against national superstition affords a very satisfactory ground for expecting success in proselytizing in New Zealand?—Yes, decidedly; the obstacles in our way after the tapu was abolished were comparatively few, having then only to contend with the natural indisposition of men against the truths of religion.

1773. *Mr. Johnstone.*] Have the missionaries ever directed their attention particularly to the condition of the slaves?—Yes, very frequently.

1774. In what manner?—Sometimes by redeeming them from slavery, by giving their masters a small payment; and at others, by persuading the masters to allow them to return home, which has very frequently been done with very good effect to the distant tribes, inasmuch as they carried with them a knowledge of Christianity, and disseminated it.

1775. Then the missionaries have not attacked slavery on general principles, but indirectly?—The time has hardly come for attacking it on general principles, nor can we do so with effect till there is a more thorough recognition of Christianity. When the benefits of Christianity are more seen than they are at present, then we shall enter more into the detail of its duties.

1776. Are the natives in general willing to receive instruction?—All of them.

1777. Have they shown any readiness or anxiety for it?—They are anxious to receive it, and willing to render us every assistance in travelling; they come and carry our luggage, our tents, our canteens, and everything to make extensive journeys, to give them instruction in their villages; and they flock in great crowds to our churches and chapels upon the Sabbath-day, and at any time when they know that we are about to hold Divine service.

1778. Do they appear anxious to attend the schools?—Yes, and to send their children. They have established schools in their own villages, under the direction of native youths, under the superintendence of the missionaries themselves, visiting them once a month, or according to the distance.

1779. *Mr. Plumtre.*] Have you a sufficient number of religious instructors now?—No; we want 20 more, at least. I succeeded in my object in coming to England so far. I wanted five more clergymen, and three or four schoolmasters, and a wheelwright.

1780. Is the Church of England Missionary Society the only society that have labourers there?—The Wesleyans have two.

1781. *Mr. Hindley.*] You said that there are 2,000 British subjects there, of whom not above 100 are women; have you known instances of Englishmen marrying New Zealand women?—Yes; I have officiated at the marriage of several myself.

1782. *Mr. Johnstone.*] What have been the effects of the exertions of the missionaries in a general manner?—Abolishing their superstitious observances, establishing the Sabbath, rendering the natives more industrious, bringing a large proportion of their land into a state of cultivation, preventing war, ameliorating the condition of the slaves, making the language a written one, and numerous other benefits.

1783. From the experience you have had in missionary exertions, would you begin by attempting to civilize or by attempting to Christianize?—Certainly by attempting to Christianize. Fifteen years we attempted to civilize without effect, and the very moment that Christianity established itself in only one instance in the island, from that moment civilization commenced, and has been going on, hand in hand with Christianity, but never preceded it.

1784. In dealing with the natives, would you think it desirable or advantageous that the missionaries should have any political power attached to their office?—None at all; we have nothing to do with politics. We can only give advice to the natives when they come to us, and ask our advice as to how they ought to proceed in certain cases, and what laws they ought to establish. It is then our bounden duty as their instructors, to whom they always look, to give them every information in our power.

1785. Then

1785. Then you think it would not be advantageous to the success of the mission, that the missionaries should have a political power vested in them by the government of the country?—Certainly not; they might be called sometimes to interfere when it would very much thwart their efforts by the decision which, in justice, they would be compelled to give; it might prevent their usefulness as ministers of the Gospel. I would not accept it myself; I would leave the country as a missionary rather than do so.

1786. *Chairman.*] The Committee understand that you resided for some time at Sydney?—I have paid several visits to Sydney, and one of my visits extended to a period of six months. Five times I have visited Sydney.

1787. Did you devote much attention to the condition of the aborigines of that colony?—I was very much struck with the difference between those who are living in the interior and those who are in the neighbourhood of the large towns, such as Sydney and Paramatta.

1788. Do you allude to the difference of civilization?—No; the wretchedness of their appearance, and the diseases with which they were evidently infected.

1789. More in the vicinity of towns than in the country?—Much more in the vicinity of towns than in the country; there was a healthiness about the appearance of the country natives that was not to be found in those living within a few miles of the large towns.

1790. To what do you ascribe such deterioration?—To the demoralizing influence which the convicts of New South Wales principally, and some of the settlers, have upon the natives.

1791. Are the aborigines there generally in a very miserable and degraded state?—Very miserable and degraded; much below the New Zealanders.

1792. And yet you describe those in the vicinity of Sydney to be still more debased in their condition and habits?—Still more debased; resulting, I should certainly say, from the connexion they have had with Europeans.

1793. Can you describe at all the efforts which have been made to civilize and to Christianize the natives?—Till within the last two or three years but very little effort has been made at all; the matter had not been taken up by the government; the government now allows 500 *l.* to two missionaries of the Church Missionary Society, who have established a station at Wellington Valley, in the interior of New South Wales.

1794. In former times, the Committee understand, that some attempts were made to introduce Christianity among the natives?—Yes; but they were made in those large towns, or in their neighbourhood, where the natives were still kept under an influence of the character before alluded to. They were ultimately abandoned, but now taken up with greater vigour, and certainly with every prospect of succeeding, from the reports not only of the missionaries themselves, but of very many of the inhabitants of the colony. So far they were obliged to abandon their former efforts, that from the diseases that were introduced amongst the natives, the tribes in immediate connexion with those large towns almost became extinct; not more than two or three remained when I was last in New South Wales of tribes which formerly consisted of 200 or 300.

1795. What is your opinion of the intellect of the aborigines?—I think they are quite capable of cultivation and civilization; they can I know learn to read; I have heard them read very nicely, some few in private families; the women sew and read, and make very good and faithful domestic servants.

1796. It has been stated by the archdeacon, now bishop of Australia, that it had been found absolutely impossible to introduce into their minds any adequate idea of Christianity; do you concur in that opinion?—No, I do not, from the report of Mr. Threlkeld, formerly a missionary of the London Missionary Society, from the continued reports of the Corresponding Committee of the Church Missionary Society in New South Wales, and from my own personal knowledge.

1797. Can you inform the Committee of the extent of the ecclesiastical establishment at Sydney?—There are two churches and two chaplains, and it is the official residence of the archdeacon, now bishop of Australia.

1798. Do many missionaries, not belonging to the Church of England, reside there?—There are some Wesleyan missionaries, but they have nothing to do with the natives, they are merely confined to the European population.

1799. Will you be good enough to describe the measures which have been adopted in consequence of the recent resumption of the attempt to instil into the minds of the natives some ideas of Christianity?—It never was attempted by the

The Rev. W. Yate.

13 February 1836.

Church Missionary Society before. We have every reason to believe that it will prove successful, from our missionaries having established schools, which are attended by the native youth, and by many of the adults. They have in some measure been able to correct the vagrant habits of those tribes with whom they are living at Wellington Valley.

1800. You are not aware that such attempts were ever made on the part of the clergymen of the establishment?—I am not aware that they were. As private individuals they have had some of the natives in their families, but there has been no attempt on the part of any public society.

1801. You are not aware that such endeavours, having been undertaken, were abandoned in despair, in consequence of the difficulties that presented themselves?—Not by the Church, by some other societies. I think they were abandoned in despair, as I said before, from the connexion which the natives had with the inhabitants of those large towns, their being drawn off to public-houses, and the demoralizing influence of the people.

1802. Setting aside the moral evil of contact with Europeans, are the natives in the colony of New South Wales generally well treated by the Europeans?—I am not able to answer that question. You do not hear so much of the kind treatment which they receive as you do of the unkind treatment. If a man behaves kindly to a native, and keeps him in his family and does what he can for him, it is not so much known as when he acts cruelly, or a murder is committed upon them.

1803. You do not consider the aborigines totally brutalized?—No, I think not.

1804. Are they capable of gratitude?—They are, and they are grateful; I have known instances of gratitude.

1805. Is it your opinion that hitherto they have been greatly neglected, with reference to their improvement?—Almost entirely neglected by the government; all that has been done has been by private endeavours. They have been called together once a year to receive garments and a blanket, and they have had a feast which the governor has given them.

1806. Do they prefer residing in the vicinity of the towns to occupying their own lands?—No. Generally they prefer being where there are only a few stock-keepers, in the grazing districts, and where they are not liable to such ill treatment.

1807. Do you imagine that the influx of Europeans has led to their being deprived of their just rights?—The inhabitants of New South Wales scarcely made any use of their own country. They never cultivated the land, they never built any houses, they wandered about from forest to forest, and from district to district, living upon just what they could catch, eating roots and catching fish, and killing bandicoots when they met with them. They had no canoes, nothing but a bit of bark stripped from a tree, upon which they floated.

1808. Has our occupation of the sea coast cut them off from a portion of their subsistence?—From a portion of their subsistence in that part; but still I think if they had been well treated personally, our taking possession of their country would not have been an injury to them, considering the way in which they made use of it, merely lying down upon the land, and going from place to place to seek for a precarious subsistence.

1809. Must it not be acknowledged that the aborigines of Sydney have been treated as degraded creatures, unsusceptible of improvement, and hopelessly brutalized?—Yes, I think so. I have heard again and again people say that they were nothing better than dogs, and that it was no more harm to shoot them than it would be to shoot a dog when he barked at you.

1810. Can you mention any flagrant instances of maltreatment of natives by Europeans?—No, I cannot.

1811. The laws, of course, of the colony equally extend to the natives, and place them under equal protection?—Yes, if an European brings forward the accusation; but a native would not be attended to; he would be called a rascal and a dog, and in all probability turned out of the place, when he went to make his complaint.

1812. Why would he not be attended to; because he is supposed not to speak the truth?—For one reason, and because he is looked upon as a character such as was described in the former question.

1813. Is not his testimony received in any court of justice?—I think I recollect an instance in which it was received. I know there were some trials with which

the

the natives were connected; but whether their evidence was taken or not I cannot say. Sir Edward Parry would be the person to give information upon that subject, he was so intimately connected with the natives at Port Stephens, and he knows the difference between the natives, kindly treated as they were under his government, and those who are living in the large towns.

1814. Are the natives employed by the Europeans upon any sort of out-door or domestic labour?—I have never seen them employed, except at Port Stephens.

1815. When they are so employed, do they receive regular wages?—They receive wages in food, and sometimes clothing. They have always been found faithful; there is no instance that has come to my knowledge but what a native that has been trusted has been found faithful to his trust.

1816. Do the natives in the interior possess any land; have they any idea of property?—There are certain very large districts which they claim as belonging to different tribes, but which the English took possession of, without taking any kind of notice of their claims.

1817. Then, as our settlements have extended, we have continued to deprive the natives of what unquestionably belongs to them, without affording them any compensation?—Yes; and if they have been found upon their own property, they have then been treated as thieves and robbers.

1818. Then, when a new station is established, no question is ever entertained as to the right of the natives?—I have never heard of its being entertained.

1819. But they are driven back into the interior, as if they were dogs and kangaroos?—So far as I have heard.

1820. What other stations besides Sydney have you visited?—Port Stephens, Paramatta, Windsor, Richmond, Liverpool, Campbell Town, and all the large districts of the colony.

1821. Are the habits of the aborigines in those subordinate stations similar to those in the vicinity of Sydney?—Those in the vicinity of Sydney are so completely changed, they scarcely have the same pursuits now; they go about the streets begging their bread, and begging for clothing and rum. Those in the interior have not the power to do that; they cannot go to those large towns. The natives of one tribe will not allow the natives of another tribe to come into their district; a battle would immediately ensue.

1822. Is it your opinion that they are better treated by the Europeans at the outposts than in the metropolis?—No, I think not; taking the numbers that are to be found in outposts, and those in Sydney, and the power which they have to do mischief, there is as great a disposition in the outposts to acts of cruelty.

1823. Will you have the goodness to state the measures which, in your judgment, it is incumbent upon a civilized government to adopt, for the purpose of improving the wretched condition of the aborigines in New South Wales?—To recompense them in some way for forcibly taking possession of their lands, and that in articles which are likely to be useful to them; to collect, if possible, some of the most vagrant tribes together, and to give them assistance in building comfortable houses, and for some time supplying them with food, leading them to habits of industry; to cultivate their own land, that they may supply themselves with food; and above all, to use every possible means to give them Christian instruction, which, after all, will be the only way of really raising their moral character, and proving the means of their civilization. As far as my own experience goes, without that, I should say, that every thing else would fail. I speak from the experience I have had in New South Wales, in New Zealand, in the Friendly Islands, in the Navigators, the Feejee, and the Hapai Islands in the South Seas.

1824. Mr. Pease.] Have you any means of giving the Committee a correct idea of the numbers remaining of the aboriginal tribes in New South Wales?—No.

1825. You have never seen any census, or anything approaching to a census?—No; there are very few in the neighbourhood of the large towns.

1826. What number have come under your own immediate notice?—I have seen from about 900 to 1,000.

1827. In your communication with any of those natives as a teacher of the Christian religion, have you found any disposition to listen to your observations?—I have never been recognized as a Christian teacher there by the natives. My only object in going there was to carry through the press portions of the Scriptures which had been translated into the language of New Zealand. I acted as chaplain there for Mr. Marsden, and occupied the pulpits in the colony, but not in connexion with the natives. I have attended examinations of native children at Liverpool,

The Rev. W. Yate.

13 February 1836.

where there was formerly an institution for giving them instruction, and was very much pleased with the acquirements of the children, with the pleasure which was evidently manifested by the parents at their knowledge, and the desire which the parents seemed to manifest to become acquainted with the same things themselves.

1828. Is this establishment under the care of the Missionary Society?—No, it is one of the chaplain's, a private establishment.

1829. What number of children did you understand to be in attendance at that institution?—I think 14 in all. Many more have been under tuition; but when they arrived at the age of 12 or 14, they have gone away with their parents to different parts of the country, and little or nothing has been heard of them afterwards.

1830. Are you aware that great atrocities have been occasionally committed upon the colonists and their labourers by the native tribes?—I believe there have been in some of the distant outposts.

1831. Would you be disposed to attribute that to a general vindictiveness of character, or to a desire for vengeance for those injuries which they have sustained from the whites as a distinct race?—The two instances which came to my knowledge through Mr. Watson, one of our missionaries, certainly go to prove that it was merely an act of retaliation on the part of the natives for injuries received from the stockkeepers.

1832. Are you of opinion that they discriminate as to the objects of their vengeance, whether the parties who fall under their vengeance are the aggressors, or merely as belonging to the white population?—I think generally they view them in some way as connected with the parties who had been the aggressors; but I do not think they always distinguish the real culprit.

1833. Are you of opinion that acts of cruelty perpetrated by Englishmen may be visited, in a way of retaliation, upon parties, innocent?—Yes, I know it to be the case in New Zealand; and from conversations I had with friends in New South Wales, I believe that has been the case there also.

1834. That being the case, have any efforts been made by the English colonists to restrain each other from any line of conduct which might be attended with such extraordinarily painful results?—It has never come to my knowledge that there have been.

1835. Do you think there is a general feeling among the whites, that those aggressions may be practised upon the natives with impunity?—I am quite sure that there is among the stockkeepers. I do not think it is so in Sydney, or in the large towns; but the stockkeepers are convicts in the employ of the farmers, and perhaps at 100 miles distance, and they are quite out of their reach and control.

1836. Is it your opinion that the introduction of a convict population amongst uncivilized and unchristianized tribes must be attended with very serious consequences, in obstructing the efforts of those who are endeavouring to inculcate the truths of Christianity?—Certainly.

1837. Can you point out any station which has come under your own notice more eligible as a convict station, and not liable to this objection?—No, I think not, now that it is established. Van Diemen's Land is an eligible place for convicts.

1838. There has been no attempt to gather the native population into any particular location, under the superintending care of the British Government?—Not in New South Wales; in Van Diemen's Land there has.

1839. Do you suppose that 200 or 300 of the natives could be assembled under any particular jurisdiction?—Not so great numbers as that at first. When one tribe saw the benefit of it, I think it is likely that it would be possible to collect them; but you must first prove to those people that their condition will really be benefited, and that the property they possess will be secured to them.

1840. Do you attribute the decrease in their numbers to the introduction of European diseases, or to the absence of those means of procuring sustenance which they formerly enjoyed?—Certainly not to the absence of those means of procuring sustenance, but to the introduction of European diseases, arising mostly from intemperance of every description.

1841. Do you know whether they practise polygamy?—Yes, they do. Their children are brought into the world now with the seeds of diseases in them which a few years ago were quite unknown in the country.

1842. Are the rites of marriage practised among them?—Nothing more, I believe,

lieve, than merely seizing by force the person that they intend to marry; the strongest gains the day. The Rev. W. Yata.

1843. In addition to the resident chaplains, are there any missionaries sent out by the Church Missionary Society?—I stated the number of chaplains in the town of Sydney alone, namely, two; there are 17 chaplains I believe in the colony. 13 February 1836.

1844. You distinguish between chaplains and missionaries?—Yes, the missionaries have nothing to do with government; they are under the direction of the Church Missionary Society, and the government pays them 500*l.*

1845. Are there missionaries besides the chaplains?—There are two missionaries from the Church Missionary Society. Those two missionaries have nothing to do with the white population, they have not a license to preach in the churches, but by the sufferance of the archdeacon.

1846. Are there any other missionaries on the island?—There are none that have anything to do with the natives. There are different sects of Christians who have their chapels in the towns; the Wesleyans and the Independents.

1847. Then you apprehend that the conversion of the natives has not at present been made a specific object by any other society?—It was tried once by the Wesleyan Society and I think by the London Society; but there is a man, Mr. Threlkeld, who was formerly in connexion with the London Missionary Society, but who separated from them; he was then employed by the archdeacon of New South Wales to instruct the native population, which he is endeavouring to do in the district of the Hunter River, and I believe with some success.

1848. Are you aware whether any battles or quarrels take place amongst the native tribes of New South Wales?—Frequently.

1849. Are they in possession of fire-arms?—I have never seen them with fire-arms.

1850. Do you think that the English Government prevents their obtaining possession of fire-arms by any particular care?—I do not know that they do; I should think not.

1851. Mr. Hindley.] You say you think it would be desirable to locate them at particular spots; do you consider that practicable?—I think a trial should be made; there will be little done with them with their present vagrant habits.

1852. Are you aware that Archdeacon Broughton has given evidence before this Committee that in his opinion they are not capable of being so located?—Yes; but I think they might be so located; it is a matter of opinion upon which we may differ. I think the only attempts that have been made have been with individual natives who have been brought from different tribes, and the consequence has been that their friends and relations have come and persuaded them to return again.

1853. Have any attempts been made to assemble any considerable number of the natives together and to locate them in villages or stations, with a view of introducing the arts and comforts of civilization amongst them?—I believe not; certainly not to my knowledge, not to bring them together.

1854. Do you draw a comparison favourable or otherwise between the mental, moral and physical powers of the aborigines of New South Wales and the New Zealanders?—The New Zealanders are very far superior in mental and moral and physical powers. I cannot well conceive any two tribes who are decidedly uncivilized, differing more completely in those respects.

1855. Then you would undertake the spiritual and moral culture of the New Zealanders with much more hope of success than that of the aborigines of New South Wales?—Yes, I think I should; but I should by no means despair. If the Church Missionary Society chose to remove me from New Zealand to New South Wales, I should not hesitate a moment in going, and that with sanguine expectations of success, though I should perhaps have to pursue a different line of conduct.

1856. Mr. Hindley.] Do you understand the language of the natives of New South Wales?—No.

1857. Would not this account for your having a different impression of their intellect, your having been unable to converse with them?—There are so many of them that talk English from their youth, English may be said to be their mother tongue; they talk it as perfectly as I do myself.

1858. Mr. Pease.] In the institution to which you alluded are they taught in English?—Yes, solely.

1859. Chairman.] Have the habits of the aborigines of Sydney much changed of late?—

The Rev. W. Yate.

13 February 1836.

late?—Judging from the habits of other tribes living very near them, I should say they have.

1860. Have they, in your estimation, increased so much of late as to justify more sanguine expectations of introducing Christianity among them than were entertained by clergymen and missionaries within these few years?—From the change which has evidently taken place in the immediate neighbourhood where the missionaries are residing, I think there is every reason to hope that Christianity may be eventually introduced amongst them.

1861. Do you think the soil is better prepared now than it was a few years ago?—No, I think not; but I think they failed in their plans from forming their stations, not where they would have a connexion with the natives only, but with natives and Europeans. I think the principle was wrong upon which they went. The missionaries who went out received instruction to attend to the natives and to the white population also. Now a man must throw his whole energies into one particular channel in order to effect anything among such a people; it is of no use for him to have a congregation of 2,000 Europeans to attend to, and at the same time to have charge of the natives, who want hourly attention.

1862. Have you visited Van Diemen's Land?—On my way out I did, eight years and a half ago.

1863. Was that before the remnant of the natives was removed to Captain Flinder's Island?—Long before; there was an expedition then out in pursuit of some natives who had committed great depredations upon the farmers in Van Diemen's Land.

1864. Was the removal of the remnant of the natives attended with bloodshed and difficulty?—I was not in the colony at the time; my only means of information was the public prints. I could not give any evidence whatever upon Van Diemen's Land. When I was there I was the whole time at the government house, and I merely heard from the governor the state of the people then, and his having been obliged to send out detachments of troops to protect the settlers.

1865. Mr. Pease.] Do many of the New Zealanders speak English?—Very few of them.

1866. Are you obliged to communicate with them through their own language?—All through their own language; we have no other means of correct communication with them; the language that is generally spoken by the sailors and by the New Zealanders is half bad English and half bad native.

1867. Do vessels of other nations, under the British flag, touch at New Zealand?—Not under the British flag; the Americans touch there.

1868. Have you had any opportunity of drawing any comparison between the conduct of British sailors and those of America, and any other nations touching at those islands?—Certainly the Americans behave with very great propriety; and compared with the English, their ships' crews are in much better order; we have very rarely a complaint to make of them; their captains treat the natives well, and the crews generally are not so demoralized as the crews of our British whaling ships.

1869. Are you aware whether any of the vessels touching at those islands under the American flag, have been sailing upon what are called temperance principles, that is, having no spirits on board?—Some of them have, but that has only been lately, within the last few years; but even before that we had comparatively few complaints of the Americans. We could almost always welcome an American captain, being quite sure that we should not have to reprove him for his immoral conduct, and his ill-treatment of the natives. We could not always welcome our own countrymen in the same way.

1870. Do you particularize in your recollection any of those vessels sailing upon temperance principles, as having been marked by the orderly conduct of their crews?—No, I cannot do that.

1871. Mr. Plumtre.] If, from the additional contributions of private Christians, or from any grant from Government, more clergymen and missionaries could be sent to New Zealand, have you any doubt that their labours would be well received, and greatly profited by?—No doubt at all.

Veneris, 19^a die Februarii, 1836.

MEMBERS PRESENT.

Mr. Plumptre.
Mr. William Gladstone.
Mr. Charles Lushington.
Mr. Hindley.
Mr. Andrew Johnstone.

Mr. Wilson.
Sir George Grey.
Mr. Baines.
Mr. Bagshaw.

MR. PLUMPTRE, IN THE CHAIR.

Captain Andrew Stockenstrom, called in; and further Examined.

[The following Paper was delivered in, and read:]

EXTRACT of a Despatch from Viscount Goderich to the Officer administering the Government of the Cape, dated 14th June 1827.

Captain
A. Stockenstrom.
19 February 1836.

IN the establishment for the Eastern Division, you will perceive that I have provided for the residence of a superior magistrate, under the denomination of commissioner-general. I propose to delegate the duty of generally superintending the affairs of that division, of controlling the proceedings of its civil commissioners and inferior magistrates in all cases of urgency, in which the delay of a reference to Cape Town would be prejudicial to the public interests, and of exercising a special superintendence over the affairs of the border. It will be expedient that the commissioner-general should reside at Graham's Town; but he will be strictly subject to the authority of the governor, to whom he will regularly report all his proceedings, and apply for instructions for his guidance.

1872. Sir George Grey.] Did you receive instructions from the colonial government in 1827 or 1828 to guide their conduct as commissioners generally?—Yes.

1873. Will you look at that—[a paper being shown to the Witness]—Are you able to state whether that is a copy of the instructions?—It is.

[The same was delivered in, and read, as follows:]

INSTRUCTIONS for the Commissioner-general.

THE commissioner-general will reside at Uitenhagen, as being the most convenient situation for keeping up a general communication with the frontier, from Graham's Town to Beaufort inclusive.

The duties of this office are comprised under two distinct heads:

I.—Those Duties of the Commissioner-general which relate to the Affairs of the Border and the Tribes beyond it.

1. The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will for this purpose be put in communication with all the government agents residing with the frontier tribes with whom he can hold a direct correspondence from Uitenhagen. Those agents or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government, who will make such communications to the commissioner-general on the subjects of such correspondence as may be necessary; such agents as may be enabled to maintain a direct communication with the commissioner-general will be required to report to him on all proper occasions, and to follow such directions as they may receive from him. They will not, however, cease to communicate with the secretary to government, as it may happen, during the absence of the commissioner-general from his fixed residence, that intelligence may reach government more quickly by direct communication from them than through the commissioner-general.

2. By his residence at Uitenhagen, the commissioner-general will be able to maintain a tolerably direct and speedy communication with the agents beyond the Graaff Reinet, Somerset and Albany frontiers, particularly with those in Caffreland, which portion of the frontier is for the present of greater importance than any other. In the course of his annual tour, as hereinafter directed, he will have opportunities of inquiring minutely into the state of the western border.

In cases of emergency, the agents will, as already directed, communicate with the military posts nearest to their stations, and with the civil commissioner of the nearest district.

3. The commissioner-general will report without the least delay to the secretary to government whatever intelligence he may from time to time receive from the government agents, and what directions he may have given them, together with such elucidations and observa-

214

Captain
A. Stockenström.

19 February 1836.

208 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

tions on his part as the subject may require. He will also suggest, for the information of his Excellency the Governor, such arrangement of the military force on the frontier as his knowledge of the disposition, strength or designs of the border tribes, and of the views of the colonial government with regard to them, may seem to render expedient.

4. He will endeavour to keep up a personal acquaintance with the principal chiefs along the frontier line. The great extent of this line will indeed render frequent communication with them almost impossible, but the commissioner-general will endeavour to visit the whole line from sea to sea, once in the course of each year, if the governor, who will fix the period of its commencement, shall deem it necessary that so frequent an inspection should be made.

5. To the commissioner-general, or in particular cases to one of the civil commissioners, will be intrusted in future the delivery of all presents intended for the chiefs or other persons beyond the frontier, with whom it may be desirable to open or keep up a friendly intercourse; this duty, and generally that of communicating with the native tribes, having been hitherto performed by the military commandant, that officer will be apprised of its transfer to the civil department, and instructed at the same time to direct all officers in command of detached posts, to provide the commissioner-general or civil commissioner, on demand, with an escort, to accompany him to the residence of any government agent or native chief whom he may have occasion to visit.

6. All reports or applications on the subject of cattle, &c., stolen by the native tribes on the eastern frontier, are to be forwarded by the several civil commissioners to the commissioner-general, who will give them such directions as he may judge necessary, with a view either to the recovery of the stolen property, or to the protection of the colonists from further depredations.

7. The troops will remain under the orders of the commandant of the frontier and of the several officers in command of regiments and detachments. The commissioner-general will consider it his duty to convey to the nearest officer in command any information he may receive, upon the knowledge of which measures may be taken for the security of the post or detachment, for the recovery of cattle or other property taken away by the frontier tribes, and generally for the protection of the persons and property of the colonists.

The commandant of the frontier will, in like manner, communicate or cause to be communicated to the commissioner-general, any event or information of importance connected with border affairs that may come to the knowledge of himself or his officers in command of posts.

8. The commissioner-general will require the civil commissioners of the districts of Albany, Somerset, Graaff Reinet and Uitenhagen to furnish him with returns of the number and state of the burgher force of their respective districts, and he will be careful that the lists be kept complete, the proper officers nominated, and all such regulations adopted and maintained as may obtain for the public service the speedy assembly and efficient aid of that useful and respectable force whenever and wherever required.

9. As a considerable portion of the frontier of the Somerset district and the whole of Graaff Reinet is without troops, regular or colonial, the commissioner-general is authorized to direct the assembly of the whole, or any part of the burgher force of those districts, for the purpose of defence against any actual or threatened attack, and in the absence of a military officer may himself take the command of, and employ such force, or direct the civil commissioner, field commandant, or field cornet so to do, reporting the case to the commandant of the frontier, who will move a military force to the point menaced or attacked, or leave its defence to the burgher force, as he shall think fit.

10. The commissioner-general may, when he shall think it necessary, or upon a written requisition from the commandant of the frontier, order the assembly of the whole or part of the burgher force of the four districts hereinbefore mentioned, to be employed under the orders of the commandant; and if the commissioner-general, or any civil commissioner, shall think proper to remain in the immediate command of the burgher force, he shall obey any orders he may receive from the commandant, or the orders of any military officer who shall be present on the spot, and serving with the King's or colonial troops. If the commissioner-general, or civil commissioner, shall not think proper so to remain, they will place the burgher force under the field commandants, or field cornets, at the disposal of the military officer in command.

11. In all cases where any burgher force shall be called out, either at the requisition of the commandant of the frontier, or by order of the commissioner-general, the latter will make an immediate report to the secretary to government of the declared or apparent motive for calling out such force, together with his opinion upon the nature and necessity of the case, and he will communicate whatever information he may possess, or be able to obtain, respecting it.

12. The commissioner-general is further authorized to direct, in any of the four districts hereinbefore mentioned, the assembly of such part of the burgher force under any burgher officer as may be required, to recover stolen cattle, apprehend offenders against the laws, or to patrol for the prevention of depredations. He may likewise authorize the civil commissioners of those districts to adopt the same measures at their discretion, if he shall think fit so to direct.

13. The commissioner-general will use his best exertion to prevent any jealousies or misunderstandings between the civil and military authorities, as all such differences cannot fail of being highly prejudicial to the public service. The military commandant will receive instructions to the like effect.

14. The commissioner-general will endeavour to cultivate a good understanding with all the

the native tribes, and to promote a commercial and friendly intercourse between them and the colonists. For this purpose he will occasionally attend the border fairs, and make special reports whenever he thinks any improvement may be introduced in this arrangement, or their number advantageously augmented.

19 February 1836.

II.—Those Duties of the Commissioner-general which relate to the Interior of the Colony.

15. Civil commissioners of Albany and Somerset, Uitenhagen and-Graaff Reinet, are instructed to receive and obey such written orders as may be communicated to them by the commissioner-general, as well as to furnish, or cause to be furnished to him such information or explanations as he shall have occasion to demand from them, or from any of their subordinates; but it is not intended that he should interfere with the usual routine of their duty, particularly with those duties which belong to them as public accountants; and those functionaries will continue to correspond directly with the secretary to government, and with the treasurer and accountant-general, as they have been or may hereafter be instructed. The commissioner-general will, however, be required to make an annual tour of the district of Uitenhagen, Albany, Somerset and Graaff Reinet, and the sub-districts of Beaufort and Clan William, and such field-cornets of the Worcester district as are on the borders of the colony, and to inspect the books of the civil commissioners of Albany and Somerset, and Graaff Reinet, and of the civil commissioner of Worcester as far as they concern the sub-district of Clan William and the border field cornets, and make a report to the secretary to government upon the state of each district and sub-district.

16. The commissioner-general will examine strictly all the receipt accounts of the civil commissioners, and will minutely investigate the circumstances of all persons returned defaulters, or in arrear for taxes or land rents within the district or sub-districts hereinbefore mentioned, lists of whom he should obtain from the several civil commissioners previously to his annual tour, making special reports to the secretary to government on all these matters.

17. The commissioner-general will also, upon his annual tour, inquire into the pretensions of all applicants for grants of land, or leases of government farms, upon which he will report to the secretary to government; and he will take an opportunity of visiting any tracts of land remaining unoccupied, and after consulting with the civil commissioner of the district, will report upon the most advantageous mode of disposing of them. He will look closely into the valuation of all newly-occupied lands, and report whenever he thinks that an unfair return has been made of the quantity of stock which such land can maintain, whether such be to the prejudice of the revenue or the occupant.

18. He will on his annual tour make a particular inspection of all the government buildings in the several districts and sub-districts, employing, if necessary, an artificer to assist him in such inspection, and he will, in like manner, pay particular attention to the state of the roads, bridges and ferries, and to the conveyance of the mails throughout the several districts.

19. If the commissioner-general shall observe any want of exertion or culpable negligence in any civil commissioner with respect to the collection of the rents or taxes, he is strictly required to report the same to the secretary to government, as well as any complaints he may receive of mal-administration in any department whatever, together with his observations thereon, and he will not fail to report, for the information of the governor, any improvements which may appear to him to be practicable in the collection of the revenues or in any other branch of the public service.

20. The commissioner-general will most especially direct his attention to the operation of the ordinances, Nos. 49 and 50, and will take every opportunity of examining the books to be kept by the several persons and for the purpose therein mentioned. He will from time to time make reports to the secretary to government on this subject, noticing every departure from these laws and every instance of ill-treatment of Hottentots or foreigners in the service of the colonists that may have come under his observation, and in these reports he will suggest any improvements which may be made in the law regarding those persons.

21. The commissioner-general, whilst on his annual tour, will keep a journal of all his official proceedings, and at its close he will proceed to Cape Town to lay his journal before the governor, and to give such information as may be required for the due consideration of any matters which the governor may think it necessary to bring before the council in consequence of the observations and reports of the commissioner-general.

By command of his Excellency the Governor,

Colonial-Office, Cape Town,
27 September 1828.

(signed) John Bell,
Acting Secretary to Government.

216

210 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Captain.
A. Stockenström.

[Another Paper was shown to the Witness.]

1874. Is that a copy of the remarks on the instructions intended for the commissioners-general?—It is.

[The same was delivered in, and read as follows:]

REMARKS on the Instructions intended for the Commissioner-general, confidentially and by permission submitted to the consideration of his Honour the Lieutenant-governor by the undersigned Commissioner-general.

On the 1st article I have only to observe, that as the orders from home mention Graham's Town as the residence of the commissioner-general, I can propose no immediate alteration in that respect, but hope his honour will point out to His Majesty's Secretary of State, that Uitenhagen is in every respect more eligible. His honour is so well aware of localities and the policy of making the latter place the capital of the eastern province, that all arguments in favour of that plan would be superfluous. It is also hoped that the allowance of a suitable house and garden for the residence of the commissioner-general will not be a mere temporary arrangement, and that altogether his honour will bestow his serious consideration on the insufficiency of the commissioner-general's salary compared to any other situation under government, considering the duties to be performed, the responsibility attached thereto, and the establishment indispensably to be kept up; and I feel confident, after considering the contents of the Secretary of State's despatch relative to the post I have the honour of holding, that I do not over-estimate either its importance or its respectability.

On the succeeding clauses I beg leave generally to state, that I think it necessary that in cases of emergency the agents in Caffreland should also communicate with the officers commanding the military posts nearest them.

The commissioner-general should be entitled to an escort, on application to the commanding-officer of a post, when his duties call him to visit any agent, chief or tribe beyond the frontier, and in cases of urgency he should have the power of taking measures for the safety of the colony, and though he should have no right to interfere with the military arrangements of the commandant of the frontier, he should be fully justified in recommending the measures he thinks proper to be taken.

The commandant of the frontier should also have the right of proposing measures to the commissioner-general, as far as refers to the policy of frontier defence; but I certainly think that no burgher force whatever should be liable to be called out by any military officer as such.

The civil commissioner should be bound to order his field-cornets to assist the military, on the application of any officer in command of a post, in cases of emergency, and the armed party, as long as they are actually employed in concert with the military, should of course obey the orders of the senior military officer; but this should not diminish the obligation of the field-cornet, or persons in charge of said party, to report to the civil commissioners the cause of the expedition and the part acted by the burghers, in order to keep alive the impression of dependence solely on civil authority, and to prevent as much as possible the inhabitants becoming more and more habituated to look upon themselves as a force destined to assemble for military operations against the natives on every trifling occasion. Every such report should be transmitted by the civil commissioner to the commissioner-general, with such observations as he thinks necessary, and I have no hesitation in saying that it ought to be made one of the principal duties of the commissioner-general to guard against every unnecessary calling out of armed burghers on the plea of emergency.

In ordinary cases (that is where there shall be no danger in delay), every application for armed assistance of burghers should be made to the civil commissioner of the district from which it is required, and in case of his refusing, the commissioner-general should judge of the expediency of complying with the requisition and placing the burghers under military orders. Of every commando or patrol on which burghers are employed, the burgher commandant should send a particular report to the civil commissioner, who should report to the commissioner-general as above, and the latter officer should consider it his special duty to notice any representation relative to the treatment of the burghers whilst employed on the military service.

As for expeditions exclusively military, I do not think that the commandant should in any way be controlled by the commissioner-general, but I do think that the latter should receive a full statement of every hostile measure carried on, or intended to be carried on, against the native tribes, with the causes and motives thereof; and I also do think that except in cases of the utmost necessity, he should have the right to object to the commencement of such measures until the government can be referred to and shall have decided, for I am confident that the commissioner-general can in no way be of more service (and I say so without any personal feeling against any individual or body) than in checking every proceeding which can protract the frontier warfare and retard the improvement of both colonists and savages.

I am aware that this is opposed to the spirit of the concluding part of the 9th clause of the Instructions; but a long course of experience has proved to me that the interest of the service does not require the military commandant to have the right of calling out the burghers when he thinks proper.

The civil authorities will always see the danger as soon as the commandant, and will be ready to grant assistance always when absolutely necessary, but they should undoubtedly

Le

217

be justified in hesitating, and referring the question of compliance or non-compliance to government, and in future to the commissioner-general.

The right in question, vested in the military commandant, must ever be the source of dispute between the civil and military authorities. I fully agree as to the necessity of the command of the burghers as well as the troops devolving on the senior military officer as long as they act together in actual hostilities, but I think that the object would be fully attained by the instructions merely expressing that in such case the "commissioner-general and every civil commissioner then present in command of any burgher force will consider his or their authority suspended." This would render it self-evident that if either commissioner-general or civil commissioner consent to serve, he or they must obey the orders of the military commander, without supposing the anomaly likely to occur.

On the second head, viz. that relative to the interior of the colony, I have only to observe that it would be well clearly to state that the civil commissioners shall provide all such returns, &c. as shall be referred by the commissioner-general, and which refer to the civil and political administration of their districts; as also that the commissioner-general shall be bound to receive every representation connected with those branches of the administration, which are not referable to the judicial department; shall minutely inquire into the merits thereof, in special cases report forthwith to government if necessary, in cases of urgency make the necessary provision, and in general cases enter them on his journal.

Explanations required by the commissioner-general from the civil commissioners or their inferior officers should of course be afforded.

Cape Town, 28 August 1828,

(signed) A. Stockenström.

1875. Have you the suggestions of the commissioner-general relative to the policy to be adopted with respect to the Caffres, dated 28th September 1829?— I have.

[The same were delivered in and read, as follows:]

SUGGESTIONS of the Commissioner-general relative to the Policy to be adopted with respect to the Caffres and the occupation of the Ceded Territory beyond the *Genappe*, submitted to his Excellency the Governor.

I CONSIDER it highly inexpedient in the present circumstances of the colony and the Caffre nation to drive beyond the frontiers those kraals, which still occupy part of the ceded territory; but at the same time must recommend that no part of the said territory be entirely ceded to any party of Caffres whatever.

It must be clearly understood by that people that such occupation can only be tolerated as long as their conduct justifies such indulgence on the part of the colonial government, whose title to the said territory must remain undisputed, nor should any other boundary between the colony and Caffreland be acknowledged except that agreed on in 1819 and 1820. The territory from which Macomo and his followers have lately been expelled must be kept clear of Caffres, and no kraal of the said tribe be thereto admitted, but the locations just begun should be extended up to the highest sources of the Kat River.

A conference being likely to take place between his excellency the governor and the Caffre chiefs, the admission of our right to the said territory must be made the basis of all further discussion or treaty, and this question be placed beyond all doubt and future dispute.

I should recommend that the Caffres be liberally dealt with; that the country which they will be allowed to occupy be pointed out to them and marked by clearly-defined natural boundaries; that they be not only allowed to graze their cattle thereon, but also to cultivate the land, in order to attach them the more thereto, and to render the loss thereof a matter of greater dread.

With regard to Pata, Kama and Longa, this concession should be rendered as a reward for the manner in which they have conducted themselves in repressing depredations on the part of their people, though it were well that they be informed that the manner in which those Caffres who have been admitted into the colony with passes for the purpose of taking service, have abused that indulgence, has given great displeasure to the government, and contributed to render necessary the proclamation of the 25th August last, and that government refrains from severer measures only because it is believed that these chiefs have not countenanced that conduct in their subjects. To Luno, Botwan, and the Caffres on the Muncasana, the favour should be extended, with the declaration that several complaints having been made of depredations committed by the people of their kraals, and even suspicions having existed that the chiefs connived at, if not encouraged, these depredations, his excellency had determined upon immediately expelling the said kraals from the ceded territory altogether; that as, however, those proofs were not sufficiently strong to convince his excellency of the guilt of the chiefs, and instances having come to the knowledge of his excellency of exertions having been made by them to recover cattle stolen from the colony, and to punish murders committed by Caffres, his excellency is disposed to try lenient measures for some time longer, and to allow the said kraals to continue to occupy the said territory (within certain limits to be clearly pointed out) under the following restrictions and conditions, which are to be applicable to all the Caffres within the ceded territory:

If stolen cattle be traced into the territory occupied by the said Caffres, every effort is to be used by the chiefs through whose kraals the spoor leads, and by their people, to assist

218

Captain
A. Stockenström.

19 February 1836.

212 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the party pursuing such cattle in recovering the same and seizing the plunderers, if they can be found out; but no Caffre cattle should be given or taken in lieu of the cattle stolen; and if the evidence of Caffres shall be necessary to convict the plunderers before a court of justice, the chiefs must enforce their appearance.

Plunderers thus convicted should be sentenced to hard labour for long periods, and they can be usefully employed on the high roads.

Criminals of a different description, such as murderers, incendiaries, housebreakers, &c. must be searched after and delivered up in the same manner.

The chiefs and other Caffres in the ceded territory discovering plunderers passing through their kraals coming from the colony with cattle, shall be bound to seize those plunderers, together with the plunder, and deliver them over to the nearest military post, accompanied by the necessary witnesses; and should any Caffre chief or kraal be disturbed or threatened in consequence of their thus checking depredations, they should be protected by government.

Parties from the colony, under an authorized officer, in search of stolen property, are to be allowed free access to the several kraals, and should be instructed to use violence if they be in any way resisted; but if Caffre cattle be taken contrary to orders, or any other aggressions be committed by these parties, complaint may be made at the nearest post, whence it must be forwarded to the proper quarter, in order that satisfaction may be made.

If it be found that depredations continue, and that any of the chiefs encourage the same, or connive at them, or allow plunderers from other kraals to pass through theirs, or otherwise screen or assist such plunderers, or resist or oppose the parties sent, under proper authority in search of them; or if it become evident that any chief has so far lost all influence over his people as to be unable to prevent them plundering, such chief and his people should be expelled from the ceded territory forthwith.

With respect to the Caffres residing in Caffreland, it should be explained that plunderers will invariably be followed, and the chiefs will be expected to do as has been above required from those in the ceded territory, as otherwise they can only be dealt with as encouraging the depredations, and any kraals or chiefs clearly proved to carry on a regular system of plunder against the colony must be considered as enemies, and treated accordingly, inasmuch that a commando shall be sent against them, their cattle taken in order to indemnify the sufferers in the colony, and every resistance punished with severity.

It should be explained to the chiefs, that no Caffres will be allowed to advance beyond the limits to be prescribed to them in the ceded territory, except with such permission as his excellency may in time deem it expedient to grant; with which permission, even if granted, they are not to go anywhere except on the direct high roads to the places specified, or to sojourn where they are in service according to law. It must be understood (as the chiefs all wish it to be understood,) that every Caffre found in the colony beyond the limits, not on the high roads, with legal permission, or in service, is considered an enemy watching an opportunity to plunder or murder, and that consequently every such Caffre will be seized and punished as a vagrant, or fired upon, if he do not surrender; which latter expedient they should know will invariably be resorted to when the Caffres attempt to plunder or commit any other sort of violence.

With respect to that part of the ceded territory beyond the limits just referred to, I beg leave to recommend that wherever the localities admit thereof, where land to any extent can be cultivated, and where sufficient water can be found, the arable land be divided into small proportions of two or three morgen each, and granted to applicants at the rate of one such plot of arable land for each man capable of bearing arms, which such applicant will bind himself permanently to keep upon such land well armed; with the right of pasturage on the circumjacent grazing ground, in proportion to its extent as compared with the arable land or number.

If the grazing farm should be granted on conditions that the grantee keep thereon permanently a man well armed for every 750 morgen to be granted to be granted to him, the armed man thus maintained in the ceded territory to be bound strictly to comply with the regulations to be framed by the commissioner-general for their employment in the protection of the frontier, and to be ready to turn out either to act as a burgher commando or patrol, or to co-operate with the military force in such proportions as shall be deemed expedient. The grant to be revocable in case of non-compliance. These conditions must not be understood to interfere with the expenses connected with the granting of the land, or the quit-rent to be fixed thereon.

The necessary burgher officers to be appointed, who are to watch that the burgher force be kept effective, and under whose directions parties entering Caffreland are to be conducted, according to regulations to be framed by the commissioner-general, except where accompanied by a military officer, who in such case would command and act according to his orders.

In case of actual and sudden invasion these burgher officers shall call out the burghers under their orders, upon the requisition of any military officer commanding a post, if the commandant be not on the spot; but under no other circumstances shall the armed burghers be called out into the field, except by the authority of the commissioner-general, or the civil commissioner of the district, or by their own officers, for the purpose of patrolling, checking depredations, or pursuing stolen cattle.

No cattle taken from Caffres to be returned to the person claiming the same before the officer in command of the party taking the cattle shall have satisfied himself by hearing from the herds, or other servants or witnesses, that those were the cattle lost by the claimant:

219

Captain
A. Stockenström.

19 February 1836.

ant: in case of doubt or dispute the matter to be referred to the civil commissioner. Positive orders to be issued to the military, that in no case Caffre cattle be taken in lieu of cattle alleged to have been stolen from the colony, except when special orders shall have been given to that effect; and whenever there is any dispute between colonists and the Caffres, relative to cattle claimed by another party, the question invariably to be referred to the civil power.

Individuals on the spoor of lost cattle may apply to the chiefs, but shall not be allowed to use any violence or threats, and recovering any cattle shall be obliged to produce them to his field cornet, with proofs as above specified of their being his.

It is desirable that a village be established on the Kat River, between Fort Beaufort and the Pool at Williams' School; the water may be led out of the said river, over an extensive tract of fertile soil. Hottentots, who have no other means of subsistence, may be employed in this work, and fed and paid by the government; the expense to be recovered out of the sale of ground. A magistrate and minister should be appointed to reside on the place, which from its favourable localities, and contiguity to a strong military post, will soon rise to importance, and draw to itself a great share of Caffre trade. The Rev. Mr. Thompson, already in the pay of government, employed in a situation where he can be of no use, could be conveniently removed to this new parish, if he would agree thereto.

Similar villages should be established (if the localities of the country admit thereof,) near the other military posts, as they are there likely to prosper, being protected by those posts, and a support to the same.

In other situations along the frontier, where villages are likely to thrive, they should be encouraged, in order to obtain the desired objects of a dense population and disposable force in the immediate vicinity of the Caffres.

The commissioner-general should also be authorized, when the safety of the frontier appears to him to require it, to call out for command and duty such numbers of those inhabitants, who have no visible domestic occupation (which would include the wandering Hottentots), as the emergency may call for, to post them in eligible situations, to make them co-operate with the military; arm those who have no muskets out of the government stores, victual them at the expense of government, and relieve them according to circumstances.

1876. Have you the instructions to the commissary-general and commandant relative to the expulsion of Macomo, dated 8th and 10th of April 1829?—These I have also.

[The same was delivered in and read, as follows:]

Sir,

The conduct of the Caffre chief Macomo having of late been productive of the worst consequences to the general safety and tranquillity of the frontier, his excellency the governor caused notification to be made to that individual, about the commencement of the present year, that his early removal from the ceded territory, within which he has been so long permitted to remain by the indulgence of government, would be insisted on and enforced, if necessary, about this time. Previous to any steps being taken for the forcible expulsion of Macomo, his excellency deems it advisable that the other chiefs of the Caffre tribes should be made aware of the motives which have induced the colonial government to decide on a measure of apparent severity against one of their number, and I am accordingly directed to convey to you his excellency's instructions that you proceed, as soon as may be after your arrival on the frontier, to the residences of the principal chiefs along the borders of the colony beyond the Keiskamma, and explain to them the gross provocation which government has received from Macomo, by his wanton attack and plunder of the Tambookies, and his pursuit of them far within the colonial territory, as well as by the continued system of depredation carried on by him or his people against the colonists themselves. You will impress upon their minds as strongly as you possibly can the conviction that in punishing this refractory and turbulent chief, nothing is farther from the wish of his excellency than to disturb the good understanding which prevails between them and the government, of which he received so satisfactory a proof on the occasion of their late meeting near Fort Wilshire, on which occasion that chief alone was absent on the most false and futile pretences. Having thus endeavoured to remove all cause of misapprehension from the minds of the other chiefs, it will be your next and principal object to inquire and ascertain whether, in the present state of the districts nearest to the projected point of attack, the armed burghers could be assembled in sufficient force to co-operate with the troops under the commandant of the frontier in the forcible expulsion of Macomo and his people from the ceded territory, in case it should appear that he is inclined to keep possession of any part of it. You alone will judge and determine whether the burghers are in a fit state for the field; if from the low condition of their horses, or from other causes, you should be of opinion that they are not in a fit state for service, you will apprise the commandant of the circumstances, and report to government accordingly. It is scarcely necessary to impress on you how desirable it would be to accomplish the expulsion of Macomo without having recourse to the service of the commando. Should they appear to be fit for the required service, and the commandant and yourself should agree in opinion that the evacuation of the ceded territory cannot be obtained without hostilities being commenced against Macomo, you will ascertain from the commandant what numerical burgher force it will be necessary to call out, and you will give such directions as shall ensure their assembly at whatever point he may require to have them. The com-

220
 Captain
 A. Stockenström.

19 February 1836.

mandant will be instructed to refrain from calling out the burghers for offensive operations against Macomo, without your previous concurrence in the propriety of the attack, notwithstanding the provision contained in the 10th article of your instructions, which is to be deemed applicable only in cases of actual or threatened invasion. Should hostilities be thus determined on and commenced, it will be necessary that you accompany the expedition, to ascertain that Macomo's Caffres are actually driven beyond the boundary line fixed at the conference of the 14th October 1819, which you will point out to the officers and others in command, as the precise line of demarcation in that quarter, in such a manner as to prevent all further doubt on that subject. The line of boundary here alluded to is described thus: "The left bank of the Chumie to where it joins the Keiskamma, from thence to the sea, and the ridge of the Kat River Hills to where they join the chain of the Winterbergen, shall be the line of demarcation from the spot at which that ridge touches the Chumie;" so that the waters that fall from that ridge into the Chumie shall belong to Gaika, and those which fall into the Kat River shall appertain to the colony. If the attack be followed by the expulsion of Macomo and his tribe, or if he be induced to retire beyond the said line of demarcation, it must still be notified to him that reparation remains to be made by him to the Tambookies for the heavy loss of cattle they have sustained at his hands, and that, without such compensation being made by him, and if made without his engaging to cease hostilities against them, he will be considered and treated as an enemy to the colony, as well as to them. A similar notification should be made to Mapassa, who appears to have been a considerable sharer of the plunder. It is the object of government to support, as far as possible, the Tambookies under the chief Powana, as well in consideration of their hitherto harmless conduct, as of the extremity to which they have been reduced, and the evils they have involuntarily caused to the colonists, in consequence of the relentless cruelty of their more powerful neighbours.

I have, &c.

(signed) John Bell.

Sir,

My letter of last week will have informed you that his excellency the governor and commander-in-chief had deemed it expedient that the commissioner-general should proceed to the frontier for the purpose of co-operating with you in the measures to be adopted in forcing the Caffre chief Macomo to retire from within the limits of the colony, and the restoration of the cattle which that chief had, in violation of justice and the safeguard which the territory of the colony should have afforded, carried off from the Tambookies under the chief Powana and Galela. I have now to inform you that that gentleman has left Cape Town, and it is to be hoped will be in Graham's Town shortly after you will have received this despatch; and that a copy of the instructions prepared for his guidance will be forwarded to you by this day's post. On the arrival of the commissioner-general, it is his excellency's desire that you place yourself in immediate communication with him, and afford him all the information you may be able to give on matters connected with the present state of the frontier, and those occurrences which have induced the necessity of visiting with suitable punishment the turbulent chief before named, and consult with him as to the most proper means of carrying his excellency's instructions into effect; and should there be a perfect agreement between you as to the necessity of commencing hostilities, and you consider the disposable military force under your command sufficient to effect the desired purpose without a risk of failure, you are authorized to do so. Should, however, the force be deemed inadequate, the commissioner-general is instructed to call out the burghers if the state of their horses permit, and place them at your disposal. While the necessary preparations for hostilities are going forward, the commissioner-general will proceed, in the execution of the orders he has received, to communicate to the principal Caffre chiefs the object and intentions of his excellency with respect to the chief Macomo. As keeping the Caffres in ignorance and doubt of the exact point and period of attack, and celerity of movement, is essentially necessary to insure a successful result, you will make as little demonstration as you are able in effecting your preparations. It may be with this view, therefore, proper that the Koonass Pass be the point of assembly for the burgher force, and that they and the company of mounted riflemen there stationed proceed up the southern branch of the Koonass River (the Yola), and meet the mounted troops from Beaufort at some convenient point near the head of that stream, when you will descend and proceed to the kraals in the immediate vicinity of Macomo's residence, and possess yourself of the number of cattle said to have been carried off by him, which accounts agree in stating at about 3,000 head. These cattle, when in your possession, you will deliver up to the Tambookie chiefs, in proportions according to their respective classes. After this first step shall have been taken, you will expel (forcibly, if need be) the Caffres under Macomo, beyond the boundaries of the ceded territory; and if you can, by any means, induce the chief to meet you, explain fully to him that his lawless conduct has drawn upon him the evil he will have suffered, and that he never again will be allowed to return to the country from whence he will have been expelled. In the contemplated attack, his excellency feels assured that he need not enjoin to you much caution and forbearance towards the Caffres; and he trusts that the act of necessary reprisal may be effected without much bloodshed. His excellency, not anticipating any difference of opinion between you and the commissioner-general, as to the necessity of attack, and the means to be adopted for bringing it to a successful termination, has directed the foregoing instructions to be given; should you not, however, be

agreed

agreed on all points, all movements must be suspended until the matters of difference be referred to his excellency for his consideration.

I have, &c.
(signed) W. B. Dundas.

221
Captain
A. Stockenström.

19 February 1836.

1877. Mr. *Lushington*.] Do the Caffres treat their women well?—No, I believe not.

1878. Have the females ordinarily any influence in political matters?—I believe not.

1879. Was not Sutu the widow of Gaika?—I believe that she was.

1880. During the last irruption of the Caffres, did not several missionaries and settlers seek her protection?—I know nothing of what occurred after the beginning of 1833, except by newspapers; by common report.

1881. Did you ever hear that she was instrumental in saving their lives?—No, not until from Mr. *Lushington* a few days ago.

1882. Is there a missionary station called Bird's Hill?—Yes.

1883. Did you ever hear that it was through the intercession of Sutu that the establishment in question was saved from destruction?—No.

1884. Do you know whether Sutu, in the month of March last, sent two female messengers to the British camp near Fort Beaufort, offering her mediation with Macomo and Tyali?—I know nothing of it.

1885. As you cannot corroborate the report that Sutu was so instrumental in saving the lives of the missionaries and other persons alluded to, you cannot state of course whether she received any mark of favour or reward from the British Government on account of her humanity and conciliation during the transactions alluded to?—I never heard.

1886. Are you not of opinion that if such were the fact she would be entitled to reward?—Decidedly. I think it would be a very politic measure.

1887. Was not her late husband for a long time an ally of the British Government?—Yes.

1888. Did not he make two considerable cessions of territory, either voluntarily or compulsorily?—In 1819 he ceded to Lord Charles Somerset the land between the old and new boundary on the Caffre side.

1889. Was he generally faithful to his engagements?—He was considered not. Various charges of depredations were brought against him; but nevertheless the government considered him so far an ally, that in the year 1818 we sent an expedition into Caffreland to support him against the rest of the Caffre tribes.

1890. What is your own opinion as to the manner in which he adhered to his engagements?—I think considerable depredations were committed by his people, and he was often charged with having acquiesced in them, and even participated in the plunder; but it is impossible for me to say that those charges were proved.

1891. What do you suppose to be the number of Tambookies who are peaceably settled on our borders?—That is almost impossible to state, for they are constantly moving backwards and forwards according to the drought, or to the advantageous state of the seasons.

1892. Can you give the Committee any recent information relative to Waterboer, the chief of the Griquas?—No; I have only heard that there has been a treaty made with him by Sir Benjamin D'Urban. I know him to be a very intelligent man, and by his ability to have worked himself up to the head of the Griquas.

1893. Is not he very much attached to the British Government?—He has always expressed himself so, and I believe he is sincere.

1894. Is he a Christian?—I could not exactly tell; I should suppose so, for when I was in that country in 1820, he was introduced to me as a deacon of the church, which of course constitutes him one.

1895. Sir *George Grey*.] Of what church?—Of the English Missionary Church there, belonging to the London Missionary Society.

1896. Mr. *Lushington*.] Have the colonists ever come into collision with the Griquas?—There has never been open war amongst them, but they have constantly had quarrels about the territory. As the colonists migrated towards the north, they have spread towards the south-east, and consequently there is great jealousy existing between the two parties as to the land on both banks of the Caledon River.

1897. Then the colonists have driven the Griquas to a distance?—No.

1898. Have

222
 Captain
 A. Stockenström.

19 February 1836.

1898. Have they not encroached upon them at all?—No; the Griquas migrated originally from the western part of the colony, and established themselves in the lands beyond the Orange River, at a place called now Griqua Town; they have gradually spread eastward along the northern banks of the Orange River, while the colonists have spread towards the north also, so that upon the banks of the Orange River the two parties have come into contact.

1899. Sir *George Grey*.] Then this was a voluntary migration of the Griquas?—It was the Bushman country into which they both encroached.

1900. Mr. *Gladstone*.] Are you acquainted with the circumstances attending the establishment of the Griquas at the place now called Griqua Town; and the establishment of the mission at places called Campbell Town and Philippolis, beyond the northern frontier?—Yes, what I have just spoken of.

1901. In whose possession previously was the country where they were established?—Bushmen and Corunnas.

1902. It was theirs by right of occupation?—Yes; and when we first heard of that country the Corunnas were on both banks of the Orange River, but the territory on our northern frontier for a great extent was considered Bushman country.

1903. Had the English nation, or any part of it, authority to take possession of the country?—Not that I know of.

1904. Are you aware whether any part of that country was so taken possession of by any part of the English nation?—Up to the Orange River we have possession of it now.

1905. The part that does not belong to the English Government?—I am not aware of it, it must be since I left.

1906. Are you aware whether any possession was taken of any part of that country in the name of the London Missionary Society?—Philippolis and Griqua Town are now both London Missionary stations.

1907. Are you aware whether the missionaries have taken possession of the country in the name of the London Missionary Society?—I believe, with respect to Philippolis, the thing has been done; I at least saw a paper to that effect given by Dr. Philip, or in his name. It was a Bushman establishment, where some missionary of the Society had established a mission under a Mr. Clark. At that time I had done what I stated in my former evidence, to get cattle from the farmers, in order to give to those Bushmen, and to induce them to breed stock, among other places at this very establishment of Philippolis. Shortly before that there was a rupture between two parties of Griquas at Griqua Town, and one of these, under the name of Berganas, separated themselves and migrated eastward; they came in contact with Philippolis, and possessed themselves of that country, and it then became a Griqua establishment, and subsequently a missionary of the name of Melville was placed there under the authority of Dr. Philip.

1908. Did that missionary take territorial possession of the place?—The Griquas did; they cultivated the soil, and took possession of the place.

1909. You were understood to say that at Philippolis the missionaries of the London Missionary Society had taken territorial possession of the country?—The establishment as a missionary establishment was ceded by Dr. Philip to the Griquas. The Griquas established themselves there, and cultivated the soil, and most of the Bushmen disappeared.

1910. Do you mean that the possession of the soil was ceded by Dr. Philip to the Griquas from the Bushmen?—Yes; a paper was shown to me by Mr. Melville at the time I visited the place in 1830 or 1831.

1911. What was the date of this?—It must be upon record, for there was a strong controversy at the time. I disputed the right of Dr. Philip to dispose of that land at all. The Committee will understand that I am here taken unawares, and that I am obliged to depend for all this upon my memory, but I recollect perfectly that there was a strong representation made by me, as I disputed the right of Dr. Philip to dispose of that land at all.

1912. Did you dispute the right of Doctor Philip on behalf of the British Government?—Not at all. I said that the Bushmen had a right to be there.

1913. Were your remonstrances attended with any effect?—It is a Griqua establishment now.

1914. Doctor Philip did not withdraw any steps that he had previously taken in consequence of your remonstrance?—I do not know whether Dr. Philip ever saw my remonstrance. I suppose he did. My correspondence was with the government.

19 February 1836.

ment. As a magistrate I remarked upon this, which I considered improper conduct on the part of Dr. Philip.

1915. To whom did you address your remarks?—To the local government.

1916. Are you aware whether any notice was taken of them by the local government beyond notice taken in the replies to yourself personally?—I cannot tell.

1917. Was there not referred to you by the government, for your report thereon, a report of the missions, furnished by Dr. Philip, accompanied by charges of cruelty and oppression on the part of the farmers on the northern frontier towards the Griquas and other bordering tribes?—Yes, and I believe upon that occasion I strongly commented upon this very act of Dr. Philip, with reference to Philippolis.

1918. What was your opinion of those charges against the farmers?—I thought the charges were extremely exaggerated.

1919. Did those charges also affect the conduct of the civil authorities of the colonial government?—There were two or three charges brought by Dr. Philip which he had got from the missionary Colby and others, which I went myself across the Orange River to inquire into, being determined to punish those who should be found guilty; and I found that those charges, as far as the farmers were concerned, were altogether false.

1920. What would you say of them as far as the civil officers of the government were concerned?—I found that there was no ground for charge, if I recollect right.

1921. Sir *George Grey*.] Do you know whether Dr. Philip claimed a proprietary right to the site of Philippolis, either personally or on behalf of the society?—I do not know upon what grounds he claimed it, but he did the act, for I saw the paper. The missionaries Melville, Rolbe and Clarke can give the best information about this paper.

1922. It had been a missionary settlement in the Bushman's country?—Yes, all those establishments, are in the Bushman's country; but this was up to that period a Bushman establishment and those Griquas who had revolted, and separated themselves from Griqua Town, had migrated eastward, and Dr. Philip allowed Philippolis henceforth to be a Griqua settlement.

1923. *Chairman*.] What paper do you allude to?—A paper shown me by the missionary then upon the spot.

1924. What was the nature of it?—In the name of the London Missionary Society he authorized these Griquas to be there.

1925. Sir *George Grey*.] To what extent of territory did that authorization extend?—That paper did not specify; it spoke only of the establishment at Philippolis.

1926. Do you know within what bounds that establishment was comprised?—I cannot say.

1927. Was it purely a missionary establishment, or were there other people residing there?—There were no others but the natives, the native Bushmen and the Griquas that had come.

1928. But before the Griquas came?—Only Bushmen.

1929. Mr. *Gladstone*.] Who gave the name of Philippolis to the place?—I cannot say; some of the missionaries most likely, in compliment to Dr. Philip.

1930. *Chairman*.] By this paper was any territory ceded?—It was a very short paper, to the best of my recollection, embracing nothing more than that, in the name of the London Missionary Society, the establishment was ceded to be a Griqua establishment. I am speaking from memory, but the paper can explain itself, and if it be no longer in existence the three missionaries above named can tell all about it.

1931. Sir *George Grey*.] Are you aware of any means which had been taken by Dr. Philip or any other person, on behalf of the London Missionary Society, to acquire a right to that settlement?—No.

1932. You stated in your former examination that the missionaries have settled beyond the British frontier?—Yes, several.

1933. Do you know in what way those settlements have been established by the missionaries beyond the British territory?—As far as I know, by establishing a missionary upon the spot, and ultimately building a church and a few cottages for themselves and the natives congregating round them.

1934. Is their residence among the natives merely permissive, or have they by any arrangement with the natives acquired a right to be there?—I believe that in

224

Captain
A. Stockenström.

19 February 1836.

Caffreland they have acquired a right by permission of the chiefs. In the Bushman country there is no chief to ask permission from.

1935. Mr. Gladstone.] Is the right they have acquired a right merely of residence or a right of property over the surrounding country?—I do not believe they have a right of property in any of this, but I could not say how it is in Caffreland.

1936. Who appointed the chief among the Griquas at Philippolis?—I only knew two or three chiefs who were hereditary, and Waterboer is a man that has worked himself up; he has been elected by the people.

1937. You are not aware of any other appointment of chiefs?—No.

1938. Is there any way in which those chiefs can be displaced?—Except by the natives themselves, I see no way.

1939. You do not know whether the missionaries exercise civil authority among the natives in respect to their own social organization?—I know that they do not.

1940. By whom was Adam Cock, the chief of Philippolis, appointed?—I believe he was the son of old Cornelius Cock, who was the chief; and that would make him a chief.

1941. Was Cornelius Cock chief at Philippolis?—Never, that I know of; there were two Cornelius Cocks.

1942. Then how came Adam Cock to succeed his father Cornelius Cock at Philippolis?—Those very people who separated themselves from the establishment at Griqua Town, that migrated eastward, chose him at last for their chief. He was of their own tribe. He also left the establishment at Griqua Town, and mixed himself up with those people. I cannot recollect at this moment that I ever heard of his being appointed by any authority except that of the natives themselves.

1943. You stated the other day the causes that operated to bring the natives and the settlers in collision; have not the frequent droughts taking place in the Caffre country, driving the natives to a state of destitution, occasionally been the cause?—Yes.

1944. Mr. Bagshaw.] With respect to the territorial lands, how far eastward, in your opinion, did the lands originally belonging to the Dutch extend?—That is impossible to answer. I must refer to a reply formerly made, that they originally took possession of Cape Town, and that they spread by degrees, never ceasing to spread till they got to the frontier where they are. The government from time to time fixed boundaries, and just as the new country was filled up, again on they went, and that is what has continued to this day.

1945. Is it not the general opinion that the Dutch territory did originally extend as far as the Kat River?—No; but I know that the government granted lone places as far at least as the Coonap River; but these grants were, I believe revoked; and Caffreland was not considered as having originally stretched itself further south-west than Kat. When Colonel Collins travelled up, I then travelled with him as a young man, and there were then farmers in existence, and one particularly was called before him, who recollected in his youth that there were no Caffres living permanently west of the Kat, and that their hunting grounds only extended as far as Kerskana.

Veneris, 26^o die Februarii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Plumptre.
Mr. Charles Lushington.
Mr. Hindley.
Mr. Baines.
Mr. Wilson.

Mr. William Gladstone.
Sir Rufane Donkin.
Mr. Holland.
Sir George Grey.
Mr. Bagshaw.

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

1946. Mr. Gladstone.] AT page 96 of the printed Minutes of last year, there is a passage in a letter, signed by yourself, to the following effect: "I declined continuing in an office which, by local unauthorized arrangements, had been diverted from the important objects of the supreme government, and transformed into an useless sinecure." There is also in the 119th page of the printed Minutes a passage in a letter of yours, dated November 1834, to the following effect: "And I hope that in my retirement, to which I have been forced by the most unwarrantable arbitrary treatment, which remains to this hour unexplained, no advantage, with you at least, will be allowed to be taken of my distance from Downing-street and the colony." There are likewise other statements which you have made before the Committee. As for example, without quoting particular expressions, that you found that your office was rendered totally inefficient, and, in fact, that it was nullified. Do you still retain those impressions as to the effect produced upon your office?—Fully.

Captain
A. Stockenstrom.
26 February 1836.

1947. That was through the agency of the colonial government?—I cannot conceive that any other agency can possibly have done it.

1948. You attribute it immediately to the conduct of the colonial government?—Decidedly.

1949. And to have been not in conformity with the instructions sent from home?—No, not in such conformity.

1950. In your evidence, in the 87th page, you have specified, as an example of the neutralization of the powers of your office, that the correspondence on almost every subject went between the colonial secretary and every branch of your department, or what you considered your department. That you consider to have been a local arrangement, contrary to the orders of the Secretary of State at home?—I think so.

1951. Now will you refer to the despatch from Viscount Goderich, dated the 14th June 1827, in which Viscount Goderich adverts to the powers with which your office is to be invested. He writes as follows: "In the establishment for the eastern division you will perceive that I have provided for the residence of a superior magistrate, under the denomination of commissioner-general, I propose to delegate the duty of generally superintending the affairs of that division, of controlling the proceedings of its civil commissioners and inferior magistrates in all cases of urgency in which the delay of a reference to Cape Town would be prejudicial to the public interests, and of exercising a special superintendence over the affairs of the border." Does not it appear to be the intention of the writer of that passage that the correspondence, except in cases of emergency, should be carried on direct between the colonial government and the civil officers and inferior magistrates?—No; the general superintendence of the frontier, and of the affairs of the eastern division, and the special superintendence over the affairs of the border, could not possibly be carried on by me, unless the correspondence of the functionaries went through me to the government.

1952. The question which it was intended to put to you is, not whether your office was constituted on right principles, but whether the colonial government deviated

226

Captain
A. Stockenström.

26 February 1836.

220 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

deviated from the principles laid down by the Home Government; and with reference to that question, from this passage of Lord Goderich, does not it appear that it was his intention that the correspondence, except in cases of urgency, should be carried on between Cape Town and the magistrates who were under your superintendence, without passing through your medium?—I did not understand it so.

1953. Upon referring to the passage at present, do not you think that is the grammatical interpretation of the passage?—No.

1954. What impression does this instruction of Lord Goderich convey to your mind as to the manner in which the correspondence was to be carried on between the officers under your charge and their superiors?—My impression was, that the Secretary of State intended the commissioner-general on the frontier in every respect in civil matters to represent the governor, and that the business should go through him to the Colonial Office; as otherwise it appears to me that the situation would have been the most extraordinary anomaly that ever was heard of under any government.

1955. Upon attentively considering the passage that has been read to you, do not you see that it was the intention of Lord Goderich that the correspondence should be carried on between the civil commissioners and the government without your intervention?—In cases of emergency, decidedly they would correspond direct with the government.

1956. On the contrary, does not Lord Goderich appear to say, that in cases of emergency they were to correspond with yourself, but that in ordinary cases they should correspond with the government, and without your intervention?—I did not understand it so, nor do I now. I should not understand the situation at all if that was the case.

1957. Do you conceive that the effect of that letter of Viscount Goderich was to give you a general superintendence over that division of the colony?—Decidedly.

1958. Do you consider that the reference spoken of in this despatch is a reference that you were to make, where such a reference could be made without inconvenience, and that the effect of that instruction was to give you an immediate control, in cases of emergency, without referring to the governor generally?—That was the impression I had from first to last.

1959. In the copy of the instructions enclosed in that paper of Lord Goderich there is the following passage: "The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will, for this purpose, be put in communication with all the government agents residing with the frontier tribes, with whom he can hold a direct correspondence from Uitenhagen. Those agents, or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government." Do you complain of the continuance of that direct correspondence, where they had access to Cape Town, or do you complain of the non-observance of the general rule, from which this appears to have been an exception?—I complain that, instead of having the superintendence or the control, I had nothing to do with the business but occasional references; my duty was more of an inquisitorial nature. If the Committee will allow me, I can recollect two or three instances to elucidate my meaning.

1960. Was the practice of corresponding directly with Cape Town confined to the agents or missionaries towards the western line of frontier, whose readiest communication was with Cape Town, or, in point of fact, did all the persons placed under your superintendence correspond with the government at Cape Town?—All of them; and in the last year of my staying at the Cape I had no correspondence with any single functionary of any kind in the eastern division, except one or two instances, where the government referred their reports to me.

1961. *Chairman.*] Did you consider, from the instructions contained in this paper, addressed to you by Sir Lowry Cole, that it was necessary that the subordinate agents, where they could do so, should communicate with you; and did you also consider, from the nature of the service in which you were engaged, that you could not discharge your duty without that immediate communication from your subordinate officers did take place with you?—Yes; and in consequence of a deviation

227
Captain
A. Stackenström.

ation from that, the greatest inconvenience has resulted, of which I can perhaps, in one moment, recollect one or two instances, if necessary.

1962. Mr. Gladstone.] In reviewing your evidence of last year, the only two specific complaints which appear are the one already reverted to with reference to the correspondence, and another with reference to the commando in 1831; do you quote the commando in 1831 as one of those cases in which the government acted without due respect to your office?—Decidedly; in which I was altogether superseded, and the results were most calamitous.

1963. Sir George Grey.] Those instructions which you received from the colonial government appear to direct distinctly that the agents who may be able to maintain a direct communication with you shall be required to report to you?—They did not.

1964. Did you remonstrate with the colonial government on the breach of those instructions on the part of the inferior officers under you?—Repeatedly.

1965. Were any subsequent instructions issued which justified those inferior officers in not communicating directly with you?—I do not know of any.

1966. Were any fresh instructions issued in consequence of those remonstrances?—I do not recollect.

1967. Chairman.] Was the practice of those officers to correspond with you or to continue to correspond directly with the government?—I say that the last year at least of my stay in the colony I had no communication with any department.

1968. Sir George Grey.] Was it during that last twelvemonth that you made those repeated remonstrances to the colonial government upon that specific point?—Yes, and previously.

1969. Mr. Gladstone.] Do you consider that the colonial government authorized you to expect that the correspondence of your inferior officers with Cape Town should generally be carried on through yourself?—I did not think the instructions of the colonial government sufficiently explicit upon this point; I complained of those instructions.

1970. Did you think those of the Home Government more explicit?—The main principle of the situation I thought was pointed out clearly enough; the colonial instructions make me do everything and meddle with anything without giving any sort of specific power.

1971. The instructions of the colonial government contain the following passage: "The commissioner-general will exercise a special superintendence over the affairs of the border in its whole extent (excepting such as are of a purely military character, as hereinafter adverted to), and will for this purpose be put in communication with all the government agents residing with the frontier tribes, with whom he can hold a direct correspondence from Uitenhågen. Those agents or missionaries towards the western line of frontier, whose readiest communication is with Cape Town, will continue to correspond with the secretary to government, who will make such communications to the commissioner-general on the subjects of such correspondence as may be necessary; such agents as may be enabled to maintain a direct communication with the commissioner-general will be required to report to him on all proper occasions, and to follow such directions as they may receive from him."

1972. Sir George Grey.] Without reference to the practice, if those instructions had been explicitly followed by the subordinate officers, had you any right to complain of those instructions issued by the colonial government?—Not at all, for so far.

1973. Then it is of the practice you complain, and not of the instructions?—So far as that goes.

1974. Chairman.] Did it appear to you unreasonable that you should be directed to take the special superintendence of the frontier, and yet that you should be deprived of the means of knowing what was going on by not having the correspondence passed through your hands?—That was my complaint.

1975. Mr. Gladstone.] It was your expectation that they should correspond with Cape Town through you?—That they should correspond with me, and I should correspond with Cape Town, not at all interfering with their right to correspond with Cape Town in cases of emergency.

1976. When you found that they corresponded with Cape Town direct when it did not appear to you to be necessary, did you reprimand the civil commissioners and others that were subordinate to you in the first instance?—I spoke to the governor.

26 February 1836.

228

Captain
A. Stockenström.

26 February 1836.

222 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

1977. Would not your natural course have been to reprimand the inferior officers for disobedience to what you considered to be the rules of your office?—The government secretary was carrying on a correspondence direct with those functionaries, and I did not clash with them, but I looked to the government.

1978. Can you give the Committee any idea of the nature of the complaints that you made to the government, and the answers of the government?—Yes, I will give instances. At first, when those instructions were drawn up, both the governor and the colonial secretary spoke to me of the difficulties of getting the matter properly arranged. They were puzzled about my situation, if I may use the term; I was then sent on a special mission. When those instructions were drawn up, the governor said, "I should like to feel my way before I settle this affair." Colonel Bell concocted quite a new plan. On my return from the frontier my situation was to become quite a new thing. I was to be at the head of the land-board. A surveyor-general was expected out from England, who, under my direction, was to move through various districts, and, with the assistance of the civil commissioner of each district which we should go into, we were to form a committee, at the head of which I was to be placed, from my local knowledge of the country. I was then told that the land questions would become satisfactorily settled, and in the mean time the government would become at home in the colony, and know better how to act. Always anxious to come forward in any way, I agreed to this. I then went upon a special mission. On my return to Cape Town, at George, I saw that the surveyor-general had arrived, and that the government had created a new land board, in conformity with the recommendation of the commissioners of inquiry. I saw that in the Government Gazette the surveyor-general, who had then arrived, the treasurer-general and the auditor-general, I believe, composed this land board, and of course I had nothing to do with that any further, so that all my interference about lands there ceased. On my arrival in Cape Town, I again spoke to the governor, and he was to see about it. I remained waiting without any communication with the frontier, until, as member of the council, I came in contact with documents upon the table of the council with reference to the controversy in dispute between the civil commissioner of Albany and the commandant of the frontier about Macomo's attack upon the Tambookies. As a member of the council, I expressed my sentiments upon this paper. The governor then requested me to write him a letter with my views. I then spoke to the governor, and pointed out the inconvenience of my getting information from the frontier in that circuitous way; but it was perfectly satisfactory to me when he said, "I shall soon be up the frontier, and those things will be all settled." I received instructions about the expulsion of Macomo; I went up and carried them into effect, and at the same time originated and established the Hottentot settlements on the Kat River; that was about the beginning of 1829. Having done this, I returned to Cape Town; the governor was then preparing to go up himself. I went before him on my way back to the frontier, under the impression that now the thing would be settled as he would be upon the spot. I moved my family and everything I possessed, at an enormous expense, to Uitenhagen. On my way I received despatches about the alarm caused by that man, Bezendenhout, whom I have spoken of in my evidence. I had to hurry on to the frontier. The governor went round by Beaufort, and at last he met me at Somerset. When he joined me at Somerset I heard, by accident, the civil commissioner of Albany and the governor's private secretary talking about sending ammunition to the civil commissioner of Graaf Reinet, who had been authorized by the governor to go on a commando against the Bushmen. I then spoke to Sir Lowry Cole about this commando, and said that I was sorry I had not known of it. He said he had told the civil commissioner of Graaf Reinet that he would mention it to me.

1979. What was the date of that commando?—In 1829; the civil commissioner of Graaf Reinet, accompanying Sir Lowry Cole, had gone back on the road to execute this commando; and all I knew about it was this conversation about sending ammunition.

1980. It was not the commando for the expulsion of Macomo?—No, that was done a few months before. Of this commando I received no further notice.

1981. Were you absent from the frontier when this was undertaken?—No.

1982. Under whose order was it undertaken?—The governor gave direct orders to the civil commissioner.

1983. Was the governor on the frontier at the time?—Yes.

1984. Were you yourself on the frontier also?—Yes.

1985. Who

229
 Captain
 A. Stockenström.

26 February 1836.

1985. Who made application to the governor for the authority to direct the commando?—That I cannot say; the whole was arranged between Sir Lowry Cole and the civil commissioner of Graaff Reinet, without my knowing anything about it. But I do not complain of this as far as it goes, because the subsequent reports on the part of the civil commissioner might have been sent to me. But I wish to continue the chain of the story. It will afterwards appear what I mean by this. I continued in the suite of the governor on his tour throughout the frontier, and at last we arrived at Graham's Town, where I drew up those suggestions which have been entered upon the Minutes. There again it occurred that all the business of the frontier was conducted between the governor and the functionaries at Graham's Town, without any reference to me whatever. There was a deputation of the Caffre traders, as they were called, the frontier trade being a point particularly mentioned in those instructions. That interview passed between the governor and that deputation and the civil commissioner without my knowing anything at all about it, except seeing the meeting take place. When the governor was returning to the Cape, at Uitenhagen, we were riding out together to visit Colonel Kyler. I took the opportunity of mentioning to him the predicament in which I was placed. I pointed out that I had then been commissioner-general upwards of a year; that I was without any fixed domicile; and that in fact I was a fifth wheel to the waggon, if the words may be used. I quoted the instance of a commando being sent against the Bushmen, and my hearing no more about it, except accidentally hearing of ammunition being sent. I quoted the instance of the important meeting about the Caffre trade, and my standing gazing at the door while the governor was in with the deputation and the civil commissioner arranging matters. I alluded to the expense of the predicament in which I was placed, and the paucity of my means to meet this. Any man who knows Sir Lowry Cole's humane mind will at once suppose what he did. He saw at once the justice of the observation; it was palpable to every man; and I am sure there was not a man upon that frontier who must not have seen it. Perhaps there are gentlemen in this room who would have been astonished to see the commissioner-general in Graham's Town a perfect nonentity upon every point of business, except my suggestions, which I thrust forward. The governor the moment he got back to Uitenhagen told the civil commissioner, "You must leave that large house to us; the commissioner-general must reside in it; and," said the governor, "the very first thing I do in Cape Town will be to put this thing upon a proper footing; I have seen the necessity of it."

1986. Meaning by putting it upon a proper footing, to enlarge the powers of your office?—To put the whole situation of the commissioner-general upon the footing which he now saw it necessary to put it. Enlargement of powers he did not allude to. I state exactly what passed.

1987. Mr. *Lushington*.] Enlargement of powers did not appear to be necessary, but to carry into effect the powers already given?—The powers given by Lord Goderich were quite sufficient for any purpose. I was so delighted with this that I wrote to Colonel Bell, the secretary, with whom I had always been on the most agreeable footing, giving the whole history of this, particularizing this very conversation, and saying that the moment the governor got to the Cape he would have it in his power to arrange matters satisfactorily. All that I wanted was not to swallow the public money without doing something for it. Colonel Bell wrote to me in the most satisfactory terms, promising his assistance, but reminding me of the difficulties.

1988. What were the difficulties that Colonel Bell stated?—It is a long letter; but he said, "I shall do my best; you know the difficulties," or words to that effect.

1989. He did not specify the difficulties?—Not then.

1990. Were you aware of any difficulties in the way of putting your office on a proper footing?—Yes; I must do them the justice to say that it was a puzzling question to prevent the clashing of military and civil power, unless you cut the knot, and say there is the man who shall control the whole. Thus I continued in expectation; I did not care how the thing was settled provided I could do my duty; and I went up in the meantime and completed those Hottentot settlements on the Kat River. We now come to 1830. I got to Cape Town; I there waited till about April or May; finding that nothing was done, and determined to have no quarrel with two men for whom I had the utmost esteem, and whose character still up to this moment I so highly respect, I sent in an official statement, pointing out

230

Captain
A. Stockenström.

26 February 1836.

the uselessness of the situation, and, stating my consent to retire unconditionally if the situation were abolished.

1991. Who are the two gentlemen you allude to?—The colonial secretary and the governor. This letter is official, and can be produced if necessary. I there said business is going on between the colonial secretary and all the departments without me; what is the use then of keeping up the office when there are so many other objects to meet? Again Sir Lowry Cole's justice shrunk from this; he would not listen to it, but an official answer I did not get. I again went up the frontier, in hopes something would be done, as the governor said there would be a possibility of arranging the thing. When I got to the frontier, I saw that, in violation of those suggestions, and consequently understanding between the governor and the Caffre chiefs, the patrols were taking Caffre cattle; and though I had denied Colonel Somerset a commando, which however the governor did not know at that moment, an order was sent for this commando to go in while I was upon that very spot. Then occurred this unpleasant business, which brought matters to a crisis; for not seeing any steps taken upon my representations, I, when I got to Cape Town, upon leave to answer to an action of the Orphan Chamber, I made up my mind, if nothing could be done, to make serious representations about it. In January a report comes from the frontier that the Hottentots were said to be on the point of attacking the colonists, and that the whole country was in a state of alarm, the boors going against those Hottentots to exterminate them. This I heard by common rumour, which everybody knew, until at last, one Friday morning, the governor sent for me.

1992. About what time?—In January. The governor sent for me to his office at Prota; he showed me certain papers, and at the same time the Government Gazette, in which there was a very severe manifesto against the colonists on the frontier, which I afterwards thought uncalled for; but still this manifesto was in the Gazette, and I read it, and after having read it I then took the opportunity of saying to Sir Lowry Cole, "Sir, this is another instance; this certainly is my business, if I have any business in the world; here is a thing appearing in the Government Gazette, so important a thing, and I know nothing of it till I see it there officially."

1993. Was this manifesto a proclamation of Sir Lowry Cole's?—A government advertisement.

1994. By whom was it signed?—The government secretary.

1995. Sir George Grey.] Did that issue from the frontier or did it issue from Cape Town?—The governor had the day before sent it to the Gazette.

1996. Mr. Gladstone.] On what score did it attack the colonists?—About their coming together with the intention of destroying the Hottentots; that was the subject.

1997. Chairman.] Have you got that manifesto?—I have not; it is in the Government Gazette.

1998. Mr. Gladstone.] Was it on the subject of the Hottentots alone, or the Hottentots and Caffres?—I believe the report was that the Hottentots and Caffres were to join to exterminate the colonists; that was the report upon which the colonists had acted.

1999. Sir George Grey.] Do you mean to say that this manifesto had been issued upon information not transmitted through you, and upon which you had not been consulted?—Yes. I knew nothing at all about it till I saw it there.

2000. Do you complain that the governor acted with respect to the frontier on information which had not been subjected to your supervision, and of which you knew nothing?—I quote these instances to prove that I was justified in saying that my situation was perfectly useless in consequence of the measures taken by the colonial government.

2001. With regard to this manifesto, was the ground of your complaint that the government had acted upon information derived from the frontier, without any communication with you, and the information itself not having been subjected to you?—Yes, certainly.

2002. Although you were then residing at the Cape, and not upon the frontier?—Yes. I mention this to show that the regular channel was myself, and that it did not come through me.

2003. Chairman.] Your two complaints are, first, that you were not made aware of the communications which passed from your subordinate officers; and, secondly, that certain measures of great importance were taken of which you had no cognizance?—Exactly so; I then said to Sir Lowry Cole, that if I had any business

business at all, that was mine. I ought to premise, that while I was on the frontier, and this unpleasant business occurred about the commando going into Caffreland, I had written a private letter to Sir Lowry Cole, referring him to my official letter, in which I had offered to retire unconditionally, begging him to put an end to the state in which I was: (I saw that all would end in confusion, and that there was no remedy). He then wrote to me saying, among other things, "Wait until I can personally see you and make arrangements to your satisfaction." On this occasion, at Protea, Sir Lowry Cole said, "Your situation is extremely awkward, and I shall now tell you a plan. Captain Campbell, the civil commissioner of Albany and Somerset, wishes to retire from the service, and if you will take upon yourself the duties of civil commissioner of Albany and Somerset, reserving the title and pay of commissioner-general, with an inferior officer under your orders to carry on the financial business, it will enable me to make a satisfactory arrangement for Captain Campbell, and your object will be gained." I at once said, that if this were done it would entirely defeat the object of the situation. The governor himself had already stated that the duties of the civil commissioner were so arduous that it was impossible to comply with the orders from Downing-street for the consolidation of the situations of civil commissioner and magistrate. My duties heaped upon that would make the mischief much greater, and I would see no chance to get out of it. But I admitted that the principal cause of my objection was a different one; and I here admit that I said I had done nothing to merit promotion, but I had done nothing that would induce me to submit to retrograde, and I would consider, after having held the situation of commissioner-general, that the taking upon me that of civil commissioner would be retrograding.

2004. With reference to that proposal by Sir Lowry Cole, did not he suggest to you that you should retain your jurisdiction as commissioner-general over the other district?—Yes, he did, but he had already pointed out to the Home Government that the civil commissioner could not be a magistrate; how then could it be possible for the commissioner-general's business to be thrown into the same hands?

2005. Sir George Grey.] Did not Sir Lowry Cole evince a desire to relieve you from the difficulties in which you were placed?—Decidedly, he said so.

2006. Do not you think a great deal of difficulty arose from the power and jurisdiction of your office not being sufficiently defined?—Yes, decidedly, from the business not going through the regular channel.

2007. Mr. Gladstone.] Do not you think a great deal of the original doubt and difficulty is to be referred to the terms of the despatch from home?—No; the local government having that despatch for a basis, might, I think, have framed regulations which would have obviated all difficulty.

2008. Sir George Grey.] Do you think that that despatch from Viscount Goderich did define very clearly the nature of the office you were to hold?—So definitely, that, with the powers of a local government, I think everything necessary might be done.

2009. Chairman.] You have said that much evil arose from the absence of specific instructions to you; have you received detailed instructions now as to your conduct in the situation of lieutenant-governor?—I have not received them.

2010. Sir George Grey.] Have you seen them?—I have seen them in such a shape that I cannot appeal to them; but I have seen them, and they are full and ample.

2011. Chairman.] Do you consider they are such as will render your office there efficient for the purposes for which it is intended?—Decidedly.

2012. Mr. Gladstone.] In these colonial instructions for the commissioner-general, in the passage which has been already quoted at the commencement, did the term, "all the government agents," include the civil commissioners?—I did not understand it so. I thought it spoke of the agents beyond the frontier.

2013. You did not understand that that part of the instructions referred at all to the civil commissioners?—No, I did not.

2014. Chairman.] Do not you consider that these words, "You shall be put in communication with all the government agents residing with the frontier tribes," authorized you to receive communications from the commissioners?—No.

2015. Sir George Grey.] With reference to the former question, you think there was an omission in the instructions of the colonial government of any instruction to the civil commissioners to communicate with and through you?—Yes, I think so.

232

Captain
A Stockenström.

6 February 1836.

226 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

2016. Mr. *Gladstone*.] Did the agents upon the frontier correspond with you?—They were not put in communication with me.

2017. Sir *George Grey*.] Then you do not charge any breach of those instructions upon the civil commissioners?—No; in fact I do not know what orders they got. I do not know whether they ever saw this.

2018. Mr. *Lushington*.] What is the particular period at which you consider those instructions were disregarded, as respects your paramount authority?—From first to last, to a certain extent. The last year there was no communication between the functionaries and myself at all; but from first to last there was no regular correspondence.

2019. Was that last year a year of great excitement, in consequence of expected or actual hostility with the Caffres?—The last year followed the commando of 1831, of which I complained.

2020. During that period at what distance was Lieutenant-colonel Somerset, the commandant, stationed from you?—I was in Cape Town, and then occurred what I have now mentioned, when the government made this proposal to me.

2021. The question refers to the time when you were actually upon the frontier. At what time was that?—In 1831.

2022. During that period at what distance was Lieutenant-colonel Somerset, the commandant upon the frontier, stationed from you?—He was at Graham's Town, where, by the order from home, I ought to have resided, but where I was never ordered to reside. I had no residence there, and I was then upon the Kat River.

2023. Ordinarily speaking, what was the distance of the communication between you and Colonel Somerset?—At that period, when this dispute occurred, it was about 50 miles from Graham's Town to the Caffre frontier.

2024. In those days Colonel Somerset corresponded directly with the governor instead of through you?—Yes.

2025. That was one of the causes of your complaint?—Upon that particular occasion.

2026. Would it have materially injured the public service if Colonel Somerset had corresponded through you instead of direct to the government?—In how far it would have interfered with the military arrangements I cannot say, but there is not the slightest doubt it would have been beneficial to the frontier if he had corresponded through me; I at least should have known what was going on. Whether in a military point of view it would have been an inconvenience I cannot say, but it strikes me that it would not.

2027. Mr. *Gladstone*.] You think that the relation of authority between you and the military commandant was one difficulty to the arrangement?—There appeared very great difficulty.

2028. Mr. *Lushington*.] Was there any occasion on which the military commandant had communicated directly with the government at Cape Town, when he afterwards requested your advice and assistance when he was in difficulty?—At this moment I cannot recollect any instance.

2029. Mr. *Gladstone*.] In answer to a question from the Chairman you stated that measures of great importance were taken without your consent. By those measures of great importance do you mean commandos, or other measures beside commandos?—The whole administration of the district, civil and military, I allude to.

2030. Your attention is requested to the duties stated in your instructions with reference to the interior of the colony; the examination of the receipt accounts of the civil commissioners, was that head of duty habitually referred to you, and performed by you?—Never.

2031. An annual tour; did you make an annual tour?—Never.

2032. Why not, as it appears to be a part of the instructions?—It will be found that it is said that I am to go when the governor sends me.

2033. It is said, "The commissioner-general will, however, be required to make an annual tour of the district," and so on; did you interpret that passage as meaning that a special command would be sent to you from the governor, whenever you were to make this annual tour?—On referring to the instructions, it will be seen that they cannot be separated.

2034. Had you no communication with the governor on the subject of the inspections mentioned here?—No.

2035. With reference to the receipt accounts of the civil commissioners; you did not examine them, and they were not forwarded to you?—No.

2036. Did

2036. Did not you call upon the civil commissioners to bring them to you?—No.

2037. Having it in your instructions from the government that you should examine the accounts of the civil commissioners, who were subordinate to you, did not you think it your duty to call upon them to furnish their accounts?—No, not before the government had put them in the way of doing so, before I knew that they had instructions to do so. I have before said that I kept from clashing with the inferior officers of the district, before the government should put matters in proper train.

2038. Did you ever travel along the frontier line from sea to sea?—Never.

2039. Did you ever report cases of negligence of the civil commissioners, or in any inferior officers, upon the frontier?—No.

2040. In speaking of measures of importance undertaken without your intervention, had you special reference to commandos?—Special reference to commandos, but generally.

2041. How many commandos were undertaken during the period you were commissioner of the frontier?—It is difficult to say, for I do not know them all; I recollect two important ones.

2042. There was one in 1829 for the expulsion of Macomo; there was a second in 1829, which was carried on without your cognizance?—Yes, against the Bushmen.

2043. There was a third in 1830, which was at your direction?—Yes.

2044. There was a fourth in 1831, which was without your direction?—Yes.

2045. Are you aware of any other commandos which were undertaken during that period?—Not at this moment.

2046. Then of those four commandos, taking the first, that for the expulsion of Macomo, you have already stated that that was undertaken with your cognizance and your approbation, and you have asserted that you are responsible, to the full extent, for the particular measures taken in that commando?—Certainly.

2047. Did Sir Lowry Cole evince any anxiety upon that occasion that, if it were possible, the removal of Macomo should be effected by some other measure than that of commando?—I cannot tell; the orders will show.

2048. You do not recollect any particular communications that you had with him upon the question, whether military force alone could do it, or whether it would be necessary to call out the burgher force?—I do not recollect it.

2049. But it was at your advice that a commando was had recourse to for that purpose?—Yes.

2050. With reference to the second commando that appears to have taken place, you were not consulted upon it from first to last?—No.

2051. You complained to Sir Lowry Cole upon that occasion?—I mentioned it to Sir Lowry Cole, to prove to him that I was there of no sort of use.

2052. When you mentioned that specific case to Sir Lowry Cole, did you throw blame upon any officer in particular?—No.

2053. For instance; it was the civil commissioner who had authorized the calling out the burgher force?—Under the authority of the governor.

2054. Who do you suppose made the representation to the governor which induced him to give the authority?—I suppose the civil commissioner.

2055. Did you complain of the civil commissioner upon that occasion?—I stated to the governor what had taken place without my being consulted upon the subject; further, I quoted to the governor an instance. My instruction says, that I was to take care of the appointment of the officers to the burgher force, and to keep it in an effective state. At that very time the governor had appointed a commandant at Beaufort, of which I knew nothing at all; and as long as I was there I never knew in any way of the appointment, or removal, or change of a single burgher officer that took place; I was neither consulted upon, nor made acquainted with, any one single appointment.

2056. Can you refer to the passage in your instructions?—"He will be careful that the lists be kept complete, and proper officers nominated, and all such regulations adopted and maintained as may obtain for the public service the speedy assembly and efficient aid of that useful and respectable force whenever and wherever required." In the whole period of six years I never heard of the appointment of a single one of those men.

2057. With reference to the second commando of 1829, did it appear to you that the civil commissioner had been guilty of a breach of duty in making his report

234
Captain
A. Stockenström.

6 February 1836.

228 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

to the governor, instead of making it in the first instance to you?—I do not know whether the civil commissioner had those instructions.

2058. Did not you institute any inquiry upon that subject, to see to whom it was to be attributed?—Some time after this I heard a rumour that this commando had shot seven unfortunate wretches which they were not in search after, and that a Bushwoman had been murdered in a cruel way by this very commandant whom the governor had appointed. I then thought it my business to know something of it, and I insisted upon a correspondence from the civil commissioner.

2059. In 1829?—Yes, upon that very commando. It was said that the commando had come in contact with Bushmen, whom they were not in search of, and had shot them; and that a poor woman lying by the side of the road had been shot by that very commandant. It appeared to me very horrible, and I believe I wrote to Colonel Bell about it; and he said, "Get a report from Mr. Ryneveld." I got his report, and there I saw that some people had been shot, but that this poor woman had been killed by accident. Afterwards the attorney-general inquired into this business, and it was a very awful case, I understood.

2060. Did you then demand that the civil commissioner should make his report to you upon all such occasions?—I wrote for this identical report, because I wanted to get at the bottom of these men being shot.

2061. Did you then charge it, either directly or by implication, upon the civil commissioner that he had been guilty of a breach of duty in not reporting to you before authorizing a commando?—I could not charge the commissioner, because I did not know that he even knew my instructions.

2062. Did you endeavour to make it understood by the civil commissioner that he should always communicate with you in future?—No; I always referred to the government.

2063. That was the only occasion at that time at which a commando had been authorized without your intervention?—Yes, I believe so.

2064. The next occasion of a commando was in 1830?—Yes.

2065. Was that undertaken in the same manner?—Fully with my concurrence, upon Colonel Somerset's representations.

2066. Was the civil commissioner applied to then?—I cannot say.

2067. Did you at once, upon Colonel Somerset's representations, authorize the calling out of the burgher force?—There was some correspondence between the government and myself previously.

2068. And after that correspondence you authorized the calling out of the burgher force?—I did; upon the Caffres having intercepted a military party in a bush; and this being reported by Mr. Warder, I then thought the matter serious.

2069. The point to which your attention is requested is, to know whether it is your opinion that there was no undue derogation from your authority upon that occasion in 1830?—No, not that I recollect.

2070. Early in 1831, did not Colonel Somerset come to you to suggest the propriety of another commando?—I cannot say whether it was early, but it was in that year.

2071. You declined giving that authority?—Yes.

2072. You did not communicate to the governor that representation of Colonel Somerset's?—It was done in this way. Colonel Somerset came to me on the race-course, and said to me, "The Boors are complaining that their horses are taken away;" and he said, "I want to send a commando into Caffreland." He said, "I could do it by the military, but I want the burghers who have lost horses to go in." I said, "I had quite enough of the commando last year, and I cannot authorize it without further inquiry."

2073. Did you make further inquiry?—Yes, I went towards the frontier, and I found the country in a perfect state of peace. I was going there upon other business.

2074. Having thought this notice of Colonel Somerset's of sufficient importance to induce you to investigate the state of the frontier, did it not strike you that it would be well to report the circumstance to the government?—Whether Colonel Somerset had made the representation to me or not, it would be my duty to examine the state of the country.

2075. Do not you now think it would have been better to have made a report to the government of that application of Colonel Somerset's?—No; if it was to happen again to-morrow I would not do it; I would just tell Colonel Somerset I shall inquire further about it, and there it would end, as I was responsible.

2076. At

2076. At a later period the commando took place?—Immediately afterwards; I suppose two or three weeks.

2077. Supposing you had communicated that application of Colonel Somerset's to the governor, do you think it would have prevented the commando that subsequently took place?—I dare say it would; but if I had been the governor, and had got acquainted with the particulars, I would have said that such a report was merely made from a sort of invidious motive. I thought my answer was sufficient, and if it happened again I would do the same.

2078. But it appears that the result of that was unfortunate?—Yes.

2079. After that, did Colonel Somerset make his application to the government direct?—Yes; that will appear by the correspondence.

2080. It appears to have been in some measure a joint application from him and the civil commissioner?—I dare say it was.

2081. The governor then authorized that commando?—Yes.

2082. Are you aware whether Colonel Somerset was reprimanded by the military secretary for having made that application to him without in the first instance applying to you?—Yes; I saw a copy of the letter which was sent to him.

2083. Do you know that he was decisively and severely reprimanded?—I believe so.

2084. Did not that suggest to you that the dispositions of the governor were not unfavourable towards your office, and that he was rather anxious that you should be called upon to perform the duties of it?—Undoubtedly, if that measure had been followed up by other arrangements, so as to put the business of the frontier upon a proper footing, there would have been an end to the business.

2085. Upon what supposition was it, with reference to yourself, that the governor authorized that commando?—I do not know; I believe it was that I was out of the way.

2086. Did not the governor afterwards distinctly apprise you, that if he had been aware that you were upon the spot he would not have authorized the commando without reference to you?—Decidedly, and if other measures had followed up that, so as to settle the frontier affair, there would have been an end of it; but from that moment my business ceased.

2087. You think then if he had known you were on the spot he would have applied to you?—I cannot say that positively.

2088. Does not he state it himself?—I dare say he would; he said he would have done so, and his word to me is quite sufficient.

2089. Sir *George Grey*.] You do not attribute to the governor the slightest intention of passing by you upon that occasion?—I cannot say what he meant to do; if my remonstrance had not come in I cannot say what would have been done.

2090. Mr. *Gladstone*.] The governor expressed regret that you did not repeat to him Colonel Somerset's previous application to you, and your refusal to that application?—Yes.

2091. He stated that if he had been aware of that he would not have subsequently granted the commando?—Yes.

2092. He also stated that he would not have granted the application at all if he had been aware that you had been upon the spot?—Yes.

2093. Do not you think, referring to those facts, that they sufficiently indicate that there was no disposition in the mind of the governor to overlook the duties and the importance of your office?—I should say not, provided that immediately after the government had not dispensed with all further correspondence with me upon that subject; and if the inquiry had been gone into with respect to the circumstances which I represented, the whole business might have ended there.

2094. Had you no communications with the governor, in the exercise of your office, subsequent to the communications upon the frontier affair?—Yes; I have just mentioned one, in which I pointed out that there was an official document in the public gazettes, about an important affair on the frontier, of which I knew nothing; and that then, upon that occasion, the governor made a proposition to me to remedy the affair for the future, which I thought did not meet the views of the government.

2095. Subsequently to that had you any communication with the governor about frontier affairs?—Another of a similar nature. There was a report in Cape Town of the Griquas having invaded Graaff Reinet and murdered several families. This lasted for about 10 days; and at last came an additional despatch, an extra post, calling for a commando. Only then did this business come to my knowledge, by my being desired to report on the application for a commando. I then called

236

Captain
A. Stockenstrom.

26 February 1836.

again upon the governor, after having so reported, and then again offered my services to go to the frontier, pointing out the awkwardness of my situation, being in Cape Town, and such important things occurring on the frontier, and my doing nothing in the business. The governor then said it was unnecessary for me to go, but again made another proposal. He said, Mr. Ryneveld, the civil commissioner of Graaff Reinet, wished to retire, and as I was so well acquainted with the district of Graaff Reinet; that commissionership could be blended with my office; but I objected on the same grounds as before. Then the governor said that he appreciated my feelings upon the subject, but he had no remedy. The very next day, or the day after, I wrote him an official letter, pointing out again the perfect uselessness of my being there, and requesting permission to go to the frontier and regulate my affairs, as I meant to leave the colony.

Martis, 1^o die Martii, 1836.

MEMBERS PRESENT.

Mr. Charles Lushington.
Mr. Fowell Buxton.
Mr. William Gladstone.
Mr. Bagshaw.
Sir Rufane Donkin.

Sir George Grey.
Mr. Baines.
Mr. Hindley.
Mr. Plumptre.
Mr. Wilson.

MR. CHARLES LUSHINGTON IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in; and further Examined.

1 March 1836.

2096. Mr. *Gladstone*.] YOU mentioned in your last examination that you had at one time received permission from the government to reside at Uitenhagen?—I was by my instructions ordered to Uitenhagen.

2097. You removed to Uitenhagen in consequence?—I did, in the year 1829.

2098. Those instructions were issued to you by the colonial government?—By the colonial government.

2099. Your permission to reside at Uitenhagen was afterwards withdrawn?—So I understood, and saw afterwards upon the council books.

2100. You were compelled to reside elsewhere in consequence?—An order was sent out in the year 1830, I believe, that I should reside at Graham's Town. I must here observe, that Uitenhagen being fixed by the colonial government was at my own suggestion. General Bourke, when he was to be lieutenant-governor, decided upon that place as the most convenient locality for him to reside at; afterwards, when I was appointed commissioner-general, the order from home specified that my residence should be at Graham's Town. In my communication with General Bourke I found that he was still inclined to have Uitenhagen as the capital of the eastern district; I said it is the same thing to me, but nature points to Port Elizabeth as the ultimate capital of the eastern division, whatever arrangement government may make. In my suggestions and remarks upon General Bourke's instructions, I therefore persisted in this view that the commissioner-general should permanently reside at Uitenhagen, because the only sea-port of importance in the eastern division was immediately near Uitenhagen. In consequence of this, when my instructions came out from Sir Lowry Cole, I found that I was directed to reside at Uitenhagen. My preparations were accordingly made; and when the governor went to the frontier in 1829, I removed, bag and baggage, as then my situation was to have been put upon a permanent and satisfactory footing after the governor should have been on the frontier himself. In course of time the above-said order came from home, as I understood, by a private communication from the colonial secretary, ordering that the commissioner-general should reside at Graham's Town.

2101. As the order for you to reside at Graham's Town issued not from the colonial government, but from the Home Government, I do not conceive that you are disposed to complain of the colonial government on the score of that order?—I never complained of any order to go to Graham's Town, except persisting in my view that nature had made Port Elizabeth the capital; to me, as a private individual, it was perfectly indifferent; my private estates are more conveniently situated to Graham's Town.

2102. But you had gone to considerable expense at Uitenhagen?—Considerable; but I never complained of that.

2103. Assuming

Captain
A. Stockenström.

1 March 1836.

2103. Assuming your views to be correct, and that Uitenhagen was the more eligible situation for your residence, the order, or whatever it was, removing your residence from Uitenhagen is not chargeable on the colonial but on the Home Government?—I believe I have never yet charged it on the Home Government. I must explain, however. The Home Government at that time took this view: the commissioner generalship was created principally with the view of having a special superintendence over the frontier, and Graham's Town is nearer to the frontier. My view was this: whatever might be the immediate view, ultimately Port Elizabeth would be the capital; but the Home Government insisted on Graham's Town, in consequence of the frontier being nearer to it.

2104. You mentioned a certain period towards the latter part of your tenure of office at the Cape from which all official intercourse between yourself and the colonial government ceased; at what period was that, as near as you can fix it?—I was going to be particular in that respect when the Committee adjourned in the middle of an answer of mine to your last question, last Friday, and I will go on with that if you please. I then stated what I did when the governor declined my services at the period of the inroad into the Graaff Reinet district, and proposed blending my situation with that of civil commissioner of Graaff Reinet. To do the duties which the governor's instructions required of the commissioner-general, in addition to those of civil commissioner of such a district as Graaff Reinet, who was likely to be magistrate into the bargain, and to be answerable for the financial clerk who was to be added to the establishment, was beyond the reach of possibility to a man of my capacity; and to be confined to the town of Graaff Reinet as much as a civil commissioner must be, and thence have a special superintendence over the Caffre frontier, I think beyond any man's power. I have just now said that the reason why the Home Government insisted on Graham's Town in preference to Uitenhagen was the special superintendence over the Caffre frontier and the frontiers generally; but candour obliges me to acknowledge that my main objection was a desire to maintain the commissioner-generalship as I supposed the Secretary of State had made it, and, after having held that situation, not to submit to become civil commissioner. I had therefore made up my mind to resign as soon as the Home Government should enter into the governor's plan. My position consequently was thus: with the eastern division I had nothing to do, except reporting upon reports, whereas from the manner in which these reports reached me, my information on the subject matter could not be one-tenth part as good as that of the original report. Beyond this, all my functions had ceased. I had now twice personally offered my services on peculiar emergencies.

2105. Will you have the goodness to mark the period, as near as you can, to which you intend that expression to apply "beyond this, all my functions had ceased"?—I am now speaking of September or August 1832; they had both times been declined. I had written officially to the government secretary about the middle of January, stating that I was ready to go to the frontier, but had then, September following, received no reply. I had early in the same month of January sent in an urgent communication with reference to the church in the Kat River locations. This was in no way noticed. In spite of all that had occurred, I found that patrols continued taking Caffre cattle, without the least notice of my complaints about the murder of Seco and his people, and the taking of the cattle of Botman. I had, when I was for the first time after my arrival in Cape Town summoned to attend a meeting of council, called upon the governor and informed him that I had, in looking over the minutes of council, observed that during my absence an order had been received from Downing-street, directing that I should resign my seat in council, and take up my permanent residence either in Graham's Town or Bathurst, as my duties as commissioner-general were considered to require my constant presence on the frontier, and I offered to resign my said seat in council immediately. His Excellency replied, "You will continue to attend council, as I do not intend you to vacate your seat; I have written to the Secretary of State upon the subject." My whole official duty was thus reduced to attending council once or twice a month, and reporting about as often on some document or other. Beyond this, the affairs of the eastern frontier only reached me through the newspapers or common report. Thus when I found that the governor, instead of acting upon the Downing-street order lately received, projected the consolidation of the commissioner-generalship and the civil commissionership of Graaff Reinet, and declined employing me on that important occasion, my position appeared to me a very degrading one; and I, after much torture of mind and deliberation,

238

Captain
A. Stockenström.

1 March 1836.

232 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

deliberation, wrote the following letter to the governor: "Cape Town, September 15th, 1832." [*The same was read, and the reply to it.*]

2106. The *Chairman.*] It is the wish of the Committee to confine their proceedings as strictly as possible to the primary object of their appointment; they hope, therefore, that in your answers you will observe conciseness as much as possible consistent with what you consider to be the vindication of your character?—Mine are merely answers resulting from the questions put to me. I have no wish to push matters beyond giving full and explicit answers.

2107. Mr. *Gladstone.*] Now have the kindness to mark the period, as near as you can, to which you intend that expression to apply, "Beyond this, all my functions had ceased"?—From the period that I complained of that last commando and no steps being taken in consequence of my representations.

2108. Was that immediately after the commando, or when was it?—If I may have access to the records, I can mention the date of my last letter. It was the 31st August 1831.

2109. The commando took place I think in July?—In July.

2110. Did not Sir Lowry Cole write to you after that commando of July, requesting you would continue your correspondence with the government?—Yes; at the same telling me to wait until I should have a personal conference with him.

2111. Did he desire that your correspondence should be suspended until you should?—No; to suspend my further steps with reference to the abolition of my office.

2112. And during that interval, while those steps were to be suspended, was it not his request that your correspondence should be continued with the government on subjects relating to the frontier as usual?—Yes; and I believe the correspondence continued, whenever it came in my way, up to that period; whenever I had anything to do, I did my duty.

2113. After the month of August 1831?—Yes; whenever a thing was handed to me to report upon, I did my duty.

2114. There was a point not explained, I think, about field commandants and field cornets; to whom did you conceive that those appointments were committed; in common language, who had the patronage of those officers?—I suppose the governor.

2115. Were they not put in the power of the civil commissioners?—The civil commissioners had not the appointment of field cornets, that I know of.

2116. And you apprehend they were appointed actually by the governor?—I believe so; at least it used to be the custom; I never heard of any field cornet being appointed by a civil commissioner.

2117. The terms of your instructions I think were that you should see that proper persons were nominated?—Yes.

2118. What did you understand by that language? Did you understand that you should have the nomination, or that you should have the power of objecting to nominations in case persons appeared to you to be unfit?—My understanding was that the civil commissioner should recommend them to me, and I should recommend them to the governor; that their appointments should go through me.

2119. As drawn from that language in your instructions?—Yes.

2120. Do you still think the language of your instructions bears out that interpretation?—Will you show me the instructions?

2121. It is the 8th head [*showing it to the Witness*]?—Yes; if I were to receive these instructions to-day, I would think that that was to be the meaning of them.

2122. That the recommendations or the appointments should proceed from you and not from the civil commissioner?—They would come from the civil commissioner to me. The business would take the exact course as now, only go through me instead of going to the Colonial-office, and my knowing nothing at all about it.

2123. And that therefore the appointment would depend on your determination?—On the governor's. I had no objection to that, only that it should go through me; I only wanted to know who they were, that I should know something of their character, and who they were, which I never did. I never was asked a question on the subject, or ever received notice of one single appointment.

2124. With reference to the commando against the Bushmen in 1829, you were not, I believe, upon the spot at Beaufort when it took place?—No.

2125. Were you not at Somerset at the time?—I was on the Caffre frontier, but met the governor at Somerset.

2126. Subsequently?—Yes.

2127. At

239

Captain
A. Stockenström.

1 March 1836.

2127. At the period of the commando how far were you from Beaufort?— I should think about 200 miles.

2128. How many days' journey?—It would take I should think about four days on horseback.

2129. It was then during your absence that the governor authorized that commando?—Yes.

2130. At the instance of the civil commissioner?—I believe so.

2131. Do you suppose he would have authorized it without application to you if you had been upon the spot?—I cannot tell.

2132. Have you an opinion on the subject?—Yes, I have.

2133. What is that opinion?—Taking the general system, and knowing that other things were done without reference to me, I am not confident in my own mind that the governor would have deemed it necessary to speak to me; but it is impossible for me to say what he might have done.

2134. I think you mentioned the shooting of a woman beyond the frontier in that commando, by which you were particularly shocked?—Yes, if the report was true.

2135. Are you aware whether Sir Lowry Cole took any steps to procure the punishment of the authors of that outrage?—No; I believe the attorney-general took the case in hand.

2136. Was it not by Sir Lowry Cole's directions?—I dare say it was, but I cannot tell; I never heard.

2137. Do you know whether the parties were punished?—Why, upon my word, I do not know; I cannot tell; I received no notice.

2138. Do you know what the difficulty experienced in punishing them was?—No, I do not recollect.

2139. Sir *George Grey*.] Where was the offence committed; within the colony or beyond the frontier?—I cannot tell you.

2140. Mr. *Gladstone*.] Was not that commando an expedition beyond the frontier?—I was told there were some doubts on the minds of the witnesses afterwards, before the magistrates of Beaufort, whether it was within the boundary or not.

2141. Would not those doubts in themselves create a difficulty?—Yes.

2142. But you do not happen to know whether Sir Lowry Cole ever proposed any ordinance for the purpose of preventing a recurrence of such outrages?—I do not know; but I beg it may be particularly understood that I never charged any neglect to Sir Lowry Cole upon that subject. I believe I have observed on a former occasion that I possibly could have no objection to Sir Lowry Cole sending out a commando against the Bushmen, even if I had been on the spot. I only mean to say, that I never heard of this commando until I heard the question debated about sending ammunition to the civil commissioner of Graaff Reinet, and that on his returning even, I received no sort of report upon the subject until I was induced to call for it.

2143. Mr. *Buxton*.] Do I understand you that it is possible you would have consented to it; or that you do think you would have consented to it under the circumstances?—Under which circumstances?

2144. Under the circumstances which seemed at that time to call for it?—It is very possible; but I shall be obliged to refer to the documents; I have been acting all this time upon memory.

2145. Mr. *Gladstone*.] The commando which took place in 1830, you have already stated, was sanctioned in the first instance by yourself?—Yes; and it is one of those cases which I particularly refer to, to prove the difficulty of my position.

2146. What was the principle which you had laid down with reference to the practice of reprisals?—I could not mention it word for word; it will be found in my suggestions to the governor.

2147. I find the 13th article of your suggestions framed as follows: With respect to the Caffres residing in Caffreland, it should be explained that plunderers will invariably be followed, and the chiefs will be expected to do as has been above required from those in the ceded territory, as otherwise they can only be dealt with as encouraging the depredations; and any kraals or chiefs clearly proved to carry on a regular system of plunder against the colony must be considered as enemies, and treated accordingly, inasmuch that a commando shall be sent against them, their cattle taken in order to indemnify the sufferers in the colony, and every resistance punished with severity. I understand from that that you condemned reprisals in general, but that you thought there were particular cases in which they might be justified?—I condemned reprisals under any circumstances of Caffre cattle,

240

Captain
A. Stockenström.

1 March 1836.

234 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

cattle, except where, upon the authority of government, a regular commando was sent out, under proper responsible commanders, exactly in the very spirit of those words which have just been read. There was no complaint ever made against that commando as having acted upon that principle.

2148. Do you conceive that the government evinced a disposition to go beyond that principle, and to sanction reprisals of cattle generally, without precautions or guarantees?—It was continued long after this commando, and that is what I objected to; those suggestions clearly lay down that no man losing cattle, or pretending to have lost them, shall, under any circumstances, be indemnified by Caffre cattle by means of patrols, and that was continued; and that I consider the great cause of all the misfortunes principally, the deviation from what was communicated to the Caffres by the governor upon those suggestions, and what they considered as a sort of binding treaty on the government, which we violated.

2149. There is still then in operation, under those restrictions, reprisals in certain cases by commando?—If the Caffres continue a systematic plundering, a commando must go in some way or other to check them. They cannot be allowed to murder and plunder with impunity. These commandos therefore must go, as they went then, properly sanctioned by the government, that is, according to an understanding with the chiefs, under superior command. But that is as different as possible from any man pretending to have lost cattle going in and taking Caffre cattle. The one is necessary and legitimate protection, granted by government to the people under its protection; the other is making every man judge and avenger in his own cause; and the latter was continued long after the understanding between the governor and the Caffres, which I considered as binding, for that was our species of treaty with Caffreland. We brought the chiefs together and dictated certain rules to them, which they acquiesced in. Thus those suggestions became binding on us, and we violated them, and in consequence of that going on I saw no possibility of preventing the evils which appeared likely to follow.

2150. Were those irruptions by the patrol sanctioned by the government?—They were done regularly; I received returns weekly of their going in and taking Caffre cattle.

2151. You made representations against that system?—I did in that very case.

2152. What answer did you receive to those representations; did Sir Lowry Cole approve of them, particularly with reference to the patrols?—He did.

2153. Did you suggest measures then for repressing the infringement of that rule?—There was an inquiry to take place. The governor said the people should be punished; that was what I wanted. I wanted that after the governor had entered into this final treaty it should be adhered to. When he went up the frontier it was considered the dawn of a new order of things. All the irregularities which had taken place there were attributed to a want of regular system, but at that time these suggestions were communicated to the Caffre chiefs as far as they were concerned. That was the way with all our treaties, and they were binding upon us, but we did not adhere to them. I would not have objected to that commando in 1830, under the circumstances represented by Colonel Somerset, but I never forgive myself for having sanctioned it after having heard what had taken place on that commando.

2154. At the time that commando took place, and before you were fully aware of what had been done, you approved of the commando, and you wrote I think to the government that those proceedings were the only ones likely to keep the Caffres in check?—Yes.

2155. You gave orders then, I conceive, for the conduct of that commando with reference to the taking of cattle?—My order is upon record.

2156. You have said, for example, in your letter of June 23d, addressed to the colonial secretary to government, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire, where the colonial cattle were to be selected;" to what arrangement do those terms "where the colonial cattle were to be selected" refer?—Erasmus said he had brought the cattle there in order to be selected by us; Erasmus had no orders from me to bring Caffre cattle.

2157. Do you conceive then it would have been practicable in such an expedition to distinguish colonial cattle from Caffre cattle?—We have always done so.

2158. But you have said in that same letter great quantities of Caffre cattle were necessarily brought with those recognised by the colonists as stolen, and sent out to Fort Wilshire, principally the property of Guika, but some claimed by Charlie?—He

244
 Captain
 A. Stockenström.

1 March 1836.

—He drove them all before him. That was his report. He said “I went there, and I collected all the cattle, and brought them here for you to decide about the question, when this fight took place on the road.”

2159. But you have not said that they were brought in consequence of the man's choosing to bring them, but that they were necessarily brought with those recognised by the colonists as stolen?—Well, I suppose if a man drives all the cattle he finds before him in a country, that necessarily must embrace everybody's cattle.

2160. But you do not mean it was necessary for him to drive all before him?—I only know that as long as I have been on the frontier it has often occurred that commandos have gone in, when it was understood by the Caffre chiefs that they should just ride through the country and take what was known to be colonial cattle and leave the Caffre cattle unmolested.

2161. Did you at that time, when they brought out the colonial cattle and the Caffre cattle together, disapprove of their not having taken the distinction?—I should have disapproved of it if this report had not been made, that these Caffres had attacked them, and there was a fight in consequence.

2162. Then it was in consequence of the reported violence of the Caffres, as stated to you, that you sanctioned their having brought off both kinds of cattle together?—Yes.

2163. In consequence of that, you did not think it right that the Caffre cattle should be returned?—No.

2164. Then, in short, it is in case, in the first instance of depredation, and then of violence, that you think reprisals might be made?—Strictly, according to my suggestions; it is the violation of those suggestions that I complained of.

2165. The *Chairman*.] The colonial cattle were seized in a Caffre country?—Yes.

2166. It was not unnatural then that the Caffres should resist, was it?—The Caffre chiefs before we went in came and had a conference with Colonel Somerset and myself, and agreed that the Caffres should remain quiet, and that we should select the colonial cattle.

2167. Mr. *Gladstone*.] Now the report made to you was, I understand, that the quarrel and the violence between the Caffres and the colonists had taken place at the kraal?—As they were driving the cattle on towards Fort Wilshire.

2168. Was it not reported to you that the Caffres resisted the taking of the cattle in the first instance?—Yes.

2169. Well then, according to that representation of Mr. Erasmus, the cattle had been taken, and both kinds of cattle taken together, although no resistance had been made by the Caffres to their being taken?—Yes.

2170. Then if it was represented to you at that period that both kinds of cattle had been taken from the kraal, and no representation was made to you of a violent resistance to their being taken, did you, under those circumstances, not express your disapprobation of their having been taken indiscriminately?—I do not understand the question.

2171. Mr. Erasmus did not report to you that the taking of the cattle was violently resisted by the Caffres?—If the government had at the time that my representations were made, in 1831, immediately entered into the investigation, all these points would then have been explained, when I had the records at hand and the witnesses were on the spot.

2172. I wish to know whether the report Mr. Erasmus made to you was, that the Caffres had resisted the taking of the cattle from the kraal, or that they had attacked the colonists as they were proceeding on their way to Fort Wilshire?—They had resisted, and he had fired; the exact spot where the resistance took place I cannot tell you, because I was not there.

2173. Does it not appear from this passage in your letter that, they had not resisted originally the taking of the cattle. Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Wilshire, where the colonial cattle were to be selected, he was furiously attacked by the Caffres; could he not collect all the cattle out of the bush and bring them to the spot where he was attacked?—I was not on the spot. It is not impossible that collecting and proceeding with the cattle may be one and the same thing.

2174. Does not the passage in your letter distinctly state that it was after the collection of the cattle, and when he was proceeding with them?—Yes, it does.

2175. Does not that distinguish the two things the one from the other?—The collecting and proceeding may go on exactly at the same time in an extensive

242

Captain
A. Stockenström.

1 March 1836.

bushy country; there is not the slightest doubt that if the examination had taken place at the time I would have had witnesses brought from the spot, who would have elucidated the whole matter, and that was my object; I wanted this man punished, and the Caffres shown that justice was the object.

2176. But does it not appear from this passage in your letter that the report of Mr. Erasmus did not refer to violence in the collection of the cattle, but to violence after the cattle had been collected, and when the colonists were in the course of driving them to Fort Wilshire?—I will grant you, with all my heart, that construction of it.

2177. Sir *George Grey*.] Was it so in point of fact?—I cannot tell; I was not on the spot. A man may be with one party collecting cattle in one clough, while the main body is moving with the other; there may be 5,000 cattle collected in one clough, while they may be bringing down cattle from another. This thing would have been all explained on the spot; and then the Caffres would have seen that the understanding with Sir Lowry Cole was to be binding on all parties, and perhaps there would not have been so much blood to answer for at this moment.

2178. Mr. *Gladstone*.] In page 35 there are Colonel Somerset's orders on the subject; let me refer you to Colonel Somerset's orders; page 35, "Captain Aitchison will take the command of the division now assembled at the new post. Captain Aitchison will receive from the chief (Charlie), who has offered to accompany the commando, guides to the kraals whose Caffres are supposed to have committed depredations on the colony. Charlie's Caffres are to conduct Captain Aitchison to the said kraals; Captain Aitchison will then secure the cattle of those kraals and drive them off in the direction of the old waggon drift on the Kushama, where he will join the central division under the commandant of the frontier. Captain Aitchison will inform the Caffres at the kraals where he seizes cattle that he had orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained"?—The first part of this order I recollect. When the cattle were assembled at Fort Wilshire, Colonel Somerset said it would be an infamous shame if they got back the cattle after their conduct to Erasmus and his commando.

2179. And upon the report of Erasmus you sanctioned the disposal which was made?—I did, in conformity with the understanding with the Caffre chiefs, and according to those suggestions before you.

2180. You afterwards discovered that that which Erasmus had reported, with regard to the violence on the part of the Caffres, was in fact violence originating with the colonists?—With the colonists; but I must say that I never knew of that order, that Captain Aitchison was ordered to bring cattle.

2181. Are you quite certain you never knew of that order when you wrote this letter of June 23d, to which you have just referred?—That order I never knew of.

2182. When you discovered what was the truth of the facts with reference to the origin of the violence, you reported to our government?—I did.

2183. You then recommended his dismissal?—Yes.

2184. Was he dismissed in consequence?—I believe not; I never heard so, at least; he was not dismissed as long as I was there; besides, he would not be dismissed without a regular inquiry and proof.

2185. Did you recommend an inquiry?—You will find by the governor's letter in answer to me when I complained of the cases of Botmen, &c., that an inquiry was to take place, and those cases would of course all come before the same court of inquiry, whatever that court might be. It would be of course a military court, for the commandos and patrols had been military.

2186. But are you not aware of the fact whether Erasmus was dismissed or not?—I believe not, for I see in the papers that he is now a commandant.

2187. Did you ever receive any answer from the government to the recommendation which you made that he should be dismissed?—No; that is just the point.

2188. Mr. *Burton*.] What was the situation that Erasmus held?—He was called field commandant.

2189. Is that an office of great trust and responsibility, as far as the treatment of the Caffres is concerned?—It was proved in this instance, because the man then had a strong force under his command, and of course his order to fire would spread destruction around.

243
 Captain
 A. Stockenström.
 1 March 1836.

2190. Then do I understand you aright that Erasmus reported that the Caffres had attacked him, and that he in self-defence was obliged to fire?—Yes.

2191. Was it the real fact of the case, that when the Caffres were making no resistance, when they had laid their arms aside, and when they were peaceably going to the place where their cattle were assembled, that then he wilfully fired upon them, and that he was, in point of fact, the cause of that bloodshed?—Yes; by the investigation which was entered into it was perfectly proved to my satisfaction that that was the exact nature of the case, except as to Erasmus firing in person or ordering it; and before that inquiry which was to take place into the case of Schessers, which I had reason to expect from one of the governor's letters I was satisfied all these things would be proved.

2192. And do I also understand you aright, that when you had represented to the governor that Erasmus had made this most inaccurate statement, and that he was in point of fact himself guilty of the blood that was shed, that no punishment followed upon Erasmus; that he continued in the office of commandant during the two years and a half that you remained in the colony; and that you still see his name as commandant?—Yes; and this case was such a glaring one, that though Erasmus had up to that period been one of those who stood well with me, I was determined to make the most of it, to show the Caffres that the understanding between Sir Lowry Cole and the Caffre chief was not to be a dead letter; and when I found no steps taken in consequence, I of course thought it was no use trying, at least through my medium, to bring things to that state, as I hope, through a strict adherence to those suggestions, might be done.

2193. Did you understand that the Caffres were promised that when the cattle should be assembled together, and a selection made of the colonial cattle from the native cattle, that then a promise was given that the cattle belonging to the natives should be restored to them?—Yes, provided they remained quiet and did not commit any violence upon the commando; otherwise they were told that according to those suggestions the cattle would serve to indemnify losses.

2194. Do you know what was the amount of cattle taken on that occasion?—I cannot recollect. The official returns in Graham's Town will show it.

2195. Do you believe that the number was about 1,100?—I think so, fully.

2196. And did you ever hear that any one of those cattle was restored to the natives?—No, I believe not, except on the spot; the Caffre chief, I believe, made a selection of his own.

2197. And did you hear that these people, unarmed and inoffensive, made a request that their milk cows might be restored to them, because they were their means of subsistence?—Yes; but this happened at their kraals.

2198. Mr. Gladstone.] When did you hear that?—In my letter in 1831 you will see.

2199. Mr. Buxton.] Did you infer from the fact that Erasmus being a man of reputed good character, holding an official situation of great responsibility, had thus committed a violent attack upon the Caffres, that it was very dangerous indeed to trust such arbitrary power in the hands of persons who might have subordinate interests to influence them?—For the very reason, because that power must lodge somewhere, and because of the difficulty of getting proper characters, I thought that that was a proper opportunity for making an example.

2200. But I want to know whether this case did not lead you to the conclusion, perhaps more than almost any other, that the system upon which we were with regard to these commandos was one extremely liable to abuse?—Yes, because those men must be employed; there must be somewhere a power to repel depredations; and unless you watch those men closely, you license a system of extermination. Whenever, therefore, such a glaring instance can be got, I think an example ought to be made, to satisfy the minds of the Caffres, and to control, as it were, in some measure those whom you must employ.

2201. Mr. Gladstone.] You have expressed your opinion in a letter of June 23d to Colonel Somerset, which contains an official report of the transaction, that it has been ascertained these Caffres had been principally concerned with other troops in the depredations on the colony?—That was information which Colonel Somerset received at the Kat river before we started. I have his own words for it.

2202. Did you ever see cause to alter your opinion upon the subject of their participation in those depredations?—I am very sceptical on the subject after what occurred. I believe that Colonel Somerset was intentionally deceived.

2203. Mr. Buxton.] Was Erasmus one of the persons on whom the governor would

244

Captain
A. Stockenström.

1 March 1836.

238 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

would be likely to rely in giving information as to the conduct of the Caffres?—Yes; up to that period I relied upon him, as a man of the class he belongs to, as rather a superior person.

2204. Then it might possibly have occurred that Erasmus was the originator of this expedition against the Caffres, by the information which he had conveyed to the governor, and that he acted in it, and conveyed erroneous information to the governor, and that consequently the original complaint of the Caffres and the subsequent representation of their violence might have been part of the same system, namely, a desire to make an inroad upon the Caffre property?—I cannot say that Erasmus was the source of that report; if you put it hypothetically, it is a thing that can happen.

2205. But I understand you, after witnessing the misconduct of an officer of the government upon this occasion, you would be liable to distrust any information that might come through that channel?—Undoubtedly. I know the thing constantly to take place; pretended losses; and that is the mischief.

2206. Mr. Gladstone.] At the same time, owing to this deceit of Erasmus, you were satisfied, at the time you wrote that official report to the governor, that the commando had been absolutely necessary, and that the proceeding had been absolutely necessary?—I acted on the report of Colonel Somerset and on the information I received on the spot; and I want to mention, as one instance of the total insufficiency of my situation, my receiving reports coming from Cape Town round to me on subjects of which I had no direct knowledge, and of which I was quite ignorant, and then being obliged to inquire on the spot and receive information from those very men who had sent the report.

2207. The governor had directed you to satisfy yourself on the occasion?—Yes, and I did so as well as possible.

2208. Did you conceive that he relied upon your report as a sufficient ground for warranting him to give his sanction to what had been done?—I supposed so.

2209. I understand you to state, in your memoir sent to the Colonial-office, that the basis of Colonel Somerset's suggestions was not to continue the patrolling and reprisal system, but that it should be considered indispensable to shoot the Caffres whenever a patrol, headed by an officer, distinctly carries the spoor of cattle into any kraal?—Those are his own words.

2210. Now what are the grounds that you have for ascribing to Colonel Somerset so horrible a deed?—His own letter; nothing else.

2211. Would you have the goodness to read any part of that letter which you conceive bears out the statement that you made as to Colonel Somerset's opinion?—Where is that?

2212. It is in page 111; there is the letter, and that is the paragraph: "Should those depredations continue (and the country is full of Caffres yet), it will be necessary that whenever a patrol, headed by an officer, distinctly carries the spoor of cattle into any kraal, that the Caffres should be fired upon." Well, I understand that the opinion which is stated, subject to the condition, namely, should those depredations continue —?—If they continued for 10 years, that would not have given for 10 minutes the right to shoot a man merely upon the spoor.

2213. But do you conceive that stating the thing subject to that consideration, no matter whether you considered the condition to be sufficient or not, is the same thing as stating it without any condition at all?—Exactly the same. If the whole of the Caffreland from one end to the other consisted of a set of depredators, with the exception of 10 peaceable men, I would not sanction the shooting of these 10 merely because they were found upon the spoor of stolen cattle, which would have been authorized if I had sanctioned the suggestion.

2214. Do you happen to know whether the expression, "those depredations," has reference to any particular outrage that had been committed?—It was that which was occurring every day which he alluded to, I suppose.

2215. You are not aware there was any special reference?—No.

2216. Do you happen to have observed that in Colonel Somerset's letter to Colonel Wade, of the same date, he had reported a very cruel murder of a Hottentot herd?—Yes.

2217. Did it ever strike you that this recommendation that retaliation should take place by firing had reference to the murdering of that herd, and not to the mere stealing of cattle?—As I understand the things, they have nothing to do with one another; it speaks of traces of cattle into kraals, and then firing upon people in the kraals into which those traces have led. Moreover, whether the spoor be
that

245
 Captain
 A. Stockenström.

1 March 1836.

that of murderers or robbers, the act of shooting those found thereon is the same; and the Committee will understand, if that investigation had taken place on the spot, the explanation would have followed immediately.

2218. What investigation?—The investigation threatened in one of the colonial secretary's letters.

2219. Then it does appear to you still that Colonel Somerset recommended that, in retaliation for robbery alone, the Caffres should be shot when the spoor of cattle could be traced to any kraal?—Not retaliation for robbery, but shooting them where the trace leads to. The object was clearly understood; it was just then to create a panic to frighten the people into good manners; that was the impression on my mind, and I believe that was the impression of every one in the colony that ever heard of such a proposal. I conceive that a plan was proposed to be adopted, that when you have the proof that a spoor of cattle has been led into a kraal, to cause a sort of panic, in order to frighten the people into peace.

2220. Did the proposal of Colonel Somerset, as you understood it, constitute the reason for your leaving the colony?—No, it did not.

2221. Was it because you felt confident such a proposal could not be sanctioned by the government?—I did not say I left the colony in consequence of that proposal.

2222. Did you feel confident that such a proposal as you understood the proposal of Colonel Somerset to be would not be sanctioned by the government?—I had no idea what would take place; nothing followed in consequence; I received no answer to that; but I had no reason to suppose the government would sanction it; on the contrary, I would believe it impossible.

2223. Mr. *Buxton*.] Under the order conveyed in Colonel Somerset's letter of the 12th of August, supposing that there was a gang of depredators, and supposing that they took colonial cattle and carried them through a town in which no individual of it was at all implicated in that robbery, do you understand that it would have been in the power of a military patrol to have fired at once upon those people?—I think so.

2224. Sir *George Grey*.] Do you think a military officer would have been justified in putting such a construction upon that order in such an extreme case as that which has been put, of passing through a town?—I do not know what he might do. I only say I do not think many officers would do it; I know very few officers in the frontier likely to avail themselves of the authority if they had it.

2225. Mr. *Gladstone*.] You reported strongly to the government two cases of men of the names of Schessers and Gordon?—Yes.

2226. Who had made use of the system of reprisal to benefit themselves, far beyond the amount of cattle they professed to have lost?—Yes.

2227. Were you not desired to investigate the truth of the complaints that you had made?—No; I know what is alluded to, but I was not ordered.

2228. Allow me to refer you to Colonel Bell's letter of the 29th of July 1831, the last paragraph?—I know it by heart.

2229. "In regard to the case of Schessers and Gordon, particularly the former, if the representations you have made be substantiated in such a manner as to enable his Excellency to act upon them, he will most certainly deprive those persons of their promised grants of land"—That is just what I say, that an inquiry was threatened; that inquiry would have been a military one, because the patrol was a military patrol, and before that committee of inquiry all the other cases would have been brought forward, if I had only seen an investigation or only heard of it.

2230. The patrol was a military patrol, was it?—Yes, I believe so, for I received the military return of the reprisal in Schessers's case.

2231. And in Gordon's case?—In Gordon's case there was a military officer at the time on the spot, when all my authority ceases.

2232. You did not consider then that this was intended as an intimation to you of the desire of the government that you should institute an inquiry?—I am perfectly certain it was not, for the government would have insisted on my substantiation, after I had written so strongly on the subject; I am perfectly certain it was not intended. The governor knew full well that I had no right to institute inquiries into military proceedings.

2233. Then you did not understand that letter as calling on you in any way to substantiate the statement?—No; it would have come before a military court of inquiry, for the patrol was military in the case of Schessers, and in the other case Mr. *Wardin* was on the spot and decided the question.

246

Captain
A. Stockenström.

1 March 1836.

2234. Then allow me to call your attention to the last sentence in your letter in reply to that letter of Colonel Bell's, which you will find in the same page, 109?—I recollect that also by heart.

2235. I find there the following expression: "But as to substantiating anything I have advanced respecting the cases of Schessers or Gordon, or anybody or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought"—Well, of course that is just what I meant; that I was prepared with evidence to substantiate them.

2236. Does not that expression prove you considered you were called upon?—Not to investigate but to substantiate. I could not institute an investigation; I could not give orders for a military inquiry.

2237. But you conceive you were called upon to substantiate?—I was prepared to substantiate.

2238. But the question is, whether you consider you were called upon and intended by the government to substantiate the statements you had made?—To be sure; the moment the government should institute any court to investigate those cases, I would be ready to bring forward the proof on which I had founded my report and my statements.

2239. Do you not think it was the intention of the secretary of the government that you should forward to the government the evidence that you had in your possession?—How do you mean? My report was founded upon my evidence; and if the government wanted further substantiation it should have procured that through a court, and that court would have been military.

2240. Does it follow as a matter of course that he must have looked only to a military court?—I suppose the proceedings of a military patrol would be investigated through a military court.

2241. Is it not, however, possible that the government may have expected from you a fuller statement of the grounds on which your opinion was founded than you had supplied to him in your previous letter?—No, I do not think so. If the government had expected anything more from me, they would have written to me, and they would have considered it a great neglect of duty my not bringing it forward.

2242. Did the government ever further call upon you to produce evidence in support of the statements?—Never. The objecting to this order of Colonel Somerset's ended the business. I was most anxious about it, because I thought that now was the time to bring about a new order of things, and to show that since the governor had been on the frontier we would act on what we had engaged ourselves to do.

2243. Mr. *Burton*.] You were most anxious to furnish evidence and to have the investigation take place, but you never was called upon to act in the business?—I was most anxious to do it, and the government knew it.

2244. Mr. *Gladstone*.] Did you ever intimate that anxiety to the government in any other way than has been done in the letters now before the Committee?—In my letters I was most anxious, but I did not conceive it necessary to say anything more. I thought that I had written too strong as it was; I did not wish to persecute any man, or harass any man to extremities; I only wanted to do my duty, and to have the thing investigated.

2245. Now, would you say it was true that Sir Lowry Cole authorized commandos to pursue the stolen cattle, and to take from any Caffre's kraal cattle to an equal amount; did Sir Lowry Cole lay down such a general principle of proceeding?—I do not know; it was done.

2246. There were three commandos, I think, against the Caffres during the time you were commissioner-general?—Three commandos upon an extensive scale.

2247. Was the burgher force called out?—Small patrols and parties go constantly; that is what I object to. Whenever a boor comes and reports, "my cattle is lost," the patrol goes; and then they, just upon this man's information, without further investigation, without his being obliged to take an oath, or anything of the kind, rush into the country, and upon this trace cattle are taken. That was done in Schessers's case; and I took that and wanted to make that one of the points to make my stand upon in favour of those suggestions which I considered us bound by.

2248. Were those patrols exclusively military?—I cannot say; there were often burghers mixed up with them.

2249. Did

247
 Captain
 A. Stockenström.

1 March 1836.

2249. Did those burghers go out without the sanction of the civil commissioner or of the commissioner-general?—Decidedly without mine.

2250. Are you aware whether the patrols were generally sanctioned by the civil commissioner?—I cannot tell you. In one of my letters to the government it was a pointed complaint that these patrols were scattered over the country.

2251. But with respect to commandos, as contradistinguished from patrols, the number of commandos undertaken against Caffres while you were commissioner-general were three?—I recollect only three.

2252. Of which the first and second were sanctioned by you in the course of your official duty?—And on information I received.

2253. And the third was sanctioned by Sir Lowry Cole, on the supposition that you were absent from the spot where it was to be undertaken?—That was said, and I must take it for granted. I was on the frontier, mark me; where it was supposed I could be I do not know, but I was on the spot.

2254. Mr. *Burton*.] Was there a time in which the commandant alone, without any other authority, might authorize expeditions to be sent unto Caffreland, and did it occur that those expeditions were sometimes commanded by non-commissioned officers?—I could not say. I have met parties with corporals at the head of them, but I cannot say positively that they were patrols; I would not wish to say a thing that I am not positive of.

2255. Mr. *Gladstone*.] In the memoir which has been already alluded to, at the end of it, in the last paragraph, you have said, writing in the year 1833, that the reprisal system has been in operation ever since 1817?—Yes.

2256. On reflection, would you not correct that expression or modify it at all?—No; I believe it was in 1817 that this system commenced.

2257. Was the understanding between Lord Charles Somerset and the Caffres of Kat River that there was to be a suspension of the reprisal system at any period during the administration of General Bourke?—Between 1817 and 1833, during the administration of General Bourke, I had no connexion with Graham's Town frontier, except the last half year.

2258. But I think, as the statement appears in your memoir, it is more general than perhaps you wished to make it; it is there alleged, without limitation of any kind, that the reprisal system has been in operation ever since 1817; now I wish to ask whether the reprisal system was not suspended under the administration of General Bourke?—It is possible; I do not recollect it.

2259. You are not aware of it, not having been in communication with the frontier during the greater part of that administration?—I have no direct remembrance of it now. It is possible.

2260. Did you never hear of any difference during the administration of General Bourke relative to the system of reprisals?—I should think that I did; I believe I have heard it; it must have been a very short period though, not so as to affect the general frontier policy. I was not directly connected with the Caffre frontier under General Bourke.

2261. Then though you think you have heard of some such suspension of the reprisal system, your recollection is not distinct as to any effect that followed from that suspension?—It certainly is not.

2262. You are not aware whether there was any diminution of depredation during that suspension?—I cannot say. It may be though.

2263. Mr. *Burton*.] In your letter of December 31, 1833, you say "Our system of military coercion has now been tried for a length of years without having brought about one single beneficial result;" do you adhere to the opinion that no beneficial result whatever followed from that system of violence upon the Caffres?—I cannot say that there is one; for even taking Colonel Somerset's statement, the frontier is in as disturbed, or at least was then in as disturbed, a state as it ever was in the worst of times.

2264. The *Chairman*.] Are you of opinion that under any circumstances the eastern frontier of the colony can for many years to come be defended without the assistance of an armed force of some description?—Most certainly not; particularly if I can judge well from the papers of the state in which it is now.

2265. The Commissioners of Inquiry have stated that the establishment of a military force upon the eastern frontier had tended to check the irregularities that had formerly prevailed under the system of defence by commandos. Do you admit the correctness of that statement?—No, I do not think that either depredations or bloodshed is diminished.

248

Captain
A. Stockenström.

1 March 1836.

2266. How many instances of serious irregularity or cruelty towards the Caffres on the part of the troops have come to your knowledge within the last 10 or 15 years?—On the part of the troops! I cannot charge the troops; I never made a charge against the troops particularly; I spoke of the system generally, without referring to the troops. I cannot bring to my mind at this moment a single instance, except what perhaps may have reached me from hearsay. I will not charge the troops. If I had to choose between sending a detachment of Boors out under a field cornet and sending a detachment of soldiers out under commissioned officers, I should not have one moment's doubt upon the subject; I should choose the commissioned officers; I have not the slightest doubt of it.

2267. Have you ever known an instance either of cruelty or irregularity on the part of the military pass unnoticed, and if proved, remain unpunished?—I cannot tell you; I do not know; I do not recollect.

2268. When, within the last 10 years, has there been, to your knowledge and belief, 1,000 men stationed on the frontier?—I always believed the strength of the frontier to be bordering on 1,000, but I had no correct returns; I never had any communication of that nature.

2269. I mean 1,000 men of regular troops?—Yes, I always believed the frontier's strength to be about that; but I had no regular communication of that nature.

2270. Do you remember there ever being 800 stationed there during that period?—It appears to me that under Colonel Wilshire there must have been as many; but I have already said my military information with regard to the frontier is not so strong that I can speak at all to the strength of the forces.

2271. When was Colonel Wilshire sent on the frontier?—He was sent there in consequence of the command of 1819; 1819 and 1820 he was there I believe.

2272. Of the troops stationed on the frontier, is not the native corps of mounted Hottentots that which is most available for the purposes of the patrol on occasions of pursuit of stolen cattle?—Decidedly.

2273. What is the strength of that corps?—I cannot tell you that; I do not know. There are official returns.

2274. Sir *George Grey*.] Are there any mounted troops but the Hottentots on the frontier?—Not that I know of.

2275. The *Chairman*.] What was the extent of the eastern frontier before the recent hostilities?—By the eastern frontier, do you mean up to the Orange River or merely as far as we border on Caffreland.

2276. As far as the Caffre frontier?—That is in a direct line from Guika's Peak down to the sea. I should say, as a bird flies, about 60 miles; that is very vague indeed; but I should say 60 miles straight.

2277. You are doubtless also aware in the late war the Caffres had a considerable number, say several hundred stands, of fire-arms among them?—I saw that by the paper.

2278. Do you not consider that this circumstance will render the defence of the eastern frontier a matter of much greater difficulty than it has hitherto been?—Yes; and everything that has occurred of late will add considerably to the difficulty.

2279. Do you consider that the substitution of armed inhabitants, whether Europeans or aborigines, for a well-disciplined force, would lead to a beneficial result, and be productive of less cruelty or outrage on the frontier than has hitherto attended the employment of the latter?—No. I have found no disposition on the part of military officers generally, as I have said in my letter, to be at all cruel or revengeful; there is more interest on the part of the burgher officers to be unjust. The burgher commandant, for instance, may feel himself aggrieved; he may have had a loss; he may have lost a father or a relation through the conduct of the Caffres, and he may feel hostility; moreover, the want of general education and knowledge, I should think, would render him a more unfit person than an educated commissioned officer. I never found a disposition on the part of the officers to be bloody or revengeful.

2280. The *Chairman*.] Do you believe that if the military were now withdrawn and an armed peasantry substituted for the regular force, a desirable class of settlers would be induced to occupy the country adjoining the borders, or that those who are already settled within reach of the Caffres could be persuaded to remain?—Not if the military were withdrawn.

2281. When the British soldiers arrived in 1820, had not the Caffres been very recently

249
 Captain
 A. Stockenström

1 March 1836.

recently expelled and driven beyond the Keiskamma, and their complete exclusion from the district between that river and the Fish River been decided upon?—Yes.

2282. Was there not at that time a considerable military force in the ceded territory to protect the settlers?—Yes, at Fort Wilshire there was a strong military force.

2283. And was not the erection of military works also contemplated by Lord Charles Somerset for the same purpose?—Yes, and begun too on a most extensive scale. At Fort Wilshire considerable works have been built.

2284. Do you not believe that those British settlers fully understood that an adequate military force was to continue to be stationed along the frontier, and that the Caffres were to remain permanently excluded?—I do not know whether the settlers entered so much into the views and policy of the government as to know that; but that was the intention of government I know. Whether the settlers knew so much at that time of the views of the government as to make that a point of particular interest to themselves, I cannot tell.

2285. Surely when they were being located on the frontier it was natural they should inquire as to the means to be adopted for their protection?—They were new, and could not know whether a burgher force or a military force was necessary for their protection; this, however, is mere conjecture.

2286. Then was not the reduction of that military force to less than one half its original amount, thereby rendered totally inadequate for the purpose of protection, and the permission granted on different occasions to several of the Caffre chiefs and their troops to reside within the ceded territory, a positive breach of the engagement entered into with the British settlers by the Home Government?—I do not know that the settlers could know sufficient of the government's views to enter so fully into them as to take for granted the government would do so. The re-admission of the Caffres into any part of the ceded territory was decidedly against the original determination and understanding.

2287. Mr. *Bagshaw*.] Was it not notorious through the colonies that they felt themselves aggrieved in respect of the question which has been just asked?—I was not connected with the settlers in those days, but I have read of their having sent petitions home to the Secretary of State; but that is my only channel of communication.

2288. The *Chairman*.] Are you aware that Sir Lowry Cole recommended to the Home Government, a considerable time back, both the erection of permanent works on the western frontier line and the augmentation of the corps of mounted Hottentots, as indispensable for the protection of His Majesty's subjects?—I cannot tell you; I do not know that.

2289. Mr. *Burton*.] You have stated that there was always difficulty in preserving the peace of the frontier?—Yes.

2290. And that that difficulty has been considerably increased by recent events?—Yes.

2291. Would you depend for the preservation of peace on that frontier more readily upon the same amount of force which we have hitherto had on the borders, with justice in the proceedings of government, and the cultivation of amicable relations of trade; or would you depend rather upon a great increase of our military establishment?—It depends entirely upon the state of feeling of both parties on the frontier at this present moment, which it is difficult for me to judge of merely from newspaper reports; but on the general principle, there is no doubt that justice, trade and commerce must ultimately be your principal means for the preservation of peace; for, as I have said, 5,000 military cannot protect that frontier effectually all around, from one sea to another.

2292. I am not asking as to the immediate effect; but looking to what will be the state of the colony, say five years hence, would you depend on justice and trade, with a small military force, or would you rather depend on a large military force, the old system of patrols continuing?—When once the thing is properly brought to a level, and all parties made to understand each other, undoubtedly the first proposal is the best, because a purely military system cannot do on that frontier; it is too extensive. Great Britain will never supply the Cape of Good Hope with as many troops as will be necessary for the protection of the whole of that frontier, if you act on a purely coercive system; but you must have coercion until the thing is properly settled.

2293. You despair of tranquillity if the old system is to continue; but do you despair

250

Captain
A. Stockenstrom.
1 March 1836.

despair of tranquillity if a new and a more beneficial and a more humane and a more just system is adopted with regard to the Caffres?—I never expect tranquillity if you act upon a system of injustice; and what I have principally said is, taking the cattle of the natives at the discretion of any man who fancies he has lost them, you never can have peace. Human nature cannot stand that; people must eat and must live; but, on the other hand, you must also not let these people have the idea that you are going to be perfectly passive under murder and slaughter.

2294. Your great reliance, then, would be upon cultivation of trade, and upon justice, in proceedings with the natives?—That is the plan I would act upon with mankind at large, not only with barbarians and savages. I would modify it according to circumstances; when, I was, upon an enemy's borders, I would of course see the necessity of coercing to a certain extent; but the main point which I would have in view would be trade, commerce, peace and civilization. The other alternative is extermination; for you can stop nowhere; you must go on; you may have a short respite when you have driven panic into the people, but you must come back to the same thing until you have shot the last man.

Veneris, 4^o die Martii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. William Gladstone.
Mr. Bagshaw.
Sir Rufane Donkin.
Mr. Charles Lushington.

Sir George Grey.
Mr. Hindley.
Mr. Plumptre.
Mr. Wilson.

MR. FOWELL BUXTON, IN THE CHAIR.

Captain Andrew Stockenstrom, called in; and further Examined.

4 March 1836.

2295. Mr. Gladstone.] YOU are acquainted with the works upon the condition of the Cape by Messrs. Bruce, Kaye and Pringle?—Kaye and Pringle, but Bruce's are merely newspaper letters.

2296. Though they have not been collected, yet still they are material statements, are they not, affecting the character of the colonies, which are contained in them all?—Yes.

2297. Are you prepared to give an opinion as to the general fidelity of their representations?—There were statements in Mr. Bruce's letters which I know to be correct.

2298. Were there other statements which you knew to be incorrect?—I would require to refer to them again; I do not at this moment know. I could not point out a fact stated by Mr. Bruce. It must be recollected it is about three or four years ago since I saw them.

2299. But you have no impression remaining on your mind of serious misrepresentations in those productions?—I should like to see them before I gave an opinion upon that. I recollect one particular instance where Mr. Bruce was very incorrect: he charged Colonel Somerset particularly, and I believe with great severity, on the subject of Macomo's expulsion; and I recollect, in a letter which I exhibited to the Committee on Friday last, I wrote to Dr. Philip to say that there Mr. Bruce was particularly incorrect; for as far as the blame about Macomo's expulsion was concerned, I think myself as much to blame as anybody else. If it had not been for the circumstance of that letter falling into my hands, perhaps even that case I should not have been able at this moment to call to my recollection. Without examining those works again I can give no opinion, after having been so long unconnected with the affairs of the colony.

2300. The Chairman.] Did you consider that a decided improvement took place with regard to the Hottentots in consequence of the enactment of the 50th Ordinance of 1828, and the Orders in Council at the same period?—Yes, with reference

to

251
 Captain
 A. Stockenström.
 4 March 1836.

to that part which was dealt with, as I thought, in the spirit of that enactment. I allude particularly to those who were located on the Kat River.

2301. Have you reason to believe that with the other improvements that took place there was a diminution in the amount of crime?—I do not think that that question can be answered without reference to official documents, to which I never had access. Vagrancy certainly increased immediately after; and I should here refer the Committee particularly to the opinions given by all the judges, which I believe are upon record in the minutes of council, with reference to that enactment.

2302. Do you believe that those statements of the judges were generally favourable to the character of the Hottentot, and expressed that there had been a diminution of crime?—Not at the period to which I allude, but I have subsequently seen in newspapers (how far that is correct I do not know) that the judges occasionally on the bench have expressed their conviction that there is a diminution of crime; but those opinions to which I allude, and particularly that of Mr. Justice Menzies, if I recollect well, is particularly disadvantageous, or at least expresses a very strong opinion unfavourable to the Hottentot character.

2303. Then was it not natural to expect that when the Hottentots were in a moment, without any preparation and without any police regulations, released from bondage, that there should in the first instance occur a great variety of cases of vagrancy?—I believe, if I am not mistaken, that that is the exact opinion I expressed somewhere; I do not now recollect when; but that, I believe, is just what I said.

2304. But did you find that after some period had elapsed, and a provision was made for giving employment to the Hottentots at the Kat River, that their vagrancy, instead of continuing to increase, was actually upon the decrease?—I cannot say that. With reference to the Hottentots on the Kat River I can only speak, and there certainly the improvement was almost like magic.

2305. You have said that the improvement was magic?—On the Kat River.

2306. State what was the character and conduct of the Hottentots before that ordinance, and what was the character and conduct of the Hottentots at the Kat River after that ordinance was passed?—Generally speaking, the character of the Hottentots was bad; they had, as I thought, not sufficient stimulus; they generally were very improvident; and, owing to the state of the laws in the colony, I think that generally the conduct of the Hottentots may be considered very irregular up to that period.

2307. Do you consider, then, that they had the vices which belong to slaves?—Why, certainly; a cringing disposition, for instance. Everything almost that is degrading was found in a Hottentot that human nature is capable of, I think.

2308. Were they addicted to pilfering and stealing and drunkenness?—The pilfering principally was sheep-stealing, which was principally to gratify their immediate wants; but I do not think that a Hottentot ever had inducement enough to desire the possession of property, and consequently he seldom stole to enrich himself. I do not think a Hottentot would take much trouble to acquire more than to eat and drink, such was his apathy.

2309. Would it be a just description of the Hottentots before the passing of the ordinance that they were in fact slaves; that they were under the greatest debasement of mind as well as sustaining the greatest physical misery?—Not in fact slaves.

2310. They were not in law slaves, but were they subjected to slavery?—I think they were subject to all the same treatment as slaves, no doubt, except that they could not be sold, and they were not bound to their master except by contract.

2311. Were they in the most abject state of moral debasement?—I think so, a great proportion of them.

2312. Were they in the most abject state of physical misery?—A proportion of them that were remote from the eye of the magistrate were generally in that state, no doubt.

2313. Were they worse treated than the very slaves themselves?—In so far certainly, because a man valued his slave but did not value his Hottentot.

2314. Was that because he could not sell them?—Because he had no property in them.

2315. Now state what were the improvements which took place when they were subjected to the ordinary stimulus of industry at the Kat River?—To avoid repetition, I would refer the Committee to what is upon record in my sentiments

257

Captain
A. Stockenström.

4 March 1836.

246 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

about the Kat River. It would be perhaps the better way, because I marked those down with care. I am now speaking from memory.

2316. Mr. Gladstone.] In respect of the physical condition of the Hottentots, how were they generally supplied with food; plentifully or otherwise?—Why in those places where they were, in the sheep districts, there were plenty of sheep.

2317. Did they then get plenty of animal food?—I cannot say generally.

2318. How were they provided with clothing?—Very badly; hardly any.

2319. Had they as much as they wanted?—Decidedly not.

2320. How with lodging?—Very badly.

2321. This is a general statement with reference to the condition of the mass of the people?—When I speak of their debasement, I am speaking of those that were far removed from the eye of the magistrate. I qualify the fact particularly.

2322. Mr. Bagshaw.] The missionary statements of Genadendal and Groenekloof were (they have been collected by the Moravians I think) that their condition was much improved and altered for the better?—Decidedly; very much so.

2323. And that there was no complaint of the sort you have alluded to with regard to the want of food or the want of dress?—I am speaking of those removed from the eye of the magistrate, without reference to any missionary station whatever.

2324. Sir George Grey.] What proportion do you suppose the description you have given applies to?—To the greatest proportion, because the magistrates are but few in the country, and scattered wide.

2325. The Chairman.] Did you reside at Kat River for any considerable period after the Hottentots were located there?—No.

2326. But you were aware of all that was doing there, I presume?—Yes, up to 1831.

2327. Was the country land cultivated to a very great extent under the Hottentots?—To the astonishment of everybody who visited it, in proportion to the strength and the means of the Hottentots.

2328. Did they take measures to irrigate their land?—They cut canals through rocks, and for such distances, that it would have astonished any man that had seen the tools with which these men were working.

2329. Did they enter into contracts with government for the supply of provender for the troops?—When I was leaving the colony Mr. Petrie, the commissary-general, handed to me a paper to show these people were already contracting for and delivering great quantities of forage to the military posts.

2330. Can you conceive any contrast more decisive than that between the degraded and low and miserable condition of the Hottentots before the passing of the ordinance and the improved condition and industry and the moral advancement of these people settled at the Kat River?—It astonished me. I am supported in that by very good authority, whose opinions are on record.

2331. Mr. Gladstone.] At the same time, you do not happen to be aware of the fact whether crime has increased or decreased in that period?—Up to the period when my connexion with them ceased I recollect but two cases which had come at all under the cognizance of the magistrate or court of justice. I believe I stated that in my paper on the minutes, above quoted.

2332. Mr. Bagshaw.] Can you tell me the official return of the numbers of Hottentots that were located on the Kat River?—No, I cannot; that must be in the Colonial-office.

2333. It is stated in some evidence there were 5,000 located there; do you think there were as many as 5,000?—Not when I left them.

2334. How many of them do you recollect were Bastard Hottentots?—A very small proportion; that is to be understood what is called Bastards, because in fact the pure Hottentot race may be almost considered extinct in the colony now.

2335. And did these Bastards take their cattle with them to the Kat River location?—They took all they had; but they had of course very little.

2336. Have you visited the other stations where the Hottentots are located by the Moravians?—Yes; Enon, Genadendal, Groenekloof, and another place near Caledon, towards the coast; I forget its name.

2337. Was the same system adopted at Kat River as is adopted in the other locations?—No, a different one.

2338. Which, in your opinion, has been attended with the best effects?—I think decidedly that the system at the Kat River, which holds out to people the prospect of obtaining possession of the soil, which they have not in those institutions.

2339. Mr.

253
 Captain
 A. Stockenström.
 4 March 1836.

2339. *Mr. Gladstone.*] What is the Committee to understand by the term Bastards?—What we properly call Bastards in the colony are those which are far advanced in the amalgamation or crossing with the European races.

2340. Now in the settlement at the Kat River, were the more prominent inhabitants that had the direction of the settlement principally Bastards or Hottentots?—I think those at the heads of parties were principally Bastards.

2341. Are you aware whether vagrancy prevails much at that settlement on the Kat River?—Not at that time, except there was a good deal of the Gonacco race beginning to migrate from Caffreland, and settling themselves among the Hottentots, as also some black refugees of the other tribes, who pass under the name of Mantatees.

2342. But there was not vagrancy among those belonging to the settlement?—Not to any extent then, but there was beginning to be, because I have even heard Hottentots, the most respectable in the location, suggest to me the propriety of a restraint upon vagrancy in those parts.

2343. You think that the complaints had reference to the Gonaccos?—To vagrancy generally.

2344. But what were the vagrants that gave occasion for the complaints; to what class did they belong?—Hottentots, Mantatees and Gonaccos.

2345. Would those Hottentots be persons belonging to the settlement?—They were people coming in before they were settled. The Committee will understand that I was then settling the country, and that people were rushing in to this Land of Promise, as it was called; they came in from all sides, and before they could all be settled there were irregularities, and complaints made, as I have said above.

2346. Do you happen to know whether a large number of the most respectable landholders in the Kat River petitioned the government for a vagrant law?—I believe that that happened since I left the colony. I know nothing of it except from some faint impression of some hearsay or newspaper report that reached me.

2347. *The Chairman.*] You know nothing then except by faint report as to the petitioning for or against a vagrant law?—On the part of the Hottentots in the Kat River, no; that must be since I left, if you refer to the date.

2348. *Mr. Gladstone.*] Do you recollect a proclamation, I believe it was of Sir Lowry Cole, when he assumed the government, speaking of a resumption of the system of commandos?—A proclamation?

2349. Do you recollect the publication of any document from the government, speaking of the resumption of a system which had been for a time disused, or instructions to the public officers to the same effect?—It is possible, but I do not recollect.

2350. You do not remember any instructions to public officers on the frontier, intimating a change of policy with reference to the system of commandos?—No, I do not recollect.

2351. *The Chairman.*] Did you not make a report to government relative to some supposed misconduct upon the part of Dr. Philip?—I reported upon some returns of Dr. Philip of missionary stations, at the request of government.

2352. Have you got that paper here?—No; but it was exhibited on the part of Mr. Gladstone, who asked me some questions on the subject, and I alluded to it in that paper which I read to the Committee last Friday, and which I strongly requested, and now again request, being entered upon the Minutes.

2353. Was the answer of Dr. Philip, his justification of himself also, brought before this Committee at the same time that the charge against him was?—I do not know what was brought before the Committee.

2354. Are you aware that Dr. Philip sent in a reply to that charge of improper conduct?—No; but I told Dr. Philip that I had written very severely on his report, and that I thought he should see my report.

2355. *Mr. Gladstone.*] Are you acquainted generally with the regulations of the missionary institutions?—No.

2356. Do you know anything of that regulation which relates to a right of property in the soil?—On the part of the missionaries?

2357. Yes.—No, I do not.

2358. Or on the part of any other parties?—I thought you might allude to the right of the Hottentots to the soil. I believe they have none but the right of the society to the soil; I do not know anything at all about the nature of their tenure.

2359. Are you acquainted with the proposal of the Commissioners of Inquiry for

254
Captain
A. Stockenström.
4 March 1836.

248 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

for giving the Hottentots a right of property in the lands annexed to the missionary institutions?—Yes, there is some vague notion on my mind, but it is so long since the Commissioners made their report, and I have had nothing to do with those matters for a number of years.

2360. Did you approve of that proposal, do you recollect?—I cannot recollect whether I approved of it.

2361. Do you think the missionaries ought to have the power of expelling a man for breaking the regulations of the institutions, with forfeiture of his house?—That question I should think would hinge entirely upon the right of the missionaries themselves to the land; it would entirely depend on what the nature of their tenure was.

2362. Then I should ask you, do you think they ought to have such a tenure in the land as to enable them to eject a person for breaking the missionary regulations?—I should decidedly prefer that the Hottentots themselves should have the right to the land, unquestionably.

2363. Do you think they should have the power of inflicting civil punishment upon the persons attached to the institutions?—Decidedly not.

2364. Are you of opinion that Hottentots should continue to be made a separate people, and that permanent grants should be made in particular tracts of country to the people of colour, to the exclusion of other colonists?—If the Committee will allow me to refer to my own plan at the Kat River. The object was, as well of Government as myself, to bring about an immediate amalgamation, and not allow that exclusive colonization, but we soon found the thing impossible; because, for instance, an English or a Dutch settler would not take a grant with which a Hottentot would be perfectly satisfied; and therefore, wishing merely to have villages instead of extensive farms, we were obliged to have exclusive colonies of the kind.

2365. You would mix the European colonies with the aborigines if it were practicable?—Yes, if it were practicable, most certainly.

2366. Did Sir Lowry Cole, immediately after arriving in the colony, submit to your plan for granting to the Hottentots the disposable ground in the vicinity of the several towns and villages in the colony, including the farms lately appropriated to the civil magistrates of the districts?—Yes; and I believe that that was one of the special objects of my going up the frontier the first time after my appointment as commissioner-general.

2367. Did you approve of that plan?—I think I had some objection to that plan of having Hottentot villages near towns, and very generally, except under particular circumstances.

2368. Would not that have been more likely to have produced the amalgamation which you considered desirable?—No; it strikes me that these would also be exclusive villages, because the whites in the colony will not take those small grants which Hottentots are well contented with, and therefore the separate existence of classes seems almost a matter of course in the present state of things.

2369. The *Chairman*.] Are you aware that in any case the farmers have passed over the boundary line, and taken possession of the lands and springs of the natives for the purpose of obtaining pasture for their cattle?—Yes; and in this way the colony has spread to its present extent from the very first establishment of the colony.

2370. Are you aware of any cases in which this possession of the lands and springs of the natives was obtained by fair bargain and an equivalent paid for it?—In the earlier periods of the history of the colony it may have happened, but I do not know. In one particular instance there is an impression upon my mind that the farmers who had migrated from the Graaff Reinet district had paid for the use of the Bushmen country to some Griqua chief, but so many years have gone by, and to a man thrown entirely upon his memory, as I am at this moment, it is difficult to speak with precision; but such a thing may have occurred, and there is an impression upon my mind that it has; and in mentioning this to the government I think I disputed the right of the Griquas to let out the Bushmen country. There was a bargain of that kind in one instance. I recollect.

2371. With a frontier merely of 800 or 1,000 miles in extent, and no military force available to the defence of any portion of it except on the Caffre side, has not the use of the commando force for the purpose of repelling attack or pursuing banditti been forced on the colonial government as a measure of necessity?—Yes; I have said so in all my communications.

2372. You

255
 Captain
 A. Stockenström.
 4 March 1836.

2372. You consider that the use of the commando force, under the circumstances in which the colony stood, was then necessary; but do you believe that if institutions similar to that at the Kat River were established, and if it were notorious to the natives that the design and intention of the British Government was to act towards them with a degree of moderation, unanimity and justice, that there then would be such danger to the frontier as has hitherto existed?—If from the earlier stages of the colony such a system had been adopted, I have no doubt that all these commandos might have been obviated; but when the colony had got to that extent which within perhaps 100 years of its history it had got, I do not think that on the remote frontiers, with the feelings then existing between the colonists and the native tribes, the people could have remained without occasionally resorting to these commandos for the purpose of recovering lost property and repelling marauders.

2373. May not the abuse of the commando system, where such has occurred, be mainly attributed to the command of a force, composed of those whose habitations have been destroyed, cattle driven away and families butchered, being entrusted on all occasions of sudden irruption or depredation to all inferior magistrates indiscriminately, viz. field cornets and provisional field cornets?—Yes, I think so, generally speaking, decidedly.

2374. What is the rank and condition of a provisional field cornet?—He is an inhabitant of the common class.

2375. Is it possible that a man not in a higher situation than that of a constable in this country might be a provisional field cornet?—Decidedly, any man. I have seen provisional field cornets of the most indifferent class in the colony.

2376. And to persons of the most indifferent class, and in circumstances the lowest, this extensive power of making inroads upon the native territory was, according to the old system, entrusted?—Very often; for the Committee must understand that even a field-cornet himself can appoint a provisional field cornet, who has the right of appointing another provisional field cornet in sudden emergencies.

2377. Is it not then desirable, with a view to avoid the almost necessary consequence of exposing the natives to the revenge of men exasperated by outrage, that these means of defence by commando should be had recourse to as seldom as possible, and that the application of it when absolutely necessary should be entrusted only to superior magistrates, selected for that special purpose?—Yes, decidedly, where the possibility exists; and if the Committee will allow me to add, that is one of the principal reasons for my suggesting that whenever cattle must be retaken, it should be done on the part of government, under the command of a proper trustworthy officer, and not by every patrol that goes into Caffreland.

2378. Would the establishment of a military post at the extremity of each of the two districts of Graaff Reinet, Worcester and Beaufort, of 40 men each, with active, intelligent and discreet officers render the commando system almost wholly unnecessary on the northern frontier?—No, it strikes me not; the frontier is too wide. They would be extremely useful to a certain extent, but it could not altogether put a stop to it.

2379. Almost wholly was the question?—That is too much latitude; I cannot say. They would be very useful, to be sure, as far as they went; very much so.

2380. Is it your opinion in substance that we must either adopt one of those systems, have an overwhelming military force, with all the expenses attendant upon it, or enter into amicable relations with the people, and treat them with justice?—Decidedly.

2381. Supposing that the system adopted towards the natives was one of the utmost justice and humanity, still do you not believe that it would be necessary to have some military force, in order to protect the colonists from the irruption of banditti?—In its present state, decidedly, I do not think you could do at all without military. Before I conclude, I wish to amplify an answer which I gave some time ago. The Committee put to me a question about the appointment of the chief Cock on the Orange River. Being entirely thrown upon the resources of my memory, without reference to any documents, I wish to observe that I have a faint recollection that the colonial government, either General Bourke or Sir Lowry Cole, sanctioned the appointment of the chief Cock, and gave him some token on the part of government; it is immaterial; at the same time, I think, since the thing has come across my mind since giving the evidence which I have

256
Captain
A. Stockenstrom.
4 March 1836.

250. MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

alluded to, I wish to observe that there is something of the kind upon record somewhere.

2382. The *Chairman*.] By whom was he originally appointed?—I think by the Griquas; I think so; and I believe the colonial government sanctioned it.

2383. Have you had much intercourse with Macomo?—Not much; but I have had some intercourse with him from time to time.

2384. Can he speak English?—A few words; very few words.

2385. From your general knowledge of his conduct and character, do you think that he is a man upon whose evidence this Committee might place reliance?—No; he is too much interested in the business. I would not for myself implicitly rely upon what he said in this affair.

2386. In your dealings with him did you find him generally a man upon whose engagements you had reason to rely?—No, I should say not.

2387. Do you think that this country might have entered into a treaty with Macomo, with the probability that the articles of that treaty would have been carried into effect?—Yes, provided he saw that the government had the power of enforcing the treaty.

2388. Sir *Rufane Donkin*.] Do you think that if treaties founded on justice and fair dealing, of which we have been speaking, on our part towards the Caffres were entered into, that the Caffre chiefs could prevent their people from breaking these treaties, or could or would punish them for their infraction?—To a very great extent, provided the nation saw, as I have just said, that we had the means of enforcing the treaties.

2389. Then, as I understand you, you would always treat with the Caffre chiefs, and with the Caffre people, with arms and the means of coercion in your hand?—The means of enforcing your own rights, which you would acquire by your treaties. This is often equally applicable to civilized nations.

Veneris, 11^o die Martii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Sir Rufane Donkin.
Mr. William Gladstone.
Mr. Andrew Johnstone.
Sir George Grey.

Mr. Pease.
Mr. Wilson.
Mr. Baines.
Mr. Charles Lushington.

MR. FOWELL BUXTON, IN THE CHAIR.

Captain A. Stockenstrom, called in; and further Examined.

11 March 1836.

2390. *Chairman*.] DO you consider that you had as much opportunity of knowing the conduct and character of Macomo as Captain Aitchison and those other persons who were at the military stations on the frontiers?—I had a great deal to do with Macomo, but not one-tenth part as much as Colonel Somerset, Captain Aitchison, or any of those officers on the frontier; still I have often seen him.

2391. Have you anything you wish to add to the evidence you have already given to the Committee?—No; but the Committee having found a paper which I read on a former occasion too lengthy, I have substituted one about one-sixth of the length of what is said there, and I would just submit that to the Committee, if they think proper to admit it.

2392. State the contents of it.—With due deference to the decision of the Committee, I have attempted to condense or rather curtail my comments submitted on Friday, the 26th ultimo, upon the documents exhibited on the previous Friday on the part, as I conceive, of the late Governor and present government secretary of the Cape of Good Hope; but finding it difficult to expunge any passage without weakening my arguments, and not wishing to take up more of the time of the Committee than the public cause requires, I beg merely briefly to observe, if the said documents be intended in the slightest degree to militate against any statement which I have made as appearing upon the Minutes of this Committee, that it is

257
 Captain
 A. Stockenström.

11 March 1836.

is by these self-same documents principally that I would pledge myself to prove my said statements. I repeat, that it is impossible to entertain a higher respect for the characters of the said officers than I do; but I owe it to myself most firmly to persist in my view of those points in which I have had the misfortune to differ with them, and hope from the justice of the Committee that whenever any doubt shall exist, that I shall have an opportunity given me to prove my allegations to the letter. The Committee is aware that I neither courted nor shrunk from the position in which I was here placed; that I was intercepted on my way from Sweden to the Cape (whither I was proceeding to dispose of my property, with a view of settling in Europe) and brought here as a witness; that I then at once appealed to public documents, every word of which was written under the impression that they would immediately reach the eye of the late governor, and here every word was spoken as if pronounced in his hearing; and though I have been almost exclusively dependent on a memory much unhinged with respect to Cape affairs by several years' suspension of all connexion with them, I hold myself strictly responsible for every syllable of my evidence. With reference to my report on certain returns of missionary stations made by Dr. Philip, on which also some questions have been put to me, I can only state, without being able to judge of the object of those questions, that the said report, if compared with everything which has come from me before this Committee—with my views entertained 12 or 15 years ago, as they appear in the first part of the papers printed by order of The House, and with all my other official acts—will prove that I never was either the champion or the instrument of any party; that when I found occasion to differ with the missionaries, I gave my sentiments without fearing for one moment the influence which these men were supposed to possess; and where I found their labours directed to the promotion of the public welfare, I have given them my most cordial support, without consulting the prejudices of their antagonists. I believe I can with perfect consistency combat the errors of a man, without making him an object of persecution or thwarting him when I see him try to do good. It has always been and ever will be the most agreeable part of my duty to espouse the cause of the mass of my countrymen, and those individuals amongst them who may be falsely accused. The Colonial Office contains ample proofs of my zeal on that head; but to justify, deny or connive at crimes which some of them may commit I considered inconsistent both with my public and private duty, as the judicial records at the Cape can testify. So likewise the protection and civilization of the native tribes are among my most anxious wishes; but I see no philanthropy in encouraging their murders and plunder by impunity. Consistent with these views, I have tried to do my duty to all parties, without courting any, and I am consequently not under the influence of any man or set of men. If this be inconsistency, I am fully open to that charge; and I trust that it will be seen that, if any part of my statement appears extraneous, it has been extorted from me in defence of myself.

2393. You were asked whether we must not adopt one of two systems, namely, to have an overwhelming military force, with all the expenses attendant upon it, or to enter into amicable relations with the natives, and treat them with justice; and you answered, decidedly, that we must adopt one or other of those two courses; which system, that of controlling the natives by an overwhelming military force, or that of justice and humanity, would, in your estimation, be the cheapest?—Decidedly, I think, the latter; because, I think, there is no end to the other, until you have shot the last man.

2394. Which, do you think, would be the most likely to extend the influence of Great Britain among the native tribes?—Most decidedly, I should think, trade and commerce; for trade and commerce is considered the greatest power that Great Britain has been able to exercise in the civilized world, and it would have the same effect over barbarians.

2395. Do you think that a system of humanity and justice would tend to the extension of our trade and commerce with the natives?—Decidedly; because war is the greatest barrier you have to trade and commerce.

2396. Do you think that we should confer greater benefit, in the shape of civilization and instruction in Christianity, by pursuing that course of humanity and justice, or by pursuing a course of controlling the natives by an overwhelming military establishment?—That appears to me to be a truism; it is self-evident.

2397. Do you mean it is self-evident we should confer greater benefit on the natives by humanity and justice, than by any course of violence?—Certainly.

258

Captain *George de la Poer Beresford*, called in ; and Examined.

Captain
*G. de la Poer
Beresford.*

11 March 1836.

2398. *Chairman.*] YOU were Aid-de-camp to Sir Benjamin D'Urban, during the Caffre war?—I was.

2399. When did you arrive there?—January 1834.

2400. Did you act as his aid-de-camp from that time until you left the colony?—I did.

2401. When did you leave the colony?—First July 1835.

2402. When you arrived, the Caffre war had broken out?—No, it had not.

2403. Were you, in the capacity of aid-de-camp to General D'Urban, acquainted with the alleged causes of the war with the Caffres?—I have heard various causes assigned for the war ; but having been so short a time in the colony, and not having been on the frontier, I have no personal knowledge of those causes whatever.

2404. Did you happen to hear that a military patrol, under the command of Lieutenant Sparkes, was the immediate cause of the irruption with the Caffres?—I have heard that mentioned, not as the immediate cause, but as taking place immediately before the war broke out.

2405. Are you acquainted with Lieutenant Sutton?—I am.

2406. And are you also acquainted with Lieutenant Sparkes?—I have seen him.

2407. Do you happen to know what is the age of Lieutenant Sutton?—I think, about 24 or 25 ; Lieutenant Sparkes was much younger.

2408. How old do you conceive him to be?—I cannot form any correct idea ; but, from the time he has been in the army, I should think about 20 or 21.

2409. When did the war break out?—I heard of it at Cape Town on the 30th or 31st of December ; but I believe it broke out on the 24th December 1834.

2410. The Committee would now wish you to give a narrative of the circumstances attendant upon the war, so far as they came within your knowledge?—I should be happy to do so, but I could not give a detailed account without reference to memoranda which I have not with me at present.

2411. When did you leave Cape Town?—I left Cape Town on the 7th January, I think.

2412. At what time did you arrive upon the frontier?—We landed at Port Elizabeth on the 14th.

2413. When you arrived in the neighbourhood of the Caffre country, did you observe that much devastation had been committed?—Immediately on crossing the Sunday River, we then entered the country which had been laid waste by the Caffres ; they had not gone further than the Sunday River to the west.

2414. Had there been a great destruction of the property of colonists?—Very great, and the nearer we got to Graham's Town, the greater it was.

2415. Have you been able to form any estimate of the extent of loss that was thus sustained?—No ; when I left the colony commissioners had been appointed by the governor to inquire minutely into those losses ; I believe they have been since estimated at 288,628*l.* 4*s.* 9*d.*

2416. Do you happen to know what was the loss of life upon the part of the colonists?—No, I do not.

2417. Do you consider that it was very great?—It was considerable, particularly in isolated spots ; but on the first alarm everybody had fled, either to Graham's Town, Port Elizabeth or Uitenhagen.

2418. When you say it was considerable, do you suppose 50 persons were put to death by the Caffres in cold blood?—I cannot answer that question, because I never saw a return of them ; but I should think at least 50 lives were lost.

2419. *Sir George Grey.*] What was the nature of the devastation you observed on crossing the Sunday River?—On crossing the Sunday River ; in fact, on the right bank of the Sunday River, before we crossed, the field cornet, who lives on that bank, had been attacked, but he had defended his house successfully against a small body of Caffres that had attacked him.

2420. I wish to know, whether, on crossing the Sunday River, the devastation which you observed, was that of crops or houses, or of both?—In that country there are not many crops, it is mostly grass ; the flocks had all been driven away, either by the owners for protection or by the Caffres for pillage ; the country was completely deserted.

2421. Did you observe the wreck of the habitations?—Not immediately on the road, until we got to the Bushman's River, where a farm-house, called Rottenback's

Drift,

259.
 Captain
 G. de la Poer
 Beresford.
 11 March 1836.

Drift, had been destroyed. Colonel Somerset was bivouacked there with a cavalry force; we kept the main road to Graham's Town.

2422. Your object was not to ascertain the extent of the devastations?—No, our object was to reach the frontier; on arriving near Bushman's River, we found a great many waggons collected together where the farmers had all congregated for mutual protection, with their families.

2423. Did you then either see the bodies of any persons killed or wounded by the Caffres, or did you hear that in the attack made on the colony, a number of farmers had been wounded or killed?—I saw no bodies.

2424. Did you afterwards return through the same country, or through another route?—I returned through the same country six months afterwards.

2425. You had no opportunity of observing any other line of country than that which you passed through in your direct advance towards the eastern frontier?—No.

2426. The *Chairman*.] At what time did you first meet with anybody of the Caffres?—A few days after we entered into Caffreland with the troops; I was not personally present in driving them from the colony.

2427. Had any measures been taken for driving them out of the colony before the arrival of Sir Benjamin D'Urban and yourself?—Yes; under the orders of the governor; Colonel Smith had gone up to Graham's Town on the first alarm, and Colonel Somerset, acting on the Bushman River, had dislodged them from a very strong position which they had taken up, with considerable loss to them, and some little to himself.

2428. What was the time at which you personally came in sight of any considerable body of the Caffres?—Not until after we had crossed the Keiskamma, 31st March.

2429. Did any battle take place at that time with the Caffres?—Not on that day.

2430. About that time?—Yes, a few days afterwards, 3d April, the whole of the troops made their concentrated movement on the Amatola, a very large district of country; a great many Caffres in it; we could not bring them to anything like a general engagement.

2431. What number of troops, English and Colonial, had Sir Benjamin D'Urban with him at that time?—Altogether there were about 4,000 men entered the country; they entered Caffreland in the four divisions.

2432. Will you state the circumstances of that battle, which took place on the 3d April?—I could not call it a battle, it was a concentrated movement to scour a large district of country, the Caffres constantly retiring before you, and then appearing again in your rear: it is a very bushy country. It is impossible almost for that number of troops to scour it with any degree of certainty.

2433. Did you come to any general engagement with the Caffres at any time?—The most general was in the Buffalo Mountains.

2434. At what date was that?—The 7th and 9th April. A great body of the Caffres had retired from the Amatola to the Buffalo Mountains.

2435. But though you were not engaged in pitched battles, there were a variety of engagements and skirmishes with the natives?—Constantly; all those affairs were more a general skirmish than a pitched battle.

2436. Those attacks and skirmishes which occurred, I suppose, continued during the time you were on the frontier?—Continually; from the nature of their battleground, the natives never present themselves in any great body; they "line the bush," which is the expression in that country, and you are forced to oppose them in like manner.

2437. What amount of Caffres were killed during the whole time that you remember?—I should think it was impossible to state that correctly.

2438. Was it a very considerable number?—I should think from 900 to 1,200.

2439. How many of the 4,000 men which Sir Benjamin D'Urban had with him did he lose in the whole of this engagement?—That I cannot state; a good many were wounded, but very few died.

2440. Do you suppose there were 20 killed?—Yes, certainly more; I know one time when there were more than 20 killed, when a Mr. Baily and a patrol of Hot-tentots were all destroyed.

2441. Sir *George Grey*.]—That was since you left the colony?—Yes.

2442. *Chairman*.] I mean, during the time of these military operations upon the frontier, at which you were present or in the neighbourhood, what do you suppose

260

Captain
G. de la Poer
Beresford.

11 March 1836.

254 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

pose was the number of persons killed in engagements?—I do not know; I could state it accurately, because I have the return, but I cannot at this moment state it.

2443. The case in which Baily and his patrol were destroyed was the case in which the patrol sent out was intercepted by the natives?—Yes, surrounded by the natives, and all killed.

2444. But with the main body of the army, that kept together, there were constant skirmishes with the natives?—Yes.

2445. Will you hereafter give us a statement of the exact number that were killed during the period you were there?—I can give you exactly the number of persons that were killed.

2446. Will you give us also a return of the number of wounded at the same time?—Yes, I can.

2447. Were the Caffres driven out of the colony during the time you were there?—A great body of them were; occasionally straggling parties were seen, but in very small numbers; they were entirely driven from the neighbourhood of Graham's Town; there were merely small parties seen in the woods on the bank of the Fish River and Keiskamma.

2448. Did you only drive the natives out of the country which they had recently entered into, or did you drive them out to a still farther distance?—In the first instance they were driven out of the colony; we afterwards entered their own country, and penetrated beyond the Kei, driving the great part of them before us.

2449. In driving the Caffres out of their own country, I presume the whole body of them; not only of men, but the women and children were also driven out?—The women and children, probably, some of them fled with the men; but whenever we came in contact with the women they were extremely well treated, and not driven out of the country.

2450. Will you state those circumstances of good treatment?—They were allowed to remain in the camp for two or three days, as long as we remained on the spot, and they were always fed well.

2451. Did the military march with more than provisions for a few days?—The provisions were constantly coming up from the rear.

2452. Were the natives deprived of the means of subsistence, and were their cattle and goats taken from them?—Of course; we took everything we could lay our hands on.

2453. Was their corn destroyed?—Generally gathered for ourselves.

2454. What was not necessary for your consumption, was that destroyed?—Generally it was, to prevent the Caffres from returning to gather it, and by such means leaving them subsistence to enable them to act upon our rear.

2455. There was a despatch from Colonel Smith, in which he stated that they had destroyed vast quantities of corn and cattle; can you give us an estimate at all of the amount of cattle seized and of corn destroyed?—I do not exactly at this moment know the number of cattle seized altogether; of course, in entering a country of that sort, one destroys the corn, in order to prevent the natives subsisting in your rear, or else they would act on all your communications and cut off all your small parties.

2456. Did you take many prisoners?—A good many sometimes.

2457. And what was the treatment given to those prisoners?—They were always well fed, and placed under a guard for a certain time; and, generally speaking, were sent away with messages to the chiefs to desist from their hostilities, and to retire from the country; except two or three prisoners of consequence, we detained no one. Those taken in the colony had been placed in security in Graham's Town, where they were well cared for.

2458. Sir George Grey.] To retire from what country?—From the country on the right bank of the Kei.

2459. Mr. William Gladstone.] When you say the army entered Caffreland, do you assume the Kei to be the boundary of the colony?—No, the Keiskamma.

2460. And on crossing the Keiskamma you entered Caffreland?—I considered the Keiskamma to be the boundary of the part from which I entered Caffreland.

2461. Sir George Grey.] You entered the land which had recently been occupied by the Caffres?—Yes.

2462. What number of Caffres do you suppose you saw collected together in one force at any given time?—I could not form any judgment of that, because a great body of the Caffres generally remained concealed in the bushes; you may

see

261

see them collected together, 200 or 300, at the very tops of the mountains; they always retreat into the bushes, and remain fighting in the bushes; they never come out on the plain, unless to overwhelm a very small party.

2463. Are you able to form any estimate of the number that entered the colony?—No, I was not there at the time; but they covered the whole line, from Winterberg to the sea.

2464. Do you suppose them to be very numerous?—Extremely numerous; I have heard as many as 100,000.

2465. It is not possible to make a correct estimate?—No, because they were entering at every point; perhaps 50,000.

2466. How were they armed, those that were opposed to you?—They had a good many muskets, and a good deal of ammunition amongst them; a great body of them were armed with native weapons.

2467. You spoke of many of our men having been wounded; what was the nature of the wounds, gun-shot wounds, or any other sort of weapons?—They were principally assagai wounds, which is the native weapon.

2468. *Chairman.*] It is stated, under the head of official intelligence, "Head-quarters, Graham's Town, February 16th, 1835; that the aggregate loss in killed and wounded of the Caffres has been very great; ours has amounted, in the whole of this operation, to 12 killed and 11 wounded"?—That was on the Fish River; I was not present; I was with the governor.

2469. Then the considerable loss of Caffres to which you allude was not that in which Colonel Smith was engaged?—No; I allude to the considerable loss of the Caffres; I allude to it as the aggregate of the whole military operations, from the beginning of January to the end of June.

2470. This document goes on to state, that the cattle which have fallen into our hands since the 12th, and this is dated only the 16th, amounts to about 4,000 head, with large quantities of sheep and goats; and some horses; have you any reason at all to believe that that number is overstated?—No; I should think that that was correct.

2471. Then, in point of fact, there was a great destruction of Caffre life, and great destruction of Caffre property and cattle?—The greater part of that property had been before plundered from the colonists; many of them bore the colonial mark upon them.

2472. How do you happen to know a great proportion of them had been plundered from the colonists?—Merely from finding so many of the cattle marked with the colonial mark of the different farmers, and also the property being in a great measure recognised by different proprietors who were then assembled at Graham's Town.

2473. What proportion was marked?—That I cannot say, exactly.

2474. I do not mean exactly how many, but what proportion do you suppose?—I do not know; but farther, there is a great difference between the Caffre cattle and colonial cattle in their kind altogether.

2475. Had there not been considerable trading going on between the colonists and the Caffres?—Yes.

2476. And was it not possible that these cattle might have been acquired in the course of barter?—No, quite impossible.

2477. Why so?—Because cattle was not a medium of barter on our side; iron, beads and woollens are generally what we give; hides, horns, ivory, &c. what we receive from the Caffres.

2478. *Mr. Pease.*] What is the kind of mark adopted by the colony to distinguish the cattle?—The name of the proprietor is put with a sort of brand.

2479. If it was a brand operation, that might have been done in the course of five minutes to several hundreds?—Those cattle were not taken from the Caffres by the proprietors, but by the troops.

2479*. The evidence of any Roman letters as a brand mark would be considered *prima facie* evidence the cattle were the property of the colonists?—Yes.

2480. *Sir George Grey.*] What is the distinguishing mark between the Caffre cattle and the colonists' cattle?—The colonial cattle are long horned, and the other peculiarly short, I believe.

2481. Is it a very marked distinction?—It is so marked a one, that the boors, I have heard, often exclaim when cattle have been brought in, they are colonial cattle.

Captain
G. de la Poer
Beresford.

11 March 1836.

262

Captain
G. de la Poer
Beresford.

11 March 1836.

256 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

2482. Mr. *Charles Lushington*.] Were the greater proportion of the Caffres armed with assagais or muskets?—The greater proportion with assagais.

2483. Is the assagai a formidable weapon?—A very effective weapon, about 40 or 50 yards; they throw it with excessive skill.

2484. It is quite ineffective, as compared with fire-arms?—Of course; but I would state, that in the bush, in which the Caffre generally fights, it is a very dangerous weapon, because he conceals himself in the wood probably until the person has passed him, and then he destroys him with the assagais from behind.

2485. Do each of them carry several?—Six or seven.

2486. Do they attempt to recover them after they have discharged them?—If they can.

2487. They are not valuable, are they?—Yes; they value them very much.

2488. When they fight among themselves, do they try to recover them?—I do not know.

2489. Are they made with great skill?—Yes, and well poised.

2490. Are they made with great mechanical skill?—Yes.

2491. Sir *George Grey*.] Can you inform the Committee how the Caffres procured the muskets with which they are armed?—No. We took a great deal of trouble to find that out, but could not trace it; they obtained them probably from the traders.

2492. Are they not usual articles of barter?—No.

2493. Is not the traffic in them prohibited?—The muskets are a prohibited article of traffic, and gunpowder also.

2494. Do you conceive that they were improperly supplied with those muskets and powder by British subjects?—I have no proof that they were; but I should conceive it most probable that they receive those muskets from the English traders.

2495. You have a strong suspicion of the fact?—I have, because I am very well aware muskets and ammunition would fetch a larger price in Caffreland than any other sort of article.

2496. Probably the party to which you were attached took muskets from the Caffres?—A few.

2497. Of what description of muskets were they?—The regular sort of soldier's musket, evidently sent from Birmingham, not having belonged to any regiment, but that sort of arms.

2498. English manufacture?—Evidently made at Birmingham.

2499. *Chairman*.] There is a general order, signed "H. G. S., chief of the staff," and dated 29th March 1835, relative to the penetrating the country to the Undersene; were you present on that occasion?—No; I joined that division of the troops two days afterwards.

2500. Do you happen to know whether the loss of the Caffres was very considerable on that occasion?—I do not know exactly their loss.

2501. Did you see that which had been their settlement, and which is described in this document as having been entirely destroyed?—No, I did not.

2502. Do you believe that the loss of the Caffres was considerable?—In proportion to our own, of which I believe there were only two men wounded, I should think it was. I believe I am correct in saying there were only two men wounded; I am not sure.

2503. Are we to understand that the whole of their territory, of the Caffre country, was laid waste?—What do you mean by laid waste?

2504. The huts and crops destroyed, and cattle taken away?—The huts were destroyed always until we got to the Kei. I wish it to be understood, it is a Caffre custom, when they make war on each other, to destroy those kraals.

2505. In which detachment were you when the operations commenced, on the 1st April to the 12th?—I was with Sir B. D'Urban, but all the troops were acting in concert.

2506. In that period, from the 1st April to the 12th, were 15,000 head of cattle taken, and sent into the colony?—I should think so.

2507. And independent of that, did Colonel Somerset report he had killed the chief, 30 of the enemy, and taken 3,000 head of cattle?—He did.

2508. Sir *George Grey*.] Do you know the amount of cattle that had been driven out of the colony by the Caffres?—It was supposed 100,000 head had been driven out, besides quantities of horses, sheep and goats.

2509. Mr. *William Gladstone*.] Were the sheep supposed to be driven out to a still

263
 Captain
 G. de la Poer
 Beresford.

a still greater number than the cattle?—No, I should think not; sheep are now becoming very general in these provinces, but it is only a few years since they have begun to keep very large flocks.

2510. You mean the sheep of the colony were not so numerous as the cattle?—No; but I know very large flocks were saved; some of the Saxon sheep.

2511. Do you know the number of cattle taken by way of reprisal?—No.

2512. Was it much less than that taken by the Caffres?—Considerably less, because every head of cattle came through the commissary-general.

2513. Do you speak from the knowledge which you acquired upon the spot, and before you left the colony?—Yes; before I left the colony every head of cattle that was taken was handed over to the commissary-general, therefore there could be no mistake as to the number.

2514. From what you said, we are to understand the Caffre cattle are of a different kind?—Yes; a colonist has not the least difficulty to distinguish them.

2515-16. There is European mixture?—Yes; I suppose Dutch mostly; I do not understand cattle, but I know there is a marked distinction between the two.

2517. With reference to the number of Caffres which you say have been killed, from 900 to 1,200, were they all killed in this kind of running warfare?—All in this desultory warfare.

2518. None were taken and put to death judicially?—Several have been shot in our camp, when they have crawled in in the night, by the picquets.

2519. Those men on our side who were killed, were they killed by musket or by assagais?—Most of them by assagais, some by musket.

2520. Had you much opportunity of observing the character of Caffres in warfare?—To a certain extent; whenever we took any prisoner with whom we entered into anything like negotiation, in desiring them to carry messages to their chiefs, or to perform any other office of trust, we found they invariably deceived us without exception.

2521. Did they appear yielding when they were taken, or were they disposed to be obstinate?—No, they appeared yielding when taken, and several of them came into our camp evidently as spies, asserting that they were accredited by some of their chiefs for different purposes; but any message you desired them to take back again they invariably deceived you.

2522. Do you happen to know of any cases in which military or colonial stragglers fell into their hands?—Yes.

2523. How did they behave?—Invariably murdered them.

2524. With circumstances of cruelty?—I cannot exactly state the circumstances of each death, but in some cases their cruelty was excessive.

2525. They were not mangled in any particular manner?—Some of the bodies were a good deal mangled; two or three men that were killed in Caffreland were merely destroyed.

2526. Did any of them stand a volley of regular musketry?—Yes; in the Buffalo Mountains they stood for some time against a company of the 72d; a very strong little sort of amphitheatre of rocks, in which the captain was wounded and several of the men.

2527. Did the Caffres return the fire?—No; they were armed with assagais, which they threw over a sort of natural rampart.

2528. Did they stand the fire of the troops, or had they any means of evading it?—They were a good deal sheltered; when the troops afterwards gained the summit of the rock they found several had been killed and several wounded.

2529. Mr. Charles Lushington.] Were any of those Caffres who came into our camp as spies punished by us as such by military law?—No; not that I have seen; one man was shot by Mr. Warden, coming into his camp in the night, and several others were shot in that way; he was not shot by Mr. Warden's own hand, but by his detachment.

2530. You are not aware of any cases having occurred of a Caffre being punished on account of coming surreptitiously to procure information?—On the contrary, whenever they came into our camp they were always well treated, and presents made to them of a few beads, and desired to go back to their chiefs to advise them to desist.

2531. The commandant officer probably did not think it right to apply rigorously the rules of civilized warfare to these ignorant barbarians?—No, they were not treated with severity on such occasions.

264
 Captain
 G. de la Poer
 Beresford.

11 March 1836.

2532. Sir *George Grey*.] Did they carry off their wounded, or did they fall into the hands of the British troops?—They carried them off whenever they could.

2533. *Chairman*.] Did they in all instances destroy the Europeans or converts that fell into their hands?—They did not destroy the women, but the men I believe, invariably.

2534. Are you aware of the case of the Rev. W. Davis, a Wesleyan missionary of Clarkburg, who fell into their hands near Butterworths?—I know that Mr. Davis wrote earnestly for a detachment to bring him away where he had taken refuge.

2535. Was Davis in their hands?—I do not know. Clarkburg is not in Caffre country, it is in the country of the Amapondas.

2536. Do you happen to know how they in general treated the missionaries that fell into their hands?—I do not know; but I know this, all the missionaries that were in Caffreland at the time of the breaking out of this business were in the greatest fear of their lives, and wrote most entreating letters to be removed from the vicinity of these people.

2537. It was very natural for them to be alarmed, surrounded as they were by hostile parties; but what I want to know is, when they were captured by the natives whether they were well or ill treated?—I never heard of any being captured at all; but I know this, that all their houses were burnt down; destroyed, and every sort of indignity they could heap on the memory of the dead after they had made their retreat, was thrown upon them.

2538. Mr. *Pease*.] Did many women and children fall from the nature of the promiscuous fighting?—I never heard of but one woman being fired at, but that was in a crowd of men, and the shot went through the caross; it was probable that many women might have been killed, because they all wear nearly the same dress.

2539. *Chairman*.] Do you know what situation Hintza filled?—Hintza was the chief of the country eastward of the Kei, and the prominent chief of Caffreland; they all considered him as their king.

2540. Then he was a person of much greater influence and authority than the other chiefs?—He was.

2541. Were you present when he came into the camp?—I was.

2542. Did he come in voluntarily?—He did.

2543. Did he come in under a safe-conduct, under a promise of security?—He did.

2544. Was he considered there as a prisoner?—Not at first.

2545. State, if you please, all the circumstances which took place from the time on which he came into the camp to the day of his death?—I was not present at his death at all; I was 70 or 80 miles off, but I can state what I know. We had been a fortnight in the country; having sent messengers to him several successive times, urging him to come in and treat with the governor, during which time hostilities had been carried on against him; we sent several messages through people who stated themselves to be accredited councillors, and friends of Hintza. We received no answer; and at the end of 12 or 14 days we commenced hostilities. On the 29th of April Hintza came into the camp.

2546. Having accepted a safe-conduct?—Yes; and on that evening a treaty was read to him by the governor, stating the causes of dissatisfaction on the part of the British Government, and the terms upon which he would be admitted to peace, demanding two hostages, to be chosen from amongst his principal people by the governor, for the fulfilment of these conditions. Forty-eight hours were given him for consideration. He dined with Colonel Smith, and expressed himself very much delighted with the treatment he received. The next day Hintza agreed to the terms, and said, "There is no necessity for hostages; I have sent for my son, who will soon be here, and he and I will remain with you until the fulfilment of this treaty," or words to that effect.

2547. Were you present when he said this?—I was; he said it through an interpreter.

2548. Who was the interpreter?—Mr. Shepstone.

2549. The offer to remain originated with him?—Yes. In the treaty, which I believe you will find in the papers from the Colonial Office, you will see that Hintza was not at all asked to remain, but the offer to remain came entirely from him. He remained with us for several days. His brother, Bookoo, having joined the troops on our march from the Somo, on which we had been encamped. On the 10th of May, on the banks of the Kei, a proclamation was made by the governor, that

265

Captain
G. de la Poer
Beresford.

11 March 1896

would take possession of the country between the old boundary line, running up the Keiskamma and Chumie Rivers to the Winterberg and the Kei, along its whole course, from the Stromberg to the sea. It was then explained to Hintza that he had failed to fulfil the first, third, and fourth articles of the treaty which he had agreed to. Hintza then asked the governor, through Colonel Smith, to allow him to proceed with Colonel Smith and a certain detachment of the troops into the heart of his country, in order that the presence of those troops might awe Hintza's subjects into delivering up the number of cattle which the governor had stipulated for, Hintza saying that his greatest wish was to fulfil this treaty, but that he had not power enough over his own subjects to do so. It was explained to him that he was personally answerable of course for the safety of those troops, to which he perfectly agreed, and expressed himself very strongly to Colonel Smith. He trusted the governor would agree to this his suggestion. The governor did agree to this suggestion of Hintza's, and Colonel Smith marched backed with Hintza into his country with these troops, and we re-crossed the Kei to its western bank.

2550. Mr. *William Gladstone*.] Did Hintza's territory extend to the westward of the Kei?—No. That is all I can state upon that subject personally; the rest, the manner of his death, I merely knew from a report that was brought in to us on the return of Colonel Smith's detachment.

2551. Mr. *Charles Lushington*.] What was the extent of the detachment that accompanied him?—About 400 or 500.

2552. Was there a corps of guides?—50 or 60 men.

2553. Of what description of men were they composed?—Several Caffre traders, who were well acquainted with the country, and a body of people called the Bathurst Volunteers, who had been incorporated in this corps of guides to strengthen it.

2554. *Chairman*.] You cannot, of your own personal knowledge, state anything relative to the death of Hintza?—No; I was not there.

2555. Have you any public documents in your possession relative to that circumstance?—No; I can merely state from my own recollection of the report that was brought in when Colonel Smith returned.

2556. By whom?—By Colonel Smith.

2557. Mr. *Charles Lushington*.] Have you had any direct communication with any individual who was present on that occasion?—Yes, several, who had belonged to the detachment.

2558. *Chairman*.] State what you have heard on that authority which you can rely upon?—I have written down exactly what I heard. On the third day after we had separated, on the Wednesday, going up a very steep ravine, Hintza was riding at the head of the troops, with Colonel Smith immediately in front of the the corps of guides; I have also understood that he had been repeatedly warned by the colonel that as he was personally responsible for the safety of the troops, he must make no attempt to escape. When he got to the top of this bank, he and Colonel Smith were considerably in advance, (40 or 50 yards,) and he then made a rush, and galloped off as hard as he could go; the colonel galloped after him, and upon reaching him, having snapped his pistol, he took hold of the muzzle and hit Hintza two or three times on the head in their career.

2559. Sir *George Grey*.] Was that with a view of stopping him?—Yes. I would wish to state, that what I state is exactly as I have heard the story. Finding that had no effect, he caught hold of him by the caross, and succeeded in pulling him off his horse; when he was on the ground, from the pace they were going, Colonel Smith's horse galloped on, he being unable to stop him; Hintza drew out one of his assagais, which he immediately discharged at Colonel Smith. The colonel, as he galloped on, cheered some of the corps of guides to the pursuit. Mr. Southy, of the corps of guides, who was the first and nearest to Hintza, when he saw him throw his assagai, fired at him, and with the first barrel grazed his leg, and with the second shot him through the body. Hintza ran down the ravine, wounded as he was, in which ravine Southy, having re-loaded his gun, shot him.

2560. *Chairman*.] Do you happen to know whether the two Hottentots, before Southy had reached the ravine, had summoned Hintza to surrender?—I never heard that; had it occurred, I must have heard it at the time, because of course it was matter of great conversation in the camp.

2561. Sir *George Grey*.] Do you know what distance Colonel Smith was from the

206

260. MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE.

Captain
G. de la Poer
Beresford.

1 March 1836.

spot when Hintza was eventually shot?—I believe he did not come in for some minutes afterwards.

2562. He was not on the spot?—No.

2563. Were any of the other troops besides?—I believe Mr. Balfour was nearest to him, an officer in the 72d.

2564. *Chairman.*] Was there any possibility of Hintza, being slightly wounded in the leg and shot through the body, escaping from the large corps of guides and the military that were in the neighbourhood?—I should say a very good chance; I have not seen the spot, but if it is like the generality of those streams, covered with bushes, if a Caffre once got into it, you never would find him.

2565. *Mr. Charles Lushington.*] Is there any reason to suppose that Hintza's tribe were in any force in the immediate neighbourhood?—There is; because on Colonel Smith's advance to the Bashee, he described the Caffres in the neighbouring hills to be in greater numbers than he had ever before seen them.

2566. Do you suppose, then, that putting Hintza to death, after he was so severely wounded, was essential to the safety of the British detachment?—Decidedly not; but heated in a general pursuit of that description, men have little time to consider what is most advisable; the possession of Hintza was certainly of paramount importance to the safety of the troops.

2567. Are you aware whether there was any officer of superior rank near at the time that Southy discharged the last barrel?—I do now know that there was; Mr. Balfour was the first person, I believe, that came up afterwards; the responsibility rests on no one.

2568. Then your impression is that there was no person in authority near enough to restrain Southy from this extreme act?—My impression is there was not.

2569. Colonel Smith was at a distance?—Colonel Smith did not come up for some minutes afterwards; as I before described, his horse had galloped on a quarter of a mile further.

2570. Do you happen to know whether Southy was thanked in the general orders for his conduct on this occasion?—I speak under correction, but I believe not; I feel great confidence that he was not, for I believe I wrote almost all the general orders myself; that was so near the time of my departure, that I feel certain he was not.

2571. Did you write the general order of the 10th June 1835?—I have seen it, but I did not write it; but Captain Southy of the corps of guides, mentioned in it, was not the man who shot Hintza; it was Captain Southy's youngest brother.

2572. Do you happen to know whether Southy, the man who shot Hintza, was thanked?—I do not think he was; I did not hear him thanked, and I never knew that he was, nor could he have been thanked without my knowledge.

2573. *Mr. Andrew Johnston.*] Was there any examination of this Southy that shot Hintza?—Colonel Smith reported the circumstance as Southy reported it to him; I believe there was no witness to the immediate death of Hintza, but the man who shot him.

2574. *Sir George Grey.*] Are you aware that any approbation was expressed by Sir B. D'Urban on the occasion of Hintza's death?—On the contrary, I know, both as a matter of feeling and of policy, he regretted it.

2575. And expressed that publicly?—I do know that he regretted it privately.

2576. *Mr. William Gladstone.*] He regretted it as a matter of policy?—He regretted that any circumstances should have occurred on the march to render such an ulterior measure necessary.

2577. Did he consider, in regretting it, that there had been blameworthy conduct on the part of Southy?—That I do not know.

2578. *Chairman.*] In a general order, dated 29th March 1835, I find this passage: "Colonel Smith especially notices the veteran Field Commandant Lindey, Field Commandant D——; their conduct on this as well as on former occasions in the present war has been conspicuously good." It also mentions Lieutenant Balfour, as acting aid-de-camp, for his conduct on this and previous occasions; and speaks highly of L. R—— and of Messrs. P——, Southy and Driver in the corps of guides. Is the person described as Southy in this the person who shot

shot

267
 • Captain
 • G. de la Poer
 Beresford.

11 March 183

shot Hintza?—There were two Southys in the corps of guides, both people who behaved well in the war, besides the captain, two privates. I cannot say which of the brothers is meant in that general order, but I think it is not the man who shot Hintza, but the other brother; but both were particularly gallant fellows, capable of any sort of duty that was imposed upon them. That general order was issued in consequence of an expedition; I joined the troops the day after, therefore I do not know which it was.

2579. Sir George Grey.] Was that general order issued before Hintza's death?—Two months, at least.

2580. The approbation expressed in that could not have reference to Southy's conduct on Hintza's death?—No.

2581. What is the date of Hintza's death?—I think Wednesday, 13th May.

2582. Chairman.] Now, Hintza having come to the camp of his own good-will, and under the protection of the safe-conduct, having not been considered as a prisoner of war, by what right did the commander-in-chief consider himself entitled to detain him?—He had given himself up as a hostage for the fulfilment of his own treaty voluntarily, and refused to give any other hostage than himself.

2583. Was that treaty one of compulsion, or was it one into which he entered of his own good-will?—He entered into that treaty perfectly of his own good-will. I think I can read to you, as near as possible, what occurred on that treaty. On Hintza coming into the camp, and having been greeted on his arrival by the governor, through the interpreter, he said he was "ready to hear a word," which is an expression familiar amongst them; and he sat down, with one of his councillors behind him, and a long statement was read to him by the general, enumerating all the complaints of the colonial government against him, and the terms upon which he should be admitted to peace. The governor offered him 48 hours for consideration, and he was asked if he chose to go away again. He replied, "I prefer staying with you." Tents were then pitched for him and his suite, and provisions given them; he himself dined that day with Colonel Smith. He complained that he should have great difficulty in making his tribes come into those terms, but he was very anxious himself to fulfil them. This was at dinner. Next morning at daylight he expressed himself perfectly ready to come into the terms of the treaty, and peace was then declared with him. He was to produce two instalments of cattle, and five days were granted to him to produce the first instalment of his cattle. The governor desired to know the names of the principal councillors, in order to take two hostages. He said he would remain himself, and that he had sent for his son, who was coming in, and who would remain also.

2584. Mr. William Gladstone.] Did his son come afterwards?—He did that day.

2585. Did he go with his father in company with Colonel Smith?—No; he and Bookoo, Hintza's brother, remained with us, and re-crossed the Kei.

2586. What became of the son?—On Hintza's death Sir B. D'Urban sent the son back to his own country again to take charge of his people.

2587. Chairman.] How do you reconcile the fact that Hintza approved of the treaty when he was not a prisoner, but was at liberty to retire from the camp, and that a few days afterwards he should be so earnest to escape that he should endanger his own life, and leave his son in the hands of those whom he considered his enemies?—Because I conceive that Hintza's whole object was to play with us, and to get us out of the country; and I think that was so desirable an object to him that he would even risk his life to accomplish it; it requires local knowledge to conceive what the Caffre will risk to retain stolen cattle.

2588. Did he accomplish that object by his attempt to escape if he left his son and brother in the arms of the British?—I do not believe Hintza would have cared the least what would have become of his son and his brother, so long as he was personally free, and safe from an attack of the troops.

2589. If he was so indifferent then about the fate of so near a relative, and was only trying to deceive the British, why did he not place in their hands those persons for whom he cared so little, and provide for his own security, which was offered him?—Probably he thought by offering himself that he would throw us off our guard; of course it is impossible to divine anybody's intentions, but there is no doubt by the result he was playing us false the whole time.

2590. Do you believe that at the moment he went with Colonel Smith he considered himself to be a prisoner of war?—I do not know how far he might consider himself a prisoner of war, but this I do know, he made the offer of

268

262 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Captain
G. de la Poer
Beresford.

1 March 1836.

• accompanying Colonel Smith. It was not the intention of the governor to take him across the Kei out of his own country.

• 2591. Was he considered at the time he went with Colonel Smith a prisoner of war?—Colonel Smith considered him personally responsible for the safety of the troops.

• 2592. But, was he considered a prisoner of war?—No; I should consider he was an hostage for the safety of those troops, not as a prisoner of war, strictly speaking. What I mean by that is this, that he was only a prisoner so long as this expedition was taking place at his own request; the moment that expedition was over, he was freed from his responsibility.

• 2593. Mr. Charles Lushington.] To the best of my recollection, it is not stated in your evidence what led to placing you in a state of hostility with him?—The fact of the great quantity of cattle that had been stolen from the colony having been known to enter Hintza's territory, and several of Hintza's people having also been known to enter the colony.

• 2594. Was any demand made on Hintza to assist in restoring the cattle to the colony?—Twice through the commandant; Van Wyk twice went up from the Clippat River, where he was stationed, to the head of the Sorno, to treat with Hintza.

• 2595. What was the tenor of Hintza's reply to those representations?—The first time he gave no satisfactory answer to Van Wyk, but expressed a wish to see him again, and said he would see about it; and the second time he pleaded sickness, and absented himself altogether from the interview.

• 2596. In consequence of the delay of Hintza's acquiescence, you declared war?—We entered his country as I have before stated; when we got to the banks of the Kei, a couple of chiefs appeared on the opposite bank. The first question they asked was, "What river is this? why you cross it?" And we said, we had subjects of complaint against Hintza, to which he refused to give any answer, and therefore the troops would enter his country.

• 2597. Sir George Grey.] The condition of the treaty which Hintza was to fulfil, was the restoration of a certain number of cattle by instalments?—Yes.

• 2598. Was there any dispute between the British and Hintza as to the fact of colonial cattle being driven into Hintza's territory, and detained there?—Hintza said that he had retired himself from the middle of the country to the head of the Sorno, in order that he should not assist or oppose the tribes that were at war with us; he did not deny that a great quantity of our cattle had gone through his territory. The only thing that he denied was his personal possession of them. Of course the answer to that was, "You must be responsible for the acts of your own people;" but of the fact of there being a quantity of colonial cattle in his territory there can no doubt.

• 2599. The Chairman.] Then the offence was not that he had been a participator in the seizure of the colonial cattle, but that he had permitted other tribes to drive those cattle out of his dominions?—No; I say merely that was the statement Hintza made himself. That is not my statement. He denied himself having participated in the aggression; he himself was not in the colony, but still there is no doubt a good many of the chiefs were, and a good many of the people of his tribe; and that he had received some of the cattle.

• 2600. Mr. Andrew Johnston.] And for this the governor held him responsible?—Yes.

• 2601. The Chairman.] Now state what took place after Hintza's death?—When we heard of Hintza's death we were at Impotshana, about seven miles westward of the Kei, upon which we constructed a fort. We then marched to the Gonube, upon which another post of communication was placed, and we then went to the Buffalo, which was occupied in three or four places.

• 2602. During this operation did you destroy a considerable number of the Caffres?—No, not in our march back again.

• 2603. Did you destroy the huts you met with?—No, the huts were destroyed previously in our progress, so that in coming back there were none to destroy.

• 2604. What date are you speaking of?—About the 20th of May.

• 2605. In the general orders, headed the 7th June, I find this passage: "The whole of the country has been most thoroughly traversed; upwards of 1,200 huts have been burnt, immense stores of corn in every direction destroyed, 215 head of cattle of all sorts captured, several horses, and nearly 2,000 goats have fallen into our

269
 Captain
 G. de la Poer
 Beresford.

11 March 1836.

our hands." How do you reconcile that with what I understand to be your recent answer, namely, that the huts had not been destroyed?—I did not say they had not been destroyed; I said they had been destroyed in our progress, and in coming back there were none to destroy. I beg to state, moreover, on the 7th of June I was not there.

2606. But this general order relates only to the operations of three days, from the 3d to the 7th of June?—This did not take place on the direct line I have been speaking of; but I fancy it was towards the sea, between the mouth of the Buffalo and the mouth of the Kei.

2607. Then you were not with Colonel Smith at the time so much devastation amongst the corn and the property of the Caffres took place?—At that time the property was ours, because we had taken possession of the country.

2608. Then there might have been considerable destruction of property and corn in the other detachments, of which you were not at all aware?—I was generally aware of the destruction; because, as I stated before, in our advance we destroyed the kraals, and the corn which we did not use for ourselves.

2609. I understood you in a recent answer to say, that after the latter end of May there was no destruction?—I was merely speaking of our march back from the Kei to Buffalo; I saw no kraals destroyed. I concluded that by saying, I believe, they were pretty well cleared away in our advance.

2610. But then it appears that after that period there were, in Colonel Smith's own words, immense stores of corn in every direction destroyed, and 2,000 goats taken; so that we may conclude, I presume, that independent of anything that came under your personal observation, there was great destruction of native property?—Yes.

2611. Sir *George Grey*.] Does the general order referred to relate to operations upon the same ground which you spoke to when you said you saw no kraals destroyed?—No.

2612. Were you present at any of those proceedings referred to by Colonel Smith in that order?—None. I was then on my way to Graham's Town with the hostages, Bookoo and Vadana.

2613. The *Chairman*.] There were then in that country immense stores of corn before it was entered by the British?—There were large quantities of corn.

2614. I find in the *Graham's Town Journal*, dated 3d July 1835, that horticulture was advancing; cabbages, artichokes, leeks, &c. had been already planted, and that there were various small seeds in the ground; that there were magazines of Caffre corn and pumpkins; and that they had a very considerable quantity of goats; may I not infer from that they had made some advance in agriculture?—I do not conceive that that at all refers to the Caffres; I conceive that refers to the people in the posts that we had established on the Buffalo; in fact, I am sure it does.

2615. But, as immense stores of corn in every direction were destroyed, it must be inferred that they had carried agriculture to a considerable extent?—It is a particular sort of Caffre corn which they have cultivated; I suppose for ages they have cultivated their own sort of corn, or the Indian corn.

2616. But having a great quantity of corn, and a great quantity of cattle, could they be called irreclaimable barbarians; had they not made some advances in agriculture and civilization?—We have been trying to reclaim them for many years without success.

2617. Do you know what measures we have taken to reclaim them?—I do not know exactly; great trouble has been taken by missionaries, and different relations entered into, but I believe with very little success indeed.

2618. Sir *George Grey*.] Do you know anything of the circumstances of the death of a trader named Purcell?—We bivouacked at his house, and I heard the circumstances related by another trader.

2619. Where was it?—About four or five miles to the eastward of the Kei.

2620. What were the circumstances?—As I understood them, they were these: that a Caffre; or a Fingo, who is a Caffre slave, had come to his house on a Sunday morning to beg that he would barter with him for some hides, and the man refused to deal on the Sunday, but told him if he would come again the next day, he would talk to him on the subject; he said, "Oh, very well; I will leave my goods; come out and fetch them;" and when he opened his door and came out, he assaigaid him on the spot.

2621. Is that all that you heard on the subject?—That is all that I heard.

240

Captain
G. de la Poer
Beresford.

11 March 1836.

264 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

2622. What became of his property?—I have always understood his property was seized by one of Hintza's principal chiefs.

2623. Was it in Hintza's territory?—Yes, and close to the residence of Hintza's brother, Bookoo.

2624. Do you know whether any demand was made for the restitution of the property?—Yes; the missionaries at Bather made a strong representation about it.

2625. To whom?—To Hintza himself; and also the thing was reported to the colonial governor, and that was one of the subjects of complaint against Hintza in the paper that I told the Committee was read to Hintza by the governor, containing a list of grievances; the subject of Purcell was one.

2626. Mr. *William Gladstone*.] Do you know what answer was received from Hintza or the colonial governor by the missionaries, to the demand for restitution?—No, I do not; I know, whatever he answered, no restitution was made, and no satisfaction obtained at all.

2627. Did Hintza make any observation, when this was alleged as one of the grounds of complaint against him by the governor?—I am not sure, but I have a sort of indistinct recollection that he said a Fingo did it.

2628. The *Chairman*.] The death of Purcell was alleged as one of the causes why we made an inroad into Hintza's territory?—Not as the immediate cause; but when we were there, the governor considered it right to demand from Hintza the punishment of the murderer; and as Purcell had left a widow and children, that that was a proper opportunity to insist upon Hintza making fair restitution, or causing the person who committed the crime to make proper restitution to this man's wife and family.

2629. The governor thought the murder of a British subject in Hintza's territory was one of the justifications for the measures he was taking?—No, he did not think that certainly a sufficient reason to march a body of troops into Hintza's country.

2630. Was it one of the reasons alleged?—No; though justice was insisted on by the governor.

2631. Have you got a copy of that paper that was read to Hintza, stating the grievances?—No; I believe it is in the Colonial-office.

2632. If we had a right to complain against a Caffre chief, because one of his subjects or one of the slaves of his subjects had committed murder on a British subject, had not the Caffres also as good a right to complain of a British officer who had entered their territory, and put to death some of their people?—I should say so, decidedly, if it was done in equally cold blood.

2633. Do you happen to know the circumstances of Lieutenant Sparks and Lieutenant Sutton going into Hintza's country?—I before stated I heard of it, but was not personally acquainted with it.

2634. Did you hear that they made an inroad into the Caffre country, and that they wounded the chief's brother?—I did hear they had wounded a Caffre; but from the way I heard it, I conceived it was in the execution of the duty of patrol.

2635. Do you happen to know what led to that expedition?—No; I should judge some cattle or horses had been driven previously away by the Caffres.

2636. Sir *George Grey*.] How far had the party penetrated into Hintza's country at the time of his death?—That I cannot exactly answer; it was a two or three days' march, and on the third day's march he was killed.

2637. Mr. *Andrew Johnston*.] How far were the conditions of the treaty fulfilled at the death of Hintza?—Hintza having been killed, the governor thought it right to grant some indulgence to his son, in point of time, to fulfil this treaty, in order that he might be able to establish himself in his father's place as chief; but he promised to fulfil the treaty within a reasonable time.

2638. Was the treaty fulfilled in the long run?—I do not know; I left the colony a month after the period we are now speaking of.

2639. Was there a probability that if Hintza had escaped in the ravine he might have made a retreat among his own people, and successfully eluded the efforts of the governor to compel him to fulfil the treaty?—It was impossible to say what the result of his escape might have been; but as he had been a long time in our camp, surrounded as the troops were by immense numbers of Caffres, it is very likely that a successful surprise might have been practised upon them, because from his having been nearly a month in our camp, he was intimately acquainted with every mode

mode of approaching it, and of the different guards or picquets we were in the habit of placing.

2640. Where were you at the time this detachment entered into Hintza's country?—We parted on the banks of the Kei; the governor with part of the troops re-crossed the Kei to the westward, while Colonel Smith proceeded eastward.

2641. Your opinion is, that he was a chief of that power, and the inhabitants of that country were so numerous, that he might have made a successful advance?—My opinion is, that the other chiefs would never have undertaken anything against the colony, without the co-operation and consent of Hintza.

291
Captain
G. de la Poer
Beresford.

11 March 1836.

Lunæ, 14^o die Martii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Pease.
Mr. Andrew Johnston.
Mr. Bagshaw.
Mr. William Gladstone.

Mr. Hindley.
Sir Rufane Donkin.
Mr. Plumptre.
Mr. Charles Lushington.

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *George de la Poer Beresford*, called in; and further Examined.

2642. *Chairman.*] YOU were requested at the last meeting to prepare some memoranda of any circumstances anterior to the breaking out of the war which had occurred to your knowledge?—I have prepared a memorandum, which contains a short sketch of the whole matter. It is, I believe, not unknown to the Committee that the relations between the colony and the Caffres have long been of a very unsettled nature. In 1834, Sir B. D'Urban received instructions from Mr. Stanley, (now Lord Stanley,) then Secretary of State for the Colonies, for regulating the intercourse, and for establishing a fixed state of amicable relations between the colonists and the natives inhabiting the country along the colonial border. Sir B. D'Urban at this time being unable to leave the seat of government at Cape Town, in consequence of the near approach of that period at which the Act for emancipating the slaves was to become the law of the colony, authorized Dr. Philip, the chief of the London Mission, who had peculiar facilities of communication with the native tribes, from his situation and connexion with the several missionaries resident amongst them, (who have been very generally a medium of correspondence with the chiefs) to explain to these tribes the very favourable order of relations which it was the intention of the governor to enter into with them, and which, from their own reports of their personal influence with the chiefs, he conceives could not come from a more welcome source. Dr. Philip, on his return from the frontier, whither he had proceeded for purposes connected with his official duties as principal missionary, expressed the satisfaction of the respective chiefs to the governor at these new arrangements. Thus the matter stood; the chiefs on their part, knowing that the ratification of these relations only awaited the presence of the governor on the frontier, and the governor on his being unable to leave Cape Town until the arrival of the Order in Council authorizing the manumission of the slaves, his personal presence being necessary for the purpose of framing the consequent local arrangements. On the 24th of December, without any previous expression of grievances or any declaration of war, and now under the security of the favourable intentions of the colonial government, the Caffre tribes broke into the colonial border, along its whole eastern extent, from the Winterberg to the sea, laying waste the country, burning the houses, murdering such male inhabitants as fell into their hands, carrying off the flocks and herds, and thus rendering the hitherto flourishing frontier provinces a desert waste; a measure which must have been long in preparation, as it is impossible that such combination could have been the offspring of sudden determination. The troops, a very inadequate force, (700) scattered along the frontier in small numbers, were forced to abandon several of the posts of observation, (Willshire, Hermann's Kraal, and Caffre Drift, &c.) which were untenable, and to retreat upon Beaufort or Graham's Town, for the purpose of concentration; and the inhabitants who were enabled to escape fled, with such

14 March 1836.

217
Captain
G. de la Poer
Beresford.

14 March 1836.

266 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

parts of their property as they could, to Uitenhagen, Graham's Town, and Port Elizabeth. On the immediate arrival of the news at Cape Town, the 31st December, the governor despatched one wing of the 72d, and as much artillery as was available, (there only being one company at the Cape,) commissariat stores and ammunition, by sea to Algoa Bay, and the remaining wing of the 72d was sent forward over land. Colonel Smith, the deputy quartermaster-general, was despatched over land to Graham's Town, riding post, with orders on his route to the frontier to call out the burgher force, while the governor himself proceeded in the Trinculo to Algoa Bay, having first seen all these measures carried into effect under his own eye, and provided for the local emergencies of government. On our arrival at Algoa Bay we found every one in the greatest consternation, and much fear was entertained by the inhabitants that ere sufficient force could be raised to repress this irruption, the Caffres would carry their murderous devastation far into the colony. The governor at once formed his depôt of reserve at Port Elizabeth, made arrangements for raising Hottentot levies, and left Colonel Thomson, the commanding engineer, to carry his arrangements into effect. He then proceeded to Uitenhagen, hastened the preparations of the burgher force, already ordered out by Colonel Smith, made arrangements for the transport of commissariat and other supplies from Algoa Bay to Graham's Town, the stacks and other reserves of corn on the frontier having been destroyed by the Caffres; proceeded *en route* to Graham's Town. On reaching the Sunday River, we entered the scene of devastation: the house of the field-cornet, on the right bank, had been attacked; the son of the man keeping a small public-house on the left bank had been murdered close to his father's house. I saw his jacket, pierced with 14 wounds. Proceeding onwards, we found the country deserted; nothing but a few spring bucks in the plains, ten days before covered with flocks and herds; and on our arrival on the Bushman's River, the farm at Rautenback's Drifts had been burnt and destroyed. Prompt measures had, however, been taken by Colonel Smith on his arrival. Colonel Somerset had been sent down to Rautenback's Drifts with a cavalry force, and had dislodged the Caffres from a strong position they had taken up on the Bushman's River; the civil commissioner of Graaff Reinet had with his burgher force been acting on the left; thus the country to the rear of Graham's Town had been pretty well cleared of the enemy. On arriving at Graham's Town, a scene presented itself difficult to be described: the town was literally crammed with people, many of whom had fallen in one night from a comparative state of affluence to actual dependence on the public bounty. The town was barricadoed; women had slept for nights in the church for fear of an attack, and everything presented a scene of misery and confusion difficult to be equalled. Measures, however, had been taken for levying volunteers, and calling out and equipping the burgher force; and the governor having restored that order and confidence so imperatively necessary for effectual and combined measures, Colonel Smith was enabled to march with a tolerable force on the Fish River, and to dislodge, in three days of hard bush fighting, the enemy from that strong ground in which they had taken up their position. The frontier being thus cleared, preparations were made for entering Caffreland for a certain extent of purpose, for it is impossible that the governor could suffer such an unwarrantable aggression to be undertaken against the colony with impunity, nor could encouragement be given to the savage inroads of the barbarous natives by a course of pusillanimous concession and ridiculous forbearance. The governor considered himself imperatively called upon to punish these wanton aggressions; and having himself personally inspected, on his way to join the troops, the whole line of frontier, from the sea to Fort Willshire, along the banks of the Fish River, and between it and the Keiskamma, came to the fixed opinion, that without an overwhelming military force the frontier was untenable, from the nature of the ground, covered as it is with impenetrable jungle, or bush, which affords a fortress to the native in war, and a lair to conceal himself for the purposes of plunder in peace, a plunder which is carried on to an extent it requires local knowledge to believe. The governor, having himself personally examined the country, came to the determination to contract the extent of frontier line, and to place under British subjection the country between the Keiskamma and the Kei, as being the only means of resisting further aggressions, and placing the colony on a footing of permanent security, the good and peaceful policy of which the Caffres themselves appear to be sensible of, and the chiefs have already placed themselves under British subjection.

2643. You stated that you were aware that an inroad into the Caffre country had

275
 Captain
 G. de la Poë
 Beresford.

had previously taken place, aided by Ensign Sparkes?—I said that I had heard of it when I arrived on the frontiers, but that I was not personally acquainted with any of the circumstances.

2644. Did you hear that a detachment was sent, under Ensign Sparkes; that he seized a quantity of their cattle, and, upon their resisting, that his men fired and wounded one of the chief's relations?—No, I did not hear that; I heard, as a matter of conversation, that Ensign Sparkes had proceeded on the duty of patrol to recover some cattle that had been driven away, and that a Caffre had been wounded, and that Mr. Sparkes himself also was wounded; but the circumstances of the business I never inquired into, nor do I know them.

14 March 183

2645. But supposing that to be the fact, that we had sent a military detachment into the country, and had fired upon their people and wounded one of the chiefs, do not you think that would have constituted as good a ground for their making war upon us as their making an inroad into our territory would be for our making war upon them?—I do not see that that circumstance of Ensign Sparkes could have led to this irruption, because I conceive that it was so combined and planned a movement, they having covered 120 miles by one simultaneous movement over the border, that it is impossible that such a combination could have been formed in so short a time; I think it must have been the effect of considerable time, and that they had been concocting this invasion for some months, perhaps longer; I believe that is the opinion of those best acquainted with the Caffres.

2646. The question is, whether, supposing that we had sent a detachment under Ensign Sparkes into that country, and fired upon their people and wounded their chief's relation, whether, in your opinion, that would not have constituted as good a ground for their making war upon us, as much as their sending a detachment of their body into our country would be a ground of war from us upon them?—Supposing that we had sent that body into their country, without any provocation upon their part.

2647. Do not you think that the terms which you have used, as applied to the policy of our government, namely, that it would be a pusillanimous proceeding and a ridiculous concession, would have applied as much to the Caffres if they had not taken vengeance for such an atrocity, supposing it to have been committed?—Supposing it to have been committed, *ceteris paribus*, I should say yes; but at the same time I conceive, with respect to this patrol of Mr. Sparkes, that the provocation of plundering the colony had been certainly given in the first instance; I never heard of a patrol entering Caffreland in any instance in which such a provocation had not been given.

2648. Did you never hear of patrols entering for the purpose of recovering cattle, when, in point of fact, cattle had never been lost?—No, I have never heard of such a thing.

2649. Did you never hear of patrols going into the Caffre country and seizing from one kraal a quantity of cattle, though they had no other proof that the cattle had been seized by the inhabitants of that kraal, save that there were the tracks of their feet through the village?—I have heard of that; but I believe that there was an agreement entered into with the Caffre chiefs, that when the cattle was traced from the colony into their kraals, the first chief it was traced to was bound to make restitution; I speak under correction, but I believe it was so.

2650. Did you never hear that the chiefs themselves, instead of agreeing to that system, were in a state of great exasperation, in consequence of our patrols so continually entering into their country?—I have heard that the system of patrols kept up a constant feeling of bitterness on both sides.

2651. Do you think, therefore, that you were justified in saying that they had entered into war with us without any species of provocation?—Decidedly; because I conceive that from the new order of relations, which was taken to them by Dr. Philip, and gratefully received by them, and knowing that a new governor had entered into the management of the colony, and it having been explained to them that as soon as his public colonial business would permit he would be upon the frontier; I conceive that they having stated their agreement to those conditions, and their satisfaction with them, they committed an open breach of faith in breaking into the colony as they did.

2652. Then the ground of your thinking that there was no provocation was this, that they had received a communication from the governor, through the medium of Dr. Philip, offering fair and liberal terms, and had assented to that, and had entered into a communication with the governor, through the medium of Dr.

274
Captain
G/ de la Poer
Beresford.

4 March 1836.

268 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Philip, and that consequently they were in a state of peace, and that former aggressions were to be forgotten on both sides?—Decidedly; a new order of relations was to be established altogether between the parties.

2653. Therefore you think they were not justified in making that attack?—Yes, I decidedly think they were not.

2654. But supposing no communication had taken place through Dr. Philip, would not that former provocation have constituted some excuse for their violent irruption?—I am not very well acquainted with what has occurred on the frontier, but from what I have heard I should say that the Caffres had much to complain of previously, but also that the colonists had been plundered by the Caffres to an extent which it is difficult to believe, without a knowledge of the country. I think there were great faults on both sides.

2655. Were those communications by Sir Benjamin D'Urban to Dr. Philip in writing or verbally?—I do not know.

2656. Do you happen to know whether Dr. Philip acknowledged that he was a medium of communication between Sir Benjamin D'Urban and the Caffre chiefs?—I believe he did; he expressed to Sir Benjamin D'Urban the satisfaction of those chiefs.

2657. Do you think that Dr. Philip fully understood that he had power to treat with the Caffres in the name of the government?—I believe he did.

2658. Do you think that he had reason to think so?—I have every reason to believe he had.

2659. Will you state all you know on the subject, as the grounds of your conviction of those two facts, that he had the power, and that he conceived he had the power?—I had nothing personally to say to Dr. Philip upon the subject; the only thing that I speak from is Sir Benjamin D'Urban's despatch, which I wrote myself on the 24th of January 1835, in which he speaks of it; besides, I have always understood that it was so. That Dr. Philip was in communication with the Caffre chiefs at that time, I know.

2660. That he was in communication with the Caffre chiefs is not disputed; the only question is, whether he was the acknowledged agent of government in those communications?—I believe him to have been so.

2661. Did Dr. Philip go into the Caffre country a short time before the war broke out?—I think he left Cape Town about August, and returned about October 1834; I think he returned two or three months before the war broke out.

2662. Then he was at Cape Town before the governor left for the frontier?—He had been, I think; I do not know anything about Dr. Philip; I never spoke to him in my life on any subject of interest.

2663. Do you know whether Dr. Philip had any interview or other communication with the governor previous to the governor's departure for the frontier?—I do not know; I cannot recall it to my recollection whether he had or not; it is a circumstance that I did not take any note of at the time, but I think he had.

2664. In a letter which has been received from Dr. Philip, he states that "it is probable that the colonial secretary will, in justification of the severity which may be exercised upon the Caffres, lay much stress on the facts that the governor had, through my medium, made promises to the Caffre chiefs that when he should arrive on the frontier he would take into consideration their affairs, redress their grievances, and that a secure and an equitable system of relations between them and the colony would then be introduced. That the governor made such promises, and that I communicated them to a few of the leading chiefs, is correct; and when the governor mentioned them to me on my return to Cape Town, as an aggravation of the offence of the Caffres, I replied by stating, that Tyalie, or Challie, as it is pronounced, was not of the party when I met the chiefs; that having met him on the way by accident on my return from Caffreland to the Kat River, on asking him why he was not at the meeting, he replied, that Colonel Somerset had sent for him that day, and detained him about nothing. I also stated to him, at the same time, that the reply of the chiefs I met to my communication was, 'We have been hearing such promises for the last fifteen years, and what has become of them; our situation has, during all that time, been every day becoming worse.'" Supposing the Caffres felt that they had been amused for many years with promises of the same nature as those that Dr. Philip offered, was not that some ground for them to suspect that those promises would not be performed?—Supposing all the
right

275
 Captain
 G. de la Poer
 Beresford.
 14 March 1836.

right to be on the side of the Caffres, and all the injustice and wrong to be on the side of the white men, the Caffre was very right to do his best to vindicate his right; but supposing the wrongs have been mutual, then when there was a promise of immediate redress, and placing the thing upon a fair footing, I do conceive that, after the promise so held out through Dr. Philip, the Caffre chiefs committed a breach of faith by attacking the colony.

2665. Do you know that, although at the very moment when we were promising them this new system, and all the benefits that the governor could confer upon them, an ensign, very young in age, commanding a detachment of our troops, entered into the country, and fired upon the people, and wounded one of their chiefs' relations?—Though I can speak to nothing of which I have no immediate personal knowledge, if you look at the state of the corps upon the frontier, and the small number of officers, you will see the necessity of occasionally trusting a young officer; and, at the same time, if he rather outsteps the bounds of discretion (though I do not accuse Mr. Sparkes of doing so), his age ought to be some excuse for him. That cannot be set down as a cause of provocation.

2666. Mr. Gladstone.] Are the Committee to understand you as affirming, by your testimony, the detail of circumstances contained in the last question?—I have already stated that I knew nothing of those circumstances.

2667. Are you aware where the kraal to which Ensign Sparkes proceeded was situated?—No.

2668. Are you aware whether it was in Caffreland or in the ceded territory?—No, I am not aware; I only speak of this subject from hearsay.

2669. Chairman.] Would it not be a provocation to the Caffres if they had previous experience of promises made and promises violated, and immediate experience of an inroad made into their country by our troops, attended with acts of violence, would it not be some justification of their consequent proceedings?—Supposing that no act of plunder had taken place upon the part of the Caffres before this incursion of our troops, it would have been a justification; but supposing, in the first place, they plundered our farmers, and that we merely took the cattle back again through the means of this patrol, I cannot see that any injury is done to the Caffres; the injury in the first place was done by the Caffres to us.

2670. Undoubtedly, supposing the Caffres robbed our people of cattle and we took them back, it was an act of plunder on the part of the Caffres; but supposing one dishonest Caffre chief stole our cattle and another honest Caffre man is shot for it, is that substantial justice?—Decidedly not.

2671. Mr. Gladstone.] At the same time, the Committee are to understand that the whole of these answers are purely hypothetical, and you have no knowledge of the circumstances?—Certainly, that is what I feel; I have no personal knowledge of them.

2672. Mr. Bagshaw.] You say that you only know of the patrol under Ensign Sparkes from common report and hearsay?—From hearing of it when I got to Graham's Town.

2673. Was any person killed upon that occasion?—No; Lieutenant Sparkes was wounded, and a Caffre was also; but I never heard that given as the least cause of the war.

2674. Chairman.] Have you never heard that assigned as the cause of the war?—No.

2675. Did you ever see any report made by Dr. Philip of this interview in which he had acted as a medium of communication between the Caffres and the government?—Never.

2676. Do you think it probable that he would have been sent into Caffreland as an authentic agent, and would not have been called upon to make some report upon the subject?—I do not know how far the governor might place confidence in Dr. Philip's verbal communications, or how far he might insist upon his communications being in writing.

2677. Mr. Gladstone.] Are you aware that the governor had verbal communications with Dr. Philip upon his return?—He had at several times interviews with Dr. Philip.

2678. Chairman.] Subsequent to his return from Caffreland?—I cannot speak positively as to the period; but the only time I have seen Dr. Philip has been when he has come to have interviews with the governor; it has been through my medium; he has come to me and expressed his wish, and I have expressed it to the governor.

246

Captain
G. de la Poer
Beresford.

14 March 1836.

270 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

2679. Was that subsequent to his return from Caffreland?—I believe he had interviews with the governor after his return; I feel sure he had.

2680. Do you know whether the governor considered that the report made by Dr. Philip of the disposition of the Caffres was favourable?—He considered it perfectly satisfactory; he considered that the Caffres were contented with the sketch of the new arrangements and the new relations that were to be entered into, and which Dr. Philip had submitted to them.

2681. Then, upon the whole, your opinion is, that if Dr. Philip was employed as a medium of communication, and did communicate to the Caffres that he was so employed, and did receive assurances from them in return that they were willing to wait for the arrangement which he proposed to make, that in that case they had no provocation for breaking out into war as they did; but that supposing that all those facts are not so, that Dr. Philip did not communicate with the Caffres as an official agent of the Government, and did not receive their assurances of satisfaction, but, on the contrary, their assurances of the extremest dissatisfaction, that then the original causes of complaint which they had remained as strong as ever, and that they had serious grounds of complaint against the British Government?—I am not disposed to admit the second supposition at all.

2682. You have stated that you believe that Dr. Philip did officially communicate with the Caffres, and that he received a communication from them in return, which, if that was the fact, ought to have satisfied them to have remained quiet till the governor arrived?—Yes, if that answer was given by the Caffres, I think they ought to have remained quiet; and I have every reason to believe that that answer was given.

2683. In the despatch of Lord Glenelg to Sir Benjamin D'Urban, dated the 26th of December 1835, there is the following passage: "It is no impeachment of your habitual accuracy to say that you have inadvertently fallen into a misconception of the facts of this part of the transactions under review; I have before me evidence the most conclusive to show that Dr. Philip did not, either in his own person, or through the agency of any other of the missionaries of his society, make those communications to the Caffre chiefs with which you state him to have been charged by you. Whether he misunderstood your instructions, or whatever circumstance may have occasioned it, of the fact itself there can be no doubt; he neither negotiated as the agent of the local government with the Caffres, nor even delivered any message from you to the chiefs?"—Then I have no hesitation in saying that Dr. Philip deceived the governor *in toto*, as well as Lord Glenelg; I state that on my own responsibility.

2684. Will you state the facts upon which you ground that opinion?—I do not think I am called upon to state those facts; I had private information of the facts: if the thing is denied by Dr. Philip, I assert that it is so; and that if he did not make that communication, he led the governor to suppose that he had made it, and that he had received a satisfactory answer from the chiefs upon the question.

2685. You say you have private grounds for believing this; are those grounds which in any shape reflect upon Dr. Philip?—In no way further than upon this ground; if he denies that he did make a communication, I should conceive it certainly to reflect upon Dr. Philip, in that he deceived the governor; and that he did deceive him I have no doubt in the world.

2686. The Caffres, of course, cannot be responsible for any misconception, whether it originated with the governor or with Dr. Philip. Such being the fact, you are now asked whether, supposing the Caffres to have had no communication whatever from the governor of an official nature, they did not retain their grounds of complaint, which you have already admitted they had, against our conduct?—I cannot suppose the case as it is put by you, because I know the very contrary to have taken place: my firm opinion is that such a communication was given, and my firm impression is that they accepted the arrangement offered to them in that communication; and, therefore, I cannot suppose the other case. As I have said before, if you put the Caffres on the right side, as suffering great injustice from us, and suppose us to have committed every injustice without provocation, then we are decidedly wrong; but I cannot suppose that case, when I know the contrary to have occurred.

2687. Having now the declaration of Lord Glenelg, that in his opinion there is no incontrovertible evidence that the Caffres never did state, through the medium of Dr. Philip, that they were satisfied, do not the original grounds of complaint on the part of the Caffres still remain as strong as ever?—I may be allowed

allowed to say that, as yet, Lord Glenelg has only had Dr. Philip's evidence before him; that he has not yet had Sir Benjamin D'Urban's. When the counter-statement has arrived, which I have no doubt it will, and will be satisfactory and conclusive too, I shall be better able to judge of that question.

2688. Mr. Pease.] Do you think you are quite aware of the whole evidence that has been before the Colonial-office?—I am not.

2689. Mr. Gladstone.] You have said, that up to the date of Dr. Philip's mission there was considerable blame on both sides, both the colonists' and the Caffres'; are you prepared to say on which side, in your own opinion, the blame preponderated?—I should say, decidedly on the side of the Caffres, in my opinion; for this reason, that though I believe the reprisals that were taken were not, perhaps, those which were most pleasant to the Caffres, I feel quite sure that no patrol ever entered Caffreland without aggression having taken place on the part of the natives.

2690. At the period immediately preceding the invasion of the Caffres, had the colonial government any apprehension that the state of the frontier was such, that is to say, that the quantity of cattle stolen on the part of the Caffres, and the reprisals on the part of the colonists, had been such as to give any ground of alarm?—Not within my knowledge.

2691. Are you aware what were the precise measures which you suppose Dr. Philip to have been charged to propound to the Caffre chiefs?—I am not aware of the details of the measures.

2692. Are you aware whether they were such as to amount to substantial measures of conciliation?—I have every reason to believe they were, but I do not know the details of them; but from the reported satisfaction of the chiefs, I should think so.

2693. When you say that there was a good deal of ground of complaint previous to the mission of Dr. Philip, do you allude to any particular event, or to the general system of policy which had been pursued for a series of years?—To the general system of policy which had been pursued for a series of years.

2694. You are not aware that any particular period was distinguished by a greater share of those excesses?—I conceive the fact to be this, that one governor has treated them with severity, another with leniency, but that there has been no fixed system adopted towards them. I had no personal knowledge of the colony before 1834.

2695. Chairman.] You think that the vacillation of the system has been one great cause of complaint?—The uncertainty of it, I should say, more than the vacillation of it.

2696. You have said that you are convinced that no patrol ever entered Caffreland except upon serious and just grounds; do you think that a person in the situation of a deputy field-cornet, of whom we have evidence that he is not in rank and situation higher than a common constable in England, that his authority and his determination as to the grounds of the patrol were sufficient to prove that the grounds were actually just and proper?—Of course it must depend altogether upon the respectability of the witness in asserting the property was stolen; it will depend on the character of the man.

2697. Sir Rufane Donkin.] Did you mean to admit by your former answer to a question of the Chairman that Ensign Sparkes was really sent into the Caffre country in the way and under the circumstances which the Chairman has hypothetically assumed in putting the question alluded to?—No; I did not admit that he had gone under those circumstances.

2698. Did Ensign Sparkes go into the Caffre country at all?—I do not know how far he went to recover the cattle.

2699. You do not know that it was one of Emo's kraals?—No; I have stated that I was not personally acquainted with the fact.

2700. Chairman.] Do you admit that Lieutenant Sparkes was a very young man, and under age?—I do not know, as I stated on a former day, Ensign Sparkes's age; but I should judge him, from his appearance, to be about twenty.

2701. Chairman.] Do you admit that Ensign Sparkes had the command of a detachment which made an attack upon a Caffre kraal?—As I before stated, I have no personal knowledge whatever of this expedition or patrol under Lieutenant Sparkes; I merely stated that I had heard, upon my arrival at Graham's Town, that such a patrol had taken place, and that Ensign Sparkes had been wounded.

271
Captain
G. de la Poer
Beresford.

14 March 1836

248

Captain
G. de la Poer
Beresford.

14 March 1836.

272 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

2702. *Chairman.*] You have stated that the facts supposed in a former question relative to the patrol under Ensign Sparkes are not correctly stated?—I stated that I did not admit that he went under those supposed circumstances; I mean that; I do not assert what the fact is, either way; I have no personal knowledge of that patrol whatever.

2703. *Mr. Andrew Johnston.*] There is a passage in Lord Glenelg's despatch of the 26th of December 1835, to which your attention is now called: "It is established, beyond all possibility of contradiction or doubt, that for a series of years immediately preceding the invasion of 1834, the practice on our frontier districts was as follows: A farmer who had lost, or who thought proper to allege that he had lost, any of his cattle, preferred his complaint either to the field-cornet or to the military commandant of his district. Without further evidence or investigation, either into the reality of the loss or into the causes which might have produced it, a military force, with the complainant for the guide, entered the Caffre country; following up any tracks which he might, with whatever truth or falsehood, point out as the traces of his own cattle, they advanced to the first kraal or village to which these marks conducted them; there, without further inquiry, they demanded restitution. Innocence of the theft was not admitted by the commanders of these parties as any defence against these demands: whoever might have been the real authors of the wrong, the inhabitants of the kraal were required to compensate the loss, whether real or pretended, of the complainant, for no better or other reason than that he chose to ascribe to the tread of his lost cattle the marks which had been traced from the borders of the colony to that particular kraal. It was to no purpose to allege that these were the traces of other cattle, or that the real robbers had driven the cattle into the neighbourhood of the kraal to excite an unfounded suspicion against its inhabitants. Utterly regardless of these and all other grounds of vindication, the commanding officer, in the regular discharge of the duty assigned to him, enforced immediate reprisals against the kraal, driving away the cattle, and, in the event of resistance, proceeding to whatever extremities he might find or suppose necessary, extending in many cases to the burning the huts and the fring upon the inhabitants." Do you concur in the statement of the Colonial Secretary in reference to the commando system?—I never was employed upon the frontier before the Caffre irruption, and therefore I am not aware exactly what regulations were enforced upon the frontier for recovering cattle.

2704. Supposing that statement of the Colonial Secretary to be well founded, is it your opinion that that line of conduct was justifiable in regard to the Caffres?—I have before stated that I considered that there required great alterations in our relations with the Caffres.

2705. Assuming that such has been the conduct of the colony in regard to patrols, are you of opinion that it furnished a good ground for an invasion on the part of the Caffres?—I conceive that those patrols were never undertaken unless some act of aggression had first been committed by the Caffres upon the colony; either cattle stolen or something else, which those patrols were sent to find out. I conceive the first blow to have always come from the Caffres.

2706. But then, in the peculiar mode of meeting the first blow and dealing with the Caffres, are you not of opinion that good grounds were afforded for invasion?—I conceive that it required redress, certainly, supposing it to have been to that extent.

2707. *Chairman.*] Are you aware where Emo's kraal is situated?—I believe it is near Mount Somerset, but I am not quite sure.

2708. Are you aware that in the first instance Lieutenant Sparkes seized 40 head of cattle; that a second expedition was sent into the country, with orders to take 300 head of cattle, under Lieutenant Sutton, and that the original loss on the part of the colonists was only that of four horses?—I never heard that.

2709. If there should be put into your hand Lieutenant Sparkes's own statement of that fact, would that satisfy you?—Decidedly; but I know nothing personally with regard to that, more than what I have stated, which is, that I heard that Lieutenant Sparkes had commanded a patrol which went to a certain extent in Caffreland, and he came back wounded.

2710. *Mr. Bagshaw.*] You never were upon the frontier till you went with Sir Benjamin D'Urban?—No.

2711. And that very recently?—Yes.

2712. *Chairman.*] Was the murder of two British subjects and the improper treatment of missionaries and traders in Hintza's country among the grounds upon which

279
 Captain
 G. de la Poer
 Beresford.

14 March 1836.

which Sir Benjamin D'Urban considered that he might make war upon Hintza?—When Sir Benjamin D'Urban entered Hintza's country, he deemed it right to demand restitution in the first place, and to demand punishment of the murderers of those British subjects in the second place; but one of the British subjects was killed seven or eight days after we crossed the Kei, after we were in Hintza's country; the other man had been killed some months before. The immediate reason of entering Hintza's country was, that the cattle were known to have been driven through it; several of the cattle were known to be there; complaints were made, and Van Wyk was sent up to demand an explanation. Hintza in the first interview gave no satisfactory explanation, and absented himself from the second.

2713. Did the governor state that the murder of two British subjects was one of the causes why he made war upon Hintza?—No; when the governor read to Hintza, in our camp, a paper of the different complaints that the British Government had against him, the murder of those two British subjects was entered as part of the complaints; but one of the British subjects, as I before stated, was murdered in Hintza's territory after we had entered it, and therefore that was an additional grievance, after we had entered the territory, and during the time of truce, because the governor gave Hintza nine days or twelve days to come into his camp, and stated to Hintza's people, some people who said that they came from Hintza, that he would grant such a truce till Hintza came into his camp; that truce was granted, and it was during that truce that this man, Armstrong, was murdered in cold blood.

2714. What was the date of that?—We entered Hintza's territory on the 15th April; we heard in the camp upon the 22d of April of this man being murdered; he therefore must have been murdered upon the night of the 21st or morning of the 22d.

2715. You were understood to say that the governor, as far as you knew, did not allege the murder of those two British subjects as one of the causes of the war?—I have stated that the governor demanded from Hintza, in the list of grievances he had against him, as part of the treaty, that he should make satisfaction for that; when I say that he did not allege it as one of the causes of the war, I refer to the fact that one of the British subjects never would have been murdered if we had not entered the country; the other man who was murdered before might have been alleged as one of the minor causes to be redressed before terms were granted.

2716. Have you read the governor's communication to Hintza, dated the 25th of April?—I have.

2717. In that there is this statement: "First, for the cause already set forth by the commandant, Van Wyk, no satisfaction thereon having yet been given; second, because, in the month of July last, a subject of His Britannic Majesty, William Purcell, living within the territory of the chief Hintza (indeed not far from the chief's residence at the time), under the chief's sanction and permission to trade with his people, and under the security of his good faith, was deliberately murdered at his own door by a Caffre of the tribe of Hintza, or by a Fingo servant, suborned by one of his tribe, for which no atonement has yet been made; for although this atrocious and unwarrantable act was then duly made known to Hintza, no effectual steps have ever been taken for the punishment of the murderer, and for giving satisfaction in the matter to His Majesty the King of England for this unprovoked murder of one of his subjects; thirdly, for the recent murder of Armstrong, a British subject, by which also Hintza's people broke the conditions of my truce, and commenced hostilities; fourthly, for the violence, rapine and ill-treatment practised against the British missionaries at Butterworth, living there by Hintza's sanction, which had forced them to fly to the Tambookie tribe of Vossanie to save their lives; fifthly, for the violence, rapine and outrages committed also upon the British traders, who had thereby been alike forced to fly to the same tribe for refuge: that for all these reasons I would immediately commence hostilities upon Hintza." Is not that alleging the death of Armstrong and the death of Purcell as two of the causes which led to the commencement of hostilities against Hintza?—It must be considered that that was after we had crossed the Kei, and in the next place, it would be fair to read the causes set forth by the commandant, Van Wyk, which were the immediate causes of the hostilities being carried into Hintza's country.

2718. Was not this alleged as one of the causes why we commenced hostilities?

280

Captain
G. de la Poer
Beresford.

14 March 1836.

274 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

—As a minor cause; the great causes being those set forth by the commandant, Van Wyk.

2719. Supposing the murder of a British subject in the territory of Hintza to be one ground, though a minor ground, of war, is not the murder of a Caffre subject by British troops also as great a ground of complaint against us upon their part?

—Decidedly, if it is done in equally cold blood.

2720. While Hintza was in the British camp, was any one sent to communicate with Macomo, Charlie and others?—Hintza sent two messengers to communicate with Macomo and Charlie and the others.

2721. Did the governor send any officer to communicate with them?—Not at that moment.

2722. Did he send Major Cox?—Major Cox was not with us; he was upon the Debn Flats, at some distance from us, where he had remained to continue to carry on hostilities with Charlie and Macomo.

2723. Did Major Cox have an interview with the Caffres?—He had; but subsequently to that period.

2724. What was the result of that communication?—I was not upon the spot, I was several miles distant.

2725. Do you know whether the reason of its being broken off was that they had learned in the interval that Hintza was a prisoner?—I have heard this; Hintza said that he had sent messengers to Charlie and Macomo, desiring them to lay down their arms, and to come to conditions with us; and it appeared afterwards that instead of having sent that message he sent to say that he was himself a prisoner, which he was *not*, and that the circumstance of that message of Hintza's, which was a false one, was alleged as one of the grounds that they did not come to terms.

2726. Did their thinking that Hintza was a prisoner lessen their confidence in the British?—I do not know.

2727. Did Major Cox sustain any injury while he was with the Caffres?—None; but it was subsequent to this that he had his interview with the Caffres, subsequent to Hintza having sent this message.

2728. Was he surrounded by a considerable body?—By a great number.

2729. Had they it in their power to put him to death if they had chosen?—Decidedly.

2730. Was not it very unfortunate, to say the least, that their king should come into our camp, and for attempting to escape, or for an alleged attempt to escape, should be put to death, whilst Major Cox, when he was completely in the power of the natives, sustained no injury or insult from them?—Major Cox and Hintza were in two very different positions: the one when he was killed had at his own request entrusted to his safe keeping, for which he was personally answerable, a very considerable body of our troops; upon the possession of Hintza's person depended the security of those men; the Caffres could have gained nothing by killing Cox, on the contrary, they would lose a good deal, as they themselves desired the interview.

2731. Did you hear that the person of Hintza was maltreated after his death?—I never heard it till I came back to England, and then I heard it; but I think that if it had occurred it would have been talked of in our camp, but I never heard of it till Lord Glenelg mentioned it to me.

2732. Mr. Charles Lushington.] Will you state how the safety of the detachment depended upon the possession of Hintza's person?—Hintza had been in our camp about a month; he knew the weakness of this detachment; he knew exactly where the picquets and posts were accustomed to be placed, and would naturally know the easiest way to attack them; he knew their weakness, and he was leading them on into a country thickly populated with Caffres, and had he escaped it is very likely that a successful night attack might have been practised on the body of the troops.

2733. Then it was important that Hintza in attempting to make his escape should be destroyed?—Or re-taken. I consider it to have been of paramount importance to the safety of the troops that they should have possession of his person.

2734. That is, under the apprehension that he would join his own forces, which were of much greater strength than our own detachment?—Our own detachment was only 400 or 500 men, surrounded by 10,000 or 15,000 Caffres.

2735. Mr. Andrew Johnston.] What time do you allude to at which Hintza had been previously in our camp?—He had been in our camp from the 29th of April.

2736. And

281
 Captain
 G. de la Poer
 Beresford.

2736. And he was killed when?—On the 14th or 15th of May; he had been there about 17 days.

2737. You were understood to state that there were three Southeys in the corps of guides that accompanied Colonel Smith in his expedition into Caffreland?—No; Captain Southey was not with Colonel Smith. Whether both the other Southeys were with Colonel Smith, or only one of them, I cannot say.

2738. Here is a despatch of Colonel Smith, dated the 18th of May 1835, in which he states the portion of the force with which he entered Caffreland with Hintza: "15 men of the corps of guides, under Mr. G. Southey, and seven days' provisions"?—That Mr. G. Southey is the man who shot Hintza.

2739. Then, towards the conclusion of the same despatch from Colonel Smith, he says, "It becomes an arduous task, when the conduct of every one has been so conspicuous, to point out those who most merit to be most immediately brought to your Excellency's notice." He then goes on to bring before his Excellency's notice for commendation several officers, and among others Mr. George Southey, of the corps of guides. Is that the same Southey who killed Hintza?—That Mr. G. Southey undoubtedly killed Hintza; but I do not think it will be found anywhere that his Excellency granted to Mr. George Southey that commendation.

2740. But the George Southey who was recommended by Colonel Smith was the Southey who killed Hintza?—George Southey is the man that killed Hintza.

2741. Then it appears in an extract from general orders, dated Camp, at King William's Town, 10th June 1835, that the commander-in-chief again thanked several officers; Major Cox of the 3d, and Captain Southey of the guides?—Captain Southey, as I before stated, is not the man that shot Hintza.

2742. In the despatch of Lord Glenelg his Lordship states, "that Mr. Southey who gave the death wound appears to have been subsequently twice commended in general orders, though not indeed with any express reference to his conduct in this affair"?—I should conceive that Lord Glenelg in that fell into the same mistake which the Honourable Member (the Chairman) fell into upon the general orders, that he confounded Captain Southey with the man that shot Hintza.

2743. Among the papers which have been laid upon the table there is a return of the killed and wounded, from the 30th of March to the 30th of April 1835, signed by Dr. Murray, in which it is stated that there were three killed and eleven wounded of the force in the field of the invading army. Dr. Murray also states that the wounded are doing well, with the exception of two of the guides on the 2d Hottentot battalion. Can you state how many of the Caffres may have been reported to have been killed during the interval between the 30th of March and the 30th of April?—No, I cannot; it is difficult to ascertain, from the nature of ground.

2744. Then there appears in the same paper a return, also from Dr. Murray, of the killed and wounded in the invading army from the 1st of April to the 7th of June, inclusive, and there are returned nine killed and seventeen wounded; and the doctor states that the wounded have done well, with the exception of three cases which have proved fatal. Can you give the Committee any information as to the number of Caffres who may have been killed during that period?—No, I cannot give a correct idea of that.

2745. Were there any Caffre prisoners taken during the time which has been alluded to?—Yes.

2746. To what extent?—There were a good many taken in the colony, who were placed in the gaol at Graham's Town.

2747. Were there any taken after the invasion?—Very few; they seldom came into our camp, except women and old people, who were always fed, and remained in the camp a few days with us; and when we marched on they left us.

2748. Was there any action more serious than a skirmish between the invading troops and the Caffres?—It was a general skirmish, in a large extent of bushy country, lasting for two or three days; it was always more a general skirmish than a regular engagement.

2749. Was there any attack by a part of the Caffres upon the invading force?—As soon as they entered the jungle, but not in the plain; their fighting ground is the jungle; they never come out, except to attempt to overwhelm a small party.

2750. Then there was no regular engagement?—No; the most like an engagement was the defence which they made of a small battery upon the top of a mountain, which they defended against a company of the 72d, and wounded the captain and several of the men.

Major Dundas, called in; and Examined.

Major Dundas.

14 March 1836.

2751. *Sir Rufane Donkin.*] DO you know Ensign Sparkes?—I do.

2752. Do you know what his age is?—I should say that he is upwards of 23.

2753. *Chairman.*] What grounds have you for saying so?—I have known him since the year 1823; I have known him 13 years, and I think that 13 years ago he must have been 12, certainly.

2754. *Sir Rufane Donkin.*] You were civil commissioner upon the Caffre frontier of the Cape of Good Hope?—I was.

2755. Do the field-cornets ever enter Caffreland at the head of an armed force?—No, to the best of my knowledge; the regulations which have since been made for the management of the frontier, of course, I know nothing about.

2756. *Chairman.*] Are you not aware that, by a proclamation of Sir Lowry Cole, field-cornets and deputy field-cornets are authorized to sanction patrols going into Caffreland?—If such a proclamation exists, I am not aware; we had, during the time I was there, what I consider military possession of the frontier; at that time no field-cornet or deputy field-cornet was allowed to pass the frontier; they were called upon, on losses being reported, to bring together as many people as they could, for the purpose of following the cattle stolen; then, having tracked those cattle to the boundaries, they were required to go to the nearest military post to report the circumstance, and they were then accompanied by a military party, but they were not allowed of themselves to go.

2757. At what time did you leave the Cape?—I left the country in 1828.

2758. Are you aware that Sir Lowry Cole, on the 6th June 1833, issued the following ordinance: "And be it further enacted, that it shall and may be lawful for any civil commissioner, justice of the peace, field-commandant, provisional field-commandant, field-cornet or provisional field-cornet, at all times of actual or threatened invasion, or for the protection of the colonists or their property, or when they shall otherwise deem it absolutely necessary, to summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando"?—I am very glad to see that such an order has been made, because it is one of the most rational and best orders that could be; the special purpose is there stated, for the purpose of acting upon a commando; they cannot, according to the regulations, go upon a commando without being ordered upon commando. It is merely for the purpose of collecting the people, in order that they may be embodied in commando; not themselves to go upon commando.

2759. The words are, "To summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando." It was therefore in the power of a provisional field-cornet to collect those persons together in order to go upon commando, was it not?—In the first place, it is to be understood what a commando is. A commando is not a small body of people that are collected for any particular purpose, or collected in that way; it is a general commando of the whole frontier; the whole of the armed population of the frontier are to be collected together. They have the power of calling upon those men, but the bodies of men so collected cannot be considered as a commando; they are collected for ulterior purposes.

2760. *Mr. Charles Lushington.*] The power of these officers above enumerated was confined to the assembling of the force, not for directing its operations?—To summon the force under the direction of the commandant upon the frontier; without his order they could not leave their place of rendezvous; but the parties that would be collected by this order could go no further; they could not enter into Caffreland.

2761. *Chairman.*] The preamble of this ordinance is, that whereas his Excellency the Earl of Macartney issued a proclamation to the effect, "that representation has been made to me that upon a report of the Bosjesmen or wild Hottentots having plundered the inhabitants dwelling near the Kei River, on the side of Bockeveld, in the district of Drakenstein, of a considerable quantity of their cattle, the landdrost of Stellenbosch had ordered an armed party of the inhabitants to assemble, and, under the command of a field-wachtmeester, to endeavour to recover the cattle that had been taken away, but that then, and in frequent instances of late, the greatest indifference and neglect of these commands had been shown, to

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the detriment of good order, and the evident inconvenience and danger of the well-disposed and industrious inhabitants; I have therefore judged it expedient and necessary to authorize landdrosts and magistrates of the several districts of this colony, and do by these presents authorize and empower the said landdrosts and magistrates, each within their district, to order a party of the inhabitants to arm, assemble, and take the field against the wild Bosjesmen, at all times when such an expedition shall appear requisite and proper: and I do by these presents enjoin and command the inhabitants so called upon to pay due and immediate obedience to the orders of the field-wachtmeesters, or other persons appointed by the landdrosts or magistrates to command the said party, and vigilantly to assist in repelling or attacking the wild Bosjesmen, runaway slaves, or other depredators of private property and disturbers of the public peace." Then the governor, Sir Lowry Cole, adds to the statement of Earl Macartney, that "whereas the said proclamation, and the other laws and usages relating to commandos, have not been duly observed of late years by the inhabitants of this colony; and whereas it is necessary to explain," and so forth; "therefore, be it enacted, that it shall and may be lawful for any civil commissioner, justice of the peace, field-commandant, provisional field-commandant, field-cornet, or provisional field-cornet, at all times of actual or threatened invasion, or for the protection of the colonists or their property, or when they shall otherwise deem it absolutely necessary, to summon the inhabitants of their district, division or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando." Does not that imply, that whereas the power before existing had been too limited, that now a deputy field-cornet and persons in a very low situation, at their own discretion, might summon together the persons of that ward or district for the purpose of proceeding on commando?—It is necessary to draw a line, and it must be a very decided line, between the measures which it is necessary to pursue on the northern part of the colony against the Korunnas and the Bushmen, and the Caffres. The Caffre frontier is at present a military occupation, defended by military forces, and there are no military on the northern frontier, and the same reasons for giving authority to field-cornets and deputy field-cornets that existed in the north did not exist against the Caffreland; that regulation does not apply to the Caffre frontier.

2762. Was not this an ordinance directed to the whole population upon all the frontiers?—My impression is, that we acted on a certain principle; we were defended on the eastern frontier by a cordon of military posts, and the regulation then was, and I suppose the regulation now exists, that if any robberies appeared to have been committed, the people were brought together, and the cattle were followed up to the boundary; then they were to communicate and report to the first military station.

2763. You speak of what took place when you were on the frontier, which was previous to 1828, but this ordinance was published in 1833, and therefore is it not possible that the regulations which were in force at that time might have been changed at a subsequent period?—Of course. I see that that proclamation has been issued in 1833, but I do not see that the regulations that existed when I was on the frontier would be set aside by that; it gives certain powers to the field-cornets or deputy field-cornets upon the northern frontier.

2764. Will you point out the passage in this proclamation which makes it apply only to the northern frontier, and not to the frontier generally?—In the first place, the Caffres are not mentioned in this proclamation; the first part of it specifies that in consequence of the wild Bushmen and the runaway slaves having been troublesome, such and such an enactment takes place; the Caffres are not mentioned from beginning to end, and they are certainly important enough to be mentioned, if any proclamation is intended to act against them.

Lunæ, 21^a die Martii, 1836.

MEMBERS PRESENT.

Mr. Charles Lushington.
Sir Rufane Donkin.
Mr. Andrew Johnston.

Mr. William Gladstone.
Mr. Hindley.

MR. CHARLES LUSHINGTON, IN THE CHAIR.

Colonel Wade, called in; and Examined.

Colonel Wade.

21 March 1836.

2765. *Chairman.*] YOU served both in a civil and military capacity, I believe, at the Cape of Good Hope?—In both, during a portion of the time I was there.

2766. Will you be so good as to specify the respective periods?—I arrived at the Cape, from Mauritius, in the month of September 1828, with Sir Lowry Cole, as his military secretary; after remaining there two months I came to England. I returned to the Cape in the latter end of December 1829, or the first week in January 1830, and resumed my duties as military secretary, which appointment I held till the middle of 1833. During the last year and a half I was also for a few months in command of the 72d Highlanders, and afterwards deputy adjutant-general of the forces; and from the period of Sir Lowry Cole's embarkation, in August 1833, I was acting governor of the colony until the arrival of Sir Benjamin D'Urban.

2767. How long did you remain?—From the 10th of August to the 14th of January 1834; from the 14th of January 1834 to the 10th of December 1834 I was deputy adjutant-general; I was also during the above period, from the beginning of 1832 until Sir Lowry Cole's departure, a member of the council of government, and after Sir Benjamin D'Urban's arrival, a member of the executive council of government and of the legislative council of the settlement.

2768. You have been present during the time the whole or the greater part of the evidence has been taken before this Committee?—Yes, during the whole, with the exception of one day.

2769. Are you prepared to make any representations to the Committee respecting transactions that occurred at the Cape of Good Hope during the period of your residence there?—Yes.

2770. Please to do so?—If the Committee will permit, I will commence with the administration of General Bourke, although not during that period a resident at the Cape, because an important alteration in the system observed towards the Caffres and other natives, and in the frontier policy, took place from the commencement of his administration, and which it became necessary, shortly after Sir Lowry Cole assumed the government, again to change. I will explain, first, in what those alterations consisted, and then the grounds on which they were ultimately abandoned.

The alterations were principally three: 1st, The orders issued relative to the pursuit of stolen cattle by patrol; 2dly, An ordinance for facilitating commercial intercourse with the Caffres; 3dly, An ordinance for the admission into the colony of persons belonging to the native tribes beyond the frontier. The better to enable me to explain to the Committee the purport and consequences of the "orders" in question, it will be advisable that I revert for a moment to that period when the system was established which the latter were intended to supersede. In the year 1817, Lord Charles Somerset was called to the frontier by, as he states in his proclamation, "the frequent and daring depredations committed on

on the colonists by the people of the Caffre nation." On this occasion his lordship solicited an interview with Gaika, "in order to demand his aid in repressing the outrages committed by his people and those of the chiefs under him, and at the same time to notify to him the vigorous measures his lordship was determined to adopt in future, and the retribution he should henceforth require for any depredation committed." It must be here remarked, that Gaika was, however erroneously, at this period, believed to possess the supreme authority in Caffreland. The conference took place at the Kat River, and the arrangements then entered into, and which Lord Charles Somerset states were assented to by Botman and Isambie, who were supposed to be the most powerful chiefs, after Gaika, and whom he had invited to be present, consisted chiefly "in their promise to restrain, as far as possible, their respective Caffres from plundering the colonists;" "in their engagements to restore such colonial cattle as should be found among the Caffre herds;" and "in their agreeing to permit the colonial government to enforce restitution of plundered cattle from any kraal to which such cattle should be traced, or to permit the party following it to seize an equal proportion of Caffre cattle, should restitution or compensation under such circumstances be refused." The respectable missionary, Williams, who was present at the conference, relates that to this last proposition, "Gaika willingly assented, remarking, that it would be the right way to prevent any in future from secreting the thieves;" and in the proclamation already alluded to, it is stated that Gaika "not only pledged himself in the most unequivocal terms and unreserved manner to aid the colony in procuring retribution for any depredation henceforth committed, but to punish the depredators with death." Here then is the origin of the system of "reprisal," which, I must remark,—and I do so both on the authority of missionaries and others who have resided long in Caffreland, and as the result of my own inquiries from intelligent Caffres and others,—is in strict conformity with Caffre laws and usages, except only that these require, in addition to restitution, or an equivalent, that a fine should be levied on the offender in all cases of depredation. After the unmeasured abuse with which this system has been assailed, it is but an act of justice towards the governor, with whom it originated, to state, that whilst, on the one hand, he felt himself compelled to have recourse to it for the protection of the colonists, particularly of those in the Zuurveldt, where depredations had at this period been carried to an extent that had driven many of the inhabitants with ruin from their houses, the instructions issued by his lordship to the successive commandants of the frontier evince the greatest anxiety to guard against any act of unnecessary harshness or severity towards the Caffre in giving effect to it. "It is not," says his lordship, "to every officer, or to small parties, that the charge of demanding retribution should be entrusted; a sufficient force must be collected to enable the service to be performed without much risk; officers of experience and rank should be attached to these commands." The aid of the burghers was to be applied for if necessary; interpreters were to be provided; and "every step should be taken with promptitude and decision, using at the same time every endeavour not to give offence to the Caffre people beyond what is absolutely necessary; for," he adds, "it is a great object to the welfare of this colony that the Caffres should be as much as possible conciliated; and therefore, in all your intercourse with that people, you will not fail to bear this particularly in mind." And again, in the following year, 1818, when explaining to a new commandant the policy and objects of the government, and the means committed to him for carrying them into effect, the military secretary adds, "In every intercourse with the Caffres, it is his excellency's wish to treat them with tenderness and with strict good faith. He wishes to establish with Gaika in particular a closer union; and whenever it becomes his indispensable duty to chastise any of the border chiefs, he wishes and desires to confine that chastisement within moderate bounds, and not to destroy the cultivation or kraals of the offenders." From 1817, then, the system of reprisal had been acted upon to the month of April 1826, when Major-general Bourke abandoned it altogether, and directed, "that no invasion of the Caffre country should be made, either for the purpose of obtaining a stock of cattle equal to that of which the settlers may have been deprived by Caffre plunderers, or even for the recovery of stolen cattle or other property of settlers, although the most probable information may have been obtained as to the place to which it has been conveyed within that territory. Upon notice being given of such robberies, every exertion is to be made to

286

Colonel Wade.

21 March 1836.

overtake the plunderers before they arrive within their own borders; but upon no occasion short of the robbers or their spoil being actually within view, are the borders to be crossed by the troops." It was at the same time directed, that "the greatest activity and vigilance should be continued, for the purpose of preventing depredations or interrupting plunderers who might have succeeded in driving off cattle from the lands of the settlers;" and the general added, that he trusted "that the friendly intercourse, which the establishment of fairs had encouraged, and which might be still further augmented, joined to an entire abstinence from all irritating proceedings on our part, may have the effect of subduing the love of plunder which the savage tribes had hitherto manifested."

2771. Mr. Johnston.] What is the date of that order?—The 11th of April 1826. The fruits of this order soon became manifest; and in the following month of July the commandant represented the necessity of a departure from this system of forbearance in so far as that the patrols should be permitted to follow the spoor to the nearest kraal beyond the boundaries. The major-general, however, in a reply, dated 5th August, repeated his injunction, that "unless stolen cattle were actually in view, and that there was a probability of their being immediately overtaken, the border should not be crossed." The Committee will perceive from this statement, that it is an error on a point of considerable importance to state that "the reprisal system has been in operation ever since 1817." Here is a period of nearly three years (for these orders continued in force until February 1829) during which it altogether ceased, and one in which there was not only that "entire abstinence from all irritating proceedings" which the lieutenant-governor had enjoined, but, on the part of the colonial government, the most substantial proofs afforded to the natives on two separate occasions of the friendly feelings entertained towards them. To these I shall presently advert; but before I do so, I shall request the Committee to compare the return of cattle stolen from 1817 to June 1824, as given in the first part Parliamentary Papers, page 182, No. 50, 1835, with the evidence of the gentlemen who was chief magistrate of the frontier district during the whole period the orders in question were in operation; excluding, however, the losses in the year 1819, the cattle returned "stolen" in that year, not being by petty depredation but prize of war, and also the half year of 1824, there being evidently an error in the return. From his evidence, it appears that the average loss during the latter period "was 3,500 head of cattle and 120 horses annually," of which, Major Dundas states, not "one-tenth part was recovered;" nor must it be forgotten that during the first part of the former period, until October 1819, the Caffres still occupied the Bosch on the banks of the Fish River, which greatly facilitated their depredations; indeed, I am perfectly convinced, rendered the protection of the colonists from depredation, no matter by what system, and supported by what number of troops, utterly impracticable: and that during the years 1822 and 1823 of the same period, it is admitted, that "in consequence of the relaxation of the system of patrol, depredation had alarmingly increased." As I shall hereafter, with the permission of the Committee, revert to this subject of reprisal, for the purpose of examining the several systems that have been adopted for the protection of His Majesty's subjects, I shall not further dwell upon it at present. The second alteration in the frontier policy to which I have alluded was the law for facilitating (ordinance No. 23, September 1826) commerce with the Caffres. From the earliest period, the Dutch government, for a variety of bad reasons, had blindly set its face against intercourse with the natives; and the same unaccountable and short-sighted policy was adopted by the several English governors in succession, and persevered in for many years. Occasionally, indeed, these restrictions were relaxed, and then, after both parties had been permitted to taste the sweets, and been taught the reciprocal advantages of commercial intercourse, the non-intercourse system was again enforced with greater severity than ever, thereby necessarily increasing the very evils which it was intended, but certainly not calculated, to prevent. Within the last few years, however, this mistaken policy had been partially abandoned, and a regular traffic with the Caffre people had been established, for which purpose an "annual fair" was appointed to be held at Fort Willshire. Still this amounted to a very restricted intercourse, and Major-general Bourke determined to extend it. With this view, an ordinance was passed, in which, after providing penalties for trafficking



Colonel Wade.

21 March 1836.

trafficking at the Fort Willshire fair without a licence, or for maltreating Caffres who resorted thither, a clause was introduced, whereby the chief magistrate of the district was authorized "to grant to colonists of good character licences to trade privately with the natives beyond the boundaries," and also "passports to the natives beyond the frontier to trade within the boundaries." The third measure introduced by the lieutenant-governor went very much farther, however, towards altering the colonial policy hitherto observed in regard of the natives than either of the former ones. This was an ordinance (No. 49.) for repealing all former laws which prohibited the natives from passing into the colony, and which provided for their admission by pass, not for purposes of trade alone, but for that of entering the service of the colonists, or of residing at the missionary institutions. The main object of this law was to procure to the inhabitants a supply of "free labourers;" and when I state that it was introduced by the lieutenant-governor, it is right that I should explain that the measure originated with Lord Charles Somerset, had been proposed by him to His Majesty's Government, was referred back by Lord Bathurst to the lieutenant-governor and council, where the ordinance was at length completed as it now stands, (with the omission of, as it appears to me, two very objectionable clauses of the original measure, relating to "apprenticeships" and "a fixed rate of wages,") and was then submitted for and received His Majesty's approval, before it was promulgated; that the whole of these measures were conceived in the most truly benevolent spirit, and adopted with the firm conviction that their operation would materially benefit both the colonists and the natives, no one who is acquainted with General Bourke will for a moment deny; and that the ordinance for facilitating commerce was well calculated to encourage a friendly intercourse, and to establish a better state of things both within and without the frontier, is unquestionable. But it is not less so, that the "orders," which restricted the pursuit of stolen cattle by patrol to the colonial boundaries, without any effectual means being at the same time taken to compel restitution, or in lieu thereof an equivalent, with, in all cases, a penalty for the offence, went very far indeed to defeat the object for which they were issued, and were calculated rather to excite and minister to than to "subdue" that "love of plunder," which, as the lieutenant-governor truly stated, "had hitherto been manifested" by the Caffres. These barbarians were not to be so dealt with; and as no measure was better calculated than the 49th ordinance to afford them an opportunity to indulge in this their favourite propensity, so is it quite certain they were by no means slow to avail themselves of it. The result, and in my humble judgment, the inevitable one, was increased depredation, if not from the very date of the orders in question, certainly at no very distant one; and from that of the promulgation of the 49th ordinance, the most extensive abuse of the indulgences conferred, not indeed by the other native tribes, from whom a supply of useful herds and labourers was then and continues to be procured, but by the Caffres, who flocked into the colony, with and without passes, in every direction, and not for the purpose of contracting with the farmers or proceeding to the missionary institutions, but solely for that of watching for an opportunity to plunder. So greatly had these evils increased towards the close of 1828, that they would of themselves, I conceive, have rendered imperative, at no distant date, a change in the policy of the colonial government, even though other circumstances had not occurred at this period which accelerated the crisis and compelled that change not as a matter of choice but of necessity. For several years past the interior of Africa had been in the most unsettled state; distant tribes had been in movement towards our settlement, from what cause, whether that redundant population was pressing upon scanty means of subsistence, or that warlike and ambitious chieftains had appeared upon the stage and the usual consequences had ensued, it is unnecessary here to inquire. The Committee will find in the Rev. Mr. Thompson's letters, (Part 1, Parl. Papers, No. 50, page 206.) that in 1825 one of these invading tribes had attacked, plundered and dispossessed a considerable body of the Tambookies, who retreated towards the boundary of the colony; in 1827, the effects of this commotion had reached the immediate frontiers, and created no slight alarm both within it and amongst the Caffre tribes beyond the boundaries. Another portion of the Tambookies, a peaceful people, who inhabited the country in front of the north-east limits, and with whom we had always been on the most friendly terms, were attacked in the month of July by one of the stranger tribes in question, by whom they were dispossessed of their

288

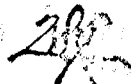
Colonel Wade.

21 March 1836.

country, and driven partly in upon the colony and partly into Caffreland. The lieutenant-governor hastened to the frontier, but before his arrival there the marauders having pillaged the Tambookies, and also a missionary institution on our immediate borders, had retired. Almost at the same moment the Caffres also were threatened with attack from another quarter, viz. by the Zoolahs, who inhabit to the eastward, in the country of Natal, one of the most warlike tribes, and conducted by the most ferocious and most successful leader who had yet appeared in Southern Africa. The Zoolahs had already approached the Caffre frontier towards the latter end of 1827, and in the following year their chief, Chaka, appeared determined to carry his threats into execution, and the Caffres were thrown into the utmost consternation and alarm. The governor and council had, however, already decided on the former occasion (and had proposed to give effect to that decision by a "commando," which was assembled when the invaders retired, and pursued them for a short distance, but without coming up with them), that, "without interfering in the internal disputes of the natives, it should be the colonial policy to maintain those tribes situate immediately in our front in the possession of their country, as long as by their friendly and peaceable conduct they proved themselves deserving of our protection."

2772. Mr. Johnston.] Who was governor at that time?—General Bourke; it was a short time before Sir Lowry Cole's arrival. The necessary arrangements were therefore made to support the Caffres, the avowed object of Chaka being to dispossess them and occupy their country, to which there is every reason to believe he had been instigated by British subjects residing at Natal, who had impressed him with the belief that an invasion of Caffreland would be favoured by the British Government. The chief Hintza, who lay first in the route of the invading force, and Gaika, with those on our immediate frontier, were called upon to lay aside their mutual jealousies, and make a resolute resistance against the common enemy, and the commandant of the frontier, Lieutenant-colonel Somerset, was directed to advance with the colonial forces, and, in conjunction with the Caffres, to oppose the further progress of the Zoolahs, to whom Major Dundas, the civil commissioner of Albany, had been shortly before despatched, to inform Chaka of the determination the colonial government had come to, to support the Caffres. At this moment (September 1828), Sir L. Cole arrived in the colony, the military and burgher force under Colonel Somerset being on the Bashee River, upwards of 200 miles beyond the boundaries. Now, what was the conduct of the Caffres on this occasion? "On our immediate borders, that of Gaika's people was such, plundering the inhabitants in every direction, that before the commandant could commence his march for the purpose of opposing the invasion of their country, he was obliged to take steps for repressing their hourly-increasing depredations within the colony, and was at last under the necessity of leaving behind him a detachment of the 55th regiment and a portion of the burgher force to accomplish this object; and as regards Hintza's people, in the rencontre which took place between Colonel Somerset's force and the savages, although there were, it is stated, upwards of 20,000 Caffres present, they remained inactive spectators of the fight, in so far as co-operation was concerned, their exertions, both during and after it, having been limited to the inhuman massacre of such of the women and children as were so unfortunate as to fall into their hands; an act of barbarity which was in direct violation of their engagements with Colonel Somerset, and which, together with their having abstained from taking any part in the dangers of the day, caused it to be notified to them by the colonial government that they were not to expect protection from the colony on any future occasion. It is right that I should explain to the Committee that the savages above alluded to were not the Zoolahs, for they had already retired, but the Massoutas, under their leader, Matuana, the same who had during the two last years attacked and driven the Tambookies in upon the colony, and who, having passed over the Stormbergen Mountains, were destroying the country and plundering and murdering the people of the Tambookie chief, Vossanie. The officer I have alluded to (Major Dundas) as having been sent to meet Chaka had already fallen in with these savages, and had assisted Vossanie in an attack upon them, for the recovery of the cattle of his tribe, which was fortunately successful; and as there is no transaction that has been more misrepresented than this one, I deem it right to annex the explanations which that officer has given to Sir L. Cole, in reply to an account of his proceedings published by one of the Wesleyan missionaries, Mr. Kay.—[*Vide* Annexure, No. 1.]

The



Colonel Wade.

21 March 1836.

The main body of the forces returned within the boundaries towards the month of September, but such was the excited and unsettled state of the whole Caffre people, that it was deemed necessary for some time to continue military detachments in advance of the eastern and north-eastern frontiers. During the absence of the troops, the Caffres, profiting by the indulgence granted by the 49th ordinance, had poured into the colony at every point of the frontier, and depredation was carried on to the most ruinous extent, and on some occasions was attended with acts of the greatest atrocity. At length two soldiers of the 55th regiment were waylaid and murdered by a party, who, as was subsequently proved, were sent into the colony by an inferior chief or captain for the purpose of stealing iron. The perpetrators of this most wanton act of barbarity were fortunately traced, and the chiefs compelled to give them up; and it must be admitted that on this occasion Gaika and some of the other chiefs showed an anxiety to detect and punish the offenders; the guilt of the latter was fully substantiated before the assembled chiefs; they were sentenced to death, and the Caffres required to execute them, with which they reluctantly complied. This act of retributive justice took place in the month of January 1829, and had for a moment the desired effect of intimidating the marauders; but within a few weeks depredation was rife as ever, and the governor at length felt himself compelled, as an act of justice to His Majesty's subjects, to revert to that more efficient mode of recovering stolen cattle and horses that Lord Charles Somerset had adopted; a measure, it must be observed, which Sir Lowry Cole had recourse to, not only in compliance with the representations of the civil and military authorities on the frontier, but at the express desire of Gaika and other of the Caffre chiefs, who in the preceding month of December had themselves represented "that the practice of discontinuing the pursuit on reaching the border, and calling upon the inhabitants of the nearest kraal to pursue it, had been the cause of much dissension and quarrel between the several chiefs," and, it must be added, "had been found in most cases ineffectual."

2773. Mr. Johnston.] For how long a period did General Bourke's system continue in operation?—From the month of April 1826 to the month of February 1829. Of the depredations committed at this period a very large proportion were attributed to the Caffres belonging to the two sons of Gaika, Macomo and Tyalie, who occupied, the former the vallies of the Kat Mountains, and the latter one of the tributaries of the Kat River, the Muncassanna; and as Macomo had moreover at the same time made that attack upon the Tambookies which is already recorded in the minutes, his removal from that tract, where he had been permitted to reside on sufferance, was determined upon, and a notification having been made to him that it would take place in a few months, it was accordingly effected in the ensuing month of April. As the "instructions" issued on this occasion are also on the minutes, I shall not further remark on this occurrence in this place, particularly as I shall have occasion to do so when speaking of the Hot-tentot settlements which were established in the country from which he was removed. Within six weeks after Macomo's expulsion the whole frontier was again overrun with parties of marauders; the Caffres re-occupied the sources of the Kat River from whence they had been removed, and were again expelled, but not before they had committed numerous excesses; the country was teeming with them; hundreds had entered with written passes, and had presented themselves, as required to do, at the military posts, "of whom not a dozen," as the civil commissioner reported, "were to be found in the service of the farmers;" there were also very many who had entered with passes, but had not presented themselves at all, and many more who had come in without having obtained any passes. The plundering at this period was carried to an unheard-of extent, and it was fully ascertained that if the chiefs did not encourage, they at least made no effort to suppress it. The ruinous nature of this harassing and never-ending system of spoliation will be best understood by the Committee, when I state that in the 10 months between November 1828 and September 1829, there were driven off by the Caffres, of oxen alone 5,560, and upwards of 300 horses, and of the former only 1,500 were recovered by the patrols; and it must be remembered that these were not losses resulting from any general inroad or combined attack, but the aggregate amount of 350 separate acts of petty depredation, committed by small marauding parties, perhaps never exceeding if amounting to eight or ten men each.

295
Colonel Wade.

21 March 1836.

2774. Mr. Johnston.] Have the documents to which you allude been given to the Committee before this time?—What documents?

2775. Those to which you have now alluded?—The returns of the depredations?

2776. Yes.—No; I give the amount of the losses from official documents; not official documents, however, which I can now produce, but which can be procured from the Cape. From my situation as military secretary, I can state to the Committee, without any hesitation, that these numbers are correct; I have taken them from the copy of an official document drawn up while I was military secretary, in the years 1831 and 1832, and which, if I mistake not, is in the Ordnance-office at this moment. From the above statement it will appear that the revival of the reprisal system had not had the effect of immediately checking depredations; on the contrary, subsequent to the month of February 1829, (when that system was renewed,) they were carried to an enormous extent, and in the two months of July and August alone they amounted to 2,029 head of oxen; but this is to be accounted for by the great facilities afforded the Caffres by the 49th ordinance for carrying them on with success; and as the evil consequences of the permission granted to them by that enactment, to throng into the colony, were now unquestionable, the governor, on the representations of the civil and military authorities on the frontier, and with the advice of the council, suspended (by a proclamation dated 24th August) the operation of it, in so far as Caffres were concerned, leaving it in full force as regarded the other native tribes, and the commandant was directed to remove all of the former who should be found wandering about, and who were not engaged in service; but as many of them had entered the colony under the protection of passes, he was particularly enjoined to use towards them as much leniency as possible. From this period the depredations, although still sufficiently grievous, were considerably reduced, and in the ensuing 12 months, from September 1829 to August 1830, amounted only to 2,619 oxen and 134 horses. There were, I must state, however, other circumstances which decided the governor to adopt this measure at the period I am speaking of, and I must also add, that it was the intention of Sir Lowry Cole to have renewed the permission to the Caffres to come into the colony on "pass," the same as the other natives, at a future period, if they had subsequently conducted themselves in a manner to merit that indulgence; but their conduct in 1830, to which I shall presently allude, as also to what I believe to have been the cause of that conduct, totally precluded it; for that conduct and same system were persevered in from that hour to the moment when he left the colony.

2777. Sir Rufane Donkin.] You mean that same system of Caffre inroad?—Yes; they were completely unsettled by certain circumstances that occurred in 1830, and also in 1832, which I will presently relate, and they never afterwards were so perfectly tranquillized as to merit a renewal of the indulgence that was at this period suspended. Reports had reached the governor at this time (August 1829) that the chiefs, instigated by Macomo, were preparing to invade the colony, and there were many circumstances calculated to strengthen the belief that such was their intention; the governor therefore determined to proceed to the frontier himself, and he accordingly arrived there in the middle of September. The alarm occasioned by the threatened invasion had in a great measure subsided, and having investigated the circumstances that gave rise to the report, he was at that time persuaded that a coalition amongst the chiefs for the purpose had not existed. But from information derived from the Caffres themselves, long afterwards, there can be no doubt that if Macomo could have persuaded the other chiefs to unite with him the invasion would have taken place, which is confirmed in the letter of the Rev. Mr. Shaw (who was living amongst the Caffres at the time) to Lord Aberdeen, which is before the Committee. Whilst on the frontier the governor had two conferences with the Caffre chiefs, Gaika and Macomo excepted, the former being ill and the latter not choosing to attend, when he again explained to them (for the commissioner-general had already done so) the grounds on which Macomo had been removed from the Kat River, the terms on which certain of the chiefs with their tribes would be permitted to remain within the colonial boundaries, the precise limits within which they were to reside, the system which would be adopted in recovering stolen property, and the inevitable consequences of depredations being persevered in, namely, that the tribe to which they were traced would be forthwith removed from the ceded territory. The Caffres pledged themselves to restrain their dependants, and for a few months, during

during the summer season, (which it must be observed is never that of active depredation) the amount of the latter was considerably diminished, and some of the chiefs, particularly those of Pato's tribe, exerted themselves in intercepting marauders and causing plunder to be restored; but in the month of March 1830, the predatory inroads were renewed, and depredation was carried on with a daring boldness and attended by circumstances altogether unprecedented.

2778. *Chairman.*] Why are depredations more suspended during the summer season?—In consequence of the lightness of the nights, and the more plentiful supply of provisions. The Caffres occupying the Chumie basin, those belonging to the sons of Gaika, sent away their families and their herds of cattle to a distance, they themselves remaining scattered over the country in large armed parties of 400 and 500 men each. They no longer permitted, as heretofore, and as was expressly stipulated for, small parties of the mounted Hottentot corps to proceed on the "spoor," but even ventured to attack and attempted to cut off patrols consisting of 30 men each, who were obliged to have recourse to their fire-arms to secure a retreat. The consequence of this conduct was that commando of "July 1830," most of the particulars of which are already on the minutes. I shall now relate the circumstance to which I have above alluded as having excited and unsettled the Caffres so much a short time before this, and beg to mention that this is the period which has been referred to by a former witness, Major Dundas. When Dr. Philip, the superintendent of the London Missionary Society, and his son-in-law, Mr. Fairbairn, the editor of one of the Cape newspapers, visited the frontier, it was represented to the governor that these gentlemen in their communications (and it was stated that they had several) with the Caffres had done much to render them discontented, by impressing upon them that they had been unfairly dealt with, and unfairly dispossessed of their country; and it was stated that they had recommended them to apply to the Home Government to be re-established in the ceded territory. In a letter written by myself to the commandant at this period, dated the 30th of May 1830, I find the following: "His excellency entirely approves of your acting towards the chief Charlie, and the Caffres generally, in the manner you have proposed, provided the commissioner-general and you are perfectly agreed that the several facts adduced in proof of the aggression of the Caffres have been substantiated, and that you also agree upon the measures necessary to be pursued in punishing them. His excellency's anxiety that the most complete proof should exist of the Caffres having been in each case the aggressors arises from his firm conviction that the late proceedings of Dr. Philip when on the frontier have in a great measure, certainly to some extent, been instrumental in exciting the Caffres, and inducing them to act as you state them to have done, and because, under these circumstances, it may hereafter be peculiarly necessary to be able to show that in acting towards the Caffres with severity we were compelled to do so for our own protection and security." Not very long after that letter to Colonel Somerset was written I received a private letter from him, dated "July 9, 1830," in which he says, "In reference to Dr. Philip's late proceedings in Caffreland," (these I beg to say are the letters to which Major Dundas referred in his evidence on the former occasion) "I have ascertained that he (Dr. Philip) assembled the chiefs, and said a great deal to them about the land to Boteman at Fort Willshire. He remarked that he (Boteman) should go to England and petition the King; that if the King would not give him redress, he should petition Parliament; and if he failed there he should appeal to the British public, who would take his cause up, and that he (Dr. Philip) would make every exertion for the Caffres. I mention this privately, not knowing whether Sir Lowry would desire that I should notice it officially. I have been given to understand that this communication took place in the presence of some of the officers. The mischief that these kind of people do, going into Caffreland with such feelings, is incalculable; it shakes the faith of the Caffres in the government, and makes them unsettled and suspicious in a most extraordinary degree." My reply to that letter, by direction of Sir Lowry Cole, was as follows: "July 16th, 1830. I have communicated to his excellency the contents of your letter of the 9th instant. If you can obtain positive evidence in writing of the truth of the statement you refer to respecting the nature of Dr. Philip's conversations with the native chiefs, particularly of the one with Boteman, his excellency desires that you will report officially on the subject. It is, however, of the utmost consequence that any evidence adduced on such an occasion should be perfectly clear and satisfactory, and altogether free from the slightest suspicion of its being the

297
Colonel Wade.

21 March 1836.

result of feelings excited by party or passion. If you can procure from Boteman himself, in the presence of some respectable person, an avowal that Dr. Philip's advice to him was such as has been stated to you, it is very desirable it should be obtained; but you will no doubt see the necessity of any inquiry into this matter being made in the most secret manner possible." Colonel Somerset's reply to that letter I have not possession of. It was, I believe, an official one, and if so, it doubtless will be before the Committee among the documents required from the Cape of Good Hope; but whether official or not, I perfectly recollect that the reply stated that there could be no doubt whatever as to the conversation having taken place, but that Boteman could not be induced to appear as an evidence, or to admit it; and Sir Lowry Cole therefore decided that as the conversation was carried on through an interpreter, he would not take official notice of it, because he did not think it would be sufficiently satisfactory unless the Caffre chief himself would give evidence. After Major Dundas mentioned this circumstance to the Committee last year, I wrote to the Cape of Good Hope to obtain information as to who the officer was who was present; and I received only last week a letter from thence, stating that the conversation was perfectly well known to have taken place, and that the officer, Lieutenant Robertson of the 55th regiment, had lately returned to this country from India. I wrote to Mr. Robertson last Tuesday, without adverting to the terms of the conversation, merely asking whether he recollected a conversation taking place between Dr. Philip and the chiefs; whether he was present, and could give information upon the subject. I received his answer this morning, in which he informs me, "that he was quartered at Fort Willshire in the year 1830, and recollects the visit of Dr. Philip, accompanied by Mr. Fairbairn (the editor of a newspaper), another missionary (name not at present in his memory), and two foreigners, likewise missionaries. The party remained some few days. Lieutenant Robertson recollects being present at a conversation that took place in a tent some short way distant from the fort, between the above party and the Caffre Chief Boteman, with several others, the purport of which was, to the best of Lieutenant Robertson's recollection, that he, the said Boteman, had been an ill-used man; that his case ought to be made known in England; that he ought to go himself to the King and Parliament, and if they did not give him redress for himself and people, all that he had to do then would be to appeal to the British public, and they would see justice done him. Lieutenant Robertson mentioned this to Colonel Somerset, at that time commandant of the frontier. Lieutenant Robertson begs to inform Colonel Wade that he is quite at liberty to mention his name as authority for the above."

2779. Mr. Johnston.] Did you mention that Lieutenant Robertson obtained this information through the medium of interpretation?—That the conversation was carried on through an interpreter.

2780. Chairman.] Do you imagine that Boteman and the other chiefs whom Dr. Philip addressed upon the occasion alluded to distinctly understood the relation in which Dr. Philip stood, that is, that he was totally unconnected with the government, but was merely addressing them as a missionary and a private individual?—Certainly; I have not the slightest doubt that the Caffres knew perfectly well he had no authority upon the frontier; that those who were authorized to treat with them upon all subjects were the commandant and the civil commissioner; and that the missionaries have never, I believe, since Mr. Thompson, one of those who was stationed in Caffreland, was employed as a government agent, acted in that capacity, nor have there commonly been any communications from the government through the missionaries. On the contrary, I know that, during Sir Lowry Cole's administration, he most carefully abstained from using missionaries for any political purpose whatever.

2781. Such being the case, and the Caffres distinctly understanding the relation in which Dr. Philip stood, they would naturally not attach any great weight to what he asserted, and the advice which he gave to them with respect to appealing to England?—I do not think that follows by any means. Dr. Philip is a person to whose influence much importance is attached among the natives, both within and without the boundaries; and I have not the least doubt that the generality of the Caffres did believe that Dr. Philip could obtain for them the ceded territory; and I have as little that his representations on this occasion did unsettle them very much. At the same time that Sir Lowry Cole felt it his duty to protect the lives and property of His Majesty's subjects by suspending the operation

293.
Colonel Wade.

21 March 1836.

operation of the 49th ordinance, as has been stated, he was not less solicitous to secure the natives from violence or injustice on the part of traders or others proceeding into Caffreland, as far as it was possible for him to do so; and he accordingly promulgated another ordinance (No. 81), "for the better regulation of the trade carried on beyond the boundaries of the colonies." The principal alterations introduced by this ordinance, as compared with that of General Bourke, which has been already alluded to, were the reduction of the licence to one-half, viz. from 6*l.* to 3*l.*, both for the traders at the fair and for those proceeding beyond the boundaries, but requiring the traders to enter into two recognizances of 100*l.* each for their own and the peaceable and good conduct of their servants "towards all and every person with whom they should meet beyond the boundaries," that they would only act "in defence of themselves or their property," "not sell or barter any fire-arms or ammunition to the natives," and neither "directly or indirectly kidnap, purchase or bring within the boundaries any person, &c. without his free will and consent;" also the quantity of arms and ammunition which it was permitted to each trader to carry beyond the boundary was to be noted upon the licence, and the traders were to present themselves at the nearest military post upon their return to the colony, and there to account for those arms. The ordinance also provided against any contract with the natives being entered into beyond the boundary, to guard them from being kidnapped, &c. I shall not at present further advert to the transactions in the year 1830 and 1831, which have been already pretty fully detailed to the Committee in the evidence of Captain Stockenstrom; there are, however, some observations connected with those transactions which I shall hereafter offer to the Committee. My reason for not doing so now is this: I have received letters from the Cape of Good Hope, alluding to the copies of several documents connected with that period which have been forwarded to me, but which I have not yet received; the letters have come to hand, but the copies of the documents were sent by another conveyance. Having in the former part of my evidence related the extent and consequences of the change in the colonial policy introduced by Major-general Bourke with regard to the Aborigines, beyond the boundaries, I shall next proceed to describe a most important, and, in many points of view, most salutary measure introduced by him for improving the condition of those within the colony, and which it is essential to advert to, in order fully to understand the objects the colonial government had in view in locating the Hottentots in the vallies of the Kat River in 1829, after the removal of the Chief Macomo. I do not consider it requisite to enter into any detailed history of the state of utter degradation from which the 50th ordinance was intended to rescue the Hottentots and other free persons of colour. Suffice it to say, that from all I have been able to learn, the state of the slaves was a thousand times preferable in every point of view to that of this unhappy race, who, amounting at the very least to a fourth part of the whole free population of the settlement, were held in the most degrading thralldom by their fellow-subjects, at the same time that both Dutch and English Governments over and over again admitted, and by the strangest of all inconsistencies admitted it in the very proclamations and ordinances in which their compulsory servitude was provided for, that "the Hottentots were a free people." From the withering effects of this bondage (in truth I know not how to designate so monstrous an anomaly), the 50th ordinance was intended to emancipate them; and it is but an act of justice to Major-general Bourke to state the fact, that to him, and him alone, are they indebted for that charter of their liberty, and not to any instructions from the Home Government, to the interference of the Legislature, nor, as has been over and over again asserted, to the publication by Dr. Philip, the superintendent of the London Missionary Society, of his "Researches in South Africa;" a point on which I deem it the more necessary to disabuse the Committee, because I am well aware that not only the Hottentots have been taught to ascribe to the exertions of that gentleman in their behalf, and not to the spontaneous act of the colonial government, both that measure and every other benefit which since its promulgation has been conferred upon them, but that very many influential persons in this country partake of this most erroneous, and, as regards the people of colour themselves, most mischievous opinion, one which, I must add, the public declarations of Dr. Philip in regard to this ordinance have been but too well calculated to confirm. Amongst other provisions for improving the Hottentots, the ordinance in question set at rest for ever the doubts which had arisen as to "the competency of the Hottentots or other free persons of colour to purchase and possess land;" and they were placed on the same footing with

294
Colonel Wade.
21 March 1836

288 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

all other colonists in this and all other respects, one only excepted, which, as in my humble opinion it operates directly to retard, in truth, I would rather say to render almost impossible, the improvement or advance in civilization of by far the majority of this class, I shall hereafter allude to in a more special manner. Some of the consequences of the emancipation of the Hottentots are thus described by Mr. Pringle, on whom I should certainly not rely, were not his statements derived, as I believe, from good authority, and the correctness of them on this subject borne out by my own subsequent inquiries.

“Immediately on the promulgation of the ordinance vagrancy to a considerable extent did take place among the Hottentots. Finding themselves all at once released from the coercive shackles and oppressive disabilities to which their race had been so long subjected, a large portion, from a not unnatural impulse, left the service of the colonists as soon as their contracts of servitude expired, and some even fancied themselves authorized by the new law to break short those engagements. Many repaired to the missionary institutions (which but few had been previously permitted to enter), without having adequate means to maintain themselves there. Numbers flocked to the district towns and villages, where the temptation of cheap brandy, procurable by little labour, soon betrayed many into profligate habits, and led some of them to commit depredations on the flocks of the farmers.”

On every account, then, it became a matter of great importance to induce these people to abandon their vagrant propensities, by affording them the opportunity of establishing themselves, wherever there was the means of doing so, within the reach of moral and religious instruction, the influence of society, and the protection of the magistracy. The ordinance had not been in operation two months when Sir Lowry Cole arrived, and one of his very first acts, before he had been a month in the colony, was to propose for the opinion of the commissioner-general a plan for the settlement of Hottentot families on the vacant government lands situate in the vicinity of the several towns and villages, as also their location on the government farms, which had been occupied by the several landdrosts, and had been lately resumed by the government. To this scheme, however, the commissioner-general objected, principally on the ground that in their present condition they had not sufficient check upon themselves to withstand the temptation which would be afforded, when so situated, by the ease with which strong liquors would be procured; and he recommended in lieu thereof the adoption of a measure which he had already brought under the notice of the government; viz. the occupation of the whole ceded territory by as many Hottentots, indiscriminately with other colonists, as could be found with sufficient character, recommendation and property, or assistance of others, to be set up as graziers or agriculturists. The occupation of the whole ceded territory by any class of settlers was a measure involving too many important interests and considerations to be hastily adopted: not only His Majesty's Government had not yet decided that it should be occupied at all, but the grants that had been made therein a few years back, in the parts adjacent to the Graaf Reinet district, although ultimately confirmed by the Home Government, had been commented on, both by the Commissioners of Inquiry and the Secretary of State, with great severity. The governor would not therefore have felt himself authorized to adopt the proposal in question without a previous reference to England, had he even been inclined to try experiments on so extensive a scale as to transplant into so important a position, in immediate contact with the Caffres, so large a body of the yet untried Hottentots, even indiscriminately with other colonists. It was precisely at this juncture that the attack of Macomo on the Tambookies occurred, and which, coupled with the extensive depredations committed by his people, led to his removal from the Kat River. Notice was immediately (in the month of January) communicated to that chief that he would be required to withdraw at a later period, but the occupation of the district he was to evacuate by Hottentot settlers was certainly not thought of for at least three months after his expulsion had been decided upon. In compliance with the “instructions” contained in the chief secretary's letter (already on the minutes), the commissioner-general, who was at Cape Town, proceeded to the frontier to superintend Macomo's removal; and it was not until his arrival at Uitenhagen that he wrote, on the 17th of April, to Colonel Bell, proposing that the Hottentots should be located at the Kat River. The reply of the chief secretary, communicating Sir Lowry Cole's acquiescence, is dated the 8th of May; and I request that these documents may be put on the minutes, in order that this subject, which has been most grossly misrepresented by a host of writers, who appear to have vied with each other in villifying both the colonists and the colonial government, may be set at rest for ever.—[*Vide Annexures, Nos. 2 & 3.*] The settlement of the Hottentots in the

Kat

295

Colonel Waite.

21 March 1836.

Kat River was commenced in the subsequent month of June 1829, and within one year from that date its progress was most favourably reported of, although the settlers had had drought, horse-sickness and Caffre depredations to contend with. These last were attributed principally to the numerous marauders who, notwithstanding the proclamation of August 1829, were still lurking in considerable numbers in the skirts of the locations. The progress of the settlement during the ensuing three years will be best understood by an enumeration of the population, stock, produce, houses built, canals opened, &c., as reported by the acting commissioner-general in July 1833. In 1830 the population consisted of about 900 souls, of whom from 250 to 300 men were available for defensive purposes. In 1833 there were permanently fixed in the locations 52 separate parties, constituting, not indeed a population of 5,000, as has been so frequently asserted, but one of 2,114, men, women and children, for the most part comfortably lodged. They possessed, moreover, 88 riding horses, 142 breeding horses, 2,444 head of cattle, and 4,996 sheep; they had sown 130 and reaped 2,300 muids of wheat and barley; built, besides inferior cottages, 12 substantial stone houses, planted 13 orchards, and completed 55 canals for irrigation, of which 44 measured 41,750 feet, or nearly 24 miles. It may be as well to add, that when I visited the settlement at the close of 1834, there were available, for defensive purposes, 300 mounted, and 451 dismounted men, who were in possession of 438 stand of arms, of which 192 were private property; in this force of 759 men were included, however, some who were not settlers, but natives from beyond the boundaries, chiefly the Gonahs, who were in the service of the farmers. To the colonial government, it appeared that a settlement which had, thus far, succeeded greatly beyond the most sanguine expectations of those who had planned it was well worth preserving, and that its inhabitants were entitled to a more than ordinary share of protection. It was an experiment made with the double view of "proving how far the Hottentots could be rendered available in assisting in the defence of the frontier in case of actual invasion," but "chiefly in how far they were capable of acquiring a character for good conduct and industrious habits, when left completely to themselves." As regards the former object, at the period I am speaking of, although they had been constantly harassed by, and indeed in almost daily collision with marauding bands of Caffres, they had fortunately not been called upon to resist any open attack or general inroad, such as has lately occurred; but with reference to the latter one, the above statement of their progress is the best evidence that they could be industrious, and were as capable of contending with ordinary difficulties as their fellow-men. I deem it essential to remark here, however, that, in my humble opinion, it would be the greatest of all mistakes to conclude that because the Kat River settlement has thus succeeded, another on a similar scale, and composed exclusively of the aborigines, would be attended with like success, or that if the mass of the Hottentots were so dealt with, a result equally gratifying might be fairly anticipated. That a portion of the common vagrant class of the Hottentots was to be found amongst those who were originally congregated at the Kat River is perfectly true, but there were also many Hottentots who had served in the rifle corps, many who had long resided at the different missionary institutions, and several who were in the possession of the surest test of industry, viz. property, some more and some less, acquired in the service of the farmers. But, in addition to these, there was also a considerable number of another and an infinitely superior class to the Hottentots, namely, the Bastards, men of sober, industrious and settled habits, who were both desirous of and apt for improvement, and to whose example and exertion the settlement is mainly indebted for its prosperity. Now, whilst of the vagrant Hottentots, unfortunately, many thousands might be collected in a very short space of time throughout the colony, it would, I am convinced, be exceedingly difficult to bring together an equal number of Bastards equally respectable and intelligent with those in the locations, without withdrawing them from places where they are already settled. As already stated, the Kat River people at the very outset were exposed, in addition to the usual difficulties settlers have to encounter, to horse-sickness, and drought, from both which they suffered severely. These were evils beyond the control of the colonial government; but, happily, in the succeeding years the settlement was blessed with plentiful rains and luxuriant crops. There still, however, remained other evils, and the most crying ones in the whole catalogue of their grievances, evils that grew with their growth and pressed sore upon them, and for the removal of which they looked to and had a right to expect the

296

Colonel Wade.

21 March 1836.

ference of the government. These were, first, the intrusion of hundreds of natives of every shade and denomination from without the colony, Caffres, Fingoes, Bechuainnas, Gonahs, &c. &c., and of multitudes of the vagrant portion of their own tribe from within it; secondly, the hourly-increasing vexatious and ruinous depredations, both by theft and trespass, of their Caffre neighbours.

Of the first class of intruders, the foreigners, there were in the settlement, in the month of October 1833, several hundreds, of whom some were usefully employed, as they had taken service with the farmers, but by far the greater number had established themselves, not only as squatters, but in regular kraals in the heart of the locations. "Idle dissolute vagabonds," (as they were described to me by the acting commissary-general,) "declining to take service, following no occupation, subsisting on the plunder of the inhabitants, and, moreover, sturdily refusing to leave the settlement when required to do so." Of the second class, the domestic vagabonds, the Hottentots, the colonial laws on the subject of vagrancy did not, and do not, apply to them, the whole of the judges being at that time of opinion, and the majority of the bench still remaining so, and administering the laws in conformity to that opinion on circuit; "that no law which at present exists, nor any that may be framed for the suppression of vagrancy in the colony, can be carried into effectual operation in respect to Hottentots, or other free persons of colour, so long as the 2d section of the 50th ordinance stands unrepealed."

I beg to say, that the above extract is from the opinion of the judges, addressed to the governor and the legislative council, when called upon, in 1834, to explain the nature of the laws then in operation in regard to vagrancy, and to state whether the 50th ordinance had or had not the effect of exempting the Hottentots from arrest on the charge of vagrancy. In the first instance, the judges were unanimous in their opinion, that so long as the second section of the 50th ordinance stood unrepealed, Hottentots could not be arrested on a charge of vagrancy; subsequently the chief justice changed his opinion, but the majority of the bench retained the former one; and they were unanimously of opinion, that even if the 50th ordinance had not the effect of exempting the Hottentots, and that if so much of the old law of the colony as remained unrepealed should be re-enacted in the form of a new ordinance, that it would be totally unsuited to the circumstances of the case and the state of the colony.

To this evil, therefore, the settlers were obliged to submit. The law refused them protection, and the executive could not interfere with or set aside the law; and, as they themselves described it to me on the spot, they were "eaten up" by the swarms of their friends and relations, who, having no fixed abode or lawful means of subsistence, were living upon them in a state of wilful idleness (in a colony where every individual who is willing to work can obtain employment), and when not thus provided for by the improvident hospitality for which their race is proverbial, were providing for themselves by depredations on the flocks of the farmers; their uncontrolled vagrancy necessarily leading in the first instance to the commission of petty offences, and the constant repetition of these to acts of a far more serious nature, and to a considerable "increase of crime" throughout the colony; the inevitable consequence, as it appears to me, of the unhappy gift of unrestricted liberty conferred on the free coloured population by the 50th ordinance, without any attendant measure for controlling their irregularities, and saving them from the worst enemy they ever have had to contend with, namely, themselves. I beg to add here, that the proof of "increase of crime," which it is my intention to offer to the Committee, is the copy of a return prepared by one of the judges and the attorney-general, taken from the record of the indictments of all cases and persons tried in the supreme and circuit courts from the year 1828 to the year 1833. But at the same time it must be recollected that in that return the petty offences which have been tried in the resident magistrates' courts are not included, and, amongst others, the theft of a single sheep. Such offences are not included in the statement I shall produce; but I know that the increase of petty offences tried in the resident magistrates' courts since 1828 is very considerable, compared with what they formerly were. Speaking on the subject of the visits of the vagrant Hottentots to their industrious brethren in the Kat settlement, I was assured on the spot that many individuals of industrious habits, who had entered the locations in the possession of quite sufficient property to promise a fair chance of success, had within a few months after their arrival been obliged to withdraw and seek for service, their last sheep having been devoured by their indolent and voracious visitors. As regards the second source of evil I have mentioned,

"Caffre

297
Colonel Wade.

21 March 1836.

"Caffre depredation," neither their own personal exertions nor the unceasing watchfulness of the detachment of troops, which from the very first was placed for their protection immediately in front of the locations, and close to the Caffre borders, (and until the late irruption was always continued there) had availed to protect them. The settlement being at the extreme boundary of the district, and projecting into Caffreland, afforded a ready means of intercourse with the natives, and to such an extent had the latter profited by this, that it was reported to me, towards the close of 1833, that a large number of Caffres, with their families and cattle, had actually taken up their residence within it. In addition to which, the valley of the Muncassanna, one of the tributaries of the Kat River, was still occupied on sufferance by the chief Tyalie's people, who at the period of Macomo's expulsion, in 1829, had been permitted to retain possession of it. From these quarters, then, the settlers were exposed to that systematic aggression of which they complained, and their progressive improvement, far from affording any additional check, only served to tempt the Caffres to a more wanton species of annoyance than they had hitherto practised; for they not only plundered the settlers of their cattle, sheep and horses, and occupied with their own herds the tract appropriated as grazing ground to the settlement, but constantly drove their cattle into the tillage grounds and gardens of the Hottentots. From this evil at least the colonial government felt that it was bound to relieve them, and in doing so it is right to add, that it only acted in strict conformity with the instructions of the Secretary of State. It was therefore decided to deprive Tyalie and his people of the indulgence they had so long enjoyed and so wantonly abused. This chief was, without any doubt, one of the most troublesome and turbulent amongst the whole of the Caffres, and it was well known that from no people had the colonists suffered more severely. In 1830 his conduct and that of his tribe had been to the last degree outrageous; as, however, he subsequently showed some contrition, and exerted himself in some cases to procure the restitution of stolen cattle, the governor, although frequently urged, as appears in the correspondence on the minutes, both by the commandant of the frontier and the commissioner-general to remove him, permitted him to remain; but he was warned, and which was over and over again repeated to him in the years 1831 and 1832, that if he persevered in depredation, and vexed and plundered the settlers, he would inevitably be driven from the colony. In the acting commissioner-general's reports of July 1833, there were many cases of this ruinous species of trespass reported; several depredations were at the same time committed; and the whole subject having undergone discussion, a very short time before Sir Lowry embarked for Europe (on the 10th of August), orders were transmitted to the civil commissioner and commandant to remove Tyalie and his people from the Muncassanna beyond the colonial boundaries. Finding that government had decided on this measure, Tyalie did not offer any resistance, or render the employment of the troops and burghers, who were in readiness to enforce compliance, necessary, but withdrew from the colony, and was placed behind what was erroneously supposed to be the boundary, viz. the "Gaga," one of the small periodical streams which have their source in a ridge of no great elevation, which commences where the Kat Berg terminates, runs thence parallel to the course of the Chumie and Keiskamma Rivers, as far as Somerset Mount, where it branches off to the westward, and encloses several other streams that run directly to the sea.

In order to understand correctly the subsequent proceedings in regard to the Caffres of Tyalie, Macomo and Boteman, it is absolutely necessary that the precise line of demarcation, that which was established at the conference between Lord Charles Somerset and Gaika on the 14th of October 1819, should be clearly ascertained. This line of boundary is thus described in the Government Gazette, a few days after the conference: "The left bank of the Chumie, to where it joins the Keiskamma, from thence to the sea, and the ridge of the Kat River hills, to where they join the chain of the Winterbergen, shall be the line of demarcation, from the spot at which that ridge touches the Chumie; so that the waters that fall from that ridge into the Chumie shall belong to Gaika, and those that fall into the Kat River shall appertain to the colony." And in the instructions to the commandant of the frontier, dated 17th October, it is stated to be "the Keiskamma from the sea, to where the Chumie falls into it, and the ridge of the Kat River hills from the Winterbergen to where they touch upon the Chumie." And again, in Lord Charles Somerset's despatch to the Secretary of State, dated October 15, 1819, it is thus defined: "It has been finally stipulated that the Caffre border shall in future be the ridge of the Kat River hills from the Winterbergen, to

298

Colonel Wade.

21 March 1836.

292 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

where that ridge joins the river Chumie, the Chumie itself to its junction with the Keiskamma, and from thence the Keiskamma to the sea." Now by a reference to the map it will appear that this is a very distinctly defined boundary, so long as it is marked upwards from the Keiskamma mouth by the water line of that river and the Chumie, and downwards from the Winterbergen by the ridge of the Kat River hills, but that as "that ridge," as it is called in the Gazette, or "the ridge of the Kat River hills," as it is designated in the instructions, nowhere "touches on the Chumie," there is one point in the centre of the boundary which, having neither water line nor mountain ridge to indicate it, is very liable to be misunderstood. The Committee will recollect that in his evidence, (page 81, Q. 965,) Captain Stockenström states, that in 1822, when the Caffres returned within the ceded territory and repossessed themselves of the upper sources of the Kat River, doubts arose as to the precise line in that quarter; that he was then directed to show the authorities in the engineer department the frontier, as he understood it to exist; and that he proceeded with Lieut. Pettingall, an officer in that corps, to the spot, and pointed it out to him. Now it so happened that when a question arose, at the period I am speaking of, in October 1833, as to what constituted the connecting link between the river and mountain boundary already described, and which it became essentially necessary, on removing the Caffres from the neighbourhood of the Hottentot locations to determine, Lieut. Pettingall was at Cape Town, and I requested him, as an officer perfectly acquainted with the localities, to point it out and trace it upon my map of the frontier, and that map I now submit to the Committee. Lieut. Pettingall informed me that it was not the "Gaga" stream, which falls into the Chumie at a place called the "Block Drift," and has its source, not in the Kat mountains, but in that ridge running parallel to the rivers which I have just described, but the next stream, the Corookokoo, above the "Gaga," which flowing directly from the Kat mountain, falls into the Chumie at the "Two Brothers Kraal," that formed the connexion in this part of the line. I must here remark, that it was very evident to me, on examining the map with an officer so perfectly acquainted with the subject as Lieut. Pettingall, why that upper stream was adopted, at a period when the complete exclusion of the Caffres from the ceded territory was intended, in preference to the Gaga. Had the Caffres, when Lord Charles Somerset conceded to them permission to retain the basin of the Chumie, been permitted to extend along the right bank of that river as far as the Gaga, and that thence the boundary was to ascend the left bank of the latter stream to its head, the completely open space which intervenes between that point and the one where the Kat Burg terminates would have afforded them the readiest access to the country from whence they had just been expelled; whereas by adopting as the boundary and confining them behind the upper stream, which, as already stated, runs directly from the Kat Mountain to the Chumie, they were, although badly shut out, yet as completely so as the nature of the country there would admit of. I shall only add on this subject, that when I visited the locations in October 1834, Mr. Thompson, the clergyman who had been missionary and government agent with the Caffres at the "Chumie" for some years, assured me that the upper stream was the true boundary; that behind it he found the Caffres when he first joined them; that Macomo and Tyalie were both perfectly aware that it was the boundary; and that he had himself pointed it out as such to Mr. Fairbairn on his visit to the frontier in company with Dr. Philip in 1830.

Having explained this point, I shall next proceed to state the grounds on which I deemed it necessary to direct, on the 11th of October, the further removal beyond the colonial boundaries of such of the Caffres as were residing within them northward of Fort Willshire. The removal of Tyalie from the Muncassanna, by the order of Sir Lowry Cole, was not effected until the middle of September; but once completed, I was under the impression, as I knew Sir Lowry Cole had been when he embarked, that there did not remain a Caffre north of Fort Willshire, with the exception of a small portion of Boteman's people, who could possibly molest or interfere with the Hottentot locations; and as the officer of the Kat River post was strictly enjoined to prevent them from re-occupying or approaching the Muncassanna, I was not a little surprised to learn that depredation continued, but most particularly so that the trespasses on the Hottentot corn lands and gardens were persevered in. On speaking on this subject with the officer of engineers already named, and also with another officer who had lately returned from the frontier, I discovered, to my great astonishment, that the chief Macomo had his kraal established not very far from Fort Willshire, and that his Caffres were in occupation of a considerable portion of the strip which, running northward

299
Colonel Wade

21 March 1836.

northward towards the Kat Mountain, is inclosed between the river and the waggon road leading from the Chumie missionary station to the fort. It at once appeared to me evident that the protection Sir Lowry Cole had intended to afford the Hottentot locations by the late exclusion of Tyalie's people from the Muncassanna was not in the least degree attained, or likely to be so, so long as the Caffres remained in possession of the Gaga Valley and the tract alluded to; on the contrary, whilst Tyalie's Caffres occupied the Muncassanna as a matter of indulgence, their chiefs were held responsible for their conduct, and there was some sort of check upon their aggressions; but from the moment they were removed thence, all motive for repressing them ceased; also it was evident that to attempt to discriminate between the Caffres of the different chiefs was utterly impossible; Macomo had established his kraal on a portion of the country assigned by Sir Lowry Cole in 1829 to Boteman, (to this I shall allude hereafter); the Caffres of the chiefs were intermixed, and were almost in immediate contact with those of Tyalie in the Gaga valley; the head of the Gaga was within perhaps a mile of the source of the Muncassanna, an open pasture and lying between them; and thus the whole had as easy access to the Hottentot locations as when Tyalie occupied the latter. I therefore decided on placing the people of the latter behind the true boundary and on removing the others from the colonial territory; and I shall only add, that having in the following year personally inspected the country in question, I felt fully satisfied that the opinion I had adopted the year before was a correct one, namely, that it was absurd to pretend to protect the locations whilst the Caffres were permitted to occupy the country in question, and that it was an act of mercy to remove the latter from the temptations which must attach to their close proximity to the borders of the settlement. Being obliged to proceed with this explanation without having access to official documents, I shall here offer one example of the conduct of the Caffres at this period, from "a note of proceedings taken in the circuit court on the 11th of August 1834." William Sands, colour-sergeant in the Cape Mounted Rifle Corps, duly sworn, deposes: On the 27th of September 1833, I was sent on patrol with six rank and file of the Cape Mounted Rifle Corps to observe that the Caffres were not grazing within our territory; they were in the habit of doing so for some weeks, although repeatedly warned not to do so; I found cattle grazing within our boundary; I told my men to drive them to the post. I divided the cattle into two portions; one portion I and another soldier drove up a steep hill, where the path was very narrow, and it was very difficult to drive them; the remainder of the cattle was driven up by the remainder of the soldiers. When I got to the height, I left the cattle, and returned a part of the way down the mountain to assist in getting the remainder of the cattle up, but I returned back immediately, as I thought the Caffres were going to block the pass up at the top of the path. When I reached the top, I saw a great number of Caffres standing on a rock, and some others rescued the cattle I had brought up, and were driving them away. Shortly after, the rest of the cattle were brought up the pass by the soldiers; we rested a little time there. I ordered the soldiers to mount and drive the cattle to the post; we had no sooner done so than the Caffres, between 300 and 400 in number, charged down from the rocks upon us, making a great noise and brandishing their assagais, and in the attitude of throwing them. Many of these Caffres came within a few yards of us, and were prevented from throwing them at us by our threatening to fire upon them. I ordered three men to drive the cattle, and I remained in the rear with the other three men to keep the Caffres back, who were pressing on the party. They followed us some miles, and to within 150 yards of the post. During this period of driving the cattle the Caffres made repeated charges upon us, coming close up to us with their assagais raised, as if about to be thrown. In all these charges the prisoner was conspicuous, urging the others on, and constantly putting himself in the attitude of throwing the assagai, and was prevented only by our people presenting their arms at him and threatening to shoot him. I considered that my life and the lives of the party with me were in great danger by the violence of this man and his companions. My men several times applied to me for leave to fire; but as I had strict orders not to fire unless assagais were thrown, I forbade them, otherwise I should have fired upon them." With regard to the chief Macomo, I have said that I was surprised to find that he was within the boundaries. It will be recollected that he was expelled by Sir Lowry Cole from the Kat River in 1829. Sir Lowry Cole's orders were positive, that he never should be permitted to re-enter the colony. He had also reported his proceedings on this occasion to the Secretary of State; and the latter, in his reply,

300

Colonel Wade.

21 March 1836.

294 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

directed "that none of the tribes beyond the boundaries should be permitted again to locate themselves in the ceded territory." When Sir Lowry Cole went to the frontier in 1829, and held the conference I have mentioned, the only chiefs he did not see were Macomo and Gaika; the latter was ill, and died shortly after, and Macomo would not attend, and Sir Lowry Cole never saw him at all. I am the more particular on this point, because there has been an impression on the minds of persons well informed upon frontier affairs that Sir Lowry Cole had seen Macomo living within the boundaries, and assented to his remaining. Sir Lowry never visited the frontier at all but at the period I am speaking of, in 1829, and the period at which it has been stated to me in a letter from the Cape, and upon very good authority, too, that Sir Lowry Cole saw Macomo there, was in 1830. Now Sir Lowry, I repeat, never was on the frontier but once, and then Macomo refused to attend the conference, and he never gave him permission to re-enter the colony. It has been stated to me by an officer who will be examined by the Committee, Colonel Cox, that Macomo was permitted to come into the colony in 1830 by Colonel Somerset; that he was sent by Colonel Somerset to Fort Beaufort to Colonel Cox, having entreated for permission to reside there near the barracks; that subsequently he was again removed; and I am aware that on more than one occasion representations were made to induce Sir Lowry Cole to give Macomo permission to come back, and to fix himself with a few followers at some distance within the boundaries; but, I repeat, he never did accede to that request. Now the fact as to Macomo's being in the colony I have reason to believe is this: that he was permitted by Colonel Somerset, who has been always exceedingly indulgent to the Caffres, to come in with a few followers in 1832, and that subsequently his people by degrees all followed him. The spot from which he was removed by my orders, in the year 1833, was part of the tract which Sir Lowry Cole had assigned to the chief Boteman when on the frontier in 1829; Boteman was exceedingly discontented at the portion allotted to him, and very shortly afterwards withdrew to the opposite side of the river; and I do not believe that he ever afterwards permanently resided within the boundaries, although a small portion of his people did so; not, however, a very great number of them. I shall here introduce a circumstance that occurred at the period before Macomo was removed by my orders, which will serve to show the Committee at once the insubordinate conduct of Macomo, and the improper interference of some of the missionaries with regard to these Caffre chiefs and their people. In October 1833, there was a missionary meeting held at the Kat River, at Mr. Reid's; Mr. Reid sent an invitation to Macomo to come to that meeting, although he knew very well that no Caffre was permitted to come into the colony without a pass; Macomo presented himself at the Kat River post with 20 Caffre followers, mounted, and requested the officer in command, Lieutenant Gardiner, to give him permission to go to the missionary meeting; Lieutenant Gardiner refused, having had the most positive orders that no Caffre should be permitted, under any pretence whatever, to go into the Kat settlement (it was very shortly after Tyalie's people had been removed from the Muncassanna); he therefore told Macomo that he could not give him permission; he was exceedingly dissatisfied, but withdrew with his people. It afterwards appeared, that at some distance from the post he turned into another road, through the Muncassanna, and so went to Mr. Reid's house, where he staid with 20 of his followers, for, I believe, two days, and was present at the missionary meeting. At last Lieutenant Gardiner, the officer at the post, discovered that he was in the settlement; he then sent a sergeant and party to make him prisoner and bring him away. If I mistake not, it was the evening of the second day that the sergeant arrived, just after they had set down to tea at Mr. Reid's. The sergeant is a perfectly well-conducted man; I saw him at the Kat River post, and inquired into the whole of the circumstances, when I was on that part of the frontier; for it had been asserted that he was drunk, and went on in a most brutal manner; that he seized Macomo, dragged him out, and carried him away; now I have the authority of the officer, Lieutenant Gardiner, for saying that the man was perfectly sober, and that he knows him to be a quiet and respectable sergeant; and from the inquiries I made on the spot, I must add, that I do not believe there is one tittle of truth in the statements that were published on that subject. The sergeant went to Mr. Reid's, found Macomo there, and brought him away to the post; Mr. Reid went with him to the post, and excused himself to the officer (who upbraided him for having a Caffre in the district, contrary to orders)

Colonel Wade.
21 March 1836.

orders) by saying he was not aware that Macomo ought to have had a pass. I have only discovered within these few days that the officer alluded to is in England. I wrote to him (although I had inquired into the circumstances myself when at Kat River) for an explanation of the circumstances, and his account, as far as it goes, corroborates what I had previously heard upon the subject.

2781*. Mr. *Johnstone*.] You wrote to Lieutenant Gardiner?—Yes. I beg to add here, that at this same period when I removed these people there were several depredations attributed, and I believe most justly so, by the authorities to the chief Enno and his people, occupying the narrow strip of country below Fort Willshire, between the Keiskamma and the waggon road; and that I was urged to remove him and them beyond the boundaries, but which I abstained from doing until a strong case should be made out against them, because I felt, at the distance to which they were removed from the locations, Fort Willshire interposing between their kraals and that settlement, there was a chance of curbing them, and preventing their intrusion; and if I mistake not, there will be found in the correspondence moved for by the Chairman an official letter (a private communication on the subject, both to the civil commissioner and commandant, I perfectly recollect), directing that Enno should be warned that a perseverance in depredation would inevitably lead to his removal at no distant date. I must add, that he is, without exception, I believe, the greatest scoundrel on the frontiers.

2782. Mr. *Johnston*.] In the proceedings with regard to Macomo's removal in 1833, did you consider the upper river, which you have mentioned to the Committee as being the proper boundary?—Certainly, I did. I have already explained that the chief Charlie and his people was removed from the Muncassanna by order of Sir Lowry Cole. His orders were that they should be placed beyond the colonial boundaries; they were placed, not beyond the colonial boundaries, but beyond what was erroneously supposed to be the colonial boundaries, the Gaga. The source, as I have stated, of the Gaga is within a mile of the source of the Muncassanna; therefore when I ascertained that depredations continued, I asked the officer of engineers to point out to me the exact boundaries, and he showed me that it was the upper stream and not the Gaga, and it was at once evident to me that as long as the Caffres occupied the Gaga the depredations could be easily accounted for, as they had only a mile of open ground to go over into the Muncassanna, and therefore I at once decided upon removing them behind the upper stream, above the Gaga.

2783. Did the officer give any reason for his inferring that this upper river was the proper boundary and not the Gaga?—I have already stated it was the same officer who was sent with Capt. Stockenstrom when a doubt arose as to the precise boundary in 1822. He had persons sent along with him to mark out and ascertain the boundary, and it happened fortunately that this same officer was in the year 1833 at Cape Town, and he traced the boundary himself upon that map, where the dotted line now is.

2784. *Chairman*.] Then having ascertained from Lieut. Pettingall, who surveyed the boundary, that an error had been committed, you considered that you were justified in removing the Caffres further to the eastward?—Yes. I must explain also, that this was the first time since 1823 that it had become necessary to ascertain the boundary in that direction, because the Caffres had been permitted to return to the colony "on sufferance," and that country had been occupied by them from that period. Macomo was expelled from the vallies of the Kat in 1829, but Charlie was still left in possession of the Muncassanna, and therefore it had not before become necessary to ascertain the precise boundary. Sir Lowry Cole left Charlie, certainly the most troublesome chief upon the frontier, on that stream, the Muncassanna, and as nothing at that moment was brought against him, permitted him to retain possession of it, although a tributary of the Kat River, where at the same time he located the Hottentots.

Annexure, No. 1.

SOME Account of the Expedition and Mission to the Eastward of the Colony of the Cape of Good Hope, to meet the Zoolah Chief Chaka; with Comments on certain Observations on that Expedition by Stephen Kay, Wesleyan Missionary, in his book, entitled, "Travels and Researches in Caffraria."

June 1828.—In the month of June 1828, in consequence of reports having reached the colony that Chaka had invaded the territory of the Caffre tribes, I received directions from

Colonel Wade.

21 March 1836.

the colonial government to proceed with an armed party of colonists to meet that chief, for the purpose of endeavouring to persuade him to relinquish the plans for subjugating the several tribes between his country and the colony which it was understood he had formed; to declare to him that it was the determination of the government to support those tribes in the possession of their country; and to threaten him with hostile measures in the event of his persevering in the attempt to carry those plans into effect.

July 10.—In pursuance of my orders, I collected a sufficient party, of above 50 colonists, and early in July I left Graham's Town. On the 10th day of our journey, after having passed through the Caffre country, and when among the Mambo tribe, I heard by a messenger from the front that the Zoolahs had retired from the banks of the Umgemvoolo River, and also that a horde of strangers, supposed to be Zoolahs, had passed that river about 30 miles northward of the course the Zoolahs had before taken. This intelligence determined me to halt the greater part of my people, and to allow them, with their horse, time to recover from the effects of the journey, which were beginning to appear in dysentery among the men, and loss of condition in the horses, and to proceed myself with three or four attendants about 80 miles farther, to see the Chief of the Amapontos, to whom it was desirable that the favourable intentions of the government towards them should be made known, and to witness the state to which the Zoolah depredations had reduced his people. Having made choice of a favourable situation for the bivouac of my party, I proceeded onwards, and after a journey of three days, passing over a country everywhere laid waste, I reached the kraal of Faako, the said chief, and found him in a state of almost utter destitution and despair. After remaining with him an hour, and hearing that though he knew that strangers were in the country north of him, he was not certain who they were, the spies whom he had sent not having returned, I lost no time in rejoining my party, which I did after a separation of six days; and, without further delay, I proceeded northwards to meet the Tambookie chief Vossanie, who had sent messengers to me to say that a vast horde had passed over the mountains (the Stormbergen), and were then destroying the country, and plundering and murdering his people. I joined him, after a three days' fatiguing march, passing over, during the last day, a depopulated country, whence all that could escape had fled, leaving their dwellings and property to the prey of the marauders. I had met many fugitives during my journey whose fetters were strongly marked, and who appeared to be in a state of great wretchedness and privation.

On my meeting with Vossanie he represented to me the condition of his plundered people, and said that the finest part of his country had been laid waste; that, so sudden and unexpected had been the attack made upon them, they were unable to drive off their cattle, and remove the corn with which (the harvest being just over) the kraals were full, and that famine was consequently to be apprehended; that many of his men had been killed in attempting to protect their property, and that great numbers of their women and children had been either murdered or carried off. This my observations on my journey had in great part verified, as the kraals in many places were still burning, and there were numerous bodies of the slaughtered inhabitants everywhere to be seen. The extent of country thus ravaged must have exceeded 600 square miles, and which the savages had selected as being the finest and most populous portion of the Tambookie territory, and consequently presenting the richest harvest for their cupidity. I learnt that spies had been sent among the enemy, who reported them to be very numerous, and that after collecting much cattle, they had united their forces and occupied very strong ground, backed by the mountains, where it was his (Vossanie's) intention to attack them. Messengers also had been sent, who stated them to be Monguanas, under Matuana, their chief; that they had been ill-treated and sent back by Matuana, who said that he, with his people, would remain in the Tambookie country until they had eaten up all the cattle. I learnt further that these were the same people who had made inroads into the country during the two previous years, and would now, it was apprehended, never leave it until the Tambookies were destroyed as a nation; that they had on this occasion entered the country from the mountains, and had moved to the attack of their victims simultaneously in four compact bodies, and had everywhere overpowered this people.

Under the circumstances above detailed, I recommended him to collect all his men, which, having made previous arrangements for that purpose, he did the following day, and a body of 6,000 (the most extraordinary armed force that could be well imagined) moved forward. I myself, with 20 men of my party, accompanied them, intending to assist, in the event of that being necessary.

On descending into the plains near the embouchure of the "Umtata River," where its several sources leave the mountains and afterwards unite, the whole country, for miles around, appeared alive with cattle, which were being driven towards the kloofs and woods on the mountain side, and could only be intercepted by moving my mounted party quickly forward. This I did; and the cattle of which the Tambookies had been plundered were recovered by them and driven off.

In thus affording assistance to the Tambookies, I felt that the circumstances of the case fully justified me. During the two previous years military movements had been made from the colony to repress these same invaders; and so important did General Bourke consider the last of these commandos, that he himself came to the frontier to direct, if needful, its movements. They had, however, retired before his arrival, and the party sent in search returned without coming up with them.

The opportunity of giving the marauders a lesson offering itself on this occasion, I did not hesitate in availing myself of it, more particularly as I could thereby assist a depressed tribe, with which the colony had always been in friendly relation, and show to those savages that

that the Tambookies would be protected from their attacks, and also impart confidence to the latter in the attempt they were about to make for the recovery of their lost property and country.

I feel confident that the facts I have stated fully justify me in having given the needed assistance; for not only did I at the time restore comparative peace and confidence to the alarmed natives, but I prevented their being driven in upon the colony, and producing thereby a repetition of those evils to which the colonists on the frontier had been subjected the previous year. And, I am sure, that had I not afforded the countenance and help I did, so dreaded was the very name of the Ficane, from their cruel, sanguinary and relentless character, the Tambookies would not have dared to attempt their expulsion.

It was fully my intention to have sought an interview with Matuana, the Monguana chief, but I considered that had I done so previous to the attack, time would thereby have been given to him to secure the captured cattle in the fortresses of the mountains; and the great object I had in view in giving assistance would have been lost sight of; and when towards evening the Ficane had retired, that was impossible, or rather hazardous, as after the recapture of the cattle not a Tambookie was to be seen, and I was left with my own small party alone upon the ground, who were too few in number, and too near an exasperated enemy, to justify my running any risk of being attacked during the night, which was just then setting in. In the course of the day two young Tambookie girls, who had been taken by the Monguanas, and had escaped during the confusion of the encounter, came towards my party, and by them I was misled into the belief that the enemies were Chaka's people, and, under that delusion, my letter to the colonial secretary, reporting in detail the circumstances and occurrences of the expedition was written, which will account for the apparent inconsistency of acting hostilely, and without previous conference, against a people I was sent to negotiate with, when I had in reality planned to assist in an attack upon, and did attack, another and a different body of no less restless and resolute marauders who had already occasioned much trouble to the colony.

The foregoing is a correct, and I trust clear account of everything that occurred as far as I and my party were concerned in this expedition. My reasons for affording assistance, I have briefly stated, and the many individuals who were with me on the occasion would bear evidence that I have in no way misrepresented the facts; but Mr. Kay attempts to throw the whole odium or blame of the contest between the two tribes upon me, and pretty plainly points me out as the cause of the commando which afterwards assailed the same tribe. For what reason this missionary has, in giving to the world his account, carefully kept from view the irruption of the Monguanas on this and former occasions, the destruction of the Tambookie kraals, the murder of the people, and the forcible occupation of the country, and stating the Tambookies after this to be the promoters of the war, I really am at a loss to comprehend. I am equally astonished at his false and barefaced assertions, assertions which I never, while I remained in the country, heard made, "That the cattle taken from the Monguanas by the Tambookies had not been their property originally, but were their own, and that afterwards all those cattle had been retaken by the Monguanas," which last act of those people "gave rise to a hue and cry, which put the whole of Caffreland into commotion, and the colony itself was supposed to be in danger."

In defending my own conduct from the aspersions of Mr. Kay, I do not wish to involve any question respecting the commando which entered the country under Lieut.-Colonel Somerser, and therefore satisfy myself with again affirming, that his statement is throughout most false, and, in my opinion, intentionally so. I say intentionally, because he must have known what everybody else did, or if there were any differing accounts current, he, previous to writing, might have procured correct information from the Wesleyan missionary, Shrewsbury, an upright and honourable gentleman, who resided at the time near the disturbed spot, and knew well that the aggressors, who Mr. Kay calls Monguana and his herdsman, were not the innocents he would wish to represent. From Mr. Shrewsbury I had, both verbally and in writing, his thanks and those of his brethren for the part I had taken, for the protection to himself and missionary property I had afforded, and, to use his own words, "for the humanity displayed in effecting a great good without unnecessary sacrifice of life."

Mr. Kay himself allows that the Monguanas were the remains of a part of the tribe which had depopulated and laid waste the whole of the Bechuana country, and he describes them as of "far more ferocious character than the Caffies." "The Zoolabs and Mantatees (i. e. Monguanas,) rushing on to combat in dense masses, with stabbing spear and war club, and destroying the hordes overpowered by them, root and branch." What, I may ask, could be done with such, as he describes them to be, who had entered a peaceful country as aggressors? I knew well their character. I had had afflicting and revolting evidence of their cruelty, and of the misery which for years before they had occasioned to the tribes around; I knew that being bereft of their own country by Chaka, they had, under Matatusee (hence the name of Matatees, as applied to this people), the father of Matuana, gone forth, to gratify their revenge, and satisfy their wants, and, as they themselves had been destroyed, as the destroyers of their weaker neighbours; and that when all the plunder they had taken from the Bechuana tribes was consumed, they, year after year, crossed the mountains, on the north of which they had fixed themselves, and where their old and infirm people remained, and came down upon the Tambookies to plunder them also; and knowing all this, how could I be justified in withholding the assistance Vossanie required at my hands?

Woolwich, 17 March 1834.

W. B. Dundas,
Brevet Major, Royal Artillery.

Annexure, No. 2.

Colonial Office, Cape of Good Hope, 29 Sept. 1828.

Colonel Wade.

21 March 1836.

It having appeared to government that considerable advantage may be derived from the settlement of Hottentot families on vacant government lands, situated in the vicinity of towns and villages, where they may enjoy the protection of a civil magistrate, the commissioner-general's attention is directed to the accomplishment of this object, and he is desired to point out, after due investigation, such places as he may deem most fitted for the purpose. It is not improbable that some of those farms which were lately occupied by the landdrost, or parts of such farms, may be found to be well adapted for such settlements; there is likewise a considerable extent of ground near Swellendam which may be converted to this purpose.

The plan on which it is proposed to encourage these settlements is as follows:

1st. That small erven, not exceeding one morgen each, be granted to the heads of families rent-free for the first three years, on condition that the same be substantially enclosed, and a house of such dimensions as may be determined on (as a minimum) be built thereon, in stone or brick, within that period.

2d. That these conditions being fulfilled, the erven should be granted on perpetual quit-rent, at one shilling and sixpence per annum.

3d. That on failure to fulfil the conditions within three years, the erven shall be resumed.

4th. That to each settlement a portion of grazing ground should be allowed as commonage, calculating upon one or two milch cows, or the equivalent number of goats, for each erf.

5th. That the distribution of water should be regulated, but conducted at the expense of the occupiers of erven.

By the proposed plan, each head of family, whether white person or Hottentot, would command a supply of milk and vegetables for its use, while his subsistence would chiefly depend on *his daily labour*, either in agriculture with the neighbouring farmers, or as a mechanic.

In Albany, or the other frontier districts, means may possibly be found for locating, in this manner, many of those men who have been discharged from the Cape Corps, and perhaps a part of the landdrost's farm near Graham's Town might be appropriated for the purpose.

The commissioner-general will report on such positions as may seem to him favourable for these settlements with as little delay as possible after each inspection, in order that government should reserve in its hands the means of proceeding on the proposed plan, either now or hereafter.

By command of his Excellency, the Governor,
(signed) John Bell.

Annexure, No. 3.

Cape Town, 13 Dec. 1828.

Sir,

HAVING given the fullest consideration to the subject contained in the Memorandum issued for me from your office on the 29th September last, I beg leave to observe, that the settlement of the Hottentots and their gradual advancement generally to a state of agriculturists, having long occupied my attention, I am prepared to say that their assemblage in villages near towns, or even remote therefrom, will not be found to answer the desired object. The Hottentots, in their present condition, have not sufficient check upon themselves to withstand the temptations afforded by the ease with which strong liquor is to be procured; where bodies of men are congregated in or near the proposed villages, shops for the retail of such liquor would be opened, every disposable article would be turned into money for the purchase thereof, the conditions of the grants would not be complied with, the grants would consequently be cancelled, and the inhabitants dispersed, farther removed from civilization than when they were collected. It strikes me that all laws which kept the Hottentots, as to their political rights, beneath other classes of His Majesty's free subjects in this colony having been abolished, no extraordinary measures towards forcing their advancement can be necessary; on the contrary, these can only retard their real improvement, by turning things out of their natural course. Villages and towns should be left to create themselves, as the improvement of trade induces people to settle in compact numbers, and there are few places in the colony where even the *industrious* Hottentot would find a ready market for the surplus produce of erf. I would therefore recommend that, in the granting of lands, the Hottentots be put upon an equal footing with the other colonists; that where they can prove themselves capable of stocking or cultivating a farm, a proportionate quantity of land be ceded to them, allowing them a reasonable term for the payment of expenses of survey, &c. and improvement of the place.

I have, in my letter of the 22d ultimo, attempted to point out the necessity of the occupation of the whole of the ceded territory; in it I should propose settling as many Hottentots (indiscriminately together with other colonists,) as can be found, with sufficient character, recommendation and property, or assistance of others, to be set up as craziers or agriculturists. The grants should be as small as the water and other localities will admit of, in order to secure a dense population, and the greater strength. Among the discharged soldiers of the Cape Corps at the missionary institutions, and in various other parts of the colony, many fit subjects of the above description can be found, and I feel confident that no better defence against the Caffres (in case of necessity) does exist than such a community of Hottentots, attached to the soil by the right of property would be.

I have, &c.
(signed) A. Stockenström.

305

Veneris, 25^o die Martii, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Charles Lushington.
Mr. Bagshaw.

Mr. Hindley.
Mr. Wilson.

MR. FOWELL BUXTON, IN THE CHAIR.

Colonel Wade, called in; and further Examined.

2785. *Chairman.*] WILL you proceed with your statement?—Before I do so, I wish to state, that I have received some letters in reply to communications I sent to the Cape of Good Hope, transmitting, by permission of the Committee, copies of the evidence taken before it during last session. One of them is from the commandant of the frontier, Colonel Somerset, and on his part I have to say, that he would before now have forwarded to me depositions on oath respecting several parts of the evidence that has been given before this Committee, if he had not been confined to his bed for upwards of six weeks, after the receipt of my letter, by an attack of erysipelas; he has, therefore, only at the present moment written a letter to me, dated the “8th of January,” requesting that I would state this to the Committee, and that he will transmit forthwith depositions touching the evidence which has been given, in so far as it relates to himself. In his letter, he says—

Colonel Wade.

25 March 1836.

“I have only this further to say, that every act of mine is open to, and I request may have the fullest, investigation. I have nothing to conceal; I always exerted myself to execute, to the best of my ability, the duties entrusted to me; and my letter to Mr. Hay, written in the summer of 1833, in England, will show how far my views coincided with those of the late governor, Sir Lowry Cole. I can only this week send you the copies of two letters and one statement, made by the Rev. Mr. Chalmers, on the subject of Lieutenant Sparkes and Lieutenant Austin’s patrol; next week I hope to send you copies of many other important documents, as well as copies of the affidavits of the farmers relative to Captain Stockenstrom’s allegations.”

The next letter that I shall communicate to the Committee is from the civil commissioner of Albany, Captain Campbell, dated the 8th of January, in which he states—

“In Captain Stockenstrom’s letter of the 31st of August, 1831, on the minutes, a charge is brought forward against Field-cornet Erasmus, in the following words: ‘Erasmus, in joining the main body, reported that he had been ferociously attacked by Zeko and his people, and that the chief and seven other Caffres had been killed in the rencontre. This was believed, and so reported to you, (to the governor); and the Caffre cattle were disposed of, as had been threatened; but it now transpires that Zeko and six of his men were murdered in cold blood, and another Caffre severely wounded.’ This charge is repeated,” Captain Campbell adds, “in the ‘Memoir,’ dated London, 31st December 1833, and still more elaborately in the evidence taken before the Committee, commencing at question 986, and ending at 1002. Had the commissioner-general made a communication to me, the civil commissioner of the district, on this subject, it is most certain that I should have investigated the matters at the time, and confronted all the parties. A short time before the date of Captain Stockenstrom’s Memoir, namely in August 1833, one of the Glasgow missionaries reported to me that a Caffre, named Chala, complained of having been unjustly deprived of 25 head of cattle, three or four years previously, by a farmer named Nel. As soon as I could discover the residence of Nel, I immediately placed the case in the hands of a law agent, who summoned all the Caffres who could give evidence, and the case was tried at the circuit court here, before the chief justice of the colony, in October 1833, and the farmer was acquitted on Caffre evidence. I may add, that I took the whole responsibility upon myself on that occasion, entering into a bond to pay all the legal expenses in the event of the Caffre chief losing the cause, which I accordingly did pay, and which was afterwards returned to me by the government, who approved of the whole of my proceeding. I mention this only to show that if Captain Stockenstrom had communicated with me upon the subject, a most scrutinizing investigation would immediately have been instituted, and the matter sifted to the bottom.”

306

Colonel Wade.

25 March 1836.

300 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

bottom. However, although I cannot but regret that an opportunity was not afforded me to inquire into the subject immediately after its occurrence, and when all the parties interested could have been confronted, still I felt it incumbent upon me to institute a public examination now, late as it is, to collect the best information that can be obtained. I am now proceeding in this inquiry, and I send you a copy of the examination as far as I have gone: you will find among them the depositions of the Hottentot, Boesak Tamboer, who had been with the division under Erasmus; and as he was examined by Captain Stockenstrom at a subsequent period, I conceive he must be one of the Hottentots alluded to in his reply to question 991.

The next document, then, which I take the liberty of producing to the Committee contains the depositions, above alluded to, of six or seven persons who were employed on the commando in 1831, under Erasmus, on the occasion when the Caffre chief Zeko was killed; and I beg to say, that I have deemed it necessary to bring this matter immediately before the Committee, before proceeding with my own statement, as Captain Stockenstrom is, I am aware, about to leave the country, and I think it is right he should know that such documents have been sent, and that they are to be followed by many others upon the same subject, and also by others touching other parts of his evidence. These are the depositions:

District of Albany. At Graham's Town, upon the 6th day of January 1836; before us, Duncan Campbell, Esq., resident magistrate for the district of Albany, and Henry Ball Rutherford, Esq., justice of the peace for the same district, appeared *Hans Jurgen Lombaard*, residing at Jordaan's kraal, in the field-cornetcy of Fish River, in the district of Albany, about three hours from Graham's Town, who being duly sworn, deposes: I was a provisional field-cornet in the year 1830, and am still; I was on the commando under the direction of the field-cornet Rasmus Erasmus, in the month of June 1830; I joined him at Fort Beaufort. I was directed to proceed to that place by Capt. Stockenstrom, the commissioner-general, who said he would meet me there. When the whole of the civil force was assembled at Fort Beaufort, we proceeded to Fort Willshire, when Capt. Stockenstrom, in my presence, directed Field-cornet Erasmus, who had the superintendance, to proceed to the kraals of Zeko and Gebeco, and to bring away all their cattle, and if any resistance was made, and assagais thrown, we were to fire upon them. He added, "Burghers, do not let the black fellows get the better of you." We proceeded to the kraal of Zeko, which we reached early the following morning: we found a small number of cattle near the kraal, the Caffres having driven all their cattle out of the kraal when they saw us approaching, which we took. I went away with a small party of burghers to collect some more cattle, which we found concealed in a wooded ravine close by, and brought them to Erasmus when he was upon his return from the kraal; there were many colonial cattle among them, some of whom had brand marks, and many of the others which were not branded were identified by some of the farmers who were with me. When at some distance from the kraal, I saw a Caffre and Erasmus apparently in conversation, and I afterwards saw the latter turning out of the general herd a number of cows, which were left at Zeko's kraal; there was no resistance made, and no violence offered by any of the civil force; we then drove the cattle away towards the colony. When I joined Erasmus with the cattle I found in the wooded ravine, there were four or five unarmed Caffres following him, but not assisting to drive the cattle. Shortly after a great number of Caffres came up to us, armed with assagais, and some with two bundles of assagais. I spoke to the field-cornet Erasmus, and asked him if he noticed the great number of Caffres that were armed, and I added that it was quite evident they intended to endeavour to rescue the cattle. Erasmus said he perceived it, and was also of opinion that they would make the attempt. The country became here wooded, and the Caffres passed us to a wooded neck of land, through which we had to pass. When the advanced portion of the cattle entered the neck, the body of Caffres there gave a loud, peculiar shrill whistle, accompanied by shouts, which drove the cattle back upon us with great violence. As the cattle were rushing upon us I heard some of the burghers calling, "the Caffres are throwing at us," meaning they are throwing assagais at us, and immediately afterwards I heard shots fired. I was in the rear of the party, and the firing of the shots was in front; it was the work of an instant. I did not see any assagais thrown, but I saw the burghers pick up some of those that were thrown. I saw one Caffre that was shot; I do not know if there were more. None of the burghers were wounded. Field-cornet Erasmus was in the rear with me when this occurrence took place; we were obliged to take shelter behind a bush to avoid being trampled down by the cattle; when the Caffres turned the cattle upon us great confusion suddenly ensued, and men and cattle were mixed together. Erasmus gave no orders to the party either to fire or do anything else; it was so sudden that there was no time to give orders had he been so disposed; and as soon as the confusion had subsided a little, Erasmus ordered the cattle to be collected together, which we did, and brought the cattle to Fort Willshire. The Caffres disappeared after the firing, and we were not again molested on our journey. I do not know who the person was that fired; I believe that the provisional field-cornet, Daniel Ferras de Lange, was in front. I was not personally acquainted with Zeko, and I cannot say that he was the Caffre that I saw lying dead. On our arrival at Fort Willshire, a considerable portion of the cattle taken from Zeko was returned by Erasmus to the Caffres, who had come there for them; these Caffres were ordered to go into the enclosure where the cattle were, and to turn out all that

25 March 1836.

that were Caffre cattle, which they did; and at length they began to turn out as such colonial cattle, with brand marks upon them, upon which Field-cornet Erasmus interfered, and prevented them. The chief Tyali was with the Caffres, and he himself turned out the cattle from the enclosure, while Erasmus stood at the gate. When I went in pursuit of the cattle, from Zeko's kraal, it was because I had cattle driven from that kraal to the wooded ravine, where I found them; it struck me that they were stolen cattle; the distance from Zeko's kraal to the place where the Caffres turned the cattle upon us was about an hour and a half on foot. Three or four days after this occurrence I and the greater part of the commando were ordered to Buffalo River, to meet Capt. Stockenstrom and Colonel Somerset. He, Captain Stockenstrom, examined me as to the circumstances which occurred when we were taking the cattle from Zeko's kraal to Fort Willshire, and I briefly related the substance of what I have this day said, and he expressed his approbation of our conduct. He said, "you have done right." Captain Stockenstrom did not at any subsequent period question me on the subject; nor did I ever hear until to-day that Erasmus, or any other of the party, was charged with "having murdered Zeko and his people in cold blood," or with any other improper conduct on that commando. The five unnamed Caffres that I spoke of as being with Erasmus were in the rear when the cattle were turned upon us.

(signed) *H. J. Lombaard.*(signed) *D. Campbell, Civil Commissioner and Resident Magistrate for Albany and Somerset.*(signed) *H. B. Rutherford, J.P.*

(A true copy.)

D. Campbell,
Civil Commissioner and Resident Magistrate
for Albany and Somerset.

2786. Mr. Hindley.] Are the questions which were put to the witness left out, and his answers arranged consecutively?—I take for granted that it is so; they appear to be depositions drawn up from the answers to questions that were put to the witnesses; I have not the slightest doubt that it is so.

2787. Are the depositions signed by the persons giving evidence?—They are signed by the several witnesses, and certified as true copies by the magistrate before whom they were taken.

David Petrus de Lange, residing at Groen Draag, in the field-cornetcy of Koenap, in the district of Albany, agriculturist, duly sworn, deposes: I was a provisional field-cornet in the year 1830. I was with a commando that went to Zeko's kraal in the month of June 1830; the commando was under the orders of the Field-cornet Petrus Erasmus; Erasmus now present. We assembled at Fort Beaufort, and from thence we proceeded to Fort Willshire; at the latter place we found Captain Stockenstrom, the commissioner-general, and Lieutenant-colonel Henry Somerset, the commandant of Caffraria. They assembled the field-cornets; and I heard Captain Stockenstrom order Field-cornet Erasmus to proceed to the kraal of Zeko and Gebeco, and to seize all the cattle they could find there; that if the Caffres resisted, or threatened to attack him with their assagais, he was to fire upon them. We proceeded from Fort Willshire, and reached Zeko's kraal about eight o'clock the following morning. Zeko and his people saw us approaching, and drove out their cattle into the thickets near their kraal. We collected them together, and Zeko made his appearance at some distance from where we were. Erasmus and I went to him. Zeko requested that we would leave his milch cows with him, which Erasmus assented to, and allowed him to take them from the herd. After having taken all his milch cows he was then taking other cattle, which Erasmus prevented, and explained the orders which he had received from Captain Stockenstrom; and if he wanted more cattle he must come with him to that officer, which Zeko said he would do. We proceeded on our way to Fort Willshire, and Zeko and some of his men overtook us shortly afterwards; they were not armed; but we had not proceeded far when we found a multitude of armed Caffres about us. We sent to them to say that they must not approach with arms, but they returned no answer, and their numbers kept increasing. Having proceeded in this manner upwards of an hour, a party of these armed Caffres went in advance of the cattle; they whistled and shouted, and turned the cattle, and drove them upon us with great violence. We were obliged to get out of the way to prevent our being trodden down. All was confusion; the cattle, burghers and Caffres all mixed together. The Caffres separated two parcels of the cattle that I saw from the herd, and hurried them over a ridge that was close by, and carried them off. During the confusion, Philip Kock, one of my men, called to me, and said, "the Caffres are throwing assagais at us;" I then said, "Fire, and recover the cattle." I galloped up with my people, and they fired some shots at the Caffres, and then went after the two parcels of cattle that I have already spoken of, and overtook them on the other side of the ridge, and brought them back. The Caffres succeeded in carrying off some portion of cattle, but not in the direction where I recovered the two parcels spoken of. There were six or seven Caffres killed by the discharge of fire-arms, all of whom had assagais in their hands: Zeko was one of them. I saw Zeko fall, and I am positive he had his assagais when he fell; he must have got them from some of the armed Caffres who joined us on the road. There was a cloud of dust raised by the cattle and horses, which prevented my seeing what was going on; but when Kock called out, they are throwing assagais at us, I saw Gert Scheepers alight and pick up an assagai which was thrown. There were so

308

Colonel Wade,
25 March 1836.

many Caffres around us, and they are so dexterous in driving cattle, that it would have been impossible for us to have retained possession of them had we not intimidated them by firing upon them. We could not have executed the orders we received, to bring these cattle away, had we not repelled by this means the attempt that was made to take them from us. We could not, with safety to ourselves, have attempted to drive the cattle any further without repelling the Caffres, whose numbers were always increasing. Before quitting Zeko's kraal, Erasmus explained to that chief, and directed him to make known to his people, the orders he had received from Captain Stockenstrom to fire upon the Caffres if they made resistance. After firing upon the Caffres they did not approach close to us again, but they followed us in great numbers, and kept upon the heights, as if looking for another opportunity to rescue the cattle. In this way they followed us until dark, and until we got near Fort Willshire. We left the cattle at Fort Willshire, and Erasmus and I, and several others, went to Buffalo River, to report to Captain Stockenstrom, who examined me, respecting what had occurred when we were driving the cattle from Zeko's kraal. I related the circumstances to him precisely as I have told now; he said, "You have acted very properly; it is a pity you did not shoot more of them." Captain Stockenstrom ordered Erasmus to deliver up to the chief Tyalie some of the cattle which we had taken, and which Tyalie was to identify. Tyalie was accordingly admitted into the enclosure where the cattle were, and he drove out cattle until a dispute arose about his driving out cattle which were known to have been stolen from the colony. Erasmus told Tyalie he was not to take out colonial cattle, upon which he got displeased, and would not drive out any more. The remainder of the cattle were brought to Graham's Town, and delivered up to the civil commissioner, who distributed them among the persons whose cattle had been stolen by the Caffres during the preceding year. I received seventeen head as my proportion for upwards of seventy head that had been taken from me during the same year; the other claimants received in the same proportion as I did. Captain Stockenstrom never made any inquiry of me as to the circumstances that occurred at the death of Zeko, after the report that Erasmus and myself made to him at the Buffalo. I received the orders to join the commando from Captain Stockenstrom, the commissioner-general. When the commissioner-general gave his orders at Fort Willshire to Erasmus, in the presence of the other field-cornets, he spoke in the Dutch language: he said, we were to take Zeko and Gebeco's cattle: he said nothing about taking only the cattle from their kraals which could be sworn to as colonial property; and I am positive that his orders were that we were to fire on the Caffres in the event of resistance.

(signed) *David Petrus De Lange.*

(signed) *D. Campbell, Civil Commissioner and Resident Magistrate for Albany and Somerset.*

(signed) *H. B. Rutherford, J. P.*

(A true copy.)

D. Campbell,
Civil Commissioner and Resident Magistrate
for Albany and Somerset.

71 January 1836. *David Petrus De Lange* recalled and examined. When Zeko was shot he was with the Caffres, and he was in the act of driving the cattle away and running when he fell. When Zeko fell I did not know that it was him, I only ascertained afterwards that it was him when I saw him lying dead on the ground. The following extract from Captain Stockenstrom's Memoir being read to the witness, viz. "For which atrocious act, the shooting of Zeko and the other Caffres, there could have been no reason except to find a plea for seizing Caffre cattle, contrary to my orders," he deposes it is not true; the cattle were already seized, and that by his own orders. Field-cornet Erasmus had that morning ordered his men not to fire upon the Caffres unless they attacked them with their assagais. I did not communicate with Erasmus before I gave the order to fire; the attack was so sudden, and the confusion so great, that there was no time to go to Erasmus, or even to ascertain where he was; besides, I forgot to mention before that my attendant, a Bechuana, who understands the Caffre language, and who was riding a little behind me, pushed up his horse close to me, and said, "Master, the Caffres who are behind are calling to those in front to drive the cattle upon us, and then to stab us and take the cattle away from us." I said to him, "We cannot do anything, they must begin first." Shortly afterwards Kock, as I have already stated, called out to me that the Caffres were throwing assagais at us, and it was then I ordered the men to fire.

(signed) *David Petrus De Lange.*

(signed) *D. Campbell, C. C. and R. M. for Albany and Somerset.*
H. B. Rutherford, J. P.

(A true copy of the original.)

D. Campbell, C. C. and R. M.

Doesak Tamboer, a Hottentot, residing with Cornelius Van der Nest, agriculturist at Bosch Fontein, field-cornetcy of Glen Lynden, district of Somerset, duly sworn, deposes: I was in the service of field-cornet Erasmus, and accompanied him when he went on an expedition to Zeko's kraal, about five years ago; we left Fort Willshire and arrived early the next morning close to Zeko's kraal, where we off-saddled to rest the horses; my master there explained to the burghers the orders he had received from Captain Stockenstrom, and said further that none was to fire unless the Caffres drew their assagais. We then proceeded to Zeko's kraal, and collected together the cattle: Zeko sent a Caffre to ask for some milch cows; Erasmus said he had no orders from Captain Stockenstrom to give them; the Caffre went
away,

Colonel *Wade*,

25 March 1836.

away, and came again and said that Zeko said that the calves would die if the cows were not given up to him; upon which Erasmus then told the Caffre to drive them out, which he did, and drove them away toward Zeko's kraal. We then proceeded on with the cattle towards the colony; several Caffres went with us, for the purpose of showing us the nearest way, and helping us to drive the cattle; these Caffres all had kerries, some one and some two. On looking round, I saw a great number of armed Caffres following at about a distance from here to the mill, (about 700 or 800 yards); the Caffres that were with us led us into a place towards a neck of land, where the country was covered with large thorns and bushes; I asked the interpreter, Wynand Bezuidenhout, what the Caffres were saying; he said that they said they were showing us the nearest road. All at once I heard the Caffres whistle and shout, and the cattle instantly rushed back upon us; the rush was so sudden, and there was so much noise and dust, that I could scarcely see what was going on. Erasmus pulled up his horse and got behind a gorrah bush, and I followed him, to prevent our being trampled upon by the cattle. Erasmus took his gun, which I carried, and held it ready on his thigh; I then saw the cattle rush violently past us, and the whistling and shouting, with which the Caffres drive cattle, continued. It appeared to me at the time as if some of the Caffres had got in front and had driven the cattle back upon us. I only saw one Caffre, and he was running in among the thickest of the cattle; just at this time I heard some shots fired to the right; the freshest and best of the cattle galloped violently past, and returned the same road we came; the remainder stood still, as if they had been stopped. When Erasmus and I rode out from behind the bush, we drove such cattle as were near us towards the rest of the party. Erasmus then got the people together, and immediately inquired what was the matter? who had been firing? and for what reason? and I heard some of the party say that they fired because the Caffres had thrown at them. I do not know what became of the Caffres who came to show the way; when the attack was made upon us they disappeared, and I only saw one of them running in the midst of the cattle that were driven back, as I have already stated. We then collected the cattle, and drove them to Fort Willshire. When the firing was over, I saw several of the after-riders have assagais in their hands, which they said they had picked up. Some time afterwards, it may be a month or more after the occurrence, a Hottentot came on foot to Erasmus's place, where I was, and took me to Captain Stockenstrom, who was then at the Kaga post. Captain Stockenstrom examined me as to the circumstance which occurred after we had left Zeko's kraal, and I related to him the circumstances as I have done to-day.

(signed) *Boesack* ^{his} *Tamboer*.(signed) *J. H. B. Wanand*, } Witnesses.
Geo. Jarvis, }(signed) *D. Campbell*, Civ. Com. and Reg. Mag. for Albany
and Somerset.*H. B. Rutherford*, J. P.

(A true copy.)

D. Campbell,
Civil Commissioner and Resident Magistrate
for Albany and Somerset.

Theunis Jacobus Botha, residing at the Koenap Poort, in the field-cornetcy of East Riet River, district of Somerset, provisional field-cornet, duly sworn, deposes: In the month of June 1830, I received a letter, dated 8th of June 1830, and signed A. Stockenstrom, requiring me to assemble a party of burghers, and to proceed with them on the 15th of the same month to Fort Willshire, which I accordingly did; on reaching Fort Willshire Captain Stockenstrom, the commissioner-general, and Lieutenant-colonel Somerset, ordered Erasmus to proceed with his men to the kraals of Zeko and Genecho, and if there were colonial cattle there to bring them, as well as the Caffre cattle, to Fort Willshire. I accompanied Erasmus to Zeko's kraal, where we found a number of colonial cattle amongst those belonging to Zeko and his people. Erasmus permitted Zeko, at his own request, to keep the milch cows, and told him that he must go to Fort Willshire, to Captain Stockenstrom, before he could get the rest of his cattle. Erasmus also cautioned Zeko not to allow his people to offer resistance, as his orders were to fire upon them if they did so. We then proceeded with the cattle towards Fort Willshire; we had proceeded about an hour from Zeko's kraal, and were passing through a bushy part of the country covered with mimosas; there were about 2,000 head of cattle, and they formed a long line; I was in the centre of them, and could see neither what was going on in front or in the rear. I saw some Caffres armed with assagais to my left, going towards the cattle, and when they saw me they concealed themselves behind a bush, and very shortly afterwards I heard a loud whistling and shouting in front, and the cattle was turned upon us, and a great confusion ensued; I heard shots fired immediately afterwards; I do not know what resulted from the firing; the cattle were much scattered by this attack. I went with my people to collect them together, and after they were collected we proceeded on with the cattle to Fort Willshire. Four or five days afterwards I was present at Fort Willshire, when Captain Stockenstrom, discussing this matter with Erasmus, made the observation that we ought to have shot more of the Caffres. I saw a bundle of assagais in the hand of John Grayling, now dead, immediately after the shots were fired, and which he told me he had taken from Zeko, whom he had shot.

(Marked No. 1.)

(signed) *T. J. Botha*.(signed) *D. Campbell*, C. C. and Res. Mag. for Albany and Somerset.
H. B. Rutherford, J. P.

0.22.

Q Q 4

Before

Colonel Wade.
25 March 1836.

Before Duncan Campbell, Esq. resident magistrate for Albany, *Wynand Jacobus Bezuydenhout*, residing at New Year's River, in the field-cornetcy of Fish River, district of Albany, agriculturist, duly sworn, deposes: I was with Field-cornet Erasmus on commando at Zeko's kraal in the month of June 1830. At Fort Willshire I heard Captain Stockenstrom order Erasmus to proceed to Zeko and Genecho's kraal, and to take all their cattle, and if the Caffres offered to resist they were to fire upon them. On reaching Zeko's kraal Erasmus explained to Zeko the object of his coming there, and cautioned him to restrain his people from offering any resistance, as he, Erasmus, had received orders to fire upon them if they did so. After we had collected the cattle together, Erasmus allowed Zeko to take his milch cows, but as he attempted to take other cattle also we drove away the cattle, taking some of the milch cows with us, Erasmus telling him at the same time that he had not the power of giving more cattle, and if he wanted more he must go to Captain Stockenstrom, who was at Fort Willshire. After we had gone a little way from Zeko's kraal he followed and overtook us, and Erasmus gave him the remainder of the cows, and we then went on towards Fort Willshire with the remainder of the cattle, being a very large herd. When we had travelled about an hour from Zeko's kraal, and were passing through a part of the country covered with thorn bushes, the cattle were suddenly turned upon us by the Caffres, and a great noise and confusion ensued. A Bechuana servant of John Blakeway, of Fort Beaufort, was riding near me with a gun in his hand; two Caffre men came up, and one of them said, "Let us seize him, and take his gun from him," and he laid hold of it, upon which the Bechuana shot him; several Caffres followed us from Zeko's kraal; they were apparently unarmed, but I saw that some of them had assagais, the shafts of which were broken off, concealed under their caross; I mentioned this to the people near me, and said that I apprehended danger, but they paid no attention, and laughed at me. After the cattle were turned upon us I heard some shots fired, but I do not know whether any one was killed or not, excepting the one the Bechuana killed. After the confusion was over we collected the cattle together, and took them to Fort Willshire. Captain Stockenstrom never examined me as to the circumstances which occurred after we left Zeko's kraal. I never saw Zeko from the day in question, after he got the second parcel of milch cows from Erasmus. I speak the Caffre language, and interpreted between Erasmus and Zeko.

(signed) Wynand ^{his} x Bezuydenhout.
mark.

(signed) J. H. Mirenan, } Witnesses.
Geo. Jarvis, }

(signed) D. Campbell, Res. Mag. and Civ. Com. for Albany and Somerset.
Court adjourned to 8th January 1836.

8th of January, 1836. *Gert Cornelis Scheepers*, agriculturist, residing at Rooda-drag, Bushmaris River, in the field-cornetcy of Lower Buchmaris River, district of Uitenhage, duly sworn, deposes: I was on the commando in the month of June 1830; I joined the commando at Fort Beaufort, and afterwards accompanied the commando to Fort Willshire, where I heard Captain Stockenstrom order Field-cornet Peter Rasmus Erasmus to take the command of the burghers, and to proceed to the kraals of Zeko and Genecho, and to take all their cattle and bring them to Fort Willshire, if we found colonial cattle among them; he also added in a positive manner, "Burghers, don't let the black fellows get the better of you; if they draw an assagai, fire upon them." We then proceeded to the kraal of Zeko, and arrived there early the next morning and took his cattle, having found among them several head of colonial cattle, and some of which had been stolen from me eight days previously. After we had collected the cattle together, Zeko asked Erasmus to return him his milch cows, which, after some discussion, was done; Erasmus at the same time telling Zeko that he had exceeded his orders in delivering up these cows, as he had been directed to bring all the cattle away. After the Caffres had turned out the milch cows, they began to turn out some of the other cattle, which Erasmus prevented, and told Zeko that he had already exceeded his orders; that if he wished to have more cattle he must go to Captain Stockenstrom, who was at Fort Willshire; Zeko said he would go. Erasmus then told Zeko that he or his people were on no account to approach the cattle armed with their assagais; if they did so, he (Erasmus) had orders to fire upon them. Before we reached Zeko's kraal, Erasmus ordered the burghers not to fire upon any Caffre unless they offered resistance. We then proceeded on our way to Fort Willshire with the cattle, leaving Zeko at his kraal; the herd of cattle was very large, which were divided into several portions, and driven by the burghers. I was with one of the centre divisions, and I think Erasmus was in the rear. When we had got about half an hour's journey on our way, I observed Caffres following us, whom I supposed were proceeding to Captain Stockenstrom to apply to him for their cattle. After we had proceeded an hour and a half on our journey, there was a thick thorny place which we had to pass through; I saw a number of armed Caffres in the thickets which we had to pass; four or five Caffres with kerries in their hands came up to us, and pretended to assist us in driving the cattle, which we had much difficulty in getting through the thorns. When we got to the thickest part of the thorn-bush, these Caffres ran amongst the cattle, and shouted and whistled, and dispersed the cattle; we appeared to be suddenly surrounded by armed Caffres, who ran among the cattle, and were carrying them off in small parcels, about fifty head in each; there was a great deal of confusion; the burghers galloping to stop this, much dust was produced, and I could distinguish the scene but imperfectly. I saw one Caffre throw an assagai at a burgher, the assagai passed over his shoulder and stuck in the ground; I and

311
Colonel Wade.
25 March 1836.

I and other burghers immediately dismounted, fired at the Caffre and wounded him, after which he escaped in the bushes; I picked up the assagai and took it to Erasmus. Before this assagai was thrown, I heard some of the burghers before me call out, the Caffres are throwing assagais; immediately after I heard a few shots; I heard no orders given to fire, but I considered that the orders I heard given by Captain Stockenstrom justified me in firing as soon as the Caffres commenced the attack, and I accordingly fired off the charge that was in my gun; had we not fired, there is no question whatever that the Caffres would have taken all the cattle from us, and even had they not thrown their assagais, I should have felt myself justified in firing to repel the attempt to take the cattle from us. As soon as the affray was over we endeavoured to recover the cattle, but the Caffres succeeded in carrying off a considerable number of them. We proceeded with what we could collect to Fort Willshire; the Caffres hovered about us all the way to Fort Willshire, and in two or three instances they planted themselves in our path, as if with the intention to make another attempt to carry off the cattle; we were obliged to have an advanced guard to clear the road to drive the cattle better. I saw several burghers with assagais, which they had picked up. The late Jan Greyling had a bundle in his hand, which he said he had taken from Zeko, whom he had shot. Some days afterwards Tyalie complained to Captain Stockenstrom, at Fort Willshire, that some of his cattle had been taken along with those of Zeko. Captain Stockenstrom directed that Tyalie should be allowed to select his cattle. A great number of burghers stood together in the gate of Fort Willshire, the cattle being in the square, when Captain Stockenstrom said to the burghers, "Now, burghers, look sharp after him (meaning Tyalie); and you, Erasmus, do not let that black fellow get the better of you; see that he takes but that which belongs to him; if he takes one head of colonial cattle, do not let him take any at all." Tyalie and his Caffres drove out a great many cattle, which they claimed; and at last they began to drive out cattle that were known to be, and were the property of some of the burghers present. Tyalie was then stopped from driving out any more, but he was allowed to retain all that he had already driven out; the remainder of the cattle were brought to Graham's Town, and delivered over to the civil commissioner.

(signed) Gert C. Scheepers.

(signed) D. Campbell, C. C. and R. M. for Albany and Somerset.

(A true copy of the original.)

D. Campbell, C. C. for Albany and Somerset.

No. 1. (Translation.)

East Riet River, the 8th of June 1830, Provincial Field Court.

Please to command from each after-mentioned person one man, armed and mounted, fit for burgher duty, and to be present with them, on Tuesday evening the 15th inst., at Fort Beaufort, and there to receive orders from Colonel Somerset.

[Here follows a list of 58 names of the persons who are to furnish a man armed and mounted.]

Those who are neglectful, or have not the fixed number of men on their places, you will immediately report, in order that those places may be granted to others.

I am your servant,

(signed) A. Stockenstrom.

(True Translation.)

J. H. Miremand,

Sworn Translator, Supreme Court, Cape of Good Hope.

2788. Mr. Hindley.] Were the witnesses allowed to be in court during each other's examination?—That I cannot possibly say.

2789. Chairman.] Do you propose to add anything to those depositions?—I shall only add, that I put in these depositions as part of my evidence, in reply to certain statements made by Captain Stockenstrom in regard to the commando of 1830.

The Committee said, they might appear upon the minutes subject to any future opinion they might form as to their being receivable as part of Colonel Wade's evidence.

2790. Mr. Hindley.] Colonel Wade, have you any information of Caffres having been examined in this court?—I have not.

2791. And only one Hottentot?—One Hottentot. I have not any information with regard to the examination of Caffres by the civil commissioner; the only depositions that I have, I have read, in which there is one of a Hottentot; but I beg to add, that Captain Campbell states that he hopes he shall be able "to find a considerable number of the Hottentots who accompanied Erasmus's division; their evidence being very important, as upon it Captain Stockenstrom satisfied himself of the truth of the charge against the field-cornet. All these men reside at a great distance, some of them in the new province, it will therefore be difficult to find them, but I shall do my best."

2792. But are you aware that Captain Stockenstrom collected information from the Caffres as well as from the Hottentots who had been with the division?—Yes.

Colonel Wade.
25 March 1836.

2793. And therefore his examination must have been more full and complete than any which shall not include the examination of the Caffres?—Certainly, more full and complete than any which shall not include it; but I am by no means certain that Captain Campbell will not endeavour to have an examination of the Caffres also; I have already stated that he has transmitted only depositions as far as he had then proceeded in his investigation, but that he was still looking for others.

2794. *Chairman.*] What do you now go on with?—The Committee will recollect that I brought down my statement the other day to the removal of the Caffres by my orders in 1833; I now proceed to relate the orders issued, and the means by which that removal was directed to be carried into execution. Now, as to the orders: those transmitted to the commandant, Lieutenant-colonel England, for the removal of Tyalie from the Muncassanna in the preceding month of August, were written by myself, as military secretary to Sir Lowry Cole, and were exceedingly concise, as they referred the commandant (and the civil commissioner was in like manner referred by the chief secretary) to the very explicit instructions (already before the Committee, pages 213, 214,) issued for Macomo's expulsion from the Kat River in 1829, as the rule for their conduct on this similar occasion. And when, within less than a month after Tyalie's removal, the same duty was again to be performed, the same course was again pursued; the commandant and the civil commissioner were referred by me to these same instructions; and Colonel England states, in a letter now before me, that they had been, as indeed I never doubted they had been, "strictly attended to." As to the amount of force at the disposal of the commandant for this purpose, it consisted of the whole of the military on the frontier, and of such portion of the burgher force as he might require from the civil commissioner; and as to the amount employed, with reference to which it has been stated to this Committee by the officer selected by Colonel England to execute this service, that the force that was then put under his charge "was quite inadequate to effect this purpose by force," Colonel England remarks, "I felt, in all my arrangements, that persuasion was the best weapon to begin with, and I merely sent Captain Aitchison with 60 or 80 men, which were quite sufficient to bring him out of any trouble that might occur whilst using such persuasion. Major Cox was prepared with a supporting force, and I was quite ready to give the orders irresistible effect, if unhappily force had been required, which it was not; and the result was, that the service was thoroughly accomplished without a blow." With reference to the description of persuasion employed, Captain Aitchison says, in his evidence, that he told Macomo that if he would go quietly, and advise all his people to do the same, Colonel Somerset might be expected very shortly, and also the new governor, and that his good behaviour on this occasion would insure him his (Captain Aitchison's) support, and that he would not fail, if he went quietly, to mention his conduct to both when they arrived." Now, from the very terms of this promise, and which, I must confess, I can regard in no other light than a compromise, I at once felt convinced that Colonel England had not sanctioned it, and, in fact, knew nothing about it; and that, however desirous he might be, both from his own feelings on the subject and in compliance with the instructions to which he was referred, to effect the removal of the Caffres, if possible, without having recourse to forcible expulsion, yet that he never would have authorized a promise to be made which could scarcely fail to create amongst the ignorant barbarians he had to deal with something more than a hope of readmission at some future period; when, in the first place, the arrival of those to whom they were taught to look for the reward of their submissive conduct might be yet far distant; and secondly, that when the new governor and Colonel Somerset did arrive they might, possibly, not deem it advisable to bring them back again into the colony. In reply to my queries on this point, Colonel England states, "I deny all sanction of terms of compromise with Macomo, or any knowledge of such terms. An appeal to the governor," he adds, "was of course open to him and to Somerset, and these might have been part of the persuasions used." With regard to the crops, &c. left behind in this removal, Colonel England remarks, "it is unquestionable that the Caffre women were freely permitted to return for them, even late in December, and beyond it, and to have every safe access to their gardens." As to the policy of the step, I sent for Captain Aitchison, if at all, probably to give him the requisite orders for carrying into effect a very delicate operation, certainly not to deliberate on the policy of a measure already ordered to be effected. It is right that I should here state, that my first letter to Colonel England

313
Colonel Wade.

25 March 1836.

England on this subject was a private one, dated, I think, early in October; in reply to which, I received an answer, at the end of a fortnight (also a private letter), suggesting that the Caffres should be allowed to remain until after the harvest; had I acquiesced in this, I must of course have left the Hottentot locations exposed to their incursions during the same period. By the following post, I received another communication (also a private letter) from Colonel England, requesting further explanations with reference to the boundaries; which, having been explained, he was directed to carry the orders into execution. Nor was the removal of the Caffres from the neighbourhood of the locations the only measure I deemed it necessary to adopt for the protection and welfare of this interesting settlement. At the period in question, the acting commissioner-general represented to me that the position of the settlement enabled numbers of Caffres to take up their residence within it, and not only so, but to pass still further into the colony, which they traversed in open day, to the great alarm of the inhabitants, as they were usually armed, and in such bands as to compel the farmers to comply with their demands, for fear of personal danger in the event of a refusal; and the numerous depredations which were, he added, committed in the settlement and its immediate vicinity were to be mainly attributed to the ease with which the Caffres entered at that point. As a further measure of protection, then, against these intruders, and also to prevent unauthorized incursions on the part of the settlers into Caffreland, which were exceedingly prejudicial to their improvement, and, it was stated, were not unfrequently attended with circumstances that gave umbrage to the Caffres, and further to meet the great inconvenience and expense arising from every petty offence and misdemeanor being referred for decision to Graham's Town, at 70 miles distant, I appointed a justice of the peace to the settlement, the propriety and expediency of which measure was not doubted by the Secretary of State; but it was added, that "it need not have been made without the authority of His Majesty's Government." With reference to which qualified approval, I beg to remark, that Sir Lowry Cole had already, upwards of "18 months" before, represented to His Majesty's Government, "that the commissioner-general, and every person well acquainted with the settlement, was of opinion that the appointment of a justice of the peace was absolutely necessary, and that it could no longer be conducted with good prospect of success or with safety to the settlers without one." I shall but add one word more on this subject, namely, that with myself alone rests the whole responsibility of the removal of the Caffres in November 1833. The necessity of removing Tyalie and his people from the Muncassanna had undergone mature consideration before Sir Lowry Cole issued his instructions for the execution of that measure in the preceding August or July; and when after his departure I discovered that they had been placed, not beyond the boundaries, but only behind the Gaga, which was erroneously supposed to be the boundary, and that there were others within the limits to whom I was positively certain no permission to reside there had been granted by the government, and that the locations were under these circumstances still exposed to and suffering from depredation and trespass, I did not again deem it necessary to consult the frontier authorities, but decided upon perfecting the protection of the locations as far as it was possible to do so. Had I asked their opinion, I am inclined to believe that the acting commandant, Colonel England, would not, and that the civil commissioner, Captain Campbell, would have approved of the removal. It is right also that I should explain, that the existence of an error as to the precise boundary line at the point in question was by no means a matter to excite surprise, as from the length of time Tyalie's Caffres had been permitted to remain in the Muncassanna, an indulgence they so frequently and so shamefully abused, no circumstance had for some years past rendered necessary the verification of that particular portion of the frontier, and there were very few who possessed accurate information on the subject. I here close the history of the removal of certain of the Caffres from a part of the colonial territory in 1833, to which has been ascribed by more than one witness before this Committee, and (on the authority of a despatch of the present governor of the colony) elsewhere, the late invasion of the settlement by the Caffres; the removal in question having taken place in September and November 1833, and the invasion in the month of December 1834, the policy pursued by the colonial government, and the several occurrences on the frontier during the intermediate period of nearly fourteen months, being altogether excluded from consideration. It is unnecessary to dwell upon the injustice of a conclusion arrived at without hearing one tittle of evidence

314

Colonel Wade.

25 March 1836.

from the party accused. The charge involved in it is a most serious one, but I neither shrink from the investigation nor fear the result. The removal of the Caffres from the colonial territory is one page in this history, and their invasion of it another; but a most important and instructive chapter intervenes, and one which, if dear-bought experience is ever to be admitted as a guide in human affairs, cannot fail to be productive of beneficial results to that colony.

I shall now relate such of the circumstances connected with this latter period as came within my own knowledge, or have been derived from authority on which I can implicitly rely, and examine the despatches of the governor of the 28th October 1834 and 5th January 1835, which have been laid before Parliament, in so far as they relate to my own proceedings towards the aborigines; the state of the frontier on the arrival in the colony of Sir Benjamin D'Urban in the month of January 1834, consequent, as it is stated, upon those proceedings; and that "better state of things" which the governor writes, on the 28th October, he had "succeeded in establishing." Colonel Somerset, the commandant of the frontier, who had been on leave of absence in England, returned to the colony in the latter end of December. Immediately on his arrival at Port Elizabeth (on, I believe, the 21st December) I wrote to him, apprising him that several alterations had taken place in the position of the Caffre tribes during his absence, and requesting that he would not on any account disturb the existing arrangements in respect of them without previous reference to me. He replied to my letter, if I recollect rightly, before his departure for Graham's Town, and assured me that he would conform to my wishes on this subject. I deemed it necessary to make this communication to Colonel Somerset, being well aware that Macomo was a particular favourite of his, and that he was at all times more inclined to indulge than deal harshly with the Caffres; and that on more occasions than one he had permitted his friendly feelings towards them to induce him (without granting any formal permission to do so) to connive at the return of those within the boundaries whose conduct had caused them to be removed from the colony. On the 14th January, Sir Benjamin D'Urban arrived, and not very long afterwards (about three weeks, I believe) I received a letter from Graham's Town, stating that the country was again filled with Caffres; that they occupied all that portion of it from whence they had so lately been removed; that the civil commissioner was unacquainted with the circumstances which led to their return, and that he had proceeded to the spot to investigate the cause of it. Under the impression that the governor was in utter ignorance of this circumstance, I immediately went to him, and communicated the information I had received. His Excellency informed me that he had received a private letter (which he gave me to read) from Colonel Somerset the week before, urging, that on account of the great drought, the Caffres should be permitted to re-occupy the tract from which they had been removed, in so far as to cultivate the ground and depasture their cattle, but not to establish their kraals or huts, within the boundaries. I then fully explained to the governor the reasons that had determined Sir Lowry Cole, in the month of August, and myself, in November, to remove the Caffres, and pointed out to his excellency, that if they were suffering from the drought, so were the settlers in the locations; that it was preposterous to expect, that having obtained admission for the limited purpose stated, they would abstain from establishing themselves within our limits, or that at any time, but more particularly under the circumstances on which the request was grounded, they would be contented with the strip to which they were restricted, when they had before them a fertile country, from which they were only separated by an open waggon road; that all our experience taught that they would not be so, and that it was only exposing them to a temptation they would not resist to bring them within little more than a mile of the Hottentot locations,—a temptation also which they could not be permitted to yield to without sacrificing the safety and welfare of that settlement, and exposing the inhabitants in general to renewed depredation. I further explained that I had made the communication already alluded to to Colonel Somerset immediately on his arrival, and gave his excellency my reasons for having done so, and I added that I felt convinced that had the civil commissioner been consulted, he would have positively refused his assent to the readmission of the Caffres, as he had expressed to me his decided approval of their removal, after it had taken place, in the preceding month of November, and that I had no doubt that he (Captain Campbell) would immediately express his dissatisfaction at the whole of this proceeding. His excellency expressed great regret at not having communicated with

with me on this subject before he acceded to Colonel Somerset's request, and said that he had no doubt it would be necessary to recall the permission that had been granted, but that it must be done gradually, as it would otherwise betray great vacillation in the measures of the government. A week afterwards, on the following post-day, the governor told me that he had received from Captain Campbell the communication I had anticipated; the result is stated in Captain Aitchison's Evidence (p. 9, Q. 136), that "they were driven back again." I had no further communication with Sir Benjamin D'Urban on this subject, nor do I believe that except on one occasion, at Government House, when his excellency having lent me Mr. Boyce's admirable "Remarks" (which are on the minutes of the Committee) to read, I returned them, and said I entirely approved of them, and that he asked me whether I had formed any plan in my own mind for dealing with the Caffres, which I told him I had, and shortly explained it to him, we ever again conversed on this subject. There are two remarks I deem it right to offer here with reference to this readmission of the Caffres, and to the evidence already on the minutes. First, I conceive it is fair to infer that in the request he made to the governor in favour of the Caffres, Colonel Somerset was, in some degree at least, influenced by the communication which Captain Aitchison states (p. 9, Q. 132,) he made to him on his return to the colony regarding his (Captain Aitchison's) promise to Macomo. Secondly, that I do not think it is fair to infer (p. 9, Q. 136,) that the permission for the Caffres, having been obtained without the civil commissioner having been consulted, "gave great umbrage to the latter." Captain Campbell is far above the influence of such petty feelings, and was actuated, I venture to assert, by a sense of public duty in whatever opinion he gave.

Before I proceed farther, I conceive I ought to apprise the Committee that I am unacquainted, at least officially so, with any of the orders or instructions issued by Sir Benjamin D'Urban to the civil and military authorities on the frontier for their guidance in their proceedings with the Caffres, and that I am also ignorant of the nature and purport of those communications which, in the despatch of the 28th October 1834, his excellency states he "caused to be made to the several chiefs," and thereby "succeeded in establishing a better state of things" with them than existed on his arrival; with reference to which communications it is further stated, in another despatch, 5th January 1835:

"I had in the middle of last year caused communications to be made to the chiefs of the Caffre tribes on the eastern frontier, expressive of my disposition and intention to enter into a new order of relations with them upon a footing which could not but be advantageous and agreeable to them, but that the carrying these friendly intentions towards them into effect must mainly depend upon themselves, since they were founded on a belief that they desired relations of amity and reciprocal good offices with the colony, and would be disposed to act accordingly, and that of consequence if they wished or expected to be dealt with as friends, they must cease to act as enemies, and to continue the acts of robbery and depredation constantly committed by their people. Upon their manifesting this disposition, it was added, I should be prepared upon my visit to the borders to enter into such treaties and agreements with them as had been described. This communication was made to all the border chiefs accordingly, and I afterwards availed myself of a tour which Dr. Philip, the head of the London mission, made through those tribes later in the year (he having several missionaries resident among them) to explain to them more fully, and in detail, the nature of agreements into which I should be prepared to enter with them, provided that in the meantime they abided by the line of conduct which I had suggested. The greater part of these chiefs (with the exception of Tyalie) expressed themselves well pleased with all this, and for a short period the depredations were in a great degree suspended, but in the latter part of November and early in December they were renewed and carried to a great extent, and at length the border tribes of Tyalie, Macomo, Boteman and Euno, countenanced and supported by the larger and more remote tribe of Hintza, have invaded the frontier line of Albany in large numbers, and with every species of outrage and devastation, attended by murder."

I repeat, that I am unacquainted with the nature and purport of the communications in question, except in so far as they were to be gathered from public opinion, common report, and my own observations on the frontier at the moment when the first of those despatches was written, or may be now collected and understood from the contents of that of the 5th January; and it appears to me the more necessary that I should offer some explanations on this head, since it is stated on the minutes that, during the whole period the transactions I am about to notice were passing, I held that military appointment in the colony which is the usual channel for the communication of orders; and that, being second in command,

310
Colonel Wade.

25 March 1836.

310 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

I was at the same time *ex officio* a member of the "executive council of government," and of the "legislative council of the settlement;" with the former of which the governor, whilst he is left perfectly free as to his acts and decisions, for which he alone is responsible, is by His Majesty's instructions positively required to advise upon all matters, excepting only those of mere ordinary routine and detail. First, then, to account for my ignorance of the military orders or instructions having reference to our relations with the Caffres, I have to state that the correspondence on those subjects is, and always has been, carried on between the commander-in-chief and commandant of the frontier direct, and not through either of the general staff departments, namely, that of the deputy adjutant or deputy quartermaster-general. A copy of the frontier orders issued by the commandant is transmitted weekly to the deputy adjutant-general, as are also returns of all patrols made, and of cattle stolen and re-captured; but the instructions to officers commanding outposts, or for the guidance of those in the command of patrols, &c. &c., are, for obvious reasons, very rarely promulgated in public orders. Secondly, I conceive it is due, both to myself and others, that it should be distinctly understood, that although the governor states, in his despatch of the 28th October, that "immediately after his arrival in the colony" on the preceding 14th of January, his "attention was painfully called to the subject of our relations with the native tribes upon the frontier, as well by reports from the civil and military authorities upon the borders, showing the actual state of the frontier districts then existing, as by a reference to the correspondence of the acting governor with those authorities in the close of last year, and of his predecessors in succession for some years past;" and "from all which it was," he adds, "sufficiently obvious that a complete and effectual reformation of our system of proceeding with the native tribes (if that may be called a system which seems to have been guided by no fixed principle, certainly by no just one) had become absolutely necessary." And although it appears from the subsequent despatch, "5th January 1835," already quoted, that preliminary communications were made to all the border chiefs on this important subject, and that the governor availed himself of the assistance of Dr. Philip, the head of the London mission, to explain to them more fully and in detail the nature of the agreements into which he was prepared to enter with them, yet that on no occasion was this question, or any matter connected with it, neither the evils complained of, the remedies proposed to be adopted, the nature of the agreements the governor was prepared to enter into with the chiefs, nor the employment of Dr. Philip as the medium of communication, ever once submitted for the advice or brought under discussion in the executive council during the period I was a member of it, viz. from the day of its formation, in the month of January 1834, until that of my departure from the colony on the 10th December following; the correctness of which statement can be at once ascertained by a reference to the "minutes of the council," extracts from which are before the Committee, and the complete copies doubtless in the Colonial-office; in which, if I err not very greatly, there will not be found one solitary allusion to the state of the Caffre frontier, or to "the strongly excited feeling of discontent and ill-will towards the colony," to which, in the despatch of the 28th October, it is stated the Caffres had been stimulated by circumstances therein said to have occurred during my administration of the government. It is true that the "general state of the frontier districts with relation to the native tribes on the borders" was one of the topics enumerated in a list of subjects to be discussed in the council, which was communicated to us by the governor at our first meeting in the month of March, and our relations with the Caffres was of course included in that general question; but the section of this general question which related to them never was, I assert, directly or indirectly, proposed to, advised on, or discussed by the council. The only measure the latter was required to deliberate on that had any reference to the frontier, its state or defence, was (in compliance with the instructions contained in the Secretary of State's despatch of the 27th November) the substitution of some enactment for the commando ordinance which had been disallowed by His Majesty; but this referred only to the protection of the northern frontier, as the eastern or Caffre frontier (as was explained in Sir Lowry Cole's reply to the Secretary of State's letter, dated November 13, 1833, which was laid before the Council, when called on to discuss the subject in question,) "being guarded to a certain extent by military posts and patrols, commandos are never there called out, except in aid of the military, which rarely happens, and not even then without previous reference to the government." On this point, I shall only further

further beg it to be distinctly understood, that in stating these facts, I by no means arrogate to myself the right either to blame or justify the proceedings of the governor in this matter. I am ignorant of the nature of the instructions his excellency received from the Home Government touching Caffre affairs, and which may possibly have decided his excellency not to bring this particular question under the consideration of the council, or he may have deemed it right to communicate with the Caffres first, through Dr. Philip, or to visit them in person, and then advise with the council. Of all these circumstances I am ignorant, and therefore, whilst I feel myself called upon to put the Committee in possession of the fact, that whatever communications or arrangements were made, or proposed to be made respecting our relations with the Caffres, were the governor's own, and not the result of consultation with the council, I also feel that it would be great presumption in me to offer any opinion upon the mode of proceeding adopted by his excellency. But as regards the other parts of this question, I feel myself perfectly at liberty, for reasons which I conceive a perusal of the despatch of the 28th October will sufficiently explain, to comment upon it fully and freely, and which, with permission of the Committee, I shall accordingly proceed to do.

First, then, as to the cause to which is attributed by Sir Benjamin D'Urban that "strongly excited feeling of discontent and ill-will towards the colony," to which the Caffres, it is stated, were "stimulated" at the period of his arrival in the colony, and which had rendered them more "persevering and determined in their depredations upon the cattle of the colonists." That cause is thus described :

"For many years past the tribes of the chiefs Macomo, Boteman and Tyalie had been allowed by the colonial government to reside and graze their cattle immediately within (on the western side of) the River Keiskamma, upon the Gaga, Chumie and Muncassanna. In the November of last year the acting governor, under the impression that this indulgence had been abused (which probably it might have been to a certain extent), ordered their immediate expulsion from the whole of that line, and they were expelled accordingly. This unfortunately happened when a period of severe drought was approaching, so that these tribes (I am afraid but too certainly) suffered much loss in their herds in consequence."

Now, I have already explained to the Committee, and I pledge myself for the perfect correctness of that statement, why, whence, and whither the acting governor did remove the Caffres in the month of November; and I ask, can it in fairness be stated, that I did, either at that period or at any other time remove any Caffres from the Muncassanna? I have shown that they had been removed thence by order of Sir Lowry Cole, two months before; a fact which it is the more extraordinary should have escaped Sir Benjamin D'Urban's notice, his representations to the Secretary of State, under consideration, are founded not only on the "reports of the public authorities," and on a reference to my correspondence with them, but also on a reference "to the correspondence of his predecessors" (amongst whom I must suppose was his immediate predecessor) "in succession for some years past;" and certainly a very cursory perusal of the correspondence of July or August 1833, in the military secretary's and chief secretary's offices, relating to Tyalie's removal from the Muncassanna would have prevented his excellency from imputing to me that I removed the Caffres from thence in the month of November. Again, "The tribes of the chiefs Macomo, Tyalie and Boteman, had," it is stated in the despatch, "been allowed for many years past by the colonial government to reside and graze their cattle immediately within (on the western side of) the River Keiskamma, upon the Gaga, Chumie and Muncassanna;" and, "in the month of November of last year, the acting governor ordered their immediate expulsion from the whole of that line."

Now, in the first place, I do not think that in the correspondence of his predecessors Sir Benjamin D'Urban found that the chief Macomo had been allowed by the colonial government "for many years past" to reside within the boundaries (which is what I suppose is meant), or that such permission was ever renewed after his expulsion in 1829; and, in the next, the governor is here exceedingly explicit and marks very distinctly the country the Caffres had been "allowed by the colonial government" to occupy, viz. "immediately within, on the western side of the Keiskamma." Now it will, I conceive, be obvious from the context, and on reference to the map, that it is the Upper Keiskamma, from its junction with the Chumie, which the governor is speaking of, for he states that the permission had been to reside within, on the western side of the Keiskamma, "upon the Gaga, Chumie and Muncassanna;" and I ask whether any one reading the above extract and then what follows, the acting governor "ordered their expulsion from the whole

318

Colonel Wade.

25 March 1836.

312 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

of that line," would not believe that they had been removed altogether from the valley of the Chumie and had been placed without, to the eastern side of or beyond the upper Keiskamma; and whether he would ever guess that, as already stated, no Caffres were removed by the acting governor from the Muncassanna—that it was merely from the Gaga to that upper stream already described, perhaps two miles distant, that Tyalie was removed, and that the others were removed from that portion of the ceded territory above Fort Willshire which is enclosed between the boundary and the waggon-road, and placed behind the river frontier of the colony. I may be wrong, but I cannot otherwise account for this most erroneous statement than by supposing that Sir Benjamin D'Urban, not having yet visited the frontier when he wrote that despatch, was under the impression that the Keiskamma was the boundary of the colony in its whole course, and that he believed that the Caffres had been allowed by the colonial government to graze their cattle "within" "on the western side of" the Upper Keiskamma, and between that river and the Chumie, and that I had deprived them of that indulgence, and removed them from the valley of the latter, and in fact from their own country.

2dly. As to "the actual state of the frontier districts then existing," that is, "immediately after the governor's arrival in the colony," it is stated that, "at the period alluded to, the Caffre tribes on the eastern and north-eastern frontier had become more persevering and determined in their depredations upon the cattle of the colonists." If such was the case, I must remark, that it was not exactly the moment at which the colony should have been thrown open to them, as I shall presently show was done within a month after Sir B. D'Urban's arrival. It is also stated, that the Caffres were then, "at the period, stimulated by a strongly excited feeling of discontent and ill-will towards the colony, arising from" the circumstances already alluded to.

The official correspondence of this period I have never seen, and am therefore unacquainted with the nature of the "reports from the civil and military authorities upon the borders," from which the governor's information appears to have been derived; but the whole of that correspondence will be presently before the Committee; and although I admit without hesitation that the removal of the Caffres was likely to produce discontent, I shall certainly be a good deal surprised to find in it either that depredation had at this particular moment very much increased, or that the Caffres had evinced those strong feelings of discontent and ill-will which his excellency has ascribed to my proceedings towards them in the preceding month of November.

3dly. As to that "better state of things" with the Caffre chiefs, which the governor states in the month of October, the communications he had caused to be made to them, "consisting of admonitions at once and conciliation, had succeeded in establishing," I beg to inquire in what it consisted, or on what occasion it was apparent, either during the preceding months or at the date of that despatch.

Had the Caffres given any proofs that they entertained more friendly feelings towards the colonists than formerly? Had depredations ceased? Was the system of reprisal abandoned? Was the colonial territory preserved inviolate? Was the employment of patrols, whether on the spoil of stolen cattle, or for the purpose of clearing the colony of marauders, discontinued? Or was that system, to which Sir Benjamin D'Urban's attention had been "painfully called immediately after his arrival in the colony," ten months before the date of this despatch; that system which he had denounced as "having been guided by no fixed principle, certainly by no just one," and "the complete and effectual reformation of which," also, "it was sufficiently obvious," he stated, "had become absolutely necessary;" had that system, I ask, been succeeded by another and a better one, calculated at once to afford His Majesty's subjects protection and conciliate the native tribes? I answer, No. The system hitherto acted upon, and which in some measure at least (although I readily admit imperfectly, because the means were utterly insufficient,) had restrained the Caffres, and was therefore a merciful one, was indeed, in some important points, departed from; for colonists were murdered in Caffreland, and their property plundered with impunity; depredation was carried on to a considerable extent within the boundaries, the colonial territory was overrun by the Caffres, who, far from being conciliated by the half measures resorted to, were vexed, and irritated and disappointed by them; whilst the commandant, at the same time that he was required to protect the property of the colonists and prevent the intrusion of the natives, had his hands completely tied, and the exertions of the mere hand-ful

319
Colonel Wade.

25 March 1836.

ful of troops at his disposal, for the accomplishment of this at all times most arduous and harassing task, completely paralyzed by the nature of his instructions. In proof of these assertions, I must state, that in the month of July one of the most atrocious and unprovoked murders that the Caffres ever had been guilty of was perpetrated at but a short distance from the residence of the chief Hintza, by the Fingoo slave of a near relative of that chief, by whom the whole of the property belonging to the murdered man, William Purcell, a British subject, was seized. Now, was or was not this barbarous act permitted to pass with impunity? I am aware that Hintza was called upon to deliver up the murderer, that restitution of the stolen property was demanded, and, if I rightly remember, that the requisition was backed by the threat of a commando. But the Caffres are not to be dealt with by threats: the murderers were not delivered up; the property was not restored; and when the Caffre war broke out in December, five months after the commission of it, the crime still remained unpunished. Would such an event have been suffered to pass under the denounced system, twelve months before, without instant retribution being exacted? I unhesitatingly answer, No. With regard to depredations, I cannot in this, as in former cases (not having any memoranda or access to official documents on the subject), attempt to specify the amount at different periods during 1834; but that they were carried on to a very considerable extent I affirm, and I appeal to Sir Benjamin D'Urban himself in proof of their existence. When referring, in his despatch of the 5th January 1835, to the state of the frontier in the preceding month of October, he states, "for a short period the depredations were in a great degree suspended;" and in the enclosures to that despatch there is abundant proof both of their prevalence and extent. Colonel Somerset states, in his letter to the military secretary, the 11th December 1834, "for several months numerous colonial cattle have been traced to and in the direction of those kraals," (Enos's kraals, which were, be it remembered, within the colonial territory); and again, on the 18th December, "indulgence and forbearance have been tried to their extreme limits with the Caffre tribes; the result has been a more continued system of depredation, quite unprecedented at this season of the year, and of the most daring conduct, and at length open defiance." To these proofs I shall only add, that on the day I arrived at Graham's Town (5th October 1834) Colonel Somerset called upon me and told me he was just then setting off to meet the Caffre chiefs at the Buffalo River, for the purpose of demanding restitution of several hundred head of colonial cattle stolen from the inhabitants during the preceding months, and of threatening them with a commando in failure of compliance. Was there, let me ask, a single beast restored in consequence of that threat? Again I answer, No. Would the Caffres have been permitted to retain their plunder under the denounced system? Certainly not. As to "reprisal," from the contents of the only official documents I now have access to, it is evident that it was not discontinued, for in the very first enclosure in the despatch already alluded to there is the commandant's report to the governor of the circumstance which attended the seizure of cattle as "reprisal" for "horses stolen." Now with reference to the contents of this report, I ask, whether, under the denounced system, the troops would have been permitted to enter the Caffre kraals in search of stolen property, or have been required to perform duties which necessarily tended to produce irritation, and yet have been prohibited from using their fire-arms? Assuredly not. The mere "threatening to fire," when the Caffres fully understood that the patrols were authorized to do so, had, in almost all cases, proved sufficient to restrain them; and the permission to use their fire-arms was therefore, in my humble opinion, a humane regulation; nor do I believe it will be asserted that the soldiers had ever wantonly abused it; whilst, on the other hand, the orders not to fire, with which the Caffres soon became perfectly acquainted, and more than once taunted the soldiers on the subject, could not, and did not, fail to encourage them at once to acts of the most daring conduct towards the military, and to enter the colony and fix themselves when and where they chose within the boundaries. I do not believe that, under the former system, Tyalie would have declared to a British officer that "he would and must occupy and graze his cattle on the Muncassanna valleys." As to the employment of the troops in following the spoor of stolen cattle, these same enclosures afford abundant proof that it was permitted, and that the use of patrols for the purpose of keeping the colony clear of Caffre intruders was not discontinued, but was rendered totally ineffectual, the following occurrence, which took place on the "twenty-second" day of October, and to which I speak as an eye-witness, will sufficiently

320 -

Colonel Wade.

25 March 1836.

sufficiently testify, and will render any further comment unnecessary upon that system of "admonitions at once and conciliation," which, in his despatch, written within a week afterwards, viz., on the "twenty-eighth" of that month, the governor states had "succeeded in establishing a better state of things with the Caffre chiefs."

I have already stated that I arrived at Graham's Town on the 5th of October 1834, after having visited the Bathurst country, lying between it and the sea, and that part of the ceded territory which is to the south of the road from Graham's Town to Fort Willshire; and having made a short excursion to Wesleyville, in Caffreland, I proceeded to Fort Willshire on the 20th of October, where Colonel Somerset had promised to meet me, and had requested Macomo to join us, and with which request he complied on the following morning, the 21st October 1834. We started at a quarter before seven, crossed the Keiskamma into Caffreland at a drift (that is a ford) just above the Fort, visited Macomo (who had returned the night before) and the younger Botemans at their respective kraals, and then, accompanied by the former chief and several of his Caffres, well mounted, recrossed the river at another drift higher up, and having gained the waggon road, followed it to where it branched off to Fort Beaufort; here we off-saddled for an hour; soon after mid-day we reached the Omkobino, a tributary of the Chumie, crossing first an insignificant stream, the Thiln. These valleys were swarming with Caffres, as was the whole country in our front, as far as the Gaga; the people were all in motion, carrying off their effects, and driving away their cattle towards the drifts of the river, and to my utter amazement, the whole country around and before us was in a blaze. Presently we came up with a strong patrol of the Mounted Rifle Corps, which had, it appeared, come out from Fort Beaufort that morning; the soldiers were busily employed in burning the huts, and driving the Caffres towards the frontier; from these latter, I learned that they had been settled here better than a month, during which time no patrol had disturbed them; they had, therefore, built their huts, established their cattle kraals, and commenced the cultivation of their gardens. I afterwards ascertained that this statement was correct, no patrol having visited this quarter during the last five weeks. On inquiring of Colonel Somerset the cause of this most unexpected occurrence, he said that it was a necessary consequence of the system that was prescribed to him from head-quarters; that he was expected to prevent the Caffres from occupying the country, and to protect the property of the inhabitants, whilst the means of doing so were utterly denied him; that the Caffres would not abstain from coming into the colony, and establishing themselves there, on merely being told they were not to do so, nor when once within the limits, would they withdraw without compulsion; that nevertheless, he was required to keep the colony clear of them, at the same time that the use of force for that purpose was almost positively prohibited; that his excellency attached the greatest responsibility to the employment of it under any circumstances whatever, and held him (Colonel Somerset) personally responsible for the consequences in every individual instance in which it was resorted to; that he had, therefore, for his own security, deemed it absolutely necessary to prohibit the use of fire-arms, except when he was himself present; that with their hands thus tied, (and the Caffres had become perfectly aware of the nature of the orders they had received, and had, as I have already remarked, cried out to the soldiers "we know you dare not fire,") the service of patrolling only vexed and harassed the troops, without in the slightest degree protecting the property of the inhabitants, or keeping the country clear of the Caffres, who were no sooner removed, and the patrol returned to its quarters, than they re-occupied the country from whence they had been displaced; that he had therefore of late almost entirely discontinued the usual daily patrols. He added, that the leniency latterly shown to the Caffres had not been productive of any one good effect; that, on the contrary, they had greatly abused it; that depredations were as prevalent as ever; that there were then several hundred head of cattle due to the colony; and repeated, what he had before told me, that on the day of my arrival at Graham's Town he had gone, by direction of the governor, to meet the chiefs on the Buffalo River, for the purpose of requiring restitution, and threatening them with a commando if they were not restored; that it was totally impossible for him to protect the inhabitants, or answer for the safety of the colony, if he were not permitted to have recourse to a more energetic system of defence; and that he had made the strongest representation to the governor on this head for months past. I rode with Macomo for some time, who was evidently sorely vexed at the work that was going on around

us.

Colonel Wade.

25 March 1836.

us. He complained of the Caffres being so often permitted to enter the colony and again thrust out, without any apparent cause for their removal; that they had remained during the last five weeks unmolested, and were again burnt out, when there was no cause of complaint against them. He asked me, emphatically, "When, am I to have my country again?" I replied, "What country?" He said, "This country, where we are, and that country," pointing towards the Hottentot locations. I said, "You well know, Macomo, why you were first removed from that country (meaning in 1829); latterly Tyalie was removed from the Muncassanna, and your Caffres from this country where we now are, because they not only stole the cattle of the Hottentots, but occupied the whole of the grazing ground with their own herds, and even drove them into the corn lands and gardens of the locations." He said that was bad, and that we should punish those who did so. I asked him how we were to discover them if the chiefs would not assist us; and added, "if the Caffres are permitted to occupy the country on one side of an open road, and the colonists the other, the cattle and corn fields of the latter being before their eyes, will you, Macomo, take upon yourself to say that you can prevent your people from trespassing or committing depredation? and if you cannot, is it not better that the waters should flow between the colonists and the Caffres, over which the cattle cannot stray, nor the Caffres pass without knowing that they are doing wrong?" He evaded a direct reply, and asked, "Are there no thieves in the colony?" I said, "Yes, and every one endeavours to find them out, and when they are discovered they are severely punished, and even hanged." He made no reply, and shortly afterwards rode away, saying, in a very marked and peculiar manner, "But we are to have the land again." In the evening we proceeded to Fort Beaufort, and on the following morning breakfasted at the Chumie, within three miles of which was Tyalie's kraal. In compliance with Colonel Somerset's request, he had assembled his warriors for a sham fight; he was, however, evidently out of humour, and conversed but little. After the fight, I told him I would visit him on the following day at his own kraal, which I did, in company with Captain Armstrong, but he was still in a sulky state, and talked but little. On the next day, the 24th, we (Captain Armstrong and myself) rode down the side of the Kat Mountain towards the source of the Muncassanna, and were not a little surprised at seeing the whole country between the head of the Gaga and the Muncassanna covered with Caffre cattle up to the very edge of the first location in the valley of the latter. The farmer, a very respectable and intelligent Bastard, had used great exertions in making dams for the purpose of irrigating his grounds, and his garden and crops showed that he had not been idle; "but," he said, "my time and labour and money are all thrown away; those cattle will be in my garden before night; they have destroyed my inclosures over and over again, and if the troops may not compel the Caffres to keep out of the colony, I must abandon my farm, and remove to another place." He added, "I do not blame the troops; words are not sufficient for Caffres." On inquiring of the herdsmen of the Caffre cattle how they came to be there, they pointed to me, and said that I had given them permission to come in for the purpose of grazing the other day, when they were removed from the Omkobino. I must here state, that I expressed to Colonel Somerset, both at the Kat River post and, if I mistake not, subsequently in writing, my positive conviction, the result of all I had seen and heard since my arrival on the frontier, that affairs could not remain in the state they then were a month longer; that it was evident, from the bearing of the Caffres on several occasions lately, that knowing the nature of the orders the troops had received, they did not care a farthing for patrols; that the chances were a thousand to one, as he knew better than any one, that they would take advantage of their present position, and of the opportunity afforded them by the system that he was required to follow; and that the colonists also would not much longer tamely submit to be plundered, but would take the law into their own hands if they were not protected; and I most urgently recommended him for his own safety to obtain from the governor the most explicit instructions for his conduct in every case that he could possibly expect to occur. I did so, because I felt perfectly convinced that a crisis was fast approaching that would place him in no ordinary difficulties and the colony in the utmost danger. I beg to say that these are not opinions "formed after the event," or to suit a purpose; they were expressed to more than one person in the colony both before and after my return from the frontier to Cape Town, as can be proved, if necessary, hereafter. I had heard a good deal of the system in operation before I commenced

Colonel Wade.

25 March 1836.

menced my tour, and I had now witnessed the working and effects of it, and it did not require the gift of second sight to prophesy the result. It is proper that I should here state, that from the moment of his arrival in the colony to the day of my departure from it, the governor had constantly expressed the greatest anxiety to proceed to the frontier, and had announced, I might almost say daily, his intended departure, and I know that on more occasions than one the arrangements were made for his proceeding thither (indeed it was the intelligence that the relays of horses were actually ordered for his journey that hastened my return to Cape Town, or I should in all probability have witnessed the outbreak of the Caffres); and it is deeply to be deplored that any circumstance interfered to prevent his appearance there, for I cannot but believe that if, before he enjoined a system of forbearance to the extent I have explained, which, under the circumstances of the frontier, and considering the people he had to deal with, it is an abuse of language to call humanity, and which ignorant and arrogant barbarians would not and did not fail to misconstrue into weakness and fear; and if before he authorized promises to be made to the Caffres through, I cannot but consider, under all the circumstances of the case, a most unfortunately selected channel; promises which, from his excellency's own description of the benefits the fulfilment of them was to confer, must necessarily have excited hopes, the constantly deferred realization of which from month to month could not but generate discontent, and lead at length to doubts of their sincerity; promises, too, which, if the general feeling and belief on the frontier as to their extent had any good foundation, amounted to no less than the restoration to the Caffres of a considerable portion of the ceded territory; if, I repeat, before that system was enjoined, and these promises were made, his excellency, after having advised and consulted with impartial and unprejudiced men, and such were to be found in the colony, had then visited the frontier and examined the whole of this most important, and without any doubt perplexing, question, in all its bearings, on the spot, I do believe that whilst he would not a whit the less have felt not only the justice and humanity, but good policy of conciliation and indulgence, and of establishing and confirming, by every possible means, a friendly intercourse with the Caffres, that he would also have arrived at the conviction that a peaceable demeanor on the part of the great mass of that people must always be regarded as the result of fear, and not a desire for peace; that whilst mercy should in all our relations with them stand pre-eminently forward, the sword of justice never should be laid aside; that as regarded "depredation and reprisal," the rule of enforcing immediate restitution, or an equivalent before losses amount to an extent that at length compels a commando, is a measure of humanity, and the suspension or abolition of it a premium on depredation; that the admirable "remarks on the best means of preserving the peace of the colonial frontier," which were communicated to his excellency by the Rev. Robert Boyce, one of the Wesleyan methodists, in the month of "March 1834," a gentleman who had long resided amongst them, and knew the Caffres well, were consonant with common sense, humanity and justice; and lastly, that if his excellency ever did entertain the intention of re-admitting the Caffres to the ceded territory, that one glance at the Fish River Bosch would have convinced him of the madness of doing so, and have satisfied him that such a measure of indulgence was not to be granted to them without not only the risk, but the positive certainty of sacrificing the districts of Albany and Somerset. I remained five or six days at the Kat River post, visiting the Hottentot settlement and country in the neighbourhood. Many of the locations were in a promising state, and the general appearance of the whole certainly very gratifying; but notwithstanding the exertions that had in such a variety of ways been made to remove all impediments to their progress and accelerate their improvement, I was assured by those who could not be mistaken, that latterly the settlement had lost ground, and that the Hottentots—not the Bastards—very many of whom had exhibited at the commencement an energy and anxiety to improve that had not been expected from them, had again fallen off, and had become idle and restless and discontented; and also, that the internal tranquillity of the settlement had been destroyed by the mischievous introduction of party feeling and political discussions amongst them. In fact, the settlement was divided into two parties, the Bastards and the Hottentots; the Bastards looking altogether, or almost altogether, to Mr. Thompson, the colonial clergyman, as their spiritual guide, and the Hottentots, to Mr. Reid, a member of the London Missionary Society. In order to explain to the Committee the cause of the disunion that

that existed in the settlement at this period, it is necessary to advert to the vagrant law which had a few months before been proposed by the governor to the legislative council of the colony. But as I shall hereafter, under its proper head, propose some remarks upon this vagrant law, and the necessity that exists for it, to the Committee, I will not now go into an explanation of any of the circumstances connected with it, further than as they relate to this disunion I have alluded to. When that law was first proposed by the governor to the council, it had, as is the case with every new law, appeared in the public Gazette for three successive weeks, before it came under discussion in the legislative council, and at the end of that period there was but one petition, either for or against it, presented to the legislative council.

2795. *Chairman.*] The Committee do not wish you to enter upon the subject, at all events at present, as to the vagrancy law; any general statement as to vagrancy that might have excited disunion, they have no objection to; but to the particular circumstance of the vagrant law, the Committee having resolved that they are not disposed to enter into that now, it will be much better that it should be kept separate until such time as they think proper to go into it?—I am not going to enter upon the question of the vagrant law further than as it relates to the disunion of which I have been speaking in the Hottentot locations, and I have deemed it right to bring this subject under the notice of the Committee, because that disunion is connected with the subsequent Caffre war; and I shall hereafter, I feel certain, convince the Committee that the disturbed state of the Hottentot locations, arising out of discussions on the vagrant law, was very near proving fatal to them; that when the Caffre war broke out, the Hottentots had been tampered with, and successfully tampered with, (I beg here again to say the Hottentots, and not the Bastards), and that their being so tampered with was closely connected with the disunion to which I have adverted, and that that disunion was the result of most improper (as it appears to me) interference on the part of Mr. Reid and Dr. Philip, of the London Missionary Society; I conceive that it was impossible that the Hottentots should not have been excited by the memorials addressed by Dr. Philip to the legislative council respecting the vagrant law, and the contents of which became publicly known to the colony; I conceive that it was impossible that they should not have been excited, when political meetings were got up by Mr. Reid for the purpose of presenting petitions against the vagrant law; and I conceive that they were likely to be still more excited, when, as I shall prove, a circular letter was addressed by Dr. Philip, the superintendent of the London Missionary Society, to the whole of the clergy under his orders, calling upon them to put up prayers in the midst of their congregations, which congregations consisted almost entirely of this ignorant class of the population, who necessarily would be those most affected by the vagrant law; prayers to the Almighty to avert the evil that was then hanging over the colony. A letter of this description was addressed to Mr. Reid, in which he was requested, as he states, to apply to Mr. Thompson, the colonial clergyman in the Hottentot locations, to offer up similar prayers in his church. A copy of the letter to Mr. Thompson I have in my possession, and shall now produce to the Committee.

2796. *Chairman.*] I understood you to say, that you think that the Caffre war was brought on in some degree by the discontent among the Hottentots, as distinct from the Bastards, and that it was occasioned in a great measure by the political agitation of the vagrancy law?—I beg pardon; I have not said that the Caffre war was occasioned by any such thing; I have said that the Hottentot locations were endangered considerably at the time of the Caffre war by the political feeling that had been excited there, and the discontent introduced in discussing the vagrant law; and that the Caffres had taken advantage of that excitement to tamper with, and had successfully tampered with that portion of the settlement that was under Mr. Reid's influence, being the same portion that had been induced to present a petition to the legislative council against the vagrant law.

2797. *Chairman.*] May not the agitation of the question of a vagrancy law, originating I believe with yourself in the first instance, that it should be adopted, be as much the cause of this dissatisfaction as the measures taken by Dr. Philip, Mr. Reid and others to prevent that measure, as bad in their estimation, from being carried into effect?—In the first place, I beg to say, that I do not admit that the idea of a vagrant law originated with me; I strongly urged the necessity of a vagrant law, and I will now state why I urged it.

324

Colonel Wade.

25 March 1836.

The Chairman here intimated that the Committee having already come to a resolution, that they would not at present inquire into the subject of the vagrant law, any remarks that the witness had to offer had much better be postponed until such time as they should think it requisite to proceed with that inquiry.

2798. Have you any further statement to make, or observations to add, disconnected with the vagrancy law?—I now wish to put upon the minutes the documents I have alluded to. The first is an "extract" from a letter introduced into one of Dr. Philip's memorials to the legislative council, addressed to him by one of the missionaries under his superintendence, Mr. Barker, in which Mr. Barker states, that

"Any existing disorders among the colonial people are caused by the canteens, and the canteens only; and in this these poor creatures are led by those who are most loud in their clamours for vagrant acts. Why should government entrap the people by its canteens, for all the paltry revenue it receives from those hells? and why should it make the whole of the people vagrants for the acts of those it has actually tempted to become drunk? But whatever the views of government may be in this business, we know that the clamour for this vagrant act does not proceed from the fears, but in the rapacity of the people that are clamorous for it: they would not allow, if they could have their will, a man of colour in the country to be able to call a child he has, or a muscle or a bone in his body his own, or to have a member of their bodies which they could not buy and sell in the market at their own prices. We know, and every one knows who knows anything of the colony, that crime has been decreasing in the country ever since the passing of the 50th ordinance; and every one who knows this must know that we have no need for a vagrant act, and that such a vagrant act as the one proposed must bring us back to what we were."

Dr. Philip states—

"That memorialist fully coincides in opinion on this subject with the writer above quoted; and he has further to represent, that he has carefully perused the memorials from Graham's Town, and from Graaff Reinet, praying for the passing of the draft of the ordinance into a law, and the reports of the proceedings of the meeting convened for drawing up the said memorials and transmitting them to the honourable council, and looked in vain over these memorials, and in the resolutions and speeches appended to these memorials, for anything like a fact, or the shadow of an argument to justify the prayer of the memorialists for the passing of the draft of the ordinance into a law. That memorialist can see but one thing in the above memorials and speeches, that it is the wish of the said memorialists to receive for their slaves the money that the British Government has pledged itself to give them for their redemption, and to have the slaves given back to them under a new and not less severe form of slavery; and to have an addition to the perpetual and compulsory service of the slaves, the free aborigines of the country, as an additional compensation, placed under the same law of slavery, to be theirs and their children in every succeeding generation.

"That memorialist had the 50th ordinance submitted to him by the heads of the Colonial Office in Downing-street for his opinion on it, before the seal of the King in Council was affixed to it; and that after consulting Dr. Lushington, Mr. Buxton and others on the subject, with their advice memorialist drew up a letter, which was addressed to James Stephen, Esq., in which he gave his consent to the 50th ordinance as it now stands, on the ground that it was to be considered, and particularly the second section of it, securing them against being arrested on the charge of vagrancy, except after trial in due course of law, as an additional protection to that afforded by the declaration of Parliament, which placed the Hottentots under the same law as the other colonists, whether Dutch or English, in the same manner as orphans, apprentices and soldiers have additional protection afforded them in England; and memorialist was assured by Mr. Stephen that the views of memorialist were in perfect accordance with those of His Majesty's Government."

The other document which I now propose to read is the "extract of a letter written by the Rev. Mr. Reid to the Rev. Mr. Thompson, dated Philipton, (in the Hottentot locations) August 14, 1834."

I think it right, before I read this letter, to say, that Mr. Thompson remarks, in communicating it—

"I would feel much delicacy in treating the correspondence of any person in this way had I given any encouragement to it on my part, but as the communication was gratuitous on the part of Mr. R., unsought for by me, and even contrary to what, if he had any discrimination and modesty, he must have been aware my sentiments were on the subject, I do not consider myself guilty of any breach of confidence in making it public."

This is Mr. Reid's letter—

"The vagrant law is assuming a serious aspect on both sides of the question. It seems there is a great difference of opinion. From a letter from Mr. Van Lingen, at Graaff Reinet, it appears that there is a considerable number of the inhabitants that are opposed to the law, and consider that all their fellow-subjects ought to be left to enjoy their liberty, except those

Colonel Wade.

25 March 1836.

those who are guilty of breaking the laws of the land. From a letter from the (place not mentioned), it seems that with the exception of a very few individuals, the whole are against the law. Captain Watt, Mr. Hudson, the magistrate of Uitenhagen, Mr. Van der Riet, the civil commissioner, and even Colonel Cuyler, are opposed to the law. Dr. Philip considers the law of such a nature, that he has written to all the missionaries, recommending them and their congregations to hold the 18th day of this month as a day of humiliation and prayer to Almighty God, that it may please him to arrest the pending evil. In his letter to me he says, 'I hope Mr. Thompson will join you and make the same known to his people to do the same.' I do not know whether you will be able to favour us with your company, otherwise we shall be — to have your assistance and prayers. I suppose we shall be occupied most of the day.

(signed) "J. Reid, Chairman."

2799. *Chairman.*] Have you anything else to offer?—No, that is all at present.

Luna, 18^a die Aprilis, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Andrew Johnston.
Mr. Charles Lushington.
Sir Rufane Donkin.
Mr. Wilson.

Mr. William Gladstone.
Mr. Plumptre.
Mr. Hindley.
Mr. Bagshaw.

MR. FOWELL BUXTON, IN THE CHAIR.

Captain *Andrew Stockenstrom*, called in ; and further Examined.

2800. *Chairman.*] HAVE you any further evidence which you wish to tender to the Committee?—None; except that having understood that there were certain affidavits given in with reference to my evidence before the Committee, and not thinking that I could be here to-day, I have written a letter to the Chairman, which I beg may be accepted as evidence, if the Committee thinks proper.

2800*. Will you have the goodness to read it?—[*The Witness read the same, as follows:*]

Sir,

London, 1 April 1836.

I AM aware that I have no right to expect that this communication shall be admitted as evidence by the Committee over which you preside; but as you know that I am obliged to leave this country soon, that my passage is engaged, and that I am likely to sail for the Cape before the said Committee can again meet, I trust you will allow me to trouble you with the following Statement, in order that (if you should not have it in your power to cause it to be entered upon the minutes,) I may at least be able to appeal to it as an official document when I shall find it expedient to do so; and I therefore hope that you will do me the honour briefly to acknowledge its receipt when convenient.

Having been informed that, at the last meeting of your Committee, certain affidavits had been produced by Lieutenant-colonel Wade, as received by him from the Cape, militating against a part of my evidence given before the Committee during the last session of Parliament, I obtained your consent to inspect the same, and was yesterday permitted by the clerk of the Committee to look over them before they were sent to the printer.

Though I have consequently been able to take only a cursory view of the said affidavits, I have nevertheless a sufficient impression of their contents to be satisfied that it is a fortunate circumstance that they have come to my knowledge before my departure; in the first place, because I happen to possess the means of at once, by the clearest and most incontrovertible proofs, showing their incorrectness.

I beg, however, that you may be pleased to understand that, as far as I am personally concerned, I do not object to the reception of said evidence in the present instance, as I trust mainly to the scrutiny to which such attacks must lead, for the true exposition of my conduct and motives; and it was upon these grounds that I felt truly grateful to your Committee for giving up so much of its time to those cross-questions to which I was subjected, and by which not a comma of what I have stated, even upon memory, has been shaken.

However, to expose the real character of the affidavits in question, I shall not have to trouble you with any comments on minor points. I think it preferable to bring you to the substantial point at once, and show that the statement, that I had ordered the seizure of Caffre cattle, for the purpose of being taken to Fort Wiltshire, when the commando entered

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Caffreland

Captain
A. Stockenstrom.

18 April 1836.

326

320 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Captain
A. Stockenström.
18 April 1836.

Caffreland in 1830, though solemnly sworn to, is unfounded. I happen to be in possession of the very order which I did issue (not verbally, but in writing), and place in the Field-commandant Erasmus' own hands, as the same will be found entered in the commissioner-general's letter-book, in the Dutch language, in the handwriting of Mr. C. Andrews, then acting clerk of the commissioner-general, containing these words as I now translate them :

“ Provisional Field-Commandant, “ Kat River, 15 June 1830.
“ As it will be permitted to every one upon this commando to turn out such cattle as are found among the Caffres, and which he can swear to as having been stolen from the colony, I have to order you to make known to all under your directions, that in case of doubt the oath will actually be imposed ; and that consequently those who appropriate to themselves Caffre cattle, expose themselves to be prosecuted as well for perjury as theft.
“ Your servant,
(signed) “ A. Stockenström.”

I am purposely, and for obvious reasons, particular in describing by whom the said order was entered, and where it is to be found.

I suppose that this much would be quite satisfactory on the one point, but I go farther and show that it was impossible at the time that I should have issued any other order, except “ to turn out (uitjaagen) such cattle as were found among the Caffres,” and had been “ stolen from the colony ;” for if you will have the goodness to examine my letters to the secretary of government, dated May 12th and 17th, and June 9th and 17th, 1830, as they appear on the minutes of your Committee, you will find a uniform determination not to meddle with Caffre cattle ; and in my letter to Lieutenant-colonel Somerset, dated 19th May 1830, also entered upon said minutes, it is evident that no such seizure was contemplated. The same fact appears from my letter to the civil commissioner of Albany and Somerset, dated 8th June 1830 ; and in the letter by which Erasmus is ordered to place himself with a commando under the orders of Colonel Somerset, he is told that, “ if there be inhabitants who have lost cattle by the Caffres, and who think that the commando will find that cattle, they may join the commando.” Moreover, Erasmus and his men were placed under the orders of the military commandant immediately after the said order of the 15th June was handed to him. I could consequently give him no further commands as long as the military operations continued ; Colonel Somerset would (and very properly) not have allowed any such interference.

So much for the Caffre cattle having been seized in consequence of my orders ; and I now come to the shooting of Seco and others, which is said in the affidavits to have taken place in consequence of their throwing assagais at the commando. Nothing is more likely than that I did say, that if the Caffres did so throw assagais they should be fired upon, though such an expression would have been quite superfluous, for it was a matter never doubted, standing to reason and common sense, and perfectly understood by all parties ; but as for the assagais having been thrown, and Seco being armed, I beg of you just to compare the evidence of the Hottentot Boezak, as now sent from the Cape, with the statement made to me by this same individual when he was taken unprepared, the year after the transaction occurred, though even then so extremely anxious to conceal the truth, that without confirmation from other quarters, I should have attached no weight to what he said.

Here again I happen fortunately to be in possession of the original draft of Boezak's evidence, as taken down literally in the handwriting of the said Mr. Andrews, who understands sufficient of the vernacular tongue to judge whether my interpretation was correct, you may inspect this original paper if you please. Its contents are as follows :

“ The Hottentot Boezak, in the service of Provisional Field-commandant Erasmus, questioned as follows :

“ Name, residence and occupation ?—Boezak : I live with the Provisional Field-commandant Erasmus ; I go with him as his servant on journeys.

“ Were you with your master on the commando last year, when the Caffre chief Seco was shot ?—Yes.

“ State the particulars of his death ?—The commando, which was led by my master, came into a narrow kloof, where we found a great number of cattle. Some Caffres made their appearance at a distance, one came to my master ; my master asked him what Caffres those were at a distance, and whose cattle these were in the kloof with us. He said that it was Seco, and that they were his cattle. My master then called Seco to come to him. Seco came, and asked my master why they took his cattle. My master said that he acted according to orders from the commissioner-general and the commandant ; that he (Seco) might come to Fort Willshire and speak to those authorities ; but that he would leave Seco the poor milch cows. This my master ordered to be done, driving off the rest of the cattle. Seco and his people followed the commando and his cattle. My master then told the Caffres to leave their assagais behind ; they left them with some Caffres about as far in the rear as from this to yon corn-field (about 1,000 yards) ; when we got to the thick thorns one Caffre jumped in among the cattle and gave a shout ; the cattle burst back, and the commando killed Seco and his Caffres, who were helping us to drive the cattle.

“ When these Caffres were shot, where were then their assagais ?—Their assagais were then with the Caffres, which were then as far as the corn land opposite. The Caffre who had jumped in among the cattle, and gave the shout, was also without assagais ; he had only

324
 Captain
 A. Stockenström.

18 April 1836.

only a kierie in his hand; he was not shot; they caught him, flogged him with sjamboks, and then my master ordered him to be let loose.

"Where was Seco going when he was shot?—He was helping us to drive on the cattle. My master had told him to come to the commissioner-general and commandant to see whether he could get back his cattle; but whether he was then intending to do so I cannot say.

"How many Caffres were shot besides Seco?—I do not know.

"Did you see any Caffre throw an assagai at any of the commando?—No.

"Did you see a single one of the Caffres, who were helping the commandant to drive the cattle, or who accompanied the commando when the Caffres were shot, with an assagai in his hand?—No.

"What did the Caffres do, which were in the rear with the assagais, when Seco and the other Caffres were shot?—I could not see them; we were then in the thick thorns.

"Did you see any assagais after the Caffres were shot?—No.

"Did you hear anybody say that the Caffres had thrown assagais?—No.

"It is necessary to observe that the witness prevaricated repeatedly, and that with difficulty the above answers were procured, so that his statement must be received with much suspicion.

"Saturday, 16 July 1831."

Now, Sir, leaving you to judge which of the witness's statements is the true one, and in how far the others sent from the Cape, in that colony's present excited state, are to be relied on, without any cross-examination or other support; I proceed to show the grounds upon which my complaint against Erasmus was founded. My memoranda contain the following:

"New Post, Kat River, 13 July 1831.

"Having visited Chale's kraal during the day, and not finding him at home, I was overtaken by him here. He stated that he had been busily engaged in recovering stolen horses from the Caffres, and had already sent a great number to Fort Beaufort. He next complains that last year the Caffre chief Seco and six men were treacherously murdered, and one man dangerously wounded, by the division of the commando under Provisional Field-commandant Erasmus. Chale says, 'You told me that the commando would only seize cattle which should be recognized as stolen from the colony, and that no Caffre cattle should be taken, and no Caffre molested, unless the commando should meet with violence and resistance. I issued orders accordingly, that no opposition should be offered to the commando searching all the flocks. Seco seeing that Erasmus's party seized all the cattle of his kraals, asked him why he did so. Erasmus said he was ordered to do so, but told Seco he might accompany the cattle to Fort Willshire, and there demand them of you. Seco, with Erasmus's permission, selected the milch cows to leave at the kraals. He and several Caffres were assisting in driving the cattle through a bush, when some Caffres on the adjacent hills shouted; the cattle made a rush, and the burghers commenced an indiscriminate fire in the midst of them. Seco, and six men fell dead on the spot; an eighth Caffre was wounded, but has since recovered. All these Caffres were unarmed. Erasmus had told them to leave their assagais behind, which they had done, only taking their kieres.

"Commissioner-general: 'Did you see all this?—No; I was with the division under Captain Aitchison; but, because you told me at Fort Willshire that the Caffres had attacked the boors, and that you would seize the cattle taken from their kraals, I inquired and found the case as I have stated.'

"Commissioner-general: 'Who are your informants?—Several Caffres who were present, and can be produced.'

"July 14, 1831.—Having reached the location of the Provisional Field-cornet Groepe, I was met by the Caffre chief Macomo, complaining of the murder of the chief Seco and his men, stating the whole affair, as had done the chief Chale yesterday evening, with this difference, that his informant did not tell him the exact number killed, together with Seco. Macomo moreover complains, that lately one of his men was shot by a patrol in search of cattle. Being questioned, he says, 'I was not present, and do not know the particulars.' Commissioner-general: 'You must inquire; for if he either stole the cattle, or threw or threatened to throw assagais at the patrol, he could not expect to be otherwise treated.'"

That these accounts shocked me is but natural; but so loth was I to give credence to so heinous a charge against a person to whom certainly I was rather partial, that though I wrote to the government the day after Chale's statement, and the very day on which that of Macomo was made, and had to comment strongly on the affairs of the frontier, I did not mention a word on the subject, being determined first to satisfy myself more fully. I consequently, as soon as I had an opportunity, sent for Boezak unexpectedly, and received the account which I have inserted above.

Erasmus was then going on the commando authorized by the governor, and I sent him this notice:

"Provisional Field-Commandant,

16 July 1831.

"If you come to the frontier, I advise you to hear what is charged against you by the Caffres about the death of Seco, in order that you may defend yourself against it. I have heard your Hottentot Boezak, but he constantly prevaricates.

"Your servant,
 (signed) "A. Stockenström."

328

Captain
A. Stockenström.
18 April 1836.

No defence was ever made that I heard of, and no sort of notice was taken of the letter. I soon after again proceeded to the frontier, and there heard the provisional field cornet of the Hottentot Locations, a most respectable man I believe generally admitted to be. Here follows his statement:

"Balfour, Kat River, 27th August 1831.—Provisional field cornet C. J. Groepe questioned, states: 'I was on the commando last year, but not with the division which shot Seco and his people. I was with Captain Aitchison's party; but Lodewyk Peffer, who was with the party under Erasmus, told me that the Caffres were innocently shot. Lately two boors, Johannes Van der Merwe and Geys Van Rooyen, were disputing on the subject in my house; Frans Sieberts, Peffer, another Van der Merwe, and myself, were present. Johannes Van der Merwe said that he himself had begun by firing a loose charge among the cattle; Van Rooyen said, You did wrong; nothing could be more unjust than the killing of the Caffres that day. Van der Merwe justified the act; he, Van Rooyen and Peffer agreed that the Caffres were unarmed.'

"Peffer required to be present at Groepe's residence this evening, and a message sent to Chale to assemble as many chiefs as possible at his kraal next Monday, as well as such Caffres as were present when Seco lost his life.

"Lodewyk Peffer having appeared at Groepe's this evening, August 27th, and being questioned, states, 'I was with the commando under Erasmus last year; heard Erasmus give Seco leave to pick out the milch cows, and to accompany the cattle to Fort Willshire, provided he should leave his assagais behind; saw Seco and a number of Caffres among the burghers driving the cattle with nothing but kieres in their hands; saw several of these unarmed Caffres shot by the commando, when the cattle made a rush, in consequence of the shout of some Caffres at a distance; cannot tell why these Caffres were shot; did not hear Erasmus order the people to fire; saw Seco shot, at least saw him run into the bush; heard a shot in that direction, and immediately after saw Jan Gryling come from thence, who said, I have shot the chief. Seco had a pair of grey pantaloons under a tiger-skin karo; as soon as the firing commenced he wept bitterly, and cried out, Botman, no joke! I advised him to run into a bush near us; he did so, but had hardly got into it when I heard the shot.'

I must observe *en passant*, that this Peffer is considered more on a level with the boors than the Hottentots; at least he has principally lived among the former, especially with Bezuidenhout, whose evidence is one of those sent from the Cape, and whose near relation he is. Here also he is seen on the commando among the boors, and not with the Hottentots.

I proceeded to Caffreland on the 29th, and find the following memorandum of my conference there:

"Monday, August 29th, Choomie Chale's kraal; present, the chiefs Macomo, Chale, Anta, Feshla and several others.

"Commissioner-general: 'You are aware that a Hottentot has again been murdered by Caffres in the colony?'—Macomo: 'Yes; and before you required it we seized one of the murderers and delivered him over to you, with the cattle which he had stolen.' Commissioner-general: 'I understand there was a second murderer; and unless he also be given up, we must quarrel?'—Macomo: 'Every exertion is using to find him; I believe the reason why Botman is not here is, because he is engaged in that search.'

"After much discussion on this point, Chale said that there were three Caffres present who had been with Seco when he was killed. One of these then stated the matter exactly as it had been originally reported to me by Chale, with this difference, that 'as soon as the firing commenced Seco and the other Caffres tried to make their escape, and were pursued and shot in their flight.'

"Peffer again confirmed this statement; but the Caffre said that the man in the grey pantaloons was not Seco, but was another chief, who had succeeded in escaping unhurt."

Here I shall leave you and the Committee to judge whether I could any longer have abstained from the most serious representations, particularly when the practice of taking Caffre cattle by patrols continued to be carried on, and when I saw it proposed to fire upon the Caffres without any farther proof of their guilt than stolen cattle being traced into their kraal. And supposing the charge against Erasmus to be altogether false, was there no ground for further investigation? Ought not immediately an opportunity to have been afforded to the accused to disprove, and to the accusers to substantiate, that charge, at a time when the affair was still fresh in the memory of all parties; when unbiassed evidence might have been obtained, before a most bloody war had worked up the irritation and hatred against the Caffres to an unprecedented pitch? May I also ask what were then Colonel Somerset's replies to my letters to government of the 14th July and 31st August 1831, to which I referred him in mine of the 3d of the following month?

I have seen by a letter from the civil commissioner of Albany, entered upon the Committee's minutes, that he complains of not having had an opportunity of earlier inquiring into the matter. I do not believe that that gentleman has been found fault with for not doing so, for I did not conceive it to be his business. The transactions complained of were said to have taken place under military orders beyond the civil commissioner's jurisdiction, out of his district; and if his excellency the governor had deemed an inquiry necessary, he would have ordered a military court to enter upon it. Even if his excellency should have preferred the civil commissioner's interference, this officer would have received the order to do so direct from the secretary to government, with whom the business of his district was systematically carried on; so much so, that from the 18th August 1831 up to my leaving the colony

colony in March 1833, I did not receive one single communication from him in my capacity as commissioner-general. But the civil commissioner surely cannot mean that he was not aware of the accusations in question? I recollect perfectly their being publicly made in the Cape newspapers, by a traveller of the name of Bruce (I believe an officer of the East India Company's service). This caused a great sensation, and the inhabitants of the frontier petitioned the governor, praying that an investigation might be ordered; but this was refused, without the slightest reference to myself. At least I read these things in the newspapers. There was nothing then to prevent the civil commissioner inquiring, any more than now, if he did consider it part of his duty. I made my report to the governor, as in duty bound, and gave notice of it to the military commandant; and if, instead of all correspondence on the subject with me being dropped from that moment, a court of inquiry had ensued, I am convinced it would have been clearly proved that the information which I had received, and upon which my report was founded, was correct.

2801. *Chairman.*] Was Boezak the only Hottentot that was examined upon those questions, or were there some others?—Except that man Baffer, who may be either considered a Hottentot or a boor; Groepe also belongs to this class.

2802. Were the depositions and statements you have now read communicated to the government?—Upon receiving these informations, immediately my report was made to the government, with the expectation that an inquiry should immediately follow. My memoranda were simply notes taken down by myself, and this very evidence would have been brought forward. I have got the originals here: of course the clean copies were left in the office.

2803. You stated to the government that you thought inquiry was necessary, and that certain facts would be proved by it?—If I may be allowed to have my evidence of last session, I will read the very words: "I cannot better prove the mischief of our commandos and patrols than by giving the history of one which took place last year. You will remember, as it is recorded in your office, that upon the urgent representations of Lieutenant-colonel Somerset, I sanctioned an expedition into Caffreland about June or July 1830, with a view of recovering cattle stolen from the colony. The boors were told that any man taking Caffre cattle would be severely punished, but the Caffres were threatened that if they offered violence to the commando, the cattle of the kraals so offending would be seized to indemnify the colonists for their losses. Lieutenant-colonel Somerset was of course obliged to divide his force into several divisions; the one under Provisional Field-commandant Erasmus, came in contact with the late chief Seco. Erasmus, on joining the main body, reported that he had been furiously attacked by Seco and his people, and that this chief and several other Caffres had been killed in the rencontre. This was believed, and so reported to you. The Caffre cattle were disposed of as had been threatened; but it now transpires that Seco and six of his men were murdered in cold blood, and another Caffre was severely wounded. These unfortunate men were told by the provisional field-commandant that they might select their milch cows to leave at their kraals, and accompany the remainder to Fort Willshire to ask that restitution from myself, provided they (the Caffres) would leave their arms behind; they did so, and were assisting the boors in driving the cattle, when they were shot with nothing but their kieres in their hands. There could be no other inducement for this brutal conduct but to have a plea for the confiscation of the Caffre cattle. I have not been able clearly to prove that Erasmus gave the orders to fire, but the confidence hitherto placed in him renders his false report the more unpardonable, and his dismissal I think a very necessary example."

2804. Do you consider that your having called for the dismissal of Erasmus would necessarily produce an inquiry into the whole transaction?—This passage that I have now read I conceive cannot possibly appear in a letter to the government by an executive officer, without immediately leading to an inquiry. Erasmus could not possibly be dismissed without inquiry. It would be a most arbitrary principle to demand his dismissal if I did not expect an inquiry; and I have memoranda which will show the evidence I would have produced if that inquiry had followed, but it never received the slightest notice.

2805. Then you did not consider it necessary at the first instance to set out the evidence you had against Erasmus, but you contented yourself with saying that there were grounds for a charge against him?—Yes; the evidence is just in the original minutes, which would have been produced, and according to that

329
 Captain
 A. Stockenström.
 18 April 1836.

330

Captain
A. Stockenström.

18 April 1836.

324 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the witnesses would have been called before the court. I never could expect that upon this Erasmus would be dismissed upon mere *ex parte* report.

2806. Nor did you expect that Erasmus would be let go perfectly free from all inquiry?—I have been long in the public service, and I never could fancy that such a statement would be made to any governor without leading to an investigation, and either showing me that I had been rather premature in writing too strongly upon that subject, by giving the accused party an opportunity of immediately clearing himself or giving the accusers (for I was not the accuser) a chance of proving their charge while the case was fresh in the memory of every one.

2807. What was the date of the first communication you made to government upon this subject?—It is dated the 31st of August 1831.

2808. Had you made any verbal communication upon this subject to Sir Lowry Cole in 1830?—It is impossible, because I did not know anything of this in 1830. I commended the man, I believe, in my report of that year. The first information I received is stated in the letter.

2809. What is the date of Boezak's examination?—The 16th of July 1831.

Sir *Rufane Donkin*, a Member of the Committee, Examined.

Sir *R. Donkin*, M.P.

2810. *Chairman.*] DO you wish to make any statement to the Committee?—I beg to be permitted to state to the Committee some circumstances relative to an old and most honourable public servant, Colonel Bird, who was for many years secretary to the colony of the Cape of Good Hope. This gentleman has written to me and complained that an impression has been made in the colony, and he has reason to think also in England, that he had suppressed a very main and essential article in the treaty which was made with Gaika in the year 1819, relative to the territory usually called the Ceded or the Neutral Territory; and the impression which Colonel Bird thinks has been made, is that he was for a forced occupation of this land by the British Government, whether Gaika liked it or not. Now I owe it to Colonel Bird to say, that when I went up to the frontier in the year 1820, Colonel Bird twice or thrice said to me, "I hope that you will not allow any representations which may be made to you to make you believe that Gaika has ceded that territory to the colony; he has done no such thing, for I was present during the whole of the conference last year. If, therefore, you want that territory, and find it for the benefit of the colony that you should get possession of it, it can only be by following up the treaty of last year, and by inducing Gaika by fair means, and by his own consent, to abandon that land to you." I did in consequence act upon the spirit, and the very letter indeed, of Colonel Bird's information. I made a treaty with Gaika, and he did yield that territory to us upon certain conditions, which I occupied on those conditions, and on those conditions only. I have been anxious to lay these facts before the Committee, in justice to Colonel Bird.

Lieutenant-Colonel *William Cox*, called in; and Examined.

Lieutenant-Colonel
William Cox.

2811. *Chairman.*] WHAT office did you hold in the colony of the Cape of Good Hope?—I was there in the first instance as captain in the cavalry in 1824, 1825 and 1826. I was afterwards as major, commanding the Cape Mounted Riflemen, in 1829, 1830, 1831, 1832, 1833 and 1834. I was then major in the 75th regiment till the end of October 1835, when I left the colony.

2812. Where were you stationed at the time that the late irruption of the Caffres into the colony broke out?—I was at Graham's Town.

2813. Were the Caffres previous to that time in a state of turbulence, or of tranquillity?—They had been in a state of tranquillity up to the period of the irruption.

2814. Was there no restlessness known to exist amongst them?—Nothing very apparent; there had been, of course, stealing cattle, and those other things which occur so frequently there.

2815. Then there was nothing unusual?—Nothing very unusual, that I recollect; there was always a great deal of stealing, and patrols going to recapture cattle, which was a common occurrence there.

2816. It is a matter of common occurrence that the Caffres steal the cattle, and that commandos enter their country?—Not commandos, but patrols, agreeably to the directions of the governor; it is very common; there was scarcely a week

a week without application on the part of the farmers and boors, when I commanded at Fort Beaufort, for patrols to retake stolen cattle, and sometimes two or three in the course of a week.

2817. Were those patrols continually granted?—Always; and accompanied by the farmer himself, or one of his sons, people to whom the cattle belonged.

2818. Then there was, in point of fact, considerable irritation between the farmers on the frontier and the Caffres?—No; I do not call that considerable irritation; there was a constant demand for patrols, that was an usual and common occurrence, to recapture cattle, as the Caffres were in the habit of stealing constantly, as can be easily seen by the returns from the different parts.

2819. In the early part of January 1835 did you conduct an expedition against the kraals of Eno and Charlie?—I did.

2820. Can you inform the Committee of the particular instructions which you received for conducting that expedition?—I had written instructions from Colonel Smith, who was then commanding on the frontier, and I dare say I have a copy of them; but I know the object of them was, if possible, to induce the Caffres to withdraw from the colony: they had entered in very considerable numbers, I suppose 20,000, and were then a considerable distance in the colony; as far as the Sunday River, perhaps 50 or 60 miles in the colony: but the object was to endeavour to get hold of Eno, one of the principal chiefs, and to strike a blow in Caffreland, to induce them to withdraw from the colony.

2821. Did you get into the kraal of Eno unobserved?—Yes; I made a forced march, and got there before day-break, agreeably to my instructions.

2822. Did you take the people by surprise?—Yes; that was my great object.

2823. Did they appear to be prepared to make any resistance?—The few that we did get hold of, were armed, of course.

2824. What resistance did they make?—So far as that, they threw assagais at whoever came near them; a few of them at least were got at and shot by the patrols.

2825. Then are the Committee to understand that they made considerable resistance?—We could only get a few of them; the great body of Eno's people were in the colony at the time, destroying and plundering; there were only a few of them there in the kraal.

2826. When they found themselves surrounded, what did they attempt to do?—They were not surrounded; they were too cunning for that; we could only get at a few of them that were endeavouring to get away the cattle.

2827. Did they endeavour to make their escape?—Yes, certainly.

2828. Did your troops fire upon them when they were attempting to make their escape?—Yes.

2829. Did you endeavour to make any of them prisoners?—No, that was not possible; it is not possible to make a Caffre a prisoner; a Caffre never receives any quarter, nor does he ever give it.

2830. What evidence had you that those persons who attempted to make their escape, and upon whom you fired, were engaged in hostilities against the colony?—We knew that the great body of the Caffres were within the colony at the time, and had committed several murders, and had set on fire a great many houses, and had plundered several thousand head of cattle from the colonists; we knew that they were in open war upon the colony, and we endeavoured to retaliate as much as possible. I was sent with a military patrol, in order to intimidate them.

2831. What number were killed?—I suppose about 30 or 35.

2832. Were any females killed?—None that I know of; we never fired upon the females, they were never molested and never injured; I gave positive orders upon that subject.

2833. Was Eno's daughter fired upon?—Not that I am aware of. It is very possible that the women might be fired upon, and mistaken for men. Sometimes a man puts on a woman's dress as a disguise; the women have a different "kaross," as they call it, and sometimes they put on the dress of a woman; and it is very possible that a mistake of the kind might be made; but no woman was ever shot, except accidentally; the people had positive orders never to molest them, and so confident were they, that they never left their kraals.

2834. Were the son and two of the brothers of Eno shot at that time?—I believe some of his family were.

2835. You did not hear whether his daughter also was shot?—I saw a statement

Lieutenant-Colonel
William Cox.

18 April 1836.

Lieutenant-Colonel
William Cor.

18 April 1836.

ment in some publication shown to me either at the Cape or here, of such a circumstance, but she certainly was not shot intentionally. I gave positive orders that the men should not attempt to interfere with the women, nor molest them in the slightest degree; nor have they ever done so to my knowledge in the whole of the Caffre war, except perhaps in night patrols or things of that kind.

2836. In the end of July 1835, did you command the escort which brought a number of missionaries and traders into the colony from Caffreland?—I did in the end of February.

2837. What number of troops had you for the purpose?—Between 200 and 300; not all troops; I had part of a company of the 75th and part of the 72d, and the remainder were some Hottentots and some boors, the usual kind of force that they have there; and about 40 mounted riflemen.

2838. Did the Caffres harass your troops and make frequent attempts to cut them off when you were coming out of Caffreland?—They made a display of doing so; a great number of men appeared upon the hills.

2839. Did they make any actual attempt?—No, they made a display of it; and if there had been any small parties or stragglers, they would have been put to death, no doubt.

2840. In what part of Caffreland did you find the missionaries and traders?—At Burn's Hill.

2841. And at Wesleyville?—No, the missionaries had collected at Burn's Hill; they had collected from four or five places.

2842. How many persons did the whole of the party whom you brought with you, consist of?—I think 35 in all, traders, Europeans and missionaries.

2843. What was the proportion of the traders and their families to the missionaries and their families?—I think the missionaries were the greater proportion; but I made an official report, and gave in the names of all the people to the officer commanding at the time.

2844. In what circumstances did you find the missionaries placed?—I saw the application from the missionaries to Colonel Smith, begging that a force might be sent to bring them out of Caffreland, as they were in considerable danger, and expected daily to be put to death.

2845. What missionaries signed that request?—Mr. Laing, Mr. M'Dermot, Mr. Ross, Mr. Benny, Mr. Kezer, and there may be some others, but I do not recollect all their names at present.

2846. Had they been plundered?—Their houses were burnt, all of them, except the houses of the people I found at Burn's Hill, and which the old widow of Gaika protected.

2847. Were those houses burnt while they were in possession of them, or afterwards?—I cannot say; I found them all collected at Burn's Hill for safety.

2848. Had their lives been actually threatened by the Caffres?—So I understood from them; I saw a great expression of joy in their faces upon my arrival there.

2849. Had any violence actually been committed upon any one of them?—I cannot say any actual violence, but they were certainly in dread of their lives; and they appeared most grateful for the assistance sent to bring them away.

2850. But it did not come to your knowledge that actual violence had been perpetrated?—If a Caffre attempts violence, there is an end of it; he puts the man to death at once, and no man lives to tell anything about it. The Caffre never gives quarter, and he never expects quarter himself; he never receives it, in fact.

2851. Had the missionaries suffered much from want of food?—No, they had food there at the time; of course it could not have lasted long.

2852. Then the Caffres had not deprived them of their food?—No; they had something to eat in the house, I recollect.

2853. What was the date of the period at which you took them under your protection at Burn's Hill?—I arrived there in the afternoon of one day, and brought them away the next morning.

2854. What day was that?—I do not exactly recollect.

2855. Was it in January or February?—It was either the end of January or the beginning of February.

2856. Then they had been a month in Caffreland after the irruption had broken

broken out?—The irruption took place in the end of December; it must have been a month.

2857. During that time none of them had lost their lives, and no instance of any attack upon their persons had taken place?—Some of the traders were murdered, but none of the missionaries were murdered; but they were threatened to be so, and were in great alarm, as their letter to the officer commanding the troops upon the frontier will show: they applied officially, and a copy of their letter could be shown. Before I went there, I consulted Mr. Thompson, and he told me that it would require a much larger force to bring them out than the force I went with.

2858. Did you find some of the traders living with the missionaries?—Yes, they had joined them there, except one or two that had been murdered.

2859. Had those traders gone to that settlement for the purpose of obtaining protection?—I believe so; in fact I know that Gaika's widow saved the life of one or two of them and of the whole party, otherwise the whole would have been murdered.

2860. The queen of the country afforded them protection?—Yes.

2861. What number of traders were in Caffreland when the war broke out?—I am not prepared to state.

2862. Do you suppose the number was 200?—I know nothing about the traders.

2863. How many were murdered during the first month of the war?—I heard of two or three that I know of.

2864. Those persons at the breaking out of the war were completely in the power of the Caffres?—Quite so.

2865. And yet, out of all the traders that were in Caffreland, you only heard of two or three that were murdered?—I only recollect two or three.

2866. Were any number of the Caffres killed in engagements during the month of January?—Yes, certainly, a good many of them; they were repulsed and attacked wherever they made their appearance, by the parties that went in search of them, and the parties defending the posts. They made an irruption into the colony in very considerable force, some 20,000 perhaps, along an extent of upwards of 200 miles from Winterberg to the sea, and they penetrated the colony in various directions. They burnt every house and murdered every man they met with; they attacked every military post they could assail with any chance of success.

2867. Were many of the habitations of the Caffres destroyed during the month of January?—Some of their kraals were burnt. The habitation of a Caffre is a thing of no value; it consists of twigs put together, built by the women, and covered with a little clay.

2868. Then their property was destroyed as well as their habitations?—They had no property except their cattle; their corn was not ripe.

2869. Had their cattle been driven away?—I did not take the cattle away from Eno's kraal, but generally there were none to be had, they drove all the cattle away, so that you could not take their cattle; they drove all of them into the interior, with all the colonial cattle they took; there was nothing left whatever.

2870. Did you understand that our parties took the cattle where they found any?—They could not find any; the Caffres had left none in the country, they drove all into the interior.

2871. The habitations of the Caffres, to which of course they themselves attach some value, were destroyed?—The Caffres have told me a hundred times that they did not value their huts.

2872. The country had, however, been entered and ravaged by our troops, and in different places a number of Caffres had been killed?—Wherever we did meet Caffres, of course they were destroyed; they attacked us, and of course we were obliged to repel them.

2873. The country having been entered and ravaged by our troops, and a number of the Caffres having fallen, was it at all surprising that in many instances they should have retaliated, by putting to death two of the traders?—I beg leave to state, that the Caffres made war upon the colony, and the troops were ordered to repel them; and of course, wherever they found them, the only means to repel the Caffres was to shoot them.

2874. It is acknowledged that we were at war with the Caffres, and the

334

Lieutenant-Colonel
William Cox.

18 April 1836.

Caffres with us; but is it surprising, after the sufferings which the Caffres had had to endure, and the number of their people which had been lost, that they should so far have retaliated as to put two of the Europeans to death who had fallen into their hands?—I do not exactly understand the meaning of the question. The Caffres made war upon the colony, and there was an amazing irruption of Caffres, of some 20,000; they destroyed every house and murdered every person they met, and took some thousand head of cattle from the colonists.

2875. Can the Caffres be justly charged with extreme barbarity and cruelty, inasmuch as being in this situation, and having seen many of their brethren destroyed, they retaliated by putting some Europeans to death?—I cannot regard that as the position in which they were placed; because the colonists did not make war upon the Caffres; they made the war.

2876. Do you conceive that the Caffres considered that they alone were the aggressors; or did not they conceive, right or wrong, that the Europeans had taken possession of their country, and had annoyed them by repeated patrols and commandos?—That is going into the general policy of the question, which I do not feel myself quite capable of answering; but I mean to say, that the Caffres felt themselves wrong, because the chiefs repeatedly told me that they were wrong, and they were very sorry for it. They were well aware that they had done wrong in making war upon the colony in this instance; in several conferences that I had with them, they acknowledged that they were wrong.

2877. Is it surprising that when so many of their brethren were put to death, they put to death some Europeans?—They began it with respect to this war.

2878. Without considering who were the aggressors, the fact being that war existed, and that many of their brethren had fallen, was it surprising that they should have put some Europeans to death?—They put great numbers to death, and not only put them to death in the colony, but wherever they met them; they attacked the colony, and put a great number of people to death in the colony.

2879. At that time?—Yes.

2880. You were understood to say that you only heard of two traders being put to death?—I only knew of two or three in Caffreland.

2881. Is it surprising that out of the considerable number of traders that were beyond the frontiers of the colony in Caffreland, and who were therefore exposed to the mercy or to the cruelty of the Caffres, that some few should have fallen, seeing that our people had destroyed a considerable number of the Caffres themselves?—Those traders were admitted under the protection of the chiefs, they had given them permission to reside in the country; and therefore of course they would hesitate before they put them to death, as they could put them to death at any time.

2882. If the traders were in the power of the Caffre chiefs, why did not the Caffre chiefs put them to death, if they are such a bloody-minded people?—I cannot say what their motive might have been.

2883. Sir *Rufane Donkin*.] You have described this as a very general and great irruption of the Caffres; do you think this great and general irruption of the Caffres was the result of advice and encouragement from anybody?—From a conversation I had with Macomo and several of the Caffre chiefs, they seemed to imply that they were encouraged to come into the colony.

2884. By whom?—I did not push the question; I had special instructions from his excellency the governor as to the object of that interview which I had when I went among the Caffres. I was exposed there, being surrounded by several thousands of them, and that was not one of the points I was sent to discuss.

2885. Being an officer of rank, did not you think it desirable to ascertain whether there were any concealed traitors within the colony?—As the only means of communicating with the Caffres, I was obliged to trust myself amongst them; I went in; and there were particular points comprised in the message, and I did not like to deviate from them.

2886. Did you understand that they had been so encouraged?—I think they told me so; they said that they were encouraged, and they were led to it by some correspondence or intercourse with some people in the colony.

2887. Then you think that the Caffres had spies or friends within the colony, with whom they were in correspondence?—I do not know that the Caffres had spies

spies within the colony; but there were people that went among the Caffres, and had communication with the Caffres.

2888. *Chairman.*] Did you ever question the chiefs, or hear them questioned, as to any advice given, or communication made to them, by Dr. Philip, or Mr. Read, or any of the other missionaries, before the war broke out?—No, I did not.

2889. Did Macomo in your presence declare that he had not been actuated and instigated by Dr. Philip?—Dr. Philip's name was never mentioned in any conversation I had with the Caffres. Macomo told me he had reasons for making the war, and that he was led to it by people; he did not say whom, and I did not press the matter.

2890. *Sir Rufane Donkin.*] Do you think that the Caffres were encouraged at any time by any persons within the colony to assert their own independence, or to avenge any supposed injury?—I should be led to think that they were so, from writings and from discussions I have heard of, and from different things in the colony.

2891. But you cannot at all name the persons who were engaged in such intercourse?—No, I cannot name individuals.

2892. Do the Caffres consider the whole of the inhabitants of the colony, without any exception, as their enemies?—No, till war broke out the Caffre people were on friendly terms with the frontier people.

2893. Did the Caffres believe that they had any persons in the colony who commiserated their sufferings, and from whom they would get assistance?—I think they had that impression.

2894. But you still say that you cannot at all point out the persons to whom they looked?—Yes.

2895. *Mr. Gladstone.*] You were asked whether the Caffres had spies within the colony; to which you replied in the negative; but you said that there were parties who went beyond the frontier apparently for the purpose of acting in concert with the Caffres, or of stimulating the Caffres?—There were people that travelled frequently in Caffreland.

2896. Are those the parties to whom you are inclined to ascribe the having given encouragement to the irruption of the Caffres?—I think, from the general nature of the arguments I have heard used in favour of the Caffres, and that were disseminated amongst them, they have done a great deal of harm.

2897. You think it possible that the Caffres might have been incited by the general nature of those arguments, without its having been intended that that effect should be produced by those who use them?—Yes, I do. I think myself they were further induced by having the supposition that the Hottentots would join them.

2898. You do not ascribe to any persons within the colony the deliberate intention of encouraging that irruption of the Caffres?—Except the general tenor of the writings of the editor of the Cape Town paper, and some travellers. I had occasion myself once to write a refutation of a statement by a traveller upon the frontier, and Mr. Bruce, who came up in company with Dr. Philip, who went up to Mr. Read's station, and made a most erroneous statement in the Cape Town paper.

2899. Have you a strong opinion of the tendency of those writings to disturb the peace of the frontier?—I have no doubt of it.

2900. With regard to the traders that were put to death, are you aware of the period at which they were put to death?—It was about the time of the irruption of the Caffres.

2901. Before or after our troops were in motion against them?—Before we invaded the colony; at least before the army went into Caffreland.

2902. Before any retaliation had been committed upon the persons or property of the Caffres?—Yes, it was before the troops advanced into Caffreland; almost at the commencement of it.

2903. You said that the settlement where the missionaries resided with the traders was open to the attacks of the Caffres for the period of a month?—Yes. I believe the missionaries of the Chumie Institution withdrew; they were close to the colony; the people at Burnshill could not.

2904. Were the Caffres in that neighbourhood during that month?—Yes.

2905. Were the chief part of the missionaries collected there?—Yes.

2906. Had

Lieutenant-Colonel
William Coz.

28 April 1836.

336

Lieutenant-Colonel
William Cox.

18 April 1836.

2906. Had they any means of resistance to the Caffres?—It was impossible, living in thatched cottages.

2907. Were those traders who escaped there armed?—I think the Caffres took all their arms from them. When we came to them I am certain they had no arms.

2908. *Mr. Gladstone.*] At what period did the Caffres take their arms?—At the commencement of the irruption.

2909. Did the Caffres take their arms from any of the traders whom they did not put to death?—Yes.

2910. You said that the queen saved those traders; to what motive is that to be ascribed?—I cannot say; to motives of humanity, I should hope. She protected all the missionaries at Burnshill, and the traders.

2911. Was she in connexion with the missionary institution?—Yes, she was living on friendly terms with them; living near the institution, near Gaika's old residence.

2912. Do you think that at the period of the irruption the Caffres retained a strong sense of the European aggressions upon their territory?—I should think that former aggressions, at the time of our dispossessing them of the country, might have had some influence.

2913. What period had elapsed since they had been dispossessed of any portion of their country?—The Kat River was the last, and Macomo being dispossessed from the neighbourhood of Fort Willshire.

2914. The expulsion of Macomo was grounded upon particular facts and supposed offences of Macomo, was not it?—I suppose so.

2915. It was not in the nature of a gratuitous aggression?—No; he was permitted, upon good conduct, to reside within the colony; he was removed in consequence of the Caffres having stolen considerably from the colonists.

2916. *Mr. Bagshaw.*] You recollect the murder of Messrs. Henderson and Mahony?—Yes.

2917. They were traders?—No, they were not traders; they were residing in the colony at their own houses; it was Mr. Mahony's house; Mr. Henderson was his son-in-law, and at the commencement of this irruption he was trying to come away; he was attacked by the Caffres and murdered: at the first irruption they murdered every man.

2918. And they made no resistance?—Resistance would have been useless; they were surrounded by hundreds.

2919. Do you remember a Mr. Brown?—Yes.

2920. Did not he go among the Caffres at their desire to hold a parley with them?—Yes, he went to hold a parley with them; it was also in the colony that he was murdered. Whittaker, who accompanied him, was also murdered.

2921. Can you state how many colonists were murdered and lost their lives in the first irruption; was their any account of it taken?—Yes; it is very well known; I suppose about 100; every man they got hold of, of course they murdered; but the number is well known; there is a return made, and the name of every individual can be ascertained.

2922. And about 80 Hottentots?—Yes.

2923. *Chairman.*] Do you mean to say that 100 of the traders were murdered?—No, of the colonists; and it is not to be wondered at, because the extent of the irruption was upwards of 200 miles.

2924. You mean during the whole of the war?—Yes, till there was a sufficient force collected to drive them out of the colony; in fact, the defenceless state of the frontier was in a great measure the cause of the irruption.

2925. *Mr. Gladstone.*] What do you consider would have been a sufficient force to prevent it?—Certainly 2,000 men upon that frontier.

2926. Instead of what number?—Instead of six infantry companies and the 200 that I had in my own corps.

2927. *Mr. C. Lushington.*] You said that certain paragraphs in one of the Cape newspapers had operated to encourage the Caffres to the irruption; have the goodness to state how the Caffres became apprised of the contents of such papers?—I did not allude to any particular paragraph; but the general tenor of the writing of that paper, being circulated among the Caffres, might have given them an idea that there was a party of colonists that thought them injured, and that they might be warranted in endeavouring to retaliate.

2928. Are the Committee to understand you to say that the colonists directly communicated to them the contents of those papers?—I think it is possible that they

337
Lieutenant-Colonel
William Coe.

18 April 1836.

they might have been disseminated among the Caffres, they might know that there was a strong party in their favour.

2929. Do the Caffres any of them understand English?—No, except a few interpreters that were brought up at the missionary institutions; some of them understand Dutch, and they can easily communicate.

2930. Do you imagine that those newspapers were regularly communicated to the Caffres?—No; only the general tenor of the writing.

2931. Do you suppose that they were imparted in writing or by personal communication?—Of course it could be only by personal communication.

2932. Does not it appear to you an act of disaffection on the part of any British subject to make such communication to hordes of people at war with us?—Most decidedly, to instigate them to war.

2933. You stated that you were unable to mention the names of individuals that had communicated with the Caffres; did you mean that it was not in your power, or that you were unwilling to mention the names?—I am not aware of any individuals that communicated with the Caffres.

2934. *Chairman.*] Do you consider that a knowledge of the fact that some of the colonists thought the Caffres had been ill treated by the occupation of their territory, was calculated to stir up hostility in their mind against the British government?—I certainly think that the writings that appeared in the Cape paper must have had a tendency to make the Caffres dissatisfied with us; to make them think that they were injured, and there was a party in the colony in their favour.

2935. Was it possible to conceal from the Caffres that there were persons in the colony, and that there were persons in England who conceived that they had been oppressed by the usurpations of their territory?—It is not possible to conceal that, certainly.

2936. It might therefore have been without any evil intention communicated to them that there were persons who thought that they were oppressed, and wished that that oppression should be redressed?—Yes, I think so, certainly.

2937. *Mr. Gladstone.*] Are the Committee to understand that you object not so much to the opinion itself, or attribute dangerous consequences to the maintaining the opinion that the Caffres had been oppressed, as to the manner in which that opinion was expressed, and the temper and spirit in which it was supported?—Of course it must depend upon the manner in which it was conveyed to the Caffres.

2938. *Chairman.*] Are you rightly understood that the Caffres, who the traders were in their power, took away their arms, but did not deprive many of them of their lives?—If they had arms (I am not certain that they had, but if they had arms), they certainly took the arms; they always get arms whenever they can.

2939. But you entered Eno's kraal unobserved, and destroyed as many as fell into your hands, making no prisoners, and killing 30 of the natives?—My object was to get there unobserved, or else the purpose for which I went could not have been accomplished.

2940. Then, looking only at the mode in which the warfare was carried on, do not you think that they were more lenient in depriving our people only of their arms, than our people were in depriving them of their lives?—Not at all; because they gave us no notification at all; they attacked the colony and murdered every man they met; they burnt every house, and drove all the cattle out of it, and it was natural to suppose that we should make some retaliation for a thing of that kind; and consequently I was sent to make a diversion into Caffreland, in order to induce them to withdraw their people out of the colony.

2941. But the fact was, that in the first instance, with respect to the traders that fell into their power in Caffreland, they deprived the majority of them of their arms and not of their lives; whereas when you entered Eno's kraal, you went with the same degree of secrecy, but you deprived all the people of their lives?—But there were 20,000 Caffres in the colony at the time.

2942. Suppose they had murdered every missionary that fell into their power (and they did not murder one), and every trader in the colony which fell into their power (and you have only heard of two who were so murdered), would they have done more than you did in attacking Eno's kraal, and putting all that you met with to death?—They had reasons for sparing the mission-

Lieutenant-Colonel
William Cox.

28 April 1836.

aries, and the traders had been admitted there, in the first instance, under a promise of protection from their chiefs; but that they did attack the colony and murder every man they got hold of, I do know.

2943. *Mr. Gladstone.*] Do you think the two cases are parallel, or capable of comparison?—No, I do not see any analogy at all between the two cases.

2944. What was the date of your attack upon Eno's kraal?—It was in January; I can tell the date by a reference to my papers.

2945. When the frontier was in a state of war?—When the Caffres were in the colony.

2946. And when consequently you were engaged in a retaliation?—I was sent with a view of inducing them to withdraw from the colony.

2947. And those whom you put to death were persons towards whom you stood in the relation of an enemy?—Yes.

2948. With respect to the traders that were put to death, were they living in Caffreland under the protection of their chiefs?—Yes.

2949. And consequently the Caffres were bound to them by the distinctly understood obligations of good faith?—Certainly.

2950. The traders, then, were persons who stood in an amicable relation towards them?—Yes.

2951. And they put those traders to death without having received any offence from them?—Certainly.

2952. Do you consider, then, that the Caffres putting even those two traders to death must be called an act, independently of its cruelty, of the grossest bad faith?—Certainly.

2953. Is such an act capable of being compared to retaliations made in a state of war upon an invading nation?—There is no analogy at all, in my opinion.

2954. *Chairman.*] Are you aware that two patrols, one under the command of Lieutenant Sutton, and the other under the command of Ensign Sparks, had entered Caffreland before any of the Europeans had been murdered?—Yes.

2955. Are you aware that at that time, in both of those expeditions, the Caffres were fired upon, and in one the brother or the son of the chief was killed?—I am aware of the patrol that Mr. Sparks was sent in with after stolen cattle, and in bringing back the cattle the Caffres attacked the patrol, and Mr. Sparks was wounded; and I am aware that Mr. Sutton went to retake stolen horses, and the Caffres attacked them in great numbers, surrounded the party with Caffres, and the whole of the party would have been destroyed had the firing of the patrol not been heard at Fort Beaufort, and then a party was sent to their relief; and in that firing one of the chief's brothers was slightly wounded, but not killed. I have spoken to the man repeatedly since.

2956. *Mr. A. Johnston.*] Where were the two traders killed that you have mentioned?—One was killed at Tzyali's, and the other near Burn's Hill.

2957. *Chairman.*] What was the date of that?—It was in the early part of the attack.

2958. Your attack was made upon Eno's kraal about the 9th or 10th of January?—I cannot state to a day.

2959. Were you aware at that time that those traders had been murdered?—I do not know; I might have heard of it.

2960. *Mr. A. Johnston.*] One was killed by Tzyali's people?—Yes, and one by the people in the neighbourhood of Burn's Hill.

2961. Whose people were they?—Macomo's people, I think.

2962. Do you know of your own knowledge that those traders had promises of protection and safe conduct from Tzyali and Macomo?—I always understood that the terms upon which the traders entered must of course be by the permission of the government, and afterwards by the promise of protection of the Caffre chief.

2963. But you do not know that they had in fact promises of safe protection from the very people that killed them?—The chief of course, in the first instance, gave them permission to reside; they could not have resided without, in that country; and of course the giving them permission to reside, was giving them a promise of protection.

2964. *Mr. Gladstone.*] Do you suppose that they were murdered by the tribes of

of the country in which they resided?—There is no doubt of it, and they plundered them of every thing; I saw their houses afterwards.

2965. It was said that the Caffres never give quarter?—Yes, and they never expect it.

2966. Then does not it rather appear to be a mitigation of the usual method of warfare, if they did in some instances plunder without murdering?—They never do amongst themselves; when they get a man in their power they always put him to death.

2967. Does not it appear then that they have pursued a mode of warfare towards the Europeans which, however blameable in point of bad faith, was milder than that which they pursued in their own reciprocal feuds?—No, it is just the same; they did not make any difference.

2968. Do you know the situation of the kraal to which Ensign Sparkes was sent; whether it was in Caffreland or in the ceded territory?—It was in Caffreland.

2969. And with regard to the affair of Lieutenant Sutton, where did that take place?—In what was called the ceded territory.

2970. Was that considered to be within the colony?—Yes; they followed him close to Fort Beaufort, within hearing of Fort Beaufort, and they surrounded him there.

2971. Had a considerable number of Caffres been domiciled within the limits of our colony previously to the war?—Yes.

2972. Did any of them suffer in the retaliation inflicted by us upon the Caffres beyond the frontier?—No, they withdrew; they went away all, except those that came into the colony; all the rest withdrew out of reach altogether.

2973. You were understood to say that they had been peacefully domiciled within the colony?—They joined the Caffres.

2974. Did they join the invading force?—Yes; and all that did not, withdrew as far out of reach as possible.

2975. We had no means of inflicting upon them any special punishment?—No; they withdrew some days previous, with all their cattle and all their property.

2976. Mr. A. Johnston.] What was the amount of your killed and wounded after you had finished that expedition which you made in the middle of January to Eno's kraal?—There was one or two wounded, that I recollect; there were several assagais thrown.

2977. Have you any return of the killed and wounded on the Caffre side?—Only those that were seen; about 35 seen dead. I was ordered to do this as military duty; I had no discretionary power; I was ordered to inflict as much punishment upon the Caffres as possible, to give them a lesson.

2978. You made another expedition in the month of August into Caffreland?—I went into Caffreland with the army, commanding a division of it, in March, and was in Caffreland the whole of the time till the end of the war.

2979. Have you any returns of the killed and wounded during that time?—Yes; they were always forwarded to head quarters.

2980. How many might those amount to?—I cannot say.

2981. Did you also furnish returns of killed and wounded on the part of the Caffres, so far as it was known?—It was always reported.

2982. Did you state that the Caffres upon one occasion attacked your division?—No; the Caffres invariably kept as much as possible away from us; that is their mode of warfare, and there was no possibility of getting at them; if they could have been got at, the thing would have been soon settled; but that is their system of warfare, to get away in the mountains and ravines and inaccessible places.

2983. Then although sometimes appearing in numbers, they never came forward to a stand-up fight with your troops?—No, they always avoided it.

2984. Mr. Gladstone.] You do not happen to have been informed that a number of Caffres that were domiciled in the colony were taken into custody, and kept at Graham's Town during the war?—No; but I know that they were the principal means of getting at the cattle, because they were acquainted with the farms; some of them had been servants to the farmers, and they knew the country.

2985. Were they the principal means of enabling the Caffres to get at the colonial

340

334 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Lieutenant-Colonel
William Cox.

18 April 1836.

colonial cattle?—Yes; because they knew the country, and they knew the passes and the fords.

2986. *Chairman.*] You were instructed to deliver a message to the Caffre chiefs, by the governor?—I was.

2987. What was the date at which the first communication to the chiefs, Macomo and Charlie, was made?—I think it was in April. I received instructions from his excellency, if possible, to have an interview with them, and to induce them to surrender themselves upon certain terms, and to make an offer of peace to them, in April or May.

2988. Then it was while Hintza was in the British camp?—I beg to state that I was a considerable distance from his excellency; his excellency was with one division of the army that went beyond the Kei, and I was left in charge of the other force on the Deebly.

2989. Was the message you were desired to deliver, that if they would surrender at discretion their lives should be safe?—Yes, that was part of it.

2990. But with respect to all but their lives, they were to be left at the discretion and the lenity of the governor?—I believe that was part of the instructions, that their lives and property were to be spared if they surrendered themselves, and that they must await the decision of his excellency how they were to be further disposed of. I can produce the instructions I received.

2991. You were not instructed to say more to the chiefs than that their lives should be spared?—Their lives, their families, their cattle, and whatever they possessed.

2992. Were the words these: "A promise to the tribes that they should have present safety and protection, and possession of their cattle and the effects belonging to them; and that the chiefs themselves, if they would come in and deliver themselves up unconditionally, should have security of their lives, and await the ultimate command of His Majesty the King of England for their future disposal;" without a word being said about their property?—I think those are very nearly the words.

2993. How were you, as instructed to make this communication, received by the Caffres?—I placed myself in the power of the Caffres voluntarily. I could not get an interview with the chiefs; they would not come into my camp; I tried several times to get them, and I could not induce them; and, consequently, I was obliged to do what his excellency did not wish me to do, to place myself in some measure in their power. I went to the interview with Macomo and Charlie with only one officer and two orderlies.

2994. Was any assault made upon you?—No, because I had a previous communication. I told them that I had instructions, and that I wished to speak to them. They would not come unless they had a considerable force, and I was obliged to go to meet them.

2995. At the time you were in the power of the Caffres, were they aware that Hintza had been considered as a prisoner by Colonel Smith?—Unfortunately the very morning I saw Macomo and Charlie they had got a message from Hintza, telling them not to trust themselves, for he knew the terms offered to them, and Hintza sent two messages, and unfortunately those men told them not to place themselves under our protection; that he was under surveillance in the governor's camp, and he told them not to trust themselves in our camp; and but for that message from Hintza, I think they would have come into my camp and have complied with the governor's instructions.

2996. Then, in fact, if Hintza had not been made a prisoner they would have complied with the terms offered to them?—I think it is possible they would have come into my camp, and have heard the terms and have talked over the matter, and I think they would have been induced to come forward more unreservedly than they did after getting that message.

2997. Then do you believe that the negotiation which promised to restore peace to the colony, was in point of fact broken off in consequence of Hintza's declaring to these chiefs that he had been made prisoner?—The chance of communicating with them was interrupted by that message, no doubt. They would not come to me; and I had nothing left but to place myself in considerable jeopardy by going to them.

2998. Did not the fact that Hintza was a prisoner seem to produce a considerable excitement among the border chiefs, and lessen their confidence in the English?—Of course it did.

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2999. They were informed that Hintza was made prisoner, and it produced some excitement amongst them, and you were in their power at the moment; did they retaliate in any way upon you; did they make any assault upon you, or retain you as a prisoner?—No, certainly not; they met me at my request; and of course under any circumstances they were bound to be upon honour, and not to do anything of that kind.

3000. Was not it at Hintza's request, and by his own free will, that he went into the British camp?—Yes, no doubt.

3001. Therefore, as far as that circumstance is concerned, you were in a parallel condition?—Certainly; but it is well known that Hintza's object in coming into the camp was to delay the governor's advance, and to get the cattle in a place of greater security, and that was his object in all his communications with the governor. That was well ascertained.

3002. Was Hintza a prisoner at the time that he sent the message to the chiefs that he was a prisoner?—I do not know what state he was in; he was in the governor's camp.

3003. You have stated that they did not assault you; did they at all threaten to molest you?—No.

341
Lieutenant-Colonel
William Cox.

18 April 1836.

Mercurii, 20^o die Aprilis, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.

Mr. Andrew Johnston.

Mr. Charles Hindley.

Mr. Charles Lashington.

Mr. William Gladstone.

Mr. Henry Wilson.

MR. FOWELL BUXTON, IN THE CHAIR.

The Rev. *Hans Peter Hallbeck*, called in; and Examined.

3004. *Chairman.*] ARE you the head of the Moravian Missionary Institution in South Africa?—Yes.

3005. How many institutions are there of that nature belonging to your society?—There are five founded by us, besides which there is a missionary settlement called the Leper Institution, but that is a government institution.

3006. What number of natives belong to these Moravian institutions?—There were, on the last day of December, 3,474 in the six stations.

3007. How many schools are there?—In some stations there are three and in some two; I do not exactly know the number.

3008. Is there a school in every institution?—Yes, except at the Leper Institution, where there are no children.

3009. What do you consider the number of scholars attached to all these schools?—About 900. I have not got the exact return of last December, but three of the schools alone contain 700, and I believe the others about 200.

3010. Have you had the means of forming an opinion as to the capacity of the Hottentot children for receiving instruction?—I think they are just like children in every part of the world, as far as I can judge. There are some of very good capacity and some bad.

3011. Then do I understand you to say they are no better and no worse than children in an English village?—No, I should think it is the same.

3012. What is the proportion of people at your missionary institutions who regularly attend religious instruction?—I am not able to say in the distant stations exactly, but in the station where I live about three-fourths of the number of inhabitants, of those that are at home are daily at school or at church, except in case of sickness and so on.

3013. Do you mean to say that the whole of those that are at home at the institutions regularly receive religious instruction every day, except in case of sickness or something of that kind?—Yes.

3014. How long have you been in Africa?—Between 18 and 19 years.

3015. What is your opinion of the results that have ensued from the moral and religious instruction on the part of the natives?—It has had a very beneficial influence on their moral conduct, and also made them more industrious in their habits than they were, certainly.

3016. Have you seen any evil effect result from it in any way?—No.

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3017. Have

Rev.
Hans P. Hallbeck.

20 April 1836.

Rev.
Hans P. Mallbeck.
20 April 1836.

3017. Have the Hottentots arrived beyond the mere rudiments of instruction, or have you led any of them into the higher branches of instruction, such as mechanics and arts of that kind?—At the station where I live one-half the population subsists by working at mechanical arts, cutlers, smiths, joiners, tanners, masons, carpenters, shoemakers, tailors, and so on.

3018. And one-half of them derive their subsistence from mechanical arts?—Yes, nearly one-half, or thereabouts.

3019. Are these settlements confined to Hottentots, or are there Caffres there as well as Hottentots?—There have been in our station, where I live, since 1809, several Caffre families, but they are chiefly Hottentots.

3020. What territory did the Caffres come from?—They were Caffres, I believe, who had been in the colony, and who got an order on a certain occasion, I think from Colonel Collins, to quit the colony, and they were on the road to the boundary when the government officer advised them to go and settle with us.

3021. Mr. Johnston.] In what territory was your settlement?—It was in the district of Caledon or Zwelandam. It was nearer to Cape Town than the boundary by far, only about 90 miles eastward of Cape Town.

3022. Chairman.] Have you found amongst the Hottentots a very extensive and a very inveterate disposition to idleness?—Many of them certainly are; but I find, wherever they have a prospect of remuneration for their services, they work. For instance, there are cutlers in our station who have never quitted the spot where they have been standing since 1795. Every day they are making knives.

3023. Then you find them extremely idle when they have no stimulus, but give them a motive and they are industrious enough?—Yes.

3024. Mr. Johnston.] What may be the result of your observations upon the Caffre character, so far as it is known to you?—I know very little of the Caffres, having been only twice for a short time in Caffraria; but so much I have perceived, that the Hottentots, at the stage where they are now, at least our Hottentots, are very superior to the Caffres.

3025. Chairman.] Have you had many proofs of the industry of the Hottentots?—A great many in our place. We have, for instance, in our kitchen, servants who have been there since 1798, and others, both men and women, who have been constantly employed for 20 and even 35 years, and we have seldom an instance of one leaving us except when they are married.

3026. Do they take pains in cultivating their own gardens?—Of course, that is half their subsistence, particularly in our place.

3027. Do you think that the gardens of these persons are as well cultivated as the gardens of cottagers in England?—No, not so well as in England.

3028. Are their houses taken care of?—Those that can afford it build substantial houses, and one can easily see, on passing by the houses, that those Hottentots who are steadily employed at home have always good houses, and those who have employment out of the place, who are generally not so well remunerated, have generally the worst kind of houses.

3029. What number of men have gone from your institutions to join the army for repelling the Caffres?—Upwards of 160; 165, I think.

3030. Whose duty was it to select the men to go?—I received a letter from the civil commissioner requiring me to raise 200 men to assist the field-commandant, who would come there; to find out 200 men. So many were not to be found, because it was just in the middle of harvest, in December, and 160 were raised.

3031. Did they volunteer to go, or had you any difficulty in inducing them to go?—I had no difficulty, because they felt it their duty as citizens to help their neighbours.

3032. Did the families of any of them accompany them?—None.

3033. Did any women, whose husbands had gone into Caffreland, follow them?—No, they were requested to follow them; there was a communication from government, and they were offered government should pay their conveyance, and supply them with victuals and so on during the journey, but they could not bring themselves to leave home.

3034. By whom was that proposal made?—It was made first by Colonel Smith to the men in Caffreland. The men refused, and a month after I got another letter from the civil commissioner, and then the civil commissioner came personally to induce the women to go, but they would not go. They said

343

said they had no mind to leave their comfortable homes, and expose themselves to the vicissitudes of the contest.

3035. Their reluctance to leave their homes was the reason why they did not accept this proposition?—The only reason was, that they were anxious to have their husbands home again. It was promised to the Hottentots, (those are the very words I received in the letter from the civil commissioner), that they might depend on their being released as soon as the emergency of the case admitted of it. Now the burghers were sent home all to a man, in the month of June, and no Hottentots but those that were engaged with their waggons returned. Of our 160 mén, 30 returned on that occasion, but 130 remained.

3036. What was the reason why the burghers and their Hottentots were released, and your Hottentots were retained?—That I do not know.

3037. Did they express any reluctance to leave their religious institutions, and the advantages of religious instruction which they enjoyed?—No, it just happened on that occasion that I had the very day preached a sermon on the subject of their duty to assist their neighbours when they were in distress, and for that reason they went to a man with great delight and willingness.

3038. But were the wives reluctant to go on that account?—That was in the month of August, when they were called upon to go; they thought that would be the means of keeping the men for ever in Caffraria, and that I believe was the chief reason why they did not go. It was their reluctance to leave their comfortable homes, their school and church, as they said themselves.

3039. How were the wives and children of these men supported during their husband's absence?—Government gave every woman a pound of flour, and every child half a pound of flour a day in aid; but for the rest they have their support from their gardens, and I myself have, by the assistance of the fund, expended a sum to get a number of men to dig the gardens, in order that the women and children might afterwards be able to plant and reap.

3040. In what month did you leave the institution to which you were attached?—In January.

3041. Had all the men returned to the institution at that time?—No, 100 were still absent.

3042. Were many other Hottentots belonging to the burghers, or many of the burghers themselves, still detained in Caffreland?—Not one, I believe.

3043. Did you not consider it a hardship upon your Hottentots that they were retained when the others were allowed to depart?—Of course they were grumbling very much. I endeavoured, to the best of my influence, to satisfy them and pacify them for the time being.

3044. There is a government notice, dated Uitenhagen, 1st December 1835, respecting a treaty with the chief Mapassa; are you aware of such a treaty having been made?—Yes.

3045. Did you know anything of the chief Mapassa?—I knew him personally, but it is six years ago I saw him last.

3046. What is his territory?—It is to the north of the mountains of the Amatoli range, and between there and the banks of the White Kay.

3047. Is it in the Tambookies' country?—It is called Tambookies' country; formerly, I believe, it was quite waste, and the Bushmen were there hovering about.

3048. Was this chief amongst those who had been engaged in hostilities against the colony?—No. I believe it is stated in the very treaty that he had got a good character to the contrary.

3049. Had the colonial government any complaints against him, do you know?—Not that I am aware of.

3050. Do you know anything of the nature of the treaty thus formed, from your personal knowledge?—No; I never was in that part of the country since 1830.

3051. Have you heard from your own missionaries anything about it?—I have got a letter from one of them who was present, and signed the treaty, I believe, Mr. Bonatz.

3052. Have you got that letter here?—No.

3053. Will you state the substance of what has been communicated to you on the subject of that treaty?—I understood Colonel Somerset came to the station

Rev.

Hans P. Hallbeck.

20 April 1836.

244

Rev.
Hans P. Hallbeck.
20 April 1836.

station with 300 or 400 armed men, and stated to Mapassa that it was to his interest to become an ally of the colony, or else he would have to remove beyond the White Kay; and upon that, I believe, Mapassa said he could not choose but to enter into the treaty, because he was a dead man.

3054. What did he mean by saying he was a dead man?—I do not know, except that he was too weak to resist, considering the force that was before him.

3055. Do you know whether it was Mapassa's desire that his country might be included in the colonial boundary?—I never heard anything upon that subject.

3056. Did all the missionaries in that colony join in making such a request?—No, none of them that I am aware of.

3057. Do you happen to know the reason why Mapassa was made a British subject, and his country British territory?—I know no reason whatever; but I suppose it was our own convenience.

3058. Do you suppose he had this alternative offered to him, "You must become a British subject, or you must remove from your territory?"—So I understood from the letter I received.

3059. Where is that letter?—It is in Africa.

3060. Do you know what enemies Mapassa alluded to when he said without British protection he was a dead man?—Not to a certainty; it was explained by those present that he alluded to the force that was before him.

3061. Mr. C. Lushington.] Was Mapassa considered an independent chief?—Yes; all the chiefs are considered independent. He was not a very powerful one, an inferior chief of the Tambookies.

3062. Then in this case an option was given to him of subjection or expulsion?—So I understood it from the letter.

3063. Chairman.] You have been in Africa for 20 years, I believe?—Nearly 19 years.

3064. Is it your opinion that peace would be better maintained on the borders by having an overwhelming force there, with the power of chastising any persons who at all interfered with our objects, and going on in a system of patrols and commandos; or would it be established better by giving instruction to the natives, by methods of conciliation, and by encouraging barter and trade amongst them?—I am not very well acquainted with the frontier, but I can never think there can be an overwhelming power where you have so many hundred miles of frontier to defend.

3065. But would you depend, for the purpose of making these persons good neighbours with the British Government, upon violence and force, or upon the arts of peace, conciliation, civilization and Christianity?—Christianity will do the thing to a certainty.

3066. Is it your opinion that the best mode of civilizing men is by giving them religious instruction?—I have never used any other method, nor am I acquainted with any other.

3067. Do you believe the right course is first to endeavour to christianize the natives in order to civilize them, or first to civilize the natives in order to christianize them?—To christianize them in order to civilize them.

3068. You think the first step is to give them religious instruction?—Yes, for the two things must go together. The fact is, that in Africa you cannot have the one without the other.

3069. Have you observed, that as the natives improve in religious knowledge, in the same degree, and in the same extent, they improve in civilization?—Yes; in Africa the two things must, for that reason, go together, because as soon as the people live dispersed there is no possibility of instruction, and you cannot in any way concentrate them without their finding means of employing themselves in various ways and useful ways.

3070. Have you been in the Caffre country much?—I have only passed through it twice, on a short excursion.

3071. Have you seen Caffre huts?—Yes.

3072. Do you consider the Caffres attach much value to their huts?—Certainly more than we do. My estimate is this: I have seen a ponthok, for instance, exchanged for a bullock; now, I know that a herdsman in Africa works for less than a bullock a year, consequently a house is worth more than one year's labour.

345

Rev.
Hans P. Hallbeck.

20 April 1836.

3073. Mr. C. Lushington.]—The generality of the huts?—Of the lower class. There are others worth more; but I speak of the common bee-hive huts.

3074. Then, even the inferior class of huts are worth a year's labour?—Yes, there may be some inferior to those I have seen in Caffraria; but I mean the kind of huts the Caffres generally inhabit.

3075. Taking the average?—Yes.

3076. Chairman.] You would not consider it a matter of indifference to the Caffres whether the huts were or were not destroyed?—No.

3077. Mr. Johnston.] Did you observe much cultivation in Caffreland while you were there?—Very little, besides the little spots of garden that women generally cultivate; but I know, by the station we have got among the Tambookies, that they are not disinclined to cultivate the ground, when they can do it to the purpose. We have led out the river for them, and they now are certain of a return; and not only the women, but the men are very fond of working.

3078. Mr. C. Lushington.] Does the construction of this inferior class of huts occupy much time?—It is the work of the women; how much time it occupies I do not know; I never was present.

3079. Can you hazard a conjecture about it?—It must of course employ them several days, a whole family.

3080. Are the materials easily procured?—In some situations; but in others they have to bring the wood or sticks they want for it from a considerable distance.

3081. Then if a hostile force were to destroy a large number of those huts, it would involve the people in a great deal of privation and misery?—That depends a great deal upon the season. In the summer season I do not exactly know what is the case with the Caffres, because I have been very little amongst them; but I know the Hottentots do not inhabit their houses much in the summer, because they sleep out of the house; but in the winter, of course, they are of some importance.

3082. But in the months of January and February, which are the warm months in South Africa, the Caffres would be put to great inconvenience by the destruction of those huts?—If they had them not in readiness against the rainy season, the inconvenience would be the same.

3083. Chairman.] Do you apprehend, if a state of perfect tranquillity and peace were established between us and our Caffre neighbours, that the trade of this country, and of Europeans generally, with Caffres would be increased?—I cannot form any opinion upon that subject, because I never paid any particular attention to it.

3084. Have you formed any opinion upon the system of patrols and comandos which has been in use on the frontiers for some years?—I have paid very little attention to it, having lived in quite another corner of the colony.

3085. Are there any other points connected with South Africa which you would be desirous of giving us any information upon?—None, that I am aware of.

3086. Have you established any infant-schools in your institutions?—In all our institutions. The largest in the whole colony is that in the station where I live.

3087. How many children are there in that?—There is a steady attendance of 150 children every day.

3088. What effect does that appear to have upon the people?—It has had a most beneficial influence, both on the other schools, in improving them, and upon the adult population generally; indeed, I was obliged last year to build another school, because the school for the larger children was much too small, which I ascribe, in a great measure, to the influence of the infant-school.

3089. What is the total population of that institution?—It was, on the last of December, 1,406.

3090. At Genadendal?—Yes.

3091. Mr. C. Lushington.] I suppose it is rather diminished than otherwise within the last few years?—No, it has been increasing gradually ever since I have been there.

3092. Mr. Johnston.] I think you said your society had a settlement in Caffraria?—No, among the Tambookies.

3093. Then do you not consider that country to be in Caffraria?—Sometimes

it is called Caffraria, speaking in a vague way, and sometimes not; it lies northward of Caffraria, but still so near, when the Caffres steal the cattle from the colony, they drive the herds over the very land of the institution.

3094. Are there any of the brethren belonging to that institution in this country at present?—No.

3095. Have you been in frequent communication with your brethren?—Yes, of course, in steady communication.

3096. What progress have they made with reference to the object of the mission in the Tambookie country?—I believe they have baptized about 12 Tambookies, of whom they had good hopes, and some are very steady, excellent characters; and near the station there are about 500 Tambookies, whose children attend the school, and who themselves attend the church. On the 23d December, the church, which was built last year, was opened, and twice filled with them.

3097. Do they evince a disposition towards the acquisition of learning?—Not to that degree that we could wish.

3098. Do they exhibit a readiness to receive the truths of Christianity?—Not anything as yet like the Hottentots.

3099. How long has that settlement existed?—It was begun in 1828; and after an interruption by the neighbouring tribes driving the missionaries away, it was resumed in 1829.

3100. How many of the brethren are settled there?—There are three of them.

3101. Mr. *Hindley*.] Is there any vacant land within the colony?—I suppose so, but not of very great value, I believe, at present.

3102. If any one wished to purchase some vacant land, of whom would he have to purchase it?—The order at present is, that the land is measured, a diagram furnished by the surveyor-general, or some such officer, and then it is to be sold publicly; but there has not been any sale of the kind that I am aware of yet.

3103. Then the government would give the title?—Yes.

3104. That portion which is held by private individuals is held, therefore, of the government generally?—Yes.

3105. Are there any title deeds given by the government on such occasions?—Yes, there are.

3106. And the different missionary societies, do they hold their land by title deeds from the government?—There is a great difference; there are some places which are purchased from the farmers, which were already measured, and held on perpetual quit-rents, which have been transferred to the missionaries on behalf of the society; but there are some other stations where that has not as yet taken place.

3107. Who makes the deed transferring the land from the farmers to the missionaries' society?—There is a transfer office in Cape Town.

3108. Is the deed deposited in Cape Town, or is it held by the party making the purchase?—I possess deeds; I do not know whether there are duplicates in the office.

3109. The transfer is entered at the office in Cape Town?—Yes.

3110. Do any Hottentots hold land?—There are some instances within our district of five or six families who hold land, and very respectable farmers.

3111. Mr. *C. Lushington*.] Is it the fact that boors and their Hottentot servants were not paid, when they were called out on actual service?—They were not paid, as far as I know, up to the time when the boors were dismissed; but I saw an advertisement after that time, when some boors were required in the neighbouring districts, and 1s. and 2s. per day were offered; but at the first they were not paid.

3112. But the Hottentots who were included in the provisional corps, and who were latterly retained in Caffreland, were all paid 1s. a day?—I believe only from that day when the farmers were dismissed.

3113. *Chairman*.] Have you had the means of forming any opinion as to the disposition of the natives to wander from their homes and become vagrants in the colony?—There is a general disposition throughout the colony for travelling, which all classes I believe partake of; and there may be in the interior many Hottentots who may be of that disposition. There was a great stir about vagrancy a year or two ago, but I must say I never perceived any symptoms of it

it in our neighbourhood. I never perceived any symptoms of vagrancy more among the Hottentots than among other people. I have this mode of obtaining that information; the administration of our station is committed to 30 Hottentots, whom we call overseers, and it is our rule, for the sake of regularity in the place, that whenever a stranger appears he must report himself to one of these overseers, who are dispersed through the place at intervals of six or seven houses; but ever since 1827 there were not more instances of strangers visiting the place than before the time when the Hottentots were obliged to have passports.

3114. Then you have not observed, in consequence of the removal and the necessity of having passports, that there has been any increase of a disposition to run about the country?—Decidedly not.

3115. Mr. *Hindley*.] I believe that has not been the impression entertained by some individuals even in the neighbourhood of Genadendal?—There were some I believe who signed a petition for a vagrant law, and one of these gentlemen, when the war broke out, wrote to me that he did not know a single Hottentot in his whole district that he could get for a driver for his waggon, so that there could not have been many vagrants then.

3116. Might it not happen that there were persons of a roving disposition who were disposed to wander about the country to live as they could, but who were not disposed to engage in regular industry?—Of course there may be such instances, and I believe there were such instances in that part of the country where they can live by what they call field fruits; but where I lived I am certain it was not the case.

3117. Do you believe there existed amongst the Hottentots with whom you were conversant, a greater disposition to wander about than exists among the peasantry of England?—Yes, certainly; that is the case not only with the Hottentots but with the peasants and farmers of Southern Africa; they are always on the move.

3118. Was there a greater disposition to rove about the country among the Hottentots than exists among the white persons?—I suppose it is nearly the same; I find all our young neighbours more absent visiting than I find them at home.

3119. Did it appear to you that the evil was of that extent that it was necessary to establish a strong vagrancy law, to prevent their wandering about the country?—I perceived no evil whatever in our neighbourhood, as far as my personal knowledge went.

3120. Do you mean that to extend over all the institutions with which you are connected, or merely the one in which you are located?—I say that with reference to all our institutions.

3121. You must have acquaintance with a considerable tract of country in consequence of being connected with so many institutions?—Yes, but not personally.

3122. Mr. *Hindley*.] What would have been the effects of a vagrant law upon the comforts of the aborigines?—It would have been a great hurt to themselves and to the farmers too. I had got, just about the time when the vagrant law was in progress, an application from near Cape Town for Hottentots to come to the harvest; I was afraid to tell it to any Hottentots until I knew what became of the vagrant law, because I questioned very much whether they would have it in their power to return home again, and for that reason I wrote to the gentleman again, telling him my apprehensions, and he was so aware of it that he wrote back and gave me the opinion of one of the officers in Cape Town, in order to satisfy my mind that no vagrant law could be carried, and therefore I might be easy. It was upon that condition alone the Hottentots ventured to leave the place, and go to the district of Cape Town.

3123. But had you received another answer, and been told there would have been a vagrancy law, it would have prevented that part of the colony near the coast from being supplied with your labourers during the harvest?—Undoubtedly our Hottentots would not, under these circumstances, have ventured to go so far from their homes into another district, because they were under apprehensions of not being allowed to return home when they had done their work.

3124. Then you, upon the whole, as interested in the welfare of the colony and the welfare of the Hottentots, decidedly object to a vagrancy law?—As

344
Rev.
Hans P. Hallbeck.
20 April 1836.

245

Rev.
Hans P. Hallbeck

20 April 1836.

far as I can judge, from the circumstances in which I have been placed, I am of opinion that the vagrancy law would have brought down the Hottentots to about the same situation in which they were 10 or 12 years ago.

3125. Mr. *W. Gladstone.*] Do your objections apply to the particular vagrant law which I understand to have been proposed, or to any vagrant law?—I did not study the law as it was proposed, but I know the system of passports as it had been in operation before. I know, for instance, that a Hottentot left our place, having an engagement at a place 200 miles off, taking it into his mind to go to a certain distance, and accordingly he was required to have a passport. That same man met perhaps a better thing a couple of miles on his road, where he could be employed with more advantage, but he was not allowed to do it; he had to go as stated in the passport, or to return to his home to get another passport, and perhaps lose half the week.

3126. Then your objection would apply probably to the specific form of the vagrant law which has been brought under your consideration?—My objections are founded on the knowledge which I have from want of labourers; and that those who stand in need of them will make use of such a law, however it may be worded, to their own advantage, and the labourers will suffer under it.

3127. You object to it as an unnecessary restriction of the right which every man ought to enjoy of disposing of his own labour to the best advantage?—Yes.

3128. But do you think that objection must apply to every law which bears the name of Vagrant Law?—I do not know that.

3129. Are you aware that there are laws for the suppression of vagrancy in this country?—I am aware of that.

3130. And you have said in your evidence that the population of this colony were more addicted to vagrancy as a whole than they are in this country?—Yes.

3131. Consequently it would follow, that as much restriction at least as is found requisite in this country would be requisite in that?—I have not said that they were addicted to vagrancy, but to travelling about; that is the fact.

3132. If their inclination to travel be greater than the inclination to travel in this country, and if the inclination for travelling in this country renders vagrant laws necessary here, it is probable at least that the same degree of restraint upon that inclination to travel is required at the Cape as is required in England?—I believe it would be, in some parts at least of the colony, and I am certain in our neighbourhood, the greatest loss to the farmers themselves. I will just state upon what my opinion is founded: the district of Caledon, for instance, is of that description that, as is perhaps the case in most countries, when the corn begins to ripen, it begins at one end. Every farmer sows more corn than he is able to reap, depending on the assistance of this swarm of free labourers. If they are now restrained by vagrancy laws, they must have certain places where to go to; but as it is, they can begin at one end of the district reaping, and just as the corn ripens slower there they would come and cut it down; and if it were not for this circumstance the Caledon district could not sow by far so much wheat as it does, or it would fall to the ground, and get devoured by the birds.

3133. Have you seen any instances in which great evils and distress and degradation of character have arisen from the indulgence of this habit of travelling about the country?—None that I am aware of.

3134. *Chairman.*] I understand you to say, that they are more addicted to travelling than persons in this country?—Yes.

3135. But do you consider that is an evil disposition on their part, or does it arise from the circumstances in which they are placed?—It is a very natural inclination in such a climate, and under the circumstances in which they are placed, where they hardly can move but on horseback.

3136. Do you think it will be injurious to them and the colony at large to restrain that disposition which at present exists to move about the country?—I believe so, because I am almost certain that it would only fall upon the class of labourers. No one would ask a gentleman or a person of any other class for a passport.

3137. And you think to the labourers it would be injurious?—I think so.

3138. Mr. *Gladstone.*]—Did the vagrant law, to which I understand you to have objected, contemplate the arrest of any person for vagrancy, except those who

349

Rev.
Hans P. Hallbeck

20 April 1836.

who were wilfully living in idleness?—I do not know the contents of the law; those are things I have very little time to attend to.

3139. Are you aware whether it made a passport necessary for all persons of lower order to move from place to place?—I understood so, but I am not certain, for I never studied those things. I lived quietly in the country, only looking to the interests of the people living under my care.

3140. I understand you to have objected to the law while in the colony?—I did, and I wrote to the civil commissioner on the subject, stating my reasons.

3141. Had you then any doubt in your own mind as to the main provisions and substance of the law to which you objected?—I knew very well what it was, but not so that I am now prepared to state it. I was afraid of the old system of passports getting in again.

3142. You were not then certain that the Vagrant Act made it necessary for a person to have a passport, in order to be allowed to move from place to place?—As far as my memory now goes, I think that was the whole object of the vagrant law, that every one was to be supplied with a passport.

3143. Can you say you have no doubt of the fact?—I do not know; my memory does not tell me now to a certainty, whether there was such a thing; but as far as I can recollect it was the case, and I think it was upon that very principle I wrote to our civil commissioner.

3144. *Chairman.*] You having had experience of the effect of the vagrancy law previous to 1828, did you think that vagrancy law extremely oppressive and injurious to labourers?—Yes, and I will state one single case to prove it. A Hottentot, who was rather more sharp and cunning than most Hottentots are, went from our place to Stellenbosch. He came into the village of Stellenbosch, and there a man asked him for his passport; he not knowing who that man was, gave him a passport written by me. The man immediately tore his passport to pieces, and threw the Hottentot into the trunk as a vagrant. He was brought the next morning before Mr. Ryneveld, the then landdrost. Mr. Ryneveld questioned him on the subject, and he stated the case, adding, if Mr. Ryneveld would go along with him he should be able to pick up those very pieces of paper which had been thrown away in that manner. Mr. Ryneveld went along with him, found the pieces, put them together, and knowing my signature, the man who tore it was punished. That was one instance; but numbers of the same kind occurred, where the Hottentot had not the opportunity of saving himself. That is the way these officers (I have forgotten what their name was now, scouts, or something of that kind), made some money by those who were in want of labourers. They used to apply to these scouts, as I was told, (and that was the case in this instance I allude to), and pay them a few dollars to catch Hottentots for them; and when the Hottentot, as was usually the case, had not money to pay the prison expenses and thus to obtain his release from the trunk, the man was at hand, and advanced the money for him, on condition that the Hottentot should work with him for several months.

3145. *Mr. C. Lushington.*] Did a passport, signed by you, carry any authority to character?—It was required in the first missionary in every station to give passports to the Hottentots residing in that station.

3146. *Chairman.*] When these men are assigned over to the boors, was that a condition as low and as oppressive as that in which the slaves were placed?—They are generally, when they work on the farms with slaves, on the same footing as the slaves. I do not conceive that either the situation of the slaves or of the Hottentots at the Cape is very oppressive.

3147. But they were in a similar condition to the slaves, whether that be more or less oppressive?—Yes.

3148. After they had completed the time for which they had thus bound themselves to the persons to whom they were assigned, have they any facility for getting home again?—Sometimes; but it was always subject to the same difficulty, on account of its being required of them to have a passport.

3149. Was there not also in former times a law, that if a Hottentot had served a master for a certain number of years, and had had children during that time, that these children became assigned over or apprenticed to the same master for a number of years?—I believe so.

3150. *Mr. Wilson.*] Are you aware whether or not in your neighbourhood there

350

Rev.
Hans P. Hallbeck.

20 April 1836.

344 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

there are a number of Hottentots living in the bushes and fields, subsisting on the plunder of the flocks and herds of the farmer?—I never heard of it.

3151. Mr. Gladstone.] When did you leave the colony?—On the 8th of February.

3152. Are you aware of the nature of the 50th ordinance?—Yes.

3153. Are you aware whether since it was passed there has been an increase of crime in the colony?—I think not. Not only myself, but even the judges themselves, have of late made observations, that there is a decrease of crimes.

3154. Do you apprehend that to be an admitted fact?—I believe so.

3155. To what period does that observation apply?—It has been for several years the case, but the period I do not exactly know.

3156. *Chairman.*] You think in seven years that have elapsed since the 50th ordinance, there has been less crime than there was in the seven years preceding?—I certainly believe so.

3157. Mr. Johnston.] Do you use the terms travelling and vagrancy as synonymous terms?—I think they are nearly the same, as far as the Cape is concerned.

3158. *Chairman.*] You mean to say it is so understood at the Cape?—I do not know how others understand it, but I understand it in that way; that most people are on the move at the Cape, and yet do no harm.

3159. Mr. Johnston.] If a boor were travelling, you would not say he was concerned in vagrancy?—No, of course not, because he is a boor.

3160. Then you apply the term vagrancy, with reference to what we have been examining you, to the Hottentots alone?—So it has been considered at the Cape, I believe.

3161. Then that which is called travelling in a boor is called vagrancy in a Hottentot?—Very often.

3162. Mr. Gladstone.] Do you consider there is any reason in the general practice of the respectable classes which may have caused, and may in some degree have justified, that application?—In the interior, where the Hottentots live half mixed with the Bushmen, there may be some reason for it; but in the part of the country where I live it is very different.

3163. *Chairman.*] Do you believe that, generally speaking, when the Hottentots move about the country it is for some lawful purpose, and they ought not to be treated in any shape as delinquents?—They generally have some object, but frequently it is a trifling object, as we should consider it according to our views, for which they may undertake a long journey. For instance, they may go a distance of 500 miles, and they may have one bullock to get in that quarter, which may be worth 2*l.*; they will undertake a journey of 500 miles to fetch such a bullock.

3164. We have had evidence before the Judges in this country, that there are persons in England who travel from here to Scotland and back again for no other purpose than to obtain money by begging; are the Hottentots guilty of that species of vagrancy?—I never met a beggar that I can recollect at this moment in South Africa, except one or two Irishmen, who came to that place.

3165. Then real vagrants, in the English sense of the word, you never met but two, and they were Irishmen?—If you say a vagrant is a beggar, that is certainly the case.

3166. Mr. Gladstone.] Have you visited other missionary institutions besides your own, and made their state the subject of your inquiry and study?—I have visited some of the other stations, but not within the last six years.

3167. Under the charge and superintendence of missionaries belonging to what society?—To the London Missionary Society and to the Glasgow Missionary Society.

3168. Have you seen manufactures or mechanical works going on at those institutions?—Not that I am aware of.

3169. Is the general state of those institutions much the same as your own?—There is a very great difference in the outward management of them. In our institutions there are on each station three, four and six missionaries, and those missionaries divide between themselves the various branches, with the object to promote the industry of the people. Now in such stations, where there is but one missionary, it is impossible; and that is the cause of the difference.

3170. Consequently there is a considerable difference, as you conceive, with respect

respect to the industry and prosperity of the people in favour of your own institution?—I cannot say that. As far as industry is concerned I cannot judge, for those people, who do not work in shops, may be just as industrious in agriculture and other things not seen in the place, as those who work in the shops who are seen in the place: of which I cannot judge.

3171. Do you think the peculiar organization you have described, in which there are several missionaries to teach, by way of example, the occupations they are to follow, is calculated to produce more than an ordinary degree of industry and prosperity in the people?—I am of course convinced of its utility, or else I should never have embarked in it.

3172. Mr. *Hindley*.] What trades have been commenced in Genadendal since you went there?—Since I have been there, there is a tannery established, and by the progress of the people, tailors and shoemakers have got on; a manufactory of tobacco also, which was in my time, and cutlers have been established since 1795, which was before my time.

3173. *Chairman*.] In visiting other missionary institutions, has your opinion been, that the effect of the instruction, moral and religious, which they give to the natives was to increase their industry, to increase their prosperity, and to make them better men and better subjects?—Yes. I stated before it is impossible to be a christian without getting forward in industry, and in all good things.

3174. Am I to understand the remark you made, of the effect of moral and religious instruction upon the natives, applies not only to your own institution, but to other missionary institutions which you have witnessed in South Africa?—To every institution.

3175. You mean to say then, that the general features of all other missionary institutions of which you have been cognizant, are the same as those of your own institution?—I will answer that question by an explanation. The object of the missionary is of course to have a steady attendance of children and adults in their schools and in their churches, and that is the grand reason why we are so attentive to these outward things. The missionaries of the other institutions themselves regret that they cannot command that steady attendance in their schools, that there is a certain fluctuation, and for that reason there is a difference. They may perhaps have the same number, and I believe, I do not say it by way of compliment, but I really do believe, with regard to the schools, travelling about, preaching and the like, they do as much as any human beings can do, but that they cannot keep the people steadily under instruction; that is the great difficulty.

3176. The observations you have made apply to the London and Glasgow institutions, as well as your own?—To any missionary institutions.

Lieutenant-Colonel *Coz*, called in; and further Examined.

3177. *Chairman*.] DID the troops enter Caffreland in the end of March 1835?—The division I commanded moved on the Chumie, which is in the colony, on the morning of the 3d of April.

3178. But the other detachments had entered Caffreland previously, I believe?—There was a simultaneous movement of the whole of the forces about the same time; I cannot say on what day the others moved.

3179. When did you first encounter the enemy after moving towards the Chumie?—The first day we moved into the valley of the Amatola, where a large body of Caffres was in the bushes.

3180. What do you suppose to have been the strength of the Caffre force which was immediately opposed to you?—We could not see the force, as they were concealed in the bushes; we could only judge by the fires in the night and morning.

3181. Did you consider there was a considerable extent of Caffre force there?—There must have been, from the extent of the bushes and ravines which they occupied. It was impossible to say what force might have been concealed there.

3182. Did you make an attack upon them on the 4th April?—We endeavoured to get at them as well as we could, in order to get them out, and clear the country.

3183. Please to state the circumstances and result of that attack, with as many particulars as you are in possession of, of what took place from that time.

Lieut.-Colonel Cox. up to the 13th of April?—I moved on the morning of the 3d of April with the force under my direction in different bodies, to clear the valleys and ravines of the Caffres to the head of the Amatola, as it is called, and the sources of the Keiskamma, and moved there by the back of the ridge round towards the ridge of the Buffalo Mountains; and we succeeded in taking 500 head of cattle, and some Caffres were killed by the different parties.

30 April 1866.

3184. What number of Caffres do you suppose were killed?—I should think only a few. I halted on the night of the 3d on the Keiskamma stream, and on the 5th commenced again to clear the deep ravines to the head of the Keiskamma River. On the 6th again there was a general movement of the forces to scour the valleys and the deep ravines, in obedience to the instructions I received from the governor to co-operate with the whole body of the troops.

3185. Were there any skirmishes with the Caffres on those days?—No; the Caffres were supposed to be in the ravines, and the troops moved into them wherever they were supposed to be, and endeavoured to clear the country; that was the object of the operations; and also the instructions I had were to capture all cattle that was possible. On these days we took several hundred head of cattle. We moved again on the morning of the 7th into that country, which is a very strong and difficult one to get through; the sources of the Keiskamma stream are full of ravines and mountains; and we made a flank movement to join the other division, moving in the direction of the Buffalo River.

3186. Up to the 13th of April was that the general state of things?—Yes, I continued all these movements, clearing that strong country of the Caffres.

3187. Mr. Johnston.] Did you effect a junction with the division that was moving by the Buffalo River?—I co-operated with them on the 11th, 12th and 13th. I was separated all the time from head-quarters, but communicated with them occasionally. My force was a separate one, and remained separate.

3188. Whose division was moving on the Buffalo River?—The first and second divisions, the other parts of the army, and also one on my flank, under Commandant Van Wyck, of Connadart, who commanded the burgher force. The whole of the force moved in four divisions to clear the whole of this strong country, where the Caffres were concentrated.

3189. The outermost moving upon the Buffalo River?—Yes, and upon the left they moved upon the Kat River, and in that direction. Mine was the left centre.

3190. Chairman.] You remained, I believe, to the west of the Buffalo River, whilst the other part of the army went into Hintza's territory?—I did, watching that strong country. That is the strongest part of Caffreland I conceive; the sources of the Keiskamma, the Buffalo Mountains, and up to the Kat River.

3191. Is it in your power to furnish us with any details as to the death of Hintza?—Nothing more than what I have heard. I was not with that force.

3192. What was the period at which you held your first parley with Macomo?—On the 12th of May.

3193. What number of Caffres were collected with Macomo at that time?—I cannot tell what number were in the bushes; Macomo, himself and Charlie, and several of their people came out agreeably to an arrangement, and after a good deal of parley and communication with them, they came out of the bushes with about 100 attendants. They came about a mile towards the camp, and I went out with an officer, Lieutenant Grahct, of the 98th regiment, and two Hottentot orderlies, and had a parley with them. I had received instructions from his excellency to have a communication, if possible, with them, and there was some latitude allowed me. I was empowered to guarantee to them the protection of their wives and cattle upon their agreeing to accept the conditions offered to them.

3194. Will you produce the instructions you received?—Yes.

“ Head-Quarters, East of the Kei, 4th May 1835.

“ If the people of Tyalie and Macomo, &c. will come into any of our divisions, with their cattle and wives, and give up their arms, they shall be protected, and retain the cattle which they bring in (not being colonial). With regard to the chiefs themselves, if they come in (any one or all), and deliver themselves up unconditionally, it may be stipulated that their lives shall be safe, and that they shall be personally well-treated; but that the terms

to

353

to be ultimately granted to them must depend upon His Majesty the King of England, whose decision they must in the meantime wait.

Lieut.-Colonel Cox.

20 April 1836.

“H. G. Smith, Colonel, Chief of the Staff.”

3195. Did you receive any other instructions?—Yes, I received some instructions after I had the conference with Macomo and Charlie in the first instance.

3196. Do you produce the subsequent instructions you received?—Yes.

“Camp on the Impotshana, 12th May 1835.

“Memorandum for the information and guidance of Major Cox, as the general basis of terms which he is authorized to hold forth to the Caffre tribes suing for peace: 1. By my proclamation and declaration, issued and made respectively on the 10th of May 1835, on the bank of the Kei, in the presence of Hintza, chief of the country between the Kei and the Bashee, and styled and acknowledged by the Caffres who have inhabited the country between the latter river and the colony, ‘Paramount Chief of Caffreland,’ the whole of the country between the former colonial boundary line, viz., running from the sea up the Keiskamma and Chumie Rivers to the Winterberg, and the Kei River, from its source in the Stormberg Mountains to the sea, has become the territory of His Britannic Majesty, and now forms part of the colony of the Cape of Good Hope, and of His Majesty’s colonial dominions; and the chiefs and their tribes who have been in arms against the colony, and whose acts have been so unprovoked and atrocious, are for ever expelled from the aforesaid territory, and will be treated as enemies if they be found therein. 2. By a paramount order sent by Hintza to these chiefs and their tribes, they have been commanded to cease hostilities, and to deliver up their fire-arms to me, or to the officers commanding the respective divisions of His Majesty’s forces under my command. 3. By corresponding instructions, sent at the same time to Major Cox (commanding the third division on the side of the Amatola, Keiskamma and Buffalo Mountains,) all of those tribes who should come into the quarters of the troops and lay down their arms were promised safety and protection, and the possession of the cattle and effects then belonging to them; and that the chiefs themselves, if they should come in, and deliver themselves up unconditionally, should be secure of their lives, and await the ultimate commands of His Majesty the King of England for their future disposal. Now, therefore, if the terms of the 2d and 3d foregoing paragraphs be fulfilled and complied with on the part of the tribes, and if Suta, the great widow of Gaika, and her son, Sandili, will place themselves under my protection, and if the chiefs abovementioned either surrender themselves to the officers of one of my divisions, or transport themselves beyond the Kei, hostilities shall cease against them on the part of the English troops. Thereafter I will only require the expulsion from the aforesaid territory of those Caffres who were engaged in the inroads into the colony, or in the murders of British subjects, all of whom must transport themselves beyond the line of the Kei; and if they recross it they will be treated as enemies. And in consideration of the excellent conduct of Suta, the great widow of Gaika, in endeavouring to persuade the tribe from acts of hostility against the colony, and her good treatment of some English subjects in their danger, I will acknowledge and uphold Sandili, her son, as the chief of the family of Gaika, and will appoint him ample lands to reside upon, under the charge of Suta during his nonage; and those of the tribe whom Suta shall recommend, and who shall not have joined in the invasion of the colony, shall be permitted to remain in the new territory also under Sandili’s authority, and under the protection of the colonial government and laws. I will also make ample provision for Matua and Tenta, of the tribe of Gaika, whose conduct has been good and peaceable. 7. And further, in consideration of the excellent disposition and conduct of Nonibe, great widow of the late Chief Dushane, of the tribe of P. Slambie, I will acknowledge her son chief of that tribe, under his mother’s tutelage, during his nonage; and will appoint ample lands for their reception and support (in like manner with Suta and Sandili), and under the protection of the colonial government and laws, such of the tribe as Nonibe shall recommend, and who shall not have been engaged in invading the colony.

In all these arrangements it must be well understood that these Caffres will be British subjects, living under the protection of the government, and under the

204

348. MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Lieut.-Colonel Cox. the colonial laws generally, but retaining their own particular rules and customs in their internal regulation of their tribes, so long as they shall desire to do so. This is the basis of the measure which I shall adopt in regard to these tribes; the details to be more fully settled hereafter, by commissioners whom I will appoint; but to these principles I will adhere, and all Caffres of all the above tribes whom these do not embrace, shall be required and forced to leave the colonial territory, as now extended, according to the terms of the proclamation of the 10th of May above cited.

20 April 1836.

"B. D'Urban,"

Mr Genl, Govr of the Cape of Good Hope,
Commander-in-Chief.""To Major Cox,
Commanding the 3d Division."

3197. What was the substance of the conversations you had with the chiefs?—I told them, agreeably to these instructions I received from the governor, I was directed to give them the message; and I tried by all means to induce them to agree to the propositions I made. I stated it was necessary they should come into the camp, in the first instance, and give themselves up, and I promised them protection for their wives and children, and security to their property. At first they both said they would come in; they thanked me for having come forward to meet them, and were very much obliged to the governor for having sent them the message, and said they were very sorry for the war; they knew they were wrong, and they hoped his excellency would pardon them, and give them peace. I endeavoured to prevail upon them to come and accept those terms. I told them I was desired to say, if they came into the camp, and gave themselves up on these terms, on these alone could they be received. I said "If you come to the camp, if you alter your minds, I will allow you to go back again." They both said they would; but their hemraden, and the people about them, would not allow them. I said if you do not accept these terms the war will be recommenced; I have no option, I have only to tell you the governor's orders, and I have no discretionary power to alter them in any way. If you do not accept these terms the war must go on. I was very well acquainted with both of them, and they said they were very thankful for the pains I had taken to make peace, but they could not accept it; the people would not allow them.

3198. Did you invite them to come into your camp?—Yes, that was at some distance.

3199. Do you think the circumstance of Hintza having been made prisoner operated on their hemraden?—Yes, I think it did, I think they were fearful of their personal safety. The chiefs themselves would have come, and would have felt perfectly secure in coming with me; but their people dissuaded them from it. I knew those chiefs personally; I had been acquainted with them for eight years on the frontier, and was known to them, and they came forward and shook hands with me in the most friendly manner possible, and said they were much obliged to me.

3200. Would you have felt justified in reposing confidence in any engagement into which Macomo would have entered?—I would certainly, as far as his personal influence went; but the chiefs have not much influence, their hemraden and the old men control them.

3201. What was the general character which you considered Macomo to bear?—I always thought him an enterprising, smart, clever fellow for that description of savage which he is. I consider Macomo and Umhala two of the cleverest Caffres in Caffreland.

3202. Colonel Smith is reported to have used these words to Macomo, and I wish to ask whether you would have concurred with him: "Macomo, I have admired your character as a soldier in the bush; you have been a bold and a determined enemy, and I have every confidence in the sincerity of the expressions of your attachment to my King and governor?"—Yes, I should be inclined to think so.

3203. Will you proceed to state what took place after the first negotiation was broken off?—Of course the military operations commenced immediately. There was constant patrolling; his excellency was determined these people should not occupy the country, and the object was to clear the country of them; in fact, to drive them to accept the terms that were offered to them.

3204. Your object was to drive them out of the country in which they were located?—Yes. Lieut.-Colonel Cox.

3205. Towards what country were you driving them?—They were to be driven across the Kei, out of the country called Caffreland. The object was to harass them, and force them to retire from that country. 20 April 1836.

3206. To drive the whole of the Caffres out of the whole of Caffreland?—Yes, across the Kei into Hintza's country.

3207. Did you happen to know whether there were native chiefs towards whose country they were driven, who would have repelled them from entering into their territory; Hintza, or any other chief into whose territory they had entered?—Yes, the tribes are very jealous of any other people coming into their country at all times. Even Hintza, I think, after a time would not allow them to remain. They are jealous of it, because they consider they have not country enough for their own people.

3208. Then the effect might have been, that being driven forward by the British troops, and then driven back by the native chiefs, they would have been pressed between the two?—Certainly, if they had attempted to enter into a strange country, a country belonging to another tribe.

3209. And must it not generally be the case, that where a body of natives are driven out of the territory which they inhabit, they must be driven into the territory of some other chief, who would be reluctant to admit them?—If they were forced to live in the country of another tribe, they would be driven back by that tribe; but I believe there is a great deal of unoccupied country in Hintza's territory, which they might have occupied.

3210. But still you apprehend that Hintza would not have allowed them to remain?—Not so large a body probably.

3211. Mr. Johnston.] What is the situation of Hintza's country?—I never was in Hintza's country; but I know from the map it lies on the east side of the Kei river entirely.

3212. He has no territory to the west of the Kei river?—None that I know of.

3213. Chairman.] Were you acquainted with Lieutenant Bailey?—Yes.

3214. Were you in the neighbourhood where he and his detachment were cut off?—Yes, I was.

3215. Can you state any particulars to the Committee relative to the attack made upon him?—Yes, I heard it from the Caffres themselves. He was sent on a patrol with another officer, Lieutenant Biddulph, having 30 men each, and the two parties separated, contrary, I believe, to their orders. Lieutenant Bailey's party got into that strong country in which I was operating previously, on the sources of the Keiskamma and Buffalo rivers, which is the strongest country in Caffreland, and there they fell in with some Caffres who were armed, and who attacked the party. He endeavoured to get out of the woody country into the plain, but they were assailed and cut off. I believe they fought very well, but they were surrounded, and put to death every one of them. That I know to be the case, for I saw a small Bible-case which Mr. Bailey always carried in a little pouch, in the possession of Macomo at the conference a few days after he (Mr. Bailey) was killed. He lost several of his men, and I believe they fired away their ammunition, which they generally do, and then they were attacked in a woody pass and killed, after making a very gallant resistance, for they killed one of the principal Caffre chiefs. They told me the whole particulars in the conference I had, and I believe it has been ascertained to be the fact since.

3216. Mr. Johnston.] Of what regiment was the detachment Lieutenant Bailey commanded?—They were all Hottentots except Mr. Bailey, who was a settler there. He was not a King's officer. There are two provisional battalions of Hottentots, and they are officered by gentlemen in the country, settlers.

3217. Chairman.] Did hostilities recommence in July, and the early part of August?—Yes, in the early part of July. The Caffres would neither accept the terms that were offered to them, nor would they obey any order or instructions sent by Hintza, who was their acknowledged chief; and as they would not submit, hostilities of course recommenced. They would not accept the terms sent by Hintza, or the terms offered by the governor, hostilities recommenced in July, at least so far that the troops were ordered out. A number

Lieut.-Colonel Coz. of posts were established at the sources of the Keiskamma and along the Buffalo River, and the country was occupied by the troops; hostilities still went on.

20 April 1836.

3218. Were there many attacks and skirmishes?—There were constant patrols out to clear the country of the Caffres, and force them to comply with the terms offered to them.

3219. Then that state of harassing warfare continued?—Yes.

3220. Have you any information as to the causes which induced the Caffres to renew hostilities?—In fact there had been no peace made with them; the troops were still in the field, and posts were established about the beginning of July at various parts. There was no cessation of hostilities with the Caffres in Caffreland; there was with Hintza's people, but not with the tribes of Macomo, Charlie, Eno, Slambie and those tribes; there never was any cessation of hostilities, for they would not accept the terms, and consequently there was no peace.

3221. Had they become bolder and more determined enemies at that time?—I think they had; they had acquired a considerable number of arms, and displayed a more determined disposition.

3222. Did they consider the alternative they had was either to submit or be driven across the Kei?—There was no alternative left to them at that time, but his excellency was afterwards pleased to modify the terms; and at a conference I had with them afterwards, I proposed these terms to them; that the governor, if they chose to submit, would allow them to remain in a certain part of the country pointed out to them, for which they felt very grateful, and which they afterwards complied with.

3223. Did it come to your knowledge that the Caffres frequently inquired "When is the war to cease? We will die in our own country, as we are sure to be killed if we go into Tyalie's territory!"?—Yes, I know they said so; for they were constantly in the habit of calling out to the patrols and talking to them. I know they made use of expressions of that kind. It rested with themselves whether they would accept the terms; they did afterwards accept them, and when peace was established finally, the chiefs told me they were excessively glad of it, for they felt more secure than they ever felt before; that they felt secure of the protection of the British troops from the tribes in their rear, whom they were always alarmed at, and they were much better pleased than with any arrangement which had ever been made. The territory is now defined; and after the peace, the chiefs Macomo and Charlie told me they were perfectly satisfied; and I think they are in a better position than they ever were, which will continue if the system his excellency pursued is followed up. Each tribe knows where his boundary is exactly; they said before, they did not know, but now they know exactly.

3224. As they had no alternative but of being exposed to destruction by the British force if they remained in the country, and of being exposed to destruction by Hintza's people if they quitted the country; may not that have accounted for the increased boldness and desperation with which they fought?—It may have operated with them certainly; they were driven to greater straits as long as the war lasted, because their cattle were left behind in Hintza's country, and their corn was in the ground, and they could not get at it.

3225. In a letter written by you on the 15th August 1835, you mention that on the 9th of that month you had received through Captain Warden, a confidential communication from the governor?—I did.

3226. Will you please to state to the Committee the nature of that communication, if you feel yourself at liberty to do so?—It was relative to an expected conference I was to have had with the chiefs. The chiefs had promised to meet me at a particular time, and I acquainted his excellency with it, and he sent those instructions by Captain Warden for our guidance. I have not a copy of those instructions, for Captain Warden kept them. I had a conference with the chiefs; I met the whole of them, and they brought an immense number of Caffres with them, about 5,000 or 6,000, and Captain Warden and myself were obliged to go and trust ourselves with them; they would not trust themselves with us. We had a very long conference, and they expressed themselves grateful for the trouble and risk we had placed ourselves in, and said they were confident we were sincere in our wish to obtain peace for them. They wished to get the best terms they could, and begged that we would use our influence with

357

with the governor. I represented it to his excellency, and he modified some of the terms he first proposed, and after some conferences it led to peace being restored.

3227. What was the period at which your communication was made to the Caffres?—On the 15th of August I had one conference with Captain Warden, I was out with the troops I was commanding, and I was informed his excellency wished me to have a conference if an opportunity offered, and as we saw some Caffres, I sent a man to communicate and endeavour to open a communication, and I succeeded so far that they sent to the chiefs Macomo and Charlie, who were with their forces in the bushes, and at last they succeeded in bringing me a message from Macomo and Charlie that they would meet me, and I went with Captain Warden, and we met them. They had 600 men all armed, a great many with muskets.

3228. Was Hintza a prisoner at that period?—I rather think he was dead at that period.

3229. I presume, from having received instructions to communicate on the 9th, the reason you did not do it before the 14th was, that no opportunity occurred?—Captain Warden arrived on the 9th with those instructions, but I had also directions to commence operations; and it was in the course of these operations I sought and had an opportunity of communicating with Macomo and Charlie, which led to this conference on the 15th. I received orders from Colonel Smith, in whose district I was serving, to execute some operations; and I also received orders from the governor in Graham's Town, through Captain Warden, and it was in the course of these operations that I had an opportunity of communicating with Caffre chiefs on the 15th.

3230. Did a councillor of Charlie's come into the British camp?—A hemraden of Charlie's came into the camp, in consequence of a message which had been sent, that they wished to communicate with him; his old hemraden came into the camp.

3231. Did you send a flag of truce to Macomo and Charlie?—I did; I sent a man with a flag of truce to open a communication with the Caffres, to have a message sent that I wished to see them, if they would come themselves; and in consequence of that message, they sent the hemraden into the camp, which led to the conference.

3232. Will you be pleased to give to the Committee the details of your interview with the chiefs?—I received instructions from his excellency to offer to the chiefs the modified terms he intended to grant them; that he did not intend to turn them over the Kei altogether, but he intended to grant them a portion of land in what was their own country. In consequence of that I sought this conference, and informed the chiefs that the governor was inclined to modify his terms, and give them a certain portion of land in their own country. They were very anxious to know the particular extent of the land which was to be granted to them, which I did not know, but told them, if they were inclined to accede to those terms, I would represent to the governor their willingness to do so. They said they were very grateful for the indulgence shown them, and begged I would use my influence with his excellency, which I did do. I communicated the result of the conference to his excellency when I returned to the camp, and ceased hostilities against them; and I continued to do so until I received further instructions from his excellency. This led to a meeting of the chiefs, with almost the whole of the force they could display. They came into the neighbourhood of my post, Fort Cox; and his excellency having sent me fresh instructions, we had a very long conference. At that interview they acceded to the terms offered to them. They said they would accept them, and only wished to know the extent of land, and so on, which I could not tell them. They were very anxious to get as favourable terms as possible; and I reported to the governor the result of that meeting with Captain Warden and myself, and he afterwards sent fresh instructions. I had again another meeting with the chiefs, and told them all the particulars of the treaty; and on that occasion they brought, I suppose, some 5,000 or 6,000 men.

3233. Did they meet the governor?—At that meeting they agreed to all the terms; and it was finally agreed that Colonel Smith was to come from King William's Town, with final instructions to conclude the peace, which he did, and they came to my post. I afterwards brought them into Fort Willshire, where the governor was, and there they made and concluded the final peace.

Lieut.-Colonel Cox.

20 April 1836.

3234. I understood you to state that you had instructions from the governor to inquire whether the Caffres had been instigated by any persons to make war upon the colony?—No, I had no instructions to make any inquiry upon that subject. I never said I had.

3235. Did you make inquiries of the chiefs?—No. At that long conference, when they had 5,000 or 6,000 men with them, Macomo said, two or three times, when we talked of the war, and tried to point out the absurdity of continuing it, and how wrong they were (as they admitted they were wrong), not to accept the terms,—Macomo said, two or three times, “Who made the war? we did not make the war.” He said that in a very significant manner, “Who was the cause of the war? we are not the cause of it.” Of course I did not want to push that subject; I knew it was irritating to discuss it; and as he had an immense force, and we were in his power, I thought it was unnecessary. The object was to make peace.

3236. Do you think he was alluding, at that time, to the patrols that had entered into his country, and the system of border warfare which had been pursued?—No, I think he must have had communication with the people in the colony; I think he calculated upon the Hottentots joining him; and a number of people had gone into the country, who talked idly and foolishly to the Caffres. I am confident they were instigated by people in the colony to do what they did.

3237. How would his declaration, that they did not make the war, agree with that?—I understood that they were not the cause of the war, that they were instigated by other causes.

3238. Had you no reason to think that Macomo had felt sore for some time, in consequence of the aggressions of the patrols?—I believe he was sore; and of course it was natural to suppose he would be, from having been removed from his country once or twice on former occasions.

3239. Have you any recollection of having heard Macomo say, if they, the Caffre chiefs, had taken the advice of Dr. Philip and Mr. Reid, the war never would have occurred?—No, I have no recollection of that; I never heard Dr. Philip’s name mentioned by the Caffres the whole of the time in the several conferences I have had with them.

3240. Have you any knowledge of how the Caffres were supplied with arms and ammunition?—No; it is a very difficult thing to get at that.

3241. Had you not some reason to believe they had obtained supplies out of the British colony?—They admitted getting ammunition from the boors on one or two occasions, and they mentioned the names of the boors; they were some boors who had gone across the Upper Kei, beyond the sources of the river; dissatisfied people, in consequence of something relative to the slave trade. I understood they received ammunition from some of those farmers who had taken slaves out of the colony, and were dissatisfied with the slave regulations; in fact, Macomo told me the names of the men, and I reported them to the governor; he mentioned the names, and said he received ammunition from these people. I have no doubt they got muskets from the traders who went into the colony; in fact, there was a great quantity of arms brought into the colony, and taken by traders into Caffreland.

3242. Mr. Gladstone.] Do you conceive that the traders settled in Caffreland were the medium through which probably the greater part of the arms and ammunition was acquired?—I have no doubt of it, for I know many persons in Cape Town brought out arms for the purpose of selling them, and they were arms of a description which the British would not buy. I saw many cases opened in Graham’s Town, brought out from Birmingham and the manufacturing districts, which no one there would buy but the Caffres, who know very little of fire-arms.

3243. From their inferior quality?—Yes.

3244. Do you think then that the amicable relations established between the Caffres and the traders, in that intercourse, might have been, in some degree, the reason why the traders were treated with less cruelty at the time of their irruption, and with so much more leniency than the farmers of the colony?—They did not consider themselves at war with the traders; they made war upon the colony. The traders were in their country, and they did not make war upon them.

3245. They

3245. They did not look upon the traders as identified with the colony?—No, they were in their country.

3246. *Chairman.*] Do you happen to know how many of the traders had been killed prior to the 12th of January?—I do not know exactly. I brought away the family of one trader, who had been murdered near Burn's Hill Institution. When I brought some of the traders away, I brought the children of a man who was murdered at that place. I think a man of the name of Kent.

3247. Was not Warren the name of another?—I am not sure. I know a man of the name of Purcell was murdered some time before.

3248. Prior to the 12th of January, you are not aware that more than three or four of the traders had been murdered?—No, I do not recollect.

3249. Have you any notion of the number of Caffres that were killed during the whole war?—After the peace I asked the question of Macomo and Charlie, in my own tent, and Charlie admitted he had lost 300 of his best men, and Macomo admitted he had lost the same number. I was going on with the subject, but something interrupted the conversation; in fact, they always avoided the subject as much as possible. I should think there was 2,000 killed by the various patrols and other troops at different times.

3250. Are you aware the governor has reported the Caffres to have lost 4,000 warriors?—I never heard of that; it is very possible. Mine was a very rough guess; I have no means of ascertaining, except by conversations I had with some of the chiefs.

3251. In the governor's communication occurs this passage: "In the course of the governor's progress in the census of the tribes of Gaika and Slambie, they have ascertained that their loss during our operations against them amounted to 4,000 of their warriors and fighting men, and among them many chiefs. Ours fortunately has not in the whole amounted to 100, and of these only two were officers. These have been taken from them also, besides the conquest and alienation of their country?"—I have no doubt that is correct; the governor must have the best means of judging.

3252. *Mr. W. Gladstone.*] Do you conceive that by the term "lost," the governor refers to those only who were killed, or those who were killed and wounded, or disabled by wounds?—I should think by "lost" must be meant killed.

3253. Are you aware whether there were nearly 100 killed on the part of the British?—I should think there must have been about 100.

3254. *Chairman.*] What was the total amount of cattle taken from the Caffres during that time?—That I have no means of judging of, except by hearsay.

3255. What was the amount taken by the detachment you commanded?—I took in my own division, I think, about 7,000. A great many were Caffre cattle, of a very inferior description. We got few or none of the colonial cattle; the colonial cattle were all sent to the rear through Hintza's country, and protected by a body of Caffres sent on purpose to take care of them. Botman was the person who had charge of them, so that the cattle we took were quite of an inferior description. I have heard the amount variously stated.

3256. Do you apprehend, from your knowledge of the colony, that if permanent peace were established with the Caffres there would be a considerable accession to our legitimate trade there?—I do not know as to trade; I cannot give an opinion. They take a few woollen things, blankets and so on; and there is nothing we could get from them but horns and hides. I have no means of judging upon that subject.

3257. Have you formed any opinion as to the mode by which peace could be most permanently established there, and by which we, as a civilized and Christian people, could impart civilization and Christianity to the natives?—I have not the smallest doubt, that if the system adopted by his excellency Sir Benjamin D'Urban is acted upon, with the use he made of it, it would be a most fortunate thing for the colony, both for the Caffres themselves, and for the protection of the frontier, and they are perfectly satisfied with it. That I know from private conversations with the chiefs themselves since the peace has taken place, and they have stated their satisfaction in the most unreserved manner when they have talked upon the subject.

3258. But do you think they would be satisfied if the system of patrols and commandos were re-established?—No; I think they would be much better satisfied

350

Sub-Committee on the
Colonial Office

20 April 1836.

satisfied with the system which prevails now. Formerly they could not restrain the men from plunder; they had not the power.

3259. Mr. Gladstone.] What do you consider the essential distinction in the system of Sir B. D'Urban?—He took them as British subjects under our protection; each chief knows his country, and we have established a system of posts by which they cannot get into the colony.

3260. Are reprisals by the colonists wholly forbidden?—I believe so, except under certain limitations.

3261. As the Caffres are not a people having settled habitations, do you not conceive a constant contact with a civilized people, and continued amicable relations which would arise among them, would increase their wants, and consequently increase our trade?—No doubt of it; the more frequent intercourse they have with a civilized population, the more their fictitious wants will increase.

3262. In that way then the continuance of peace will tend to increase trade?—Decidedly.

3263. Have you formed any opinion in particular as to the manner in which the blessings of Christianity may be communicated to them?—I think if the Caffres are well treated, that people they know and have confidence in may do anything with them. They are a very jealous and cunning people; but if they are kindly treated by those they have confidence in, they are very correct in their feelings.

3264. Do you think they are a people possessing gratitude, and the better feelings of our nature?—Yes; I think a good deal may be done with them if they are kindly treated.

3265. Chairman.] I am now going to the period of November 1833. Did you receive any orders to reinforce Capt. Aitchison's detachment in November 1833, when he was employed in removing the Caffre chiefs Macomo and Botman beyond the Keiskamma River?—I do not recollect receiving any orders upon the subject. I recollect meeting Capt. Aitchison with his patrol at the Black Drift.

3266. Had you a force under your charge to assist Capt. Aitchison?—I must have had some force with me when I moved from Fort Beaufort.

3267. Was the purpose for which you went there to reinforce Capt. Aitchison?—I cannot recollect; I recollect going from Fort Beaufort, and meeting Capt. Aitchison, but I do not think I had any force with me but my own escort. The post was so weak at that time, that I do not think I could have had any large force.

3268. You do not recollect receiving any instructions to march out with the force, for the purpose of reinforcing Capt. Aitchison, whose detachment was supposed to be too weak to execute his orders?—No.

3269. Mr. Gladstone.] Are you aware of any change of frontier policy which took place in the year 1827?—I was at home in 1827; I came home in the early part of 1827; I believe there was some change. General Bourke went up to the frontier at the time of my absence, and re-established that post at Fort Beaufort.

3270. Had you ever, at any subsequent period, the means of forming an opinion as to the result of that change of policy in promoting the tranquillity of the frontier?—No; there formerly were continual changes of policy on the frontier. The whole of the time I was there the Caffres plundered and stole cattle, and sometimes we were ordered not to fire upon them or commit any act of violence, only to apply to the nearest kraals, to take their cattle, and so on. The fact is, that Caffres always will steal while they are Caffres; they cannot avoid it.

3271. That uncertainty of policy would increase the disorder?—Yes; different systems have been tried, but the Caffres will steal. We left off treating them with violence, and they became emboldened. The Caffres knew we could not fire upon them, and they sometimes got hold of the bridles of the orderlies. Two men were tried for murder for firing at Caffres, so various were the orders.

3272. Chairman.] Is it your opinion that permanent peace is rather to be expected from a judicious mixture of severity and conciliation?—Certainly. The Caffres should be treated as a school-boy, with the greatest kindness when you can

can do so; but let them know you are master, by inflicting proper punishment for misconduct. Lieut.-Colonel C
20 April 1836.

Major Cloete, called in; and Examined.

3273. *Chairman.*] HAVE you been resident at the Cape of Good Hope?—I am a native of the colony, and have been resident there ever since 1814, with short interruptions. Major Cloete.

3274. You have been upon the frontier?—I have.

3275. Have you been stationed there any considerable length of time?—No, never stationed there; I have only visited the frontier.

3276. Can you give the Committee any information as to the system adopted for repressing the encroachments of the natives upon the frontier?—Certainly; but, having attended during the examinations before the Committee, I can offer nothing which is not already on record with regard to that system.

Mercurii, 27^o die Aprilis, 1836.

MEMBERS PRESENT.

Mr. Thomas Fowell Buxton.
Mr. Bagshaw.
Mr. Lushington.

Mr. Henry Wilson.
Mr. Andrew Johnstone.
Mr. Gladstone.

MR. THOMAS FOWELL BUXTON, IN THE CHAIR.

Walter Gisborne, Esq., called in; and Examined.

3277. *Chairman.*] YOU have travelled in the Cape Colony, have you not? —I have. W. Gisborne, Es
27 April 1836.

3278. Did you go into Caffreland at all?—I went some hundred miles into it.

3279. In what year was that?—It was in the years 1828, 1829 and 1830.

3280. Did you remain there the whole of that time?—No, I was there part of the year 1830; I was on the border, in the neighbourhood of Caffreland, and in Caffreland, in the whole of 1829, and returned to Cape Town in the beginning of 1830.

3281. During the period you were in Caffreland did it come under your observation, or to your knowledge, that the Cape government had taken any part of the country occupied by the Caffres from the Caffre people?—Yes, in two instances. I was with the military party who ejected a chief and his tribe. The name of the chief was Macomo; and it also came to my distinct knowledge that another chief of the name of Gaika had been ordered to give up a part of his territory, and that a fresh boundary was placed between the Colony and Gaika. I saw Gaika several times.

3282. Was this territory yielded by agreement by the Caffres, or was it taken forcibly from them?—Macomo's territory was taken forcibly. Gaika was ordered to retire from the part of the country he had been allowed to occupy under some kind of treaty which had formerly been made between the government and him: he was ordered to retire. I think the government officer employed in ordering him to retire was Colonel Somerset or Captain Campbell. I remember one of them talking to me about it. I am not certain whether I was actually present with the party, but I was in the immediate neighbourhood. I was told that Gaika was very sulky in being ordered to retire within the boundary, which the treaty had declared that it should be in the power of the English Government to oblige him to retreat behind, if they found it necessary. Macomo's country was taken by actual violence, against his will.

3283. What do you conceive to be the extent of the territory taken from Gaika?—I should think it was small; but I am not able to speak confidently to that point.

3284. Are you able to speak to the extent of territory taken from Macomo?—I cannot describe it otherwise than very generally, but it must be many miles each way. I accompanied one of the military parties as a friend of the officers, when they were sent into it. I think the military was divided into three or

302
Guthrie, Esq.

27 April 1836.

four parties, who were in it for two days, going about the country and destroying the villages; and the country was so extensive, that our party had no communication with any other. The other parties were sufficiently far from us for us not to be aware that they were in the country, except by seeing the smoke of villages burning; and it was only on the evening of the second day we joined them again, so that the country must have been many miles each way in extent.

3285. Was it arable land?—No; the land in that country cannot be called arable. It was very good pasture land at the time it was taken. It was spoken of also as amongst the best land in that part of the country. I believe new acquisitions from the Caffres have been often thought so. Till the land has been depastured it bears a greater abundance of grass than it does afterwards; it was spoken of at the time as being a very great acquisition, and the best situation for colonists.

3286. Did you happen to observe whether it was capable of irrigation?—I think there is no river in that country that can be trusted to run for a sufficient time in the year to irrigate the land. There is a river through it, but I think it was only at the sources it could be depended on for irrigation, and that only for a short distance; we found a considerable quantity of Caffre corn cultivated in the country.

3287. Be pleased to explain the circumstances which came under your own observation, or to your own knowledge, relative to the expulsion of Macomo?—My knowledge was derived partly from general report and partly from the conversation with officers with whom I was living, whom I suppose to be very well informed. It was commonly said that Macomo had quarrelled with the Tambookies; that he had made war on them, and captured from them about 7,000 head of cattle; the Tambookies chiefs reported this to our government, and I believe asked for aid and also for actual provision for themselves, in consequence of having lost their cattle. Our government remonstrated with Macomo, and insisted upon his restoring an equal number, which he constantly put off. I believe he never actually refused. He said he would if he could, but that the cattle had been distributed among his people, and it would be impossible for him to recover them, and therefore, after a considerable time spent in that way, military parties were ordered to go into his country to capture all the cattle they could, and to expel him and his people from it. The country was afterwards colonized by free Hottentots.

3288. Those were the general motives which led to that step?—I believe they were.

3289. What circumstances took place in your observation as to the method of moving him out of the country?—The party of military I accompanied went into the country; they met with no opposition; they found a number of people, who immediately fled to the woods. They captured all the cattle they saw feeding, and burnt every village and every house which came within their range. The Caffre corn which was growing they did not destroy, and the officers certainly ordered it not to be destroyed, and not to be burnt, so that if the Caffres chose to return at a future time, and reap that corn, they might, but it was almost impossible to prevent the horses straying into the corn, and almost impossible to prevent the soldiers wilfully turning their horses in, that they might get a much better meal than they would otherwise. In most instances, the soldiers went into the huts before they burnt them, and brought out any particular articles, such as the skins to hold milk, and other vessels, and laid them outside the houses, before they burnt them, but where the villages were large, it was impossible for them to do so in every instance. I saw no injury done to any person, though I saw a very distressing case, in which a hut had been burnt, not by the party I was with, but by another: the hut must have contained a poor idiot Caffre woman, who was also blind, and she was crawling about when we came up, not knowing how to escape, and was burning herself. She was immediately removed by the soldiers, and they left a hut standing for her, and some of the Hottentot soldiers, from their own feelings, left their rations with her, that she might have food.

3290. That injury was of course not intentional?—Of course not at all.

3291. Had you an opportunity of communicating with the Caffres, so as to ascertain whether they considered the expulsion from their country a great injury?—They certainly did, but we had no communication with any Caffre in that country at the time, except with one man who had got to the other side a rocky ravine,

ravine, while a village was being burnt. He called out to us in the Caffre language, which was explained to us by an interpreter, and asked us why we were burning his house? and it seemed to be difficult to make a reply: there was general silence throughout the party.

3292. Is it matter of indifference to the Caffre whether his hut is burnt or not?—No, certainly not; the Caffres may be said to have regular residences and stationary villages.

3293. You consider it a considerable grievance to them to have their huts destroyed?—Certainly, and especially where they are also forcibly driven from their lands, and prevented returning to them again.

3294. Mr. Bagakaa.] By a hut you mean a kraal?—Yes; but a kraal is a collection of huts.

3295. The huts are merely boughs bent together?—Yes; but sometimes they are very clean in the inside; they have often an artificial floor, made of clay and cow-dung, and as clean as an English plaster floor. I should perhaps say, I afterwards went into the interior, and was much among the Caffre tribes, and we were generally on friendly terms with them, and they often used to refer to the expulsion of Macomo, and ask about it, apparently thinking it was part of a general system of taking their country from them; even Hinza, and other chiefs less powerful than him, alluded to it in their conversations with us.

3296. *Chairman.*] Will you state the general impression which the whole transaction left on your mind as to the system of measures of expelling the Caffres from their lands, as to its policy, and as to the probable consequences with regard to maintaining peace in the country?—As to the justice of the measure, I think that ejecting people entirely from their land, because they had been at war with others whom we might call our allies, was certainly the strongest kind of punishment that could possibly be inflicted, and for an apparently almost dubious crime. The Caffres are constantly making war one with another, and a predatory war is not the greatest of crimes in their eyes. The government, very likely, were better informed as to what excuses, good or bad, Macomo might have for going to war with the Tambookies. He was a very uneasy neighbour, and I have no doubt the Cape government were very desirous to get rid of him as their neighbour. He might be almost called a usurper. He was a very active man. He had always a considerable number of the most enterprising of the Caffres, who liked to serve under him, because he was a most successful plunderer. I think it would have been very difficult for any person to have relied on a promise or treaty of Macomo's, because he had established his power by being at the head of what might be termed a banditti. His father was Gaika, and Macomo could have no right to the territory till his death, if even then, not being his eldest or succeeding son. He had become the head of an army, and a certain portion of territory had been yielded to him, perhaps by Gaika. He was probably as difficult a man to live on good terms with as any man that could be found. The consequence of the measures might be easily foreseen. Macomo had no place to go to except to retire to a part of the country where the Caffres declined to live (unless they were forced to do so), for want of water; he could not be expected to live there any more than the Caffres who had refused formerly to occupy it. He must therefore be still expected to live by rapine, and even more so than when he had a country where he could live by pasturing cattle and cultivating corn. He retired further down the Sward Kei (I think), where is a very bad country, and I believe then became for some time a head of mere roving banditti, and lived on his neighbours. Since that time, he succeeded to the power in Gaika's country, and then of course his circumstances were altered. He was, in the first case, driven back on the Caffres, who were altogether deficient in pasture land. The numbers of persons to be supported by the same country were considerably increased, and their extent of land diminished.

3297. Do you apprehend that Macomo entertained so painful a recollection of this season of his life as to have influenced him in his late attack, which had been made in the colony by the Caffres?—I think it is impossible to doubt that Macomo's feeling certainly had not subsided for a considerable time. He had professed to be very willing to make terms with the colonists again, provided they would give him part of his land. His feelings had not at all subsided in the 12 months I remained on the frontier. I was anxious to go into his country. I was with a party of Dutch elephant hunters, but they refused to go

364

W. Gisborne, Esq.

27 April 1836.

into his country, saying, that it was not at all safe; that Macomo would be very likely to revenge himself on all white people; and I have no doubt they acted perfectly wisely.

3298. Did you accompany any military parties for the purpose of recovering stolen cattle?—Yes, I did; several.

3299. Will you state any particular instances you now recollect, and the proceedings which took place?—I do not think I could designate particularly any instances. The military at whose quarters I was then residing used to receive orders from the commandant of the frontier to go and recover from such a village so many cattle. The circumstances under which they were sent were these: When cattle had been stolen from the colonists, or reported by a Dutch boor, or English colonist, to have been stolen, soldiers, or others, were sent to follow the track of those cattle if possible; they traced them into a Caffre village, and then they demanded from the inhabitants of the village where the cattle were; and if they could not show the traces of the cattle out of the village, that village was held liable for them. Orders were then sent to the military on the frontier to go to such a village and recover such a number of cattle. I went with them a number of times. The recovery was always attempted by surprise, for if the Caffres had had any suspicion of the attack, the party would not have taken the cattle. It was usual to arrive near the village after sunset, and lie there till the morning, and then rush into the village and capture all the cattle they could.

3300. Suppose any resistance were made, were the military empowered to fire?—I have no doubt the military were empowered to fire in that case: they were always, I believe, loaded with ball, and carried ammunition with them. I never saw resistance made. The military generally showed no disposition to fire. The Caffres used to get on the hill-tops, or among any trees they could, and shake their assagais at us; but I believe the military were permitted to fire only in case of assagais being thrown. I have seen the assagais shaken, but never saw a musket fired.

3301. Mr. Bagshaw.] You are aware probably there were orders from the government to the military, chalking out the line they should adopt in those expeditions?—I am quite aware of that.

3302. Chairman.] Do you know whether accurate measures were taken in all instances to ascertain whether the cattle reported to have been stolen had actually been stolen by the Caffres?—The general impression in the country was, that there were not sufficiently accurate measures taken; when a Dutch boor, or an Englishman, reported that they had lost cattle, they were very much suspected of reporting more than they had actually lost, and there was no efficient check to the number they had reported. I cannot say more than that, not knowing in any case the number reported to be taken, and the number actually stolen.

3303. Might it not have happened that a Caffre stealing the cattle of a colonist might drive them through a kraal, and it would be impossible to trace them, because traces of those cattle might be mingled with traces of others?—I think in some instances there was an impression that it was dubious whether the villagers were the actual perpetrators. I think it was sometimes thought that they were not the perpetrators, and that in those cases they were made to suffer punishment merely from having connived at or secreted the proceedings of other Caffres.

3304. Might it not possibly have happened that, without their cognizance at all, Caffre robbers might have driven stolen cattle through their kraal, or into the neighbourhood of their kraal, at night, they being perfectly unconscious of the transaction?—I think that cannot be thought to be probable, barely possible. The Caffres are very watchful; their kraals are always full of dogs, and they would have heard a great barking of dogs in case of anything coming near to their kraals. We used to find them very alert. The military whom I accompanied found it difficult to surprise the Caffres; they sometimes failed. The Caffres took very ingenious measures to prevent it: they are a watchful people.

3305. What quantity of cattle did you ever see taken from the Caffres?—The largest quantity I saw taken was from Macomo, who attempted to get the cattle out of his country; being aware it would be attacked he endeavoured to drive them immediately in sight of one of our barracks; he could not retreat to the northward because the Tambookies were there, and he could not go to
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3/15

W. Gilburne, Esq.

27 April 1836.

the eastward because Forsanie or other Caffres occupied that country also, so he made an attempt to drive them under the walls of one of our barracks, to get them down into his father's country. We saw very large clouds of dust rising, and soon discovered immense herds of cattle; directly afterwards a Caffre came in, well known in the camp to be one of Botman's, a very friendly chief, saying, that Botman was going across, and asking for a bottle of brandy; he was answered, that Botman was a drunken old fellow, and if he wanted it he must come himself: considerable suspicion afterwards arose, and the principal officer ordered 20 men to mount and to go out and see what the case really was. As soon as we got near we saw a general scattering of the cattle take place, and it was plain that a very ingenious expedient was being made to escape with their cattle, under the very noses of the military. We captured a great many, but had not men enough to take all we might have done, but we captured several hundred; above 1,000, if I rightly recollect.

3306. In what year was that?—In 1829.

3307. Was there any indisposition on the part of the English to permit Macomo, whom they were expelling from his territory, to remove the cattle he had?—It was at the time when we were demanding 6,000 or 7,000 he had taken from the Tambookies, and that he was refusing or sending excuses for not paying them.

3308. Are you aware what became of the large number of cattle thus captured?—Yes; some weeks afterwards I was among the Tambookies when they were sent up and distributed among the Tambookies; Powena's Tambookies.

3309. Do you know what number were thus distributed among the Tambookies?—I do not know, but I think a number inferior to those they had lost.

3310. Was any proportion of the spoil given to the British settlers?—I was present when two or three distributions of cattle were made to British or Dutch settlers who had lost cattle, and were repaid by Caffre cattle, taken in their place; but I think those taken from Macomo were given to the Tambookies. I think the government wished to remunerate them in the first instance. At the very time Macomo was being expelled, he himself came into the Fish River bush, far inland in our colony, and captured more cattle from the colonists than had been taken by the military from him.

3311. How often were the military called upon to go out on expeditions against the natives; was it frequently?—At that time very frequently, and much more frequently than usual, I believe, in consequence of the neutral territory being depastured by colonists; they were in consequence brought into much more immediate contact with the Caffres; it is possible that a feeling might exist amongst the Caffres, that they had no right to depasture this territory, which was called neutral. The conduct of the military was very mild and forbearing; when I saw them, they carried off what cattle they wanted, and what other cattle they saw they left behind uninjured; they always left the calves behind; they acted then, I presume, strictly according to their orders.

3312. Your opinion is, that blame was not attachable to the military, but if there is any blame attaches, it is to the policy that dictated this measure?—Yes.

3313. Mr. Bagshaw.] You have spoken of Macomo's expulsion: you are aware that he was only allowed to remain on sufferance on the neutral territory?—I never understood that the country had been considered as neutral territory: I was not aware of that.

3314. The Committee are to understand that your reasoning is on data you were not acquainted with exactly at the time?—I am reasoning as if the expulsion of Macomo was out of a country belonging to Macomo.

3315. It appears by the evidence before this Committee, that it was not so, that it had been ceded by former chiefs to the British authority, upon an understanding that that part between the Keiskamma and the Fish River was to become the neutral territory; that no Caffres were to reside there, but that they have been allowed gradually to come in to graze their cattle, and have taken advantage of that permission to commit depredations upon the colonists, and were, upon being convicted of those offences, as it may be termed, by the government, expelled in the way described; if so, it was not from his own acknowledged country that he was expelled?—In that case, such was the fact.

3316. How long were you on the frontier?—Something more than a twelve-month

366

W. Gisborne, Esq.

27 April 1836.

month in Caffreland; and on the frontiers in Caffraria about six months, and on the frontier seven or eight.

3317. You think that Macomo continued to harbour a spirit of revenge against the colonists, which showed itself in the irruption which has subsequently taken place?—I should think it probable. In the year 1830 Macomo's feelings were very strong, and they probably remained strong afterwards.

3318. As you have been so long from the colony, you will perhaps agree that your opinions are not so much to be regarded as those of persons who have been longer in the colony at a later period?—Certainly, mine is no more than the opinion of any private individual who has not been in the colony since 1830.

3319. Mr. Lushington.] The Committee understand that you proceeded a considerable distance beyond the boundary of the colony?—Yes.

3320. Be pleased to designate the boundary of the colony in that direction?—At that time I believe the nominal boundary of the colony was the Fish River, and the actual boundary of the neutral ground was the branches of the Keiskamma River and the Kat River. Those were the boundaries beyond which the Caffres did not come to the westward, and the colonists did not go to the eastward. I do not know the legal boundaries at the time.

3321. Assuming the Keiskamma to be the boundary at that time, what distance did you go beyond that river to the eastward?—I must speak widely, but perhaps a couple of hundred miles to the eastward of the Keiskamma.

3322. Did you find any colonists settled beyond that boundary?—No; I did not. The information I have upon that subject is merely hearsay, and relating to the Bechuana tribes to the northward, and to the Bushmen's country, and, I believe, the Griquas. I heard that a number of colonists had settled in those countries, and that it was a very common system among the Dutch farmers to send their children out of the colony, with a number of cattle and a waggon, to establish themselves at any spring, or on any river brink that happened to afford a permanent supply of water. The Cape government, while I was in the country, became aware this had been carried on to a very considerable extent, and they directed Captain Campbell, the government commissioner on the frontier, to ascertain the extent. He told me that he sent a messenger with a bullock waggon, and that he had travelled 14 days before he came to the most northern interloper; and Captain Campbell jokingly observed to me, "If they only leave them alone, they will discover where the mouth of the Niger is before any men from the northward, and that they will make greater discoveries in the interior of Africa than any others."

3323. What class of persons were those?—They were the sons of Dutch farmers.

3324. Without asking you to specify the exact number, can you give to the Committee any idea of the number of persons who were spread over that part of the country?—I have no doubt, from what I heard, that they amounted to hundreds, and I have also no doubt it was a common practice of the farmers on the frontier to provide in that way for their sons.

3325. You think in that country their numbers will increase?—They were increasing in 1830 very rapidly, and it was that which had drawn to them the attention of the government.

3326. Do they depend entirely upon their own labour, or were they provided with any slaves?—I never heard they were provided with slaves. It is not uncommon to find Caffres, and Bushmen, and Bechuanas acting as servants to the colonists, but that was entirely a voluntary servitude.

3327. You had this information from certain gentlemen: you were not there yourself?—I was not there myself: I received the information from Captain Campbell and other persons.

3328. Had they any herds of cattle or flocks of sheep?—Yes; they went into the country principally for the sake of pasturage. The country in general is, I believe, very dry; they could only cultivate a little land in a few damp places they might find.

3329. Did they encounter any opposition?—I think not; the natives up there were very widely scattered and very weak; they were liable to have their cattle stolen, but I never heard that they were deterred from going into that part of the country by the opposition of the natives; it was the general opinion that they were not deterred from going into many parts by the opposition of the natives.

3330. Did

307
 W. Osborne, Esq.
 27 April 1836.

3330. Did you ever hear of any contests between them and the natives, so as to produce bloodshed?—I cannot call to mind that I did; there were frequently contests when Bushmen stole their cattle; the blood was often that of the colonists, for the Bushman in general, I believe, sets fire to the house when he goes to take cattle, and very likely shoots his poisoned arrows at the people as they come out. I never heard of any contests between them and the natives in taking possession of the land.

3331. Did they ever complain of the conduct of the intruders?—I am not aware that they did. I think they were not on sufficiently good terms with any one to make complaints. The Bushman is too commonly every man's enemy, and every man is his enemy.

3332. Were not those colonists aware that it was against the law for them to settle in the colony?—Certainly; I have frequently seen colonists who have been beyond the boundary; they were aware that it was against law without permission to go even into the Bushmen country.

3333. As far as your information goes, in the general, were they persons of respectable conduct, or of lawless habits?—I think they were persons of respectable conduct; they were the sons of farmers. A man's farm not being sufficiently large, he gives his sons a few things, and a team and waggon, and they went beyond the boundary, and moved about till they found a situation sufficiently inviting to induce them to build a house.

3334. Was there a difficulty in keeping the colonists within our frontier, on account of their wishing to emigrate?—There certainly was.

3335. Are you aware of any other cause? were they dissatisfied with the colonial government?—I do not think they were dissatisfied with the colonial government; I think the advantage of escaping the taxes beyond the frontier would be some inducement. I have heard the boors mention that as one cause.

3336. Those were the only grounds you think they had?—Yes; on the frontier the law is very little oppressive; indeed, very little acted on in any way.

3337. The taxes were not considered heavy?—I think the boors complained a good deal of the taxes generally, but it was more perhaps on account of their own great poverty than from the amount of the taxes: a demand for a very small sum of money would be felt by a boor.

3338. Is it your opinion that the settlement of the colonists on the frontier would be productive of beneficial or injurious results to the colony and to the aborigines, through whose territory they may spread?—To the aborigines it certainly would be productive of injury, because the best part of their pasture land would be thus taken from them, and be depastured by the colonists' cattle.

3339. That, in fact, was the case when you were in that country?—It was; I do not see how it can be productive of injury to the colony in any way.

3340. In consequence of the encroachments to which you have referred, were the aborigines driven far back into the interior?—They must have been in some degree; the principal parts of the encroachments were made in a country where good pasturing places were widely separated, so that there would not be a close succession of colonists, but a settlement where the pasturage was good, and then it would be perhaps 20 or 30 miles before another knot of colonists was found. In the Bushmen's country, that would not deprive the inhabitants, who keep no cattle, of any actual pasturage, though it would assuredly deprive them of their subsistence, as they live on hunting and on animals of the chase; so that though no Bushmen's cattle were displaced, it would drive away those animals he hunted, and which he lived on.

3341. From what you have stated, it is to be inferred that the colonists and the natives, whom they have to a certain extent displaced, are at present by no means on a friendly footing, and that no kindly communication passes between them?—They cannot, I suppose, be on a very friendly footing. The colonist remains there perhaps only because he is too strong for the natives to get him away, though, perhaps, for their own interests, they may have friendly relations with him.

3342. Are they likely to amalgamate themselves with the natives?—No; I should think not; I do not think they are likely soon to be on such terms as that the natives can benefit by them.

3343. In the event of hostilities between the British Government and the native tribes on that frontier, or on the eastern frontier, do you think those

368

W. Gisborne, Esq.

27 April 1836.

emigrant colonists are likely in any way to aid the native tribes there against the colony?—I should think not; I never heard of any circumstance making that likely. I never heard of any white people among the natives, who became sufficient Indians to join the natives in their depredations or their mode of life, except one or two who left the country because they could not reside there from fear of punishment; a man of the name of Lockenburgh, who had been condemned to some punishment by the colonial government, took refuge among the Caffres, and had acted with them in one of their native wars, and was living with them when I was in Caffreland: he died shortly afterwards.

3344. It is in evidence that during the recent existence of hostilities, certain colonists supplied the Caffres with ammunition. Do you think those colonists on the frontier would be likely to supply the natives with ammunition against their own government?—I should think that interest might induce them to do it, if they found they could receive a great number of cattle for a very small consideration.

3345. Mr. Gladstone.] Have the settlers in the frontiers the facility of procuring ammunition for themselves?—I presume they can come with their wagons into the colony, and buy ammunition, in the same way as any other person.

3346. The prohibition, in respect of selling of arms to the Caffres, would not affect them?—No; if they came into Graham's Town, it might not be known that they resided out of the colony, or they could get some other settler to obtain the ammunition for them.

3347. Do you conceive that it may be through them the Caffres derived the arms they used during the late hostility?—I can only give a very conjectural opinion, but I think it is the more likely that they got them from the Hottentots than the white settlers.

3348. The Hottentots on the Kat River?—No; the Hottentots who act as servants on the frontier; I think they are more likely to have friendly connections with the Caffres.

3349. Have those Hottentots who act as servants facilities in acquiring arms?—Not great facilities; but a number of them possess guns.

3350. Do they receive them in exchange for money, or what means have they of acquiring them?—They act as herdsmen to the farmers, and it is almost necessary they should have guns.

3351. What do you conceive they get from the Caffres in exchange for them?—The only things that Caffres have to give are cattle or hides.

3352. What would be the value of them to a Hottentot servant?—He might change them into money.

3353. You think they have been most probably the channel through which arms were supplied to the Caffres?—I cannot speak from personal knowledge, but it is my opinion that that is the most feasible way. I have talked to officers from the Cape, since the insurrection took place, and they have spoken of that as the means, in their opinion.

3354. Has it been ascribed, by common opinion, to the traders who live on the frontier among the Caffres?—Yes; to traders who are resident in the colony, and travel among the Caffres from time to time.

3355. Mr. Lushington.] It does not appear from what you have formerly stated, that those colonists have committed any atrocious outrages upon the natives, but it appears to be established that they have consumed a great part of the pasturage and the game belonging to those people; this being the case, the Bushmen must starve, because they were in the habit of living chiefly on game?—Yes.

3356. And the Griquas and other tribes, who depend in a great measure on their herds, must suffer, from being deprived of a portion of their pasturage?—Certainly; I think no one in the country doubts that.

3357. The Committee understand you resided six months among the Caffres?—I was travelling for about that time amongst them.

3358. Were you acquainted with their language at all?—Not at all; we had an interpreter with us.

3359. Over what range of country did you travel?—I crossed in a north-easterly direction from the banks of the Kat River, and went within a short distance of Port Natal; to the banks of the Omsinpoobo River, and up it, towards the north.

W. Giborne, Esq.

27 April 1836.

3360. How did you communicate with the Caffres?—We had a Hottentot who could speak their language; we got him at a missionary establishment.

3361. Did you experience kind treatment from them?—Frequently; when we arrived at their kraals they often immediately killed a bullock and made a feast for us; at other times they kept aloof from us, and that always made us suspicious, and obliged us to keep a watch over our cattle.

3362. Will you state your opinion of the Caffres generally, as you found them?—A great many of them were very friendly disposed towards white people, others were not so. A considerable disturbance had taken place in the Caffre country just before; there was a chief called Chaka, who lived at Port Natal, and had conquered a very considerable part of the Caffre country; he had made war on nearly all the surrounding tribes; he had been assassinated just before, and his country was divided between two or three warring pretenders: that disturbed all the surrounding countries. One of the weaker chiefs had been driven into Caffreland; he had got a number of fighting men with him, and was living by depredations. When we were in his neighbourhood we were considerably alarmed; he murdered Lieutenant Fairman and all his party just at the time we were within 30 or 40 miles of them; and the only person who escaped came and joined us. I think in no part of Caffreland did I see anything progressing towards civilization; even in the neighbourhood of the missionary establishments they appeared to progress very little; it was very difficult to keep the Caffres long enough stationary to become agriculturists: the climate is against cultivation. I think if the land was occupied by white people, they would be principally pasturage farmers, for that they would not be likely to succeed with corn; it would be frequently destroyed by the locusts and drought. When a Caffre chief is a clever man, he has great power; when he is a weak man, the heads of tribes and the heads of villages possess the power he would have if he had more ability. I think the Caffres frequently suffer from the want of food when grass is scarce.

3363. Are the Zoolahs more ferocious characters than the Caffres, generally speaking?—Yes; they formerly conquered the Caffres in their encounters with them. I believe the great advantage the Zoolahs had was in using short weapons instead of missiles: they used their daggers: it was a mode of fighting the Caffres were not accustomed to: they acted more as a body, and conquered a great extent of the Caffre country.

3364. They were more warlike, perhaps, rather than more ferocious?—Yes; we did not travel among the Zoolahs, but I have no reason to suppose they were more ferocious.

3365. The character of Chaka was savage?—Yes; he was, as an individual, as perfect a brute as a man could be.

3366. Was it not reported that he once killed 2,000 women?—It was certainly said that he was killing 2,000 women, at the rate of 200 or 300 a-day; they were the wives of an army which had been defeated, and the cause of his assassination was, that he was killing these women at so many a-day. It was stated that one of his brothers was connected with one of those women, the wife of an absent soldier, and that he stabbed him to prevent her death.

3367. You mentioned that you went near to Port Natal; what is the distance between the River Kei and Port Natal?—I cannot speak accurately to that; I should not suppose it to be more than 300 or 400 miles, but I do not think I can answer that question with sufficient accuracy.

3368. Have the goodness to describe the physical features of the country as far as you penetrated?—It is very like the part of the colony we occupy near Graham's Town: it is covered with sour grass, and in some parts there is sufficient dampness to induce cultivation: it is interspersed with groves of wood, and mimosas are scattered here and there over it.

3369. Is the character of the country, generally, similar to that between the Kei and the Keiskamma?—I cannot recollect that country perfectly. On the Omsinpoobo River there is the same kind of jungle and forest which is on the Fish River.

3370. It is not so fit for colonists and emigrants as some others?—No; I think not. It was the opinion of the Dutch boors that the part of the country which they possessed would be quite as advantageous to them; as settlers, as any part of the country we passed through.

370

W. Gisborne, Esq.

27 April 1836.

364 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

3371. Who succeeded to Chaka?—I do not know; the country was split between different pretenders. His brother, Dingany, I think, had the principal part of his country.

3372. Is he likely to be friendly to the British government?—I do not know; I have had no means, since that time, of hearing anything of him; he was not supposed to possess the power Chaka had.

3373. Do you think the Caffres capable of improvement?—They are not sufficiently fond of roving to render them incapable of becoming such agriculturists as the country would allow. I should think they are capable of improvement, but it is difficult to give an opinion how far they could be civilized as a nation.

3374. They are scarcely a nation; they are a number of tribes?—They occupy a great portion of country.

3375. Did you visit the missionary stations?—Yes; I was at several of them.

3376. Did you find the Caffres in the neighbourhood of those settlements more civilized than those at a distance?—Not speaking generally, I think. At one of the missionary establishments at which I was, there were a few individual Caffres who cultivated rather more corn and lived rather more stationary than they would have done if the missionary establishment had not been there; but, beyond the immediate village the missionary establishment occupied, which was a small one, I do not think we saw the slightest change.

3377. What denomination of missionary establishment did you visit?—I think they were generally German Moravians.

3378. Were you at Wesley Vale at all?—I know those establishments better by their situations than their names. I do not recollect the name of Wesley Vale at all.

3379. It is the missionary establishment nearest to the sea?—I think I was not there.

3380. On the whole, while you were in Caffreland, was there anything done by the British Government or British individuals to benefit the Caffres or other aborigines?—I think there was no attempt on the part of the Government to do anything that came under my observation to raise the Caffres into civilized beings; what the missionaries had done was in a very small degree. There were a great many things against them; whatever the efficiency of the missionaries might be, it was very difficult to make the Caffres sufficiently stationary for them to have a fair field to work on.

3381. Mr. Gladstone.] Did Government give encouragement to the missionaries?—Yes; they had every facility. I do not know how far they gave them actual encouragement. I never heard the missionaries complain, except that when Macomo's country was taken away, the missionary establishments were disturbed. I never heard them complain of the Government not giving them facilities.

3382. Have you considered any special measure for the improvement of the Caffres?—No; I have not. There has been, in my opinion, but little encouragement to hope to civilize native tribes by European Governments.

3383. You are not aware of any plans which have been suggested to the Government on which they might have acted, but on which they have declined to act?—No.

3384. Is the form of government among the Caffre tribes always elective?—I think it is, in practice, partially so; it is supposed that a son of the chieftain ought to succeed, and it is only when he is very unfit for it the rule is broken through.

3385. Besides the person in authority over the tribe, are there persons of inferior rank between him and his subjects?—Yes; there is certainly an officer under him as a military officer. Among the Tambookies, a man was pointed out to me as the principal officer of their army.

3386. Are there any councils, consisting of heads of families as such?—Yes; they call a council on occasions, and that is formed of heads of families or villages.

3387. In those councils various matters are considered?—I presume so.

3388. You do not think that the roving habits of the Caffres are so inveterate, or so deeply rooted, as to be an insurmountable obstacle?—Not an insurmountable obstacle to improvement, but it must be always a rambling nation.

3389. That is consistent with their having settled habitations?—They do live

374

W. Gisborne, Esq

27 April 1836.

live the whole year in the same habitations; they constantly remove to better pasturage in the rainy season.

3390. Is the pasturage very much affected by change of season?—Very much indeed; in dry pasturages, in the middle of summer, there is no grass to be found, and their cattle migrate more or less.

3391. Are those portions which afford grass in summer the best or the worst in winter?—I think they will be always the best; and the only reason that they remove in the winter is that they have eaten up the grass in the summer.

3392. Should you say that hospitality was a general rule among the Caffres?—Quite, I think.

3393. And that an unfriendly disposition was an exception?—I think so.

3394. How far beyond the frontier have the Dutch boors, to which you have adverted in the early part of your examination, extended?—I cannot specify the distance; but Captain Campbell told me, that a man he sent out went in a bullock waggon 14 days, in a zigzag direction no doubt, before he came to the last of them.

3395. Did he then reach the extent of their settlements?—My impression is that he did.

3396. Can you give a conjectural estimate of the extent?—I think it must be more than 200 miles.

3397. Does it appear whether the relations subsisting between them and the Bushmen are generally hostile, or that they have any marked character?—I think, from what I heard, they have no marked character: I believe that the Bushmen, when pressed for food, congregate about the habitations of the whites, and endeavour to get provisions from them: but except when obliged to depend on them, a Bushman is always regarded as the enemy of the colonists.

3398. Have those settlers any means of combination for defence?—I fancy that they rather establish themselves in little knots than as individual colonists, with a view to procuring assistance.

3399. Did you ever hear that the fear of being plundered by Bushmen operated to prevent that sort of desire of emigration on the part of the colonists?—In individual cases I have heard it has done so; but the obstacles have not been sufficient to prevent the regular encroachments of the whites.

3400. Have they continued to progress?—They had up to 1830: the matter had gone to that extent, that Government had directed a person to be sent among them to ascertain the extent to which the emigration had gone.

3401. As relates to the intercourse to which this had led between the colonists and the aborigines, you are not aware of any beneficial result?—No; I never heard that the Bushman's character had been in the slightest degree raised.

3402. Do you not think that such excursions by the settlers are injurious to the colony, by tending to promote a hostile feeling on the part of the Bushmen, and also by establishing a community not under the control of the law?—It is certainly establishing a community not under the control of the law; but I cannot state what ill effects had followed. The feelings of the Bushmen were decidedly hostile to all white people: they could not be pleased by the occupation of their land.

3403. Do you not think their hostility attributable in part to their being deprived of their territory in previous times, and in part to the conduct of the whites tending to keep up that feeling?—I believe the Bushmen have always been on bad terms with their neighbours, and that the Caffres dislike the Bushmen as much as the whites do; that they are in the same state of hostility as we are with them. The Bushman has no property of his own; he never puts a house together: if he steals a horse to-day, he sits down and eats it, and never keeps any provision for a future time.

3404. You consider their case much more hopeless than that of the Caffres?—Yes, they are much lower in the scale than the Caffres are.

3405. Have those settlers any religious institutions amongst them?—I am not aware that they have.

3406. Are you aware how offences are punished, whether there are any means but private revenge?—I am not aware.

3407. Have the government any means of reclaiming them?—I should think not, unless they sent the military to oblige them to return.

342

W. G. Osborne, Esq.

27 April 1830.

366 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

3408. That would not be consistent with the law, would it?—I believe all are liable to punishment for going out of the country.

3409. Do you conceive they are subject to punishment for being out of the colony while there?—I should suppose a man might be followed for the offence of going out of the country.

3410. Are you aware whether the government are disposed to regard this kind of emigration with a favourable or an unfavourable eye?—I think with an unfavourable one.

3411. *Mr. Lushington.*] Are you acquainted with any instances of individual Bushmen being reclaimed?—No; I have seen Bushmen in the service of farmers: I believe Lord Charles Somerset had two Bushmen jockies in Cape Town.

3412. By the term reclaimed is meant civilized, and instruction in Christianity?—There are individual instances, I believe, of the sort; for it is not unfrequent to meet with individual Bushmen as servants to the colonists.

3413. Are you acquainted with the laws of inheritance and succession among the Caffres?—No, I am not at all.

3414. Do you know who is the proper heir of the late Gaika?—No, I do not: I think that the succession of a chieftain is practically partly elective, and partly by inheritance. Macomo was not regarded as Gaika's proper heir; I think a chief called Charlie was expected to succeed Gaika.

3415. Do you speak of that with confidence, from the intelligence you have obtained?—I speak from what I heard from the people that were living in Gaika's neighbourhood, seeing him and his chieftains frequently, and from the conversation of settlers in the neighbourhood.

3416. Is not Sandarlee considered the heir of Gaika?—I do not know.

3417. Is not Sandarlee a minor?—I do not know; I do not remember his name.

3418. Did not Macomo obtain his influence in a great measure from having been regent during the minority of Sandarlee?—All these transactions are since I left the country; Gaika was alive at the time. Macomo had great power before his father's death, but I think he had got that by his enterprize.

3419. Had you any personal communication with the late chief, Hintza?—Yes, I was at his kraal, and he was exceedingly kind to us; I was at his kraal several days.

3420. During the period of the residence of your party under Hintza's protection, had any one of them the misfortune to kill a boy belonging to that tribe?—Yes; one of the Hottentots belonging to us, the servant of one of the party, shot a Caffre by accident.

3421. How did Hintza behave on the occasion?—I had better state all the facts. The Hottentot was cleaning his master's gun, which was loaded; a Caffre came, apparently in play, and laid hold of the end of the gun, and tried to take it from the boy; in that situation the gun went off, and shot the man through the body. There was a great uproar among the Caffres, who ran for their assagais. The boy ran into a hut. One of Hintza's wives placed herself before the boy. Hintza came out, and threw his skin cloak over him, and thus saved him from the crowd, and then called a council together. After the council had been sitting for some time, Hintza came to one of our party and inquired what was the punishment in the colony for killing a person. He told him there was a great difference made; if it was by accident, nothing was done to the murderer; but if it was done on purpose, the man was put to death. Hintza made answer, "The accident must be paid for." In a short time he came again, and said that he was condemned to pay 240 buttons, a tinder box, and a knife, for the man's life.

3422. Was that considered among them a severe sentence?—I do not know; I rather think that they thought it was. Hintza apparently kept every thing given him, except that we understood afterwards he had given something to the man's wife.

3423. *Mr. Gladstone.*] Did you enter into the distinction between taking away a man's life by accident and by intention?—Yes; but he immediately replied, "Oh, no! that is not the law here; the accident must be paid for."

3424. Would the fine have been severer if it had been a case not of accident but of malice?—I should think so, by Hintza's answer.

3425. *Mr. Lushington.*] You did not consider the fine a vindictive one?—Not at all. Hintza had been very friendly to us.

3426. Did

3426. Did he give you any feast after that?—He had given us a feast before; we bought some bullocks of him afterwards.

3427. You do not think this unfortunate accident produced any unfriendly feelings on the part of Hintza?—No. Hintza went and asked the man, for he did not die immediately, how the accident took place; he gave a perfectly fair account of it; he said he did not believe that the boy had let the gun off purposely, and I think it was on his account of the matter that it was judged. We remained within his power for some time, and he was so powerful he might have taken any revenge he liked.

3428. Did not a case occur of an English elephant hunter, an officer in the army or navy, being murdered, with all his companions, by the Caffres?—Yes; that was near the banks of the River Umptada, Lieutenant Fairman.

3429. Was that in the Caffre country?—Perhaps it was in the Zoolah country, but I can hardly say; it was by the Zoolahs he was murdered.

3430. The Zoolahs were associated with the Caffres at the time?—No; they were a weak tribe, who had been driven out of their country, in a question of succession.

3431. He was going to Natal?—He was travelling to Port Natal at the time.

3432. Can you give the Committee the particulars of that transaction?—We were about 80 miles from him. We were straitened at the time for provisions, and a party of the Zoolahs were anxious, at least it appeared they were desirous, to get us into their power. A Dutchman, named Lochenberg, had attended a party of Caffres in its attack on this party of Zoolahs. Lochenberg had shot several Zoolahs, and, I believe, also wounded their chief; these men had therefore a feeling against all white people. They sent us several messages, asking us to come to them, and that they would give us a couple of bullocks; but the Dutch boors with us were too cautious, and we never went to them. I believe they induced Lieutenant Fairman to come to them by the promise they made of giving him provisions; but, in the night, they stabbed all his party except one, who escaped to us; he reached us in the middle of the following day, and told us what had taken place; but I believe the hostility of the Zoolahs against those white people had arisen from the fact of Lochenberg having accompanied the Caffres in their attack on the Zoolahs.

3433. You do not imagine that the Zoolah murderers were at all instigated to this by the Caffres?—No; they were on the worst possible terms; they were living among the Caffres by force. I frequently saw the Caffres run into their kraals and get their arms, on a report that the Zoolahs were coming.

3434. Can you give the Committee information as to the Ficani tribes?—I believe that is a Caffre term for all strangers. That the tribes from the north are very often starved out or driven out by wars; then they come down on the Caffre tribes, and I believe any tribe from the northward coming in that state of things are termed Ficanis.

3435. *Chairman.*] Have you formed any opinions as to the best mode of producing tranquillity on the frontier?—No; I think that every aggression into the Caffre country, by taking their land, produces a strong feeling; at least all those I had any knowledge of, produced a strong feeling of uneasiness among the Caffres.

3436. Do you happen to hold any opinions as to the authorities we should have in the neighbourhood of the Caffres, whether it would be advisable to go on leaving the whole under the control of a governor on the coast, or to have some authority immediately in the neighbourhood?—I think there ought to be authorities immediately in the neighbourhood. The transactions with the Caffres are of considerable importance and almost of daily occurrence, and so many unforeseen circumstances frequently arise, that a person on the spot, acquainted with the Caffres, and perhaps, I might say, somewhat trusted by them, would be more likely to keep them quiet, than the governor at Cape Town.

3437. Supposing peace and tranquillity to prevail between the colonists and the Caffres, do you not think it possible there would be a considerable increase of trade?—I think not. The only articles the Caffres have are cattle and hides; cattle they must keep for their own subsistence, but hides they can afford to sell. The quantity of hides brought for sale did not appear to increase much during the time I was in the country. I think they have not any other considerable articles they can bring into the market.

374

W. G. G. Esq.

27 April 1836.

3438. Do any recommendations occur to you which would be likely to tend towards peace between the British and the natives?—I think the greatest freedom of intercourse should be given between them; I cannot suppose that a system of exclusiveness can tend to a good feeling. I should think the present system of having the Caffres within the colony, and our military post around them, would have a great tendency to keep them quiet. I think the Caffre chieftains are not sufficiently powerful to make them answerable for the acts of their nation, yet there are a great many boors on the frontier who can live on very good terms with the Caffres; the Mullers, who live on the frontier, always keep on good terms with them, so that it shows that it is possible for individuals to keep on good terms with them.

3439. Did those Mullers send their cattle into the natives' territory?—They did; they used to trust them to the Caffres, even when they were frequently carrying off the cattle of other colonists. The Mullers left their horses and cattle in Hintza's country to fatten there, after the unfortunate killing of a Caffre, as I have before mentioned.

3440. Were those horses and cattle taken away in the late insurrection?—I think they meant to leave them only for a few months in Hintza's care. After that they would probably send over for their cattle and make him some present, probably giving him some breeding cattle, which is the most important present to Caffres.

3441. You have been in Canada?—I have.

3442. Upon the border?—I have.

3443. Did you observe any striking difference between the intercourse of Europeans with the Caffres and that which takes place between the Indian and the Canadian or European?—Yes; there is much greater intimacy of union between the Indian and the Canadian than between the Caffres and the colonists. The Indians mix most freely with the Canadian whites, and regard them as friends.

3444. Mr. Gladstone.] Do you ascribe that at all to the system of presents?—I should think so, and to the Indians living very much at present on the bounty of the whites. A Caffre does not receive anything from us; an Indian knows he shall forfeit his yearly blanket and his ammunition, if he is found unfriendly.

3445. Chairman.] Is there not a method of protecting the Indian against his selling his land to traders at an inferior and insufficient price?—I think the Indians have pensions given by our Government when their land is sold; so that they are still dependant on the Government where they have sold their land: but I think there is a strong impression that the traders cheat the Indians very much, and that when the land is sold the account of the traders is a very heavy set-off against it.

3446. Can the Indian dispose of his land but through an act of Government?—No, certainly not.

3447. That is one of the precautions taken to prevent the Indian being defrauded by the trader?—Yes.

3448. Mr. Gladstone.] Are the Indians within the boundaries of the British territory?—There are Indians surrounded by the British territory at Sandwich, near the border of Canada. There is a considerable Indian district there, which we are desirous to get: we want to make a road through it to another settlement.

3449. The King of England does not claim sovereignty over them?—No, I believe not.

3450. Do you know whether they are a declining population?—I think they are.

3451. You think that does not arise from ill usage?—I think they are very much lowered in their means of livelihood; that their hunting-grounds have been taken from them.

3452. Do you think they are crippled in their means of subsistence?—I should not suppose they have a greater scarcity than they would have in a savage state but they have not the means of sending out little parties, as they would if they had more hunting-grounds.

3453. Does the use of spirits prevail among them?—Yes, it does.

3454. Do you think that has a deleterious effect?—I have no doubt it has.

3455. Have they taken to agricultural habits?—I have heard only of one

one instance, and that connected with the Methodist missions. Those Indians have actually hired themselves out to the colonists to chop down wood, and there was a good deal of agriculture being done by themselves. I think that was quite an individual case.

3456. How long were you in contact with the Indians?—I was in contact with the Indians on the frontier perhaps a fortnight; then I went into the States, and was in contact with the Indians there. The important difference between the Indians and Caffres is, that no spirits have ever been introduced among the Caffres, and they are not seen so entirely degraded as the Indians are, when they live in villages among the whites. They are a very noble race, and look more like dram-drinkers than people it would be possible to get to do any work. The Caffres are a fine, tall set of men, and able to do anything.

3457. Have the Caffres any guns?—When I was among them, they had neither guns nor ammunition, and they did not appear to be well acquainted with the use of a gun.

3458. *Chairman.*] Did you ascertain that the population of India in Canada had decreased in consequence of their communication with Europeans?—Yes, that is a very general opinion.

3459. Did you, when you were at the Cape of Good Hope, visit the territory occupied by the Hottentots on the Kat River?—Yes, it was established at the time I was there, after the ejection of Macomo. I afterwards went through the little colony, and was, I think, encamped by it two or three days.

3460. How long had they been settled on the Kat River when you were there?—Perhaps six months.

3461. Did you observe that they had made any efforts to improve the means of livelihood?—They were rather talking of doing so than had done it: they had sown some corn and vegetables in damp places, but I do not think they had got the water out of the river. They were living in very disagreeable circumstances. Of course the Caffres had a very hostile feeling towards them, from their having been ejected from that country; but without any military aid, they had been able to defend themselves: they had shot one or two Caffres attempting to steal their cattle. One great reason, I apprehend, of so many cattle having been stolen is, that the Dutch boor hardly ever defends himself. He often shuts himself up, and lets the Caffres take his cattle, and then applies to the next military commander for redress. The Hottentots perhaps think that they do not stand on the same ground, and will not be able so easily to obtain restitution; and therefore they take care of their own cattle, and defend them in case of their being attacked.

3462. You think that the claim which the Dutch boors have been permitted to make on the government for restitution, has rendered them indifferent to the defence of their cattle?—Yes, I think the expectation the Dutch boor has of the government getting his cattle back, is one great reason of his being indisposed to make much resistance, and that they do not run the risk of defence as the Hottentots have done, when the Caffres have attempted to rob them.

3463. *Mr. Lushington.*] A boor, though he might have so large a number restored to him, will not have them of the same value?—No; but it is considered that the boors often give in a considerably larger number than they have had actually stolen from them; that was a very general opinion in the country.

3464. *Mr. Gladstone.*] The difference of the colonial and Caffre cattle was very great?—Yes.

3465. Consequently, if he was indemnified, he must get a much larger number?—Yes, the difference, I should think, is one-third.

3466. Do you think that produces a general indifference in the boors, in consequence of their being sure to be indemnified?—I think that was considerably the case: it was the general report that the boors seldom exposed themselves if they heard their dogs barking, and were aware that the Caffres were stealing their cattle.

3467. Whereas the Hottentots acted differently in similar circumstances?—Yes; they always saved their cattle, and had killed several Caffres in the different attempts they made. I do not think I ever heard of an instance of a boor killing a Caffre stealing his cattle when I was there.

3468. Were the Hottentots more favourably situated for combination?—Yes, they

376

370 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

F. Giborne, Esq.

27 April 1836.

they have placed themselves in villages; but the boors have generally a number of persons around them, Hottentots and farm servants living with them. They might make a considerable resistance, if they felt that they should be great losers by the attack being successful.

3469. Do the Hottentots make considerable resistance?—In several instances they had united to drive away the Caffres who came to steal the cattle.

3470. Do you think the resistance of the boors would be much more easy than that of the Hottentots?—The numbers of the Hottentots would enable them to resist more effectually.

3471. Mr. Lushington.] Did the authorities make any allowance for the difference of cattle in the indemnification, or consider the same number which had been stolen to be equivalent?—They allowed only the same number. It was said respecting the Caffres stealing cattle, that the circumstances were so favourable to them as to induce them to steal from colonists rather than from other Caffres, as he only had to restore the same number. If he was not discovered, he got the whole; if he was discovered, he gained to the extent of half, or one-third in the value.

3472. The difference in value induced the boor to give in a different account of the number?—Yes.

3473. Which he was in the habit of practising?—I understood so.

3474. Mr. Gladstone.] Was the boor's account taken for granted or inquired into?—I presume it was inquired into: but in a country so thinly inhabited, the only evidence which could be brought forward would be the boor, the Hottentot servants and his family: it would be difficult to get accurate information. By the Caffre laws about stealing, ten for one are paid, and that is supposed to check stealing among themselves. It is much more easy to go and steal from a white man, where it is required to give back only one for one, than to steal from a Caffre, and to give back ten. I remember when a party near us were eating, a Caffre stole a fork: the man was discovered, and reported to the chief, and directly afterwards a Caffre brought back a calf, which the thief was obliged to pay for the attempt at the robbery.

3475. Mr. Lushington.] In all those attempts to obtain the restoration of cattle, are the actual thieves alone punished, or the kraals also?—We require them from the kraals to which the cattle are traced: I do not think we ever inquired after the individual.

3476. How do the Caffres themselves act upon those occasions?—I think they inquire after the individual. I remember a chief named Vorsani had been robbed (for even the chiefs are robbed) of a bullock, and he was following the man who had stolen it. I should think they look after individuals.

3477. Mr. Gladstone.] Do you think the authorities can inquire into the case of individuals?—No, I should think not.

3478. Chairman.] If a Caffre stole some of their own cattle, according to the Caffre regulations, he would have to restore tenfold?—Yes.

3479. Mr. Gladstone.] Would the Caffre law apply to cattle stolen from Europeans?—It did in the case of the fork, though there are probably few examples of it. Supposing a Caffre to steal from a white man, the white man has recourse to our law for indemnity. He does not go to the next Caffre chief, and endeavour to get repaid ten for one.

3480. Chairman.] According to the Caffre system of justice, if a Caffre stole 10 of our cattle, he ought to restore 100?—He ought.

3481. According to the principle upon which the Caffres proceed, if we stole a hundred thousand acres of their land, ought we not to restore a million?—Yes, on that principle; unless by our improvements we could make them produce more subsistence, and by that means allow the Caffres more subsistence out of the land than they had before been able to extract: but I would not wish to be understood to say, that in my opinion that would justify our taking their land. It might form a proper basis for a just purchase of it.

3482. Mr. Gladstone.] Are those principles of jurisprudence actually applied to cases between the Caffres and the Europeans?—No, except Europeans travelling among the Caffres; as, for instance, for the fork stolen, they made the man pay a calf.

3483. Chairman.] You are aware that at times we have taken possession of large

large portions of Caffre country?—Yes, from traditional history, and in the two instances I have named.

3484. Did you ever hear of any indemnification by the British to the Caffre?—No, I never heard that at all entered into.

3485. Have we ever given them education or instruction which might be considered equivalent?—To my knowledge nothing more than the missionary establishment.

3486. Mr. *Lushington*.] Did we take possession of their country merely from the aggression of the Caffre on our own premises?—I suppose the aggressions of the Caffres have always been named as the occasion of dispossessing them of it. I am not aware that any country has been taken from the Caffres, except following an aggression; that they have been driven from their land because they have been charged with some aggression on the neighbouring colonists.

3487. Mr. *Gladstone*.] Are you aware whether the Caffres have been deprived of their country under the former Dutch government, or since the British took possession of the colony?—The Dutch frontier was, I think, to the east of Algoa Bay, and I conceive it is since the English became possessed of the colony.

3488. *Chairman*.] Did the Dutch take possession of any Caffre country?—I think not: they occupied the Hottentot country, and destroyed them as a nation.

3489. The aggression on the Caffre country is wholly British?—I suppose so; I cannot speak decidedly on that point.

3490. Mr. *Lushington*.] But is it not an historical fact, that at the time we first took possession of the Cape of Good Hope from the Dutch, the Caffres had penetrated as far westward as Sunday River?—Yes, I believe they had, and occupied that country.

3491. On our assuming possession we were called on to redress the injuries they had sustained from the Dutch?—Yes, it was, I believe, a Dutch settlement, as having been gained by them from the Hottentots. The Caffres had taken possession of it after the Hottentots had become dependent on the Dutch.

Lunæ, 25^o die Aprilis, 1836.

MEMBERS PRESENT.

Mr. Fowell Buxton.
Mr. Charles Lushington.
Mr. William Gladstone.

Mr. Andrew Johnstone.
Mr. Hindley.
Mr. Bagshaw.

MR. FOWELL BUXTON, IN THE CHAIR.

Colonel *Thomas Francis Wade*, called in; and Examined:

3492. *Chairman*.] WILL you proceed to make those statements which you wish to lay before the Committee?—I was asked upon a former occasion whether the civil commissioner of Albany, in making inquiry into the circumstances of Zeko's death, had taken any evidence from the Hottentots or the Caffres. Since the Committee last met I have received a letter from Graham's Town, in which the civil commissioner informs me that he had that day, the 5th February, written to the commandant at King William's Town, requesting him to send to Graham's Town six or eight of Zeko's Caffres for the purpose of examining them; that he had endeavoured to ascertain if there were any other Hottentots besides the one that he had formerly examined, Boezak, whose deposition is before the Committee, who had been examined by Captain Stockenstrom; and he had not yet been able to find that there had been; and, if I recollect rightly, Captain Stockenstrom admitted that he had not examined any other but Boezak. Captain Campbell has, however, transmitted to me several depositions relating to this commando, which I will now read to the Committee, and also a statement made by the field cornet Erasmus himself. One of these depositions I conceive to be of considerable importance, because it is made by the commandant of the frontier, Colonel Somerset, as to the orders given by him when being

Col. T. F. Wade.

25 April 1836.

348

Col. T. F. Wade.

25 April 1836.

372: MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

the officer in command of that commando) in the presence of Captain Stockenstrom, and communicated by Captain Stockenstrom to the field cornet Erasmus, in his (Colonel Somerset's) presence.

3493. Are those depositions upon oath?—Yes; they were all taken in the same manner as the others. It may be as well that I should add, that immediately upon the evidence of Captain Stockenstrom being published in the newspaper in the colony, Captain Campbell, the civil commissioner of the district, and resident magistrate, whose peculiar duty it is to inquire into any case of outrage committed upon the aborigines by any of those in his district, instituted this inquiry, which took place in the resident magistrate's court, at Graham's Town; the whole of the depositions, with the exception of one, which was taken at the man's own house (he being unable to come to Graham's Town) have been taken in open court. This is the deposition of a Mantatee Caffre, who was after rider to one of the field cornets, taken on the 16th Jan. 1836.

3494. In the course of your evidence you have stated that Dr. Philip had an interview with Botman in 1830, and that what Dr. Philip then stated tended very much to produce dissatisfaction in the minds of the Caffres, and did actually produce such dissatisfaction?—Yes.

3495. Did any peculiar manifestation of that dissatisfaction take place soon after that interview?—A very decided one.

3496. Will you state what it was?—I have already stated it; in my evidence; "in the month of March 1830," I have said, that "The Caffres occupying the Chumie basin, those belonging to the sons of Gaika," that is the Caffres of Charley and Macomo, "sent away their families and their herds of cattle to a distance, they themselves remaining scattered over the country in large armed parties of 400 and 500 men each. They no longer permitted, as heretofore, and as was expressly stipulated for, small parties of the mounted Hottentot corps to proceed on the "spoor," but even ventured to attack and attempted to cut off patrols consisting of 30 men each, who were obliged to have recourse to their fire-arms to secure a retreat." It was this peculiarly excited state of things, together with depredations committed at that time, which caused that commando in 1830, the occurrences said to have taken place on which have been already detailed to the Committee.

3497. Were those Caffres who committed those depredations the people of Botman?—It is impossible to say; I should suppose they were the Caffres of Charley, Macomo, and all the rest; Botman, I must say, was at that time exceedingly discontented. It will be in the recollection of the Committee that Sir Lowry Cole, on his tour to the frontier, in September 1829, pointed out to each of the Caffre chiefs that part of the country that he should be permitted henceforth to occupy within the ceded territory. To Botman was assigned a certain portion between Fort Willshire and the Blockdrift; Botman was dissatisfied with that territory, and in the newspaper, edited by the son-in-law of Dr. Philip, who was his companion on that tour, a conversation is alluded to which took place between the parties who were visiting them and Botman. The newspaper is of the 3d of April 1830, I think, and the remarks contained in it I conceive corroborate what I have stated.

"Macomo, having lost his land, has recovered his character.

Botman has been removed to a situation which few will covet, and

Eno, whose fortunes have been similar, now resides in outward quiet, but broken-hearted, in the neighbourhood of Fort Willshire.

To these two gentlemen we had the honour of being introduced last Wednesday, and two more grave and sedate personages, when you get them to enter into serious conversation, or men who understand their own affairs better, their rights, and the relation in which they stand to the colony and their neighbours, we have never met with, either in office or out of it. With regard to this people as a nation, or as individuals, and their susceptibility of improvement and civilization, as it is called, we would say, without hesitation, that we know of nothing of which an Englishman is capable, of which they are not capable. They have the same powers of mind, the same passions, the same virtues, the same vices. Nothing is wanting but education to put them on a footing with the proudest people in Europe.

In their notions of justice, in friendship, in affection between relatives, in gratitude, and in resentment, they have nothing to learn from Europeans."—(*South African Com. Advertiser*, April 3d, 1830.)

"Poor Botman! Some years ago he was a noble looking fellow, round and heroic in his contour, loud in his laugh, and bold and active in his gait. Now his countenance is fallen, his

his mouth seldom goes further than a quiet smile, his motion and voice are mournful and tremulous; he has been cooped up in a place where his cattle and people are starved, where no corn will grow. Being the steadfast friend of the colony, he has been made accountable for the faults of every rascal in his neighbourhood; he has been attacked and murdered by mistake; vials of wrath have not only been poured out, but broken upon his old grey head.

Eno, again, is an old man. * * * Sorrow has seized every feature of his countenance, and bound up and sealed despair in his heart. He speaks of his sons that have been shot, when he and they were doing no wrong, and suspecting no danger, and of the miseries which government is now inflicting upon him in his old age.

In Tzatzoe you find a model of industry for your Albany farmers and Dutch boors.—”

(*Com. Adv.* April 7, 1830.)

“A correspondent informs us of some unlucky events on the Caffre frontier. They have many complaints, and speak with great emotion of the calumnies spread against them in the colonies. That they have rogues and vagabonds amongst them they readily admit; but they urge with much appearance of truth that such characters may be found on our side of the boundary; and that they have suffered to a much greater extent from the colonists than we ever pretend to have suffered from them. After passing the Keiskamma, you find among the independent chiefs and captains the same appearance of peace and tranquillity. We have met with none who were not aware of the superior strength of the colony, or who did not express a wish to continue on friendly terms with it. At the same time they are evidently disposed to question any interference of our government with their domestic affairs, and even to resist it if necessary.”—(*Com. Adv.* 5 April 1830.)

These remarks were, I conceive, the result of the conferences of this party with the chiefs.

3498. Do you think that those expressions were calculated to produce that organization together of the Caffres, and those depredations, which you say were committed in 1830?—I do not say that those expressions in the newspaper were, but I say that the communication carried on by Doctor Philip, and stated by Lieutenant Robinson to have been held in his presence, was certainly, in my opinion, calculated to do so. It would appear that Doctor Philip pointed out to them that they had been improperly dispossessed of their country, and that they ought to appeal to the King of England to restore them, and I conceive that was calculated to excite the Caffres.

3499. Do you conceive that it was calculated to excite the Caffres to make war with the English to tell them that the right course was to make an appeal to the King of England?—I think that the Caffres understood from Doctor Philip's conversation that they had been unfairly dealt with, and that that excited them. I do not say that that would have driven them to a war, nor did it do so; it drove them to outrageous proceedings and depredations, but not actually to a war.

3500. Do you think there was anything morally wrong, or anything politically dangerous, in advising persons who felt grounds of discontent to make an appeal to the sovereign of the country, from which the oppression was supposed to have originated?—I think there was something exceedingly injudicious and improper in any missionary holding that language to persons situated as were the Caffres; and I think it was politically dangerous and wrong. I have not the most distant doubt that it did excite the Caffres; and that similar proceedings in 1832, on the part of Mr. Bruce, who visited the frontier in company with Doctor Philip (I am not aware whether Doctor Philip was present at Mr. Bruce's conferences with Macomo,) that those proceedings had a similar effect; and I have as little that the communications of Mr. Read in 1834 had the same effect. I shall presently produce the deposition of an English gentleman, who was travelling from the frontier to King William's Town during the late war, in which is related the conversation of a hostile Caffre, who was at a distance, upon a hill, with the interpreter of a party with which this gentleman was travelling, and who directly charges Mr. Read with having told them that the English were taking the whole of the land from them, and that if they did not stand up they would lose the whole of their country.

3501. Do you know what was the conversation which took place between Dr. Philip and Botman?—I have stated that all I know about that conversation is contained in the letters which I have placed upon the Minutes. I could not possibly know it, as I was not present, further than I know it from those letters.

3502. Will you state your conclusive reasons for believing that the dissatisfaction in 1830 originated in what Dr. Philip said to Botman?—In the same newspaper

Col. T. F. Wade.

25 April 1836.

newspaper which I have just now mentioned, of the 3d of April I think, it was stated, (which was perfectly true, I know the fact as military secretary,) that the Caffres in the beginning of March were perfectly quiet; there were very few depredations. Dr. Philip and Mr. Fairburn went up there; they made this tour, and they made those speeches, and held those conferences with them, and very shortly afterwards the Caffres did assume a hostile appearance that they never had assumed before. The commandant stated that they never had attempted to withstand the patrols in the same way before.

3503. You have been present during the greater part of the time that evidence has been given by the various parties that have been summoned before this Committee; you have heard it stated almost universally that the system exercised by the British towards the Caffres did engender, and was calculated to engender, dissatisfaction with them. Now do you think really that the Caffres forgot the real oppressions to which they were subjected, that they were tranquil under those, but that they were excited and tumultuous because an individual seemed to sympathize with them?—I do believe that after Sir Lowry Cole's visit to the frontier in September 1829, up to the period of Dr. Philip's visit in 1830, the Caffres were perfectly contented. Sir Lowry Cole met the whole of the Caffre chiefs at that time, with the exception of Macomo and Gaika; the latter was ill, and Macomo was sulky and would not come. It was explained to the Caffres the system that would be then pursued towards them, and the portions of the ceded territory they were to be permitted to occupy were pointed out, and from that time to the month of March the Caffres were in a perfectly tranquil state, and therefore I have a right to suppose that they had forgotten whatever they might have supposed were former injuries.

3504. But those persons, who had forgotten the oppressions to which they considered themselves subject, were roused into tumult by Dr. Philip advising them to appeal to the King, and by his son-in-law writing a paragraph about Botman's looks?—I have not said that his writing the paragraph about Botman's looks had anything to do with exciting the Caffres. I have read that paragraph to show what his (the writer's) feelings were with regard to Botman and the others, "that he was cooped up in a narrow space of country too small for him." I have read that as a proof of what his feelings were, and I have mentioned it in corroboration of the language said to be held by Dr. Philip to the Caffres.

3505. You think also that the Caffres were quiet and contented in 1832, till Mr. Bruce's paragraph appeared in the newspapers?—I have not said that exactly: I have said formerly that they never recovered, and I do not think they ever did recover, the visit of 1830. They were in a disturbed state in 1831, and were again excited in 1832. I have mentioned only that one fact, because I do not wish to allude more in detail to 1831, as I was exceedingly unwell a great part of that year, and do not recollect the different circumstances that took place: nor have I a single official document to refer to with regard to anything that took place during 1832, with the exception of that one visit of Mr. Bruce's. That visit certainly did excite the Caffres exceedingly, and it excited the colonists not less. Mr. Bruce published in Mr. Fairburn's newspaper several statements, recapitulating all the old grievances of the Caffres, and stating also many things which, he said, he had been told by one of the missionaries, Mr. Chalmers, at the Chumie station. Those statements were exceedingly strong; so strong that many of the inhabitants of Albany came forward and petitioned Sir Lowry Cole to cause a public investigation to be made into the different accusations that were preferred. Sir Lowry Cole refused to do so, because he did not think that a man coming into the country, like Mr. Bruce, going up to the frontier, and galloping about there for three weeks, that his letters in the newspaper could have any possible bad effect, or injure the colonists: and moreover, Mr. Chalmers, the missionary, upon whose authority Mr. Bruce asserted he had made these statements, came forward and publicly denied them every one. Two other individuals that Mr. Bruce had alluded to, also came forward, and denied upon oath that they had made such statements to Mr. Bruce; and therefore Sir Lowry Cole did not think it necessary to cause any investigation. I must add, that in support of Mr. Bruce's statement there also came forward, nominally, a Caffre named Tzatzoe. Some letters appeared under his signature, in support of Mr. Bruce's assertions. Now I have a deposition here to prove that those

those letters were written, not by this Caffre, who can neither read nor write, (he can read print, but he cannot, I am informed, read writing), but that they were written by Mr. Brownlee, one of the missionaries of the London Missionary Society.

3505.* You have said that Dr. Philips's visit to Botman in 1830 operated in producing dissatisfaction in 1832, and your belief is, that its effect has never been yet got rid of?—I said that it operated to produce dissatisfaction in 1830, and that again the same feelings were excited in 1832; and that I do not think that the excitement on the part of the Caffres had subsided when Mr. Bruce and Dr. Philip visited the frontier in 1832.

3506. Do you think the effect had expired at the period of the recent outrages; do you think this visit of Dr. Philip's, and the expressions then made use of, had then escaped the Caffres' memory?—I do not: I firmly believe that the Caffres looked to Dr. Philip and to Mr. Reid particularly, as persons who had very great influence with the Government. The Caffres were, I conceive, decidedly impressed with the belief that everything that has been done for the Hottentots within the colony, has been done by Dr. Philip and Mr. Reid; and my impression is, that Dr. Philip and Mr. Reid's conversations and statements to the Caffres induced them to believe that they could obtain for them what they believed they had already obtained for the Hottentots.

3507. What was the length of time that Dr. Philip was with Botman?—I cannot state; I was not there, and I have given all the information that I possess upon that subject.

3508. Do you believe that that interview occupied more than a single day?—Yes; the interview that is referred to in that letter I have placed upon the minutes, did not, I believe, occupy more than a day; but the party dined with some of the Caffre chiefs (whether Botman was of the party or not I cannot say) at Wesleyville, a short time afterwards. According to Mr. Fairburn's statement in his newspaper, at a meeting at Westleyville, a complete discussion with the chiefs took place as to the right of Gaika to dispose of the ceded territory without their permission, and as to whether they had been wrongfully dispossessed of the country or not. I am speaking from Mr. Fairburn's own statement of the conversation that took place between the party with which he was and the Caffre chiefs.

3509. Do not you think that it manifests an extraordinary singularity in the minds of the Caffres that they should recollect a conversation which may have occupied one or two days, and that for seven years together, while they seem utterly to have forgotten, in two former instances, the severe oppressions and cruel usage which they themselves and their relations had received from the British?—I do not admit that they had received cruel usage, in the first place; and in the next place, I do not say that if they had, they had forgotten them. I say that they were tranquil after Sir Lowry Cole had made his arrangements with them, till the period of Dr. Philip's visit a few months afterwards.

3510. And you think that this advice that his (Botman's) case ought to be made known in England; that he ought to go himself to the King in Parliament; and that if they did not give him redress for himself and people, all that he had to do then would be to appeal to the British public, and they would see justice done him, was intentionally used by Dr. Philip for the purpose of exciting dissatisfaction?—I have never made use of the word "intentionally," or alluded to it in the slightest degree. I will now read the document relating to the conversation at Wesleyville, which has been re-published by Mr. Fairburn on the 6th January 1836, when arguing that the Caffres were unfairly dispossessed of the ceded territory.

As our assertion that what Captain Stockenstrom denominates a "so called treaty," with Gaika in 1819, "was a treacherous affair, and that the part of the country between the Fish River and the Keiskamma was only to be held for a time by the British, was slurred over," has been rudely assailed by Lieut.-Colonel Bird, we shall lay before our readers some of the evidence on which it was founded. Having been in Caffreland in 1830, we had opportunities of hearing, from various quarters, the sentiments and feelings of the best informed persons as to the relations of the chiefs with one another, and with the British Government; and on one occasion, having had the honour of dining with the chiefs Pato and Kama in Mr. Young's house at Wesleyville, we felt so much interested in the conversation which took place before dinner, that we committed it to paper on the spot. Almost every stranger who has visited Caffreland since 1819, and who appeared friendly and "not proud," will recollect that amongst the first subjects to which the chiefs turned the conversation was the neutral territory, and in this instance scarcely were we seated when Pato

382

Col. T. F. Wade.

25 April 1836.

376 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

and Kama both asked if they might speak on that subject. We replied that we would be happy to hear them on any subject. They then began to ask several questions, to which we could make no answers, except that we were very ignorant, and would, if they liked, write down what they said for our own satisfaction. Our notes, then, proceed as follows:

"Both these gentlemen are of opinion, that owing probably to some blunder of the interpreters, both the colonial government and the Caffres had been grossly deceived in the bargain supposed to have been made with Gaika, respecting the neutral territory. On this subject Kama spoke as follows: 'We wish now to speak of our lands beyond the Keiskamma. We have often inquired of the colonial government, and of Gaika, what we had done that our lands should have been taken from us. The governor (Somerset) said at Graham's Town the lands are not taken from you for ever; they will be restored. We thought they had been restored when we were permitted to occupy them; but we see they were only lent during what government may please to call our good behaviour.'

"Could Gaika cede or give away any part of Caffreland by his own authority?—*Pato*. No; if we had known that Gaika dared to give away any part of the country, we would have opposed and resisted him. We put the question to Lord Charles Somerset, whether the lands were given away? Gaika was present; Somerset said 'No, the lands have not been given away.' Gaika said he had no complaints against us; there was no cause for depriving us of our lands. Gaika has also said he has no complaints against our father Congo that could justify his being expelled from his country. On another occasion, when the Kleine captain was present, the governor said we might make a cattle-place of our old lands beyond the Keiskamma, so long as we behaved well; but if we did anything wrong they would be taken from us. We thought the lands had not been given away when the governor said so the first time; but from what he said of good behaviour on the other occasion, we infer that he had taken the lands, and thought they were his own.

"Why do you think the governor considers the lands his, while you are allowed to occupy them undisturbed?—*Pato*. Because we may not cultivate them.

"Who told you that?—*Kama*. It is not positively forbidden; but we have got permission to graze our cattle only. Some plant and sow at a venture, but they may lose their crops for anything we or they know.

"When did you return, or cross the Keiskamma with your cattle?—*Kama*. After the commando.

"From whom did you get permission?—*Pato*. We were sent for by the governor at Graham's Town, and after that we sent our cattle over the river.

"In speaking of Gaika's transactions with the colonial government, do you speak of your own lands only, or of the whole neutral territory?—*Pato* and *Kama*. Of the whole territory between the Keiskamma and the Fish River. No part of it could have been given away by Gaika alone from the Amakesa nation.

"[*Pato* then continued.]—I am happy to have had an opportunity of stating our case clearly, and I hope something may be done in it without delay. I wish to know whether these lands are ours. May we cultivate them with security? My days are passing away. I want a positive answer from the colonial government.

"In addition to what was said by these two chiefs, we may add that Gaika's councillors have often declared that they knew nothing of the alienation of the territory between the Keiskamma and the Fish River, and that Gaika to his dying day positively denied having ceded it. What the interpreters might say, or what governors, acting governors, or commandants might imagine, they heard him say in a language which they did not understand; or what Gaika himself might say when he was drunk, or when he was joking with ignorant strangers, traders, or smugglers, is another thing; but in his own kraal, and among his own people, when he spoke seriously and to those whom he respected, he said, "Hintza is the sovereign of the country; I acknowledge him as my superior; to him, if he thinks fit to demand it, I must give an account of such parts of my conduct as affects the general good. I am, properly speaking, merely stationed here on the frontier to protect Caffreland, and I am responsible to Hintza for any disorders that may take place. I never gave away any part of the country; I could not give it away."

3511. Were not the Caffres deeply sensible of the injuries to which they considered themselves to be exposed, prior to the interview in question with Dr. Philip?—It is impossible for me to say. I have no doubt that every head of cattle that ever was taken from the Caffres in the way of restitution or reprisal, and every acre of land from which they ever were removed, was looked upon by them as a hardship, the whole way from the Fish River.

3512. Then you admit that a desire for redress, and a sense of previous grievance, existed in the minds of the Caffres, whether right or wrong, before Dr. Philip's interview?—That a sense of grievance existed in their breasts I have no doubt; I have just said that I do not believe they ever lost an acre of land or a head of cattle, that they did not look upon as a grievance; but I do not admit that they were aggrieved, far from it.

3513. Do you think that the occupation of that large portion of territory that we took from them was or was not a grievance, namely, the whole of the territory which we have taken during the time in which you were cognizant of

of the affairs of the Cape?—We took no land from them during the time that I was cognizant of the affairs of the Cape. We have not taken an acre from them since 1819.

Col. T. F. Wade.

25 April 1836.

3514. Do you consider that the occupation by us of the territory belonging to them in 1819, which was of very considerable extent, and part of it very fertile land, was or was not a grievance?—That it was considered by them a grievance I have not the least doubt.

3515. Is it your opinion that it was a grievance to them or not?—Decidedly not. I conceive that Lord Charles Somerset had every right to do as he did in 1819, and that he was bound, as the governor of the colony, to do so.

3516. Lieutenant Robinson has stated, that Dr. Philip advised Botman to appeal to the justice of the King in England, and to the sympathy of the British people. Do you go further than Lieutenant Robinson, and say that he advised the Caffres to appeal to the sword?—I have never said anything like it; it is not to be inferred, I think, from anything I have said.

3517. Have you any reason to believe that Dr. Philip did not persuade the Caffres to abstain from all plunder and violence in the hope that some redress, or at least what would be considered a better policy, might be obtained for them by pacific means?—I have no reason to believe either the one way or the other. I have never alluded to any advice of that description of Dr. Philip's. If I am asked whether I conceive that Dr. Philip advised them to a contrary course, I do not for a moment believe that he ever did; I have stated distinctly to the Committee, that my impression is, that Dr. Philip's different conferences with the Caffres had certainly the effect of exciting them considerably; but I do not believe that Dr. Philip was so wicked as to call upon the Caffres to go to war, or anything of the kind.

3518. Do you believe that he laboured to induce them to think that a pacific policy was the best policy they could pursue?—That I cannot say. I do not know what the substance of Dr. Philip's recommendation was.

3519. You have said that it was morally wrong in a missionary to advise that party to appeal to the King of England, and if he failed in that, to the sympathy of the British people; do you think that a missionary is in any case justified in seeking himself, or advising the oppressed to seek, redress for those whom he considers to have been injured, and not likely to obtain any other remedy?—I think, with reference to the latter, that if ever a missionary does so, it ought to be done with the greatest caution, and I do not think that it was possible to do so with the Caffres without exciting them, and causing the consequences to which I have adverted. I do not think it would be possible to adopt any more injudicious course towards the Caffres than that which Dr. Philip adopted, or is said to have adopted, in 1830, and Mr. Reid in 1834.

3520. Mr. Gladstone.] You have said that you conceive there may be exceptions to the general rule of non-interference on the part of the missionaries; do you think it is the duty of a missionary in all cases to use all the means of instance and persuasion that he has at his command with his own Government, before he gives advice to uncivilized tribes which is capable of mis-interpretation?—Decidedly.

3521. Are you of opinion, that at the time that Dr. Philip gave to Botman the advice which has been alluded to, he was in a condition to make any progress with the colonial government by representations which he might forward to them?—I think that Botman had at that moment nothing whatever to complain of; Sir Lowry Cole, as I said before, had placed Botman on a certain portion of the ceded territory, and only a few months before the whole of the chiefs had declared their perfect agreement with the arrangements made by Sir Lowry Cole at that time. They had not preferred any complaints; they had upon the frontier the authorities, civil and military, through whom to prefer their complaints if they felt aggrieved, and I have no doubt both the Commissioner-general and the Commandant would have listened to any complaints they had to make, and would have referred those complaints to Sir Lowry Cole.

3522. Who was Commissioner-general at that time?—Captain Stockenstrom.

3523. You do not apprehend that he would have shown any want of readiness to redress the grievances either of Botman or of any other Caffre?—I do not think he would, but I am convinced that Captain Stockenstrom would not

384

Col. T. F. Wade.

25 April 1836.

admit that there were any grievances at that time, because the arrangements which had been made, had been made at his own suggestion.

3524. *Chairman.*] Are you aware that Doctor Philip had made considerable efforts to obtain what he considered to be justice for the Caffres, and that he had also exerted himself to a very great extent to obtain what he considered to be justice for the Hottentots, which was embodied in the 50th Ordinance?— I am not aware of any efforts that were made by Doctor Philip before Sir Lowry Cole's arrival in the colony with regard to the Caffres. With regard to the Hottentots, I deny that Doctor Philip had anything whatever to say to the 50th Ordinance. The 50th Ordinance was produced by General Bourke himself. It underwent considerable discussion in the council, and was transmitted to this country when Dr. Philip was here, having been promulgated in the colony I believe within a month of the publication in this country of Dr. Philip's "Researches."

3525. Do not you conceive that Dr. Philip's previous representations to the governors there, and to the Government at home, through Mr. Buxton, had some tendency to occasion instructions being sent to the governor to assent to some such ordinance?—I do not believe that General Bourke ever received instructions to prepare such an ordinance as the 50th Ordinance, and I am firmly convinced, from what I know of General Bourke, that had he found the colony, as regarded the Hottentots, in 1826, in the state in which he did find it, and that up to that period one line had never been written, nor one voice raised, in favour of the Hottentots, I am, I say, thoroughly convinced that General Bourke would of his own accord have done precisely what he did.

3526. Do you happen to know that through the instrumentality of Dr. Philip an Order in Council confirming the 50th Ordinance, and precluding the governor there from rescinding the 50th Ordinance, was sent out?—Dr. Philip has stated that it was through his instrumentality. I have placed upon the evidence an extract from his petition, in which he states that, or something like it.

3527. Reverting to your former evidence: suppose it was the fact that a missionary had exhausted all the influence he possessed among the Caffres in endeavouring on the one hand to restrain them from all acts of murder and violence, while at the same time he had exhausted all his influence in the colony, and with Members of Parliament in England, in order to obtain what he considered justice for the Caffres, should you conceive that he was acting morally wrong?—The case is altogether hypothetical as regards my own knowledge. I conceive that a missionary, even under those circumstances, would not have been justified in holding any communication with the Caffres that was likely to excite them.

3528. You have already stated, at page 135 of the Evidence, that when you were on the frontier in 1834, you felt perfectly convinced that a crisis was fast approaching that would place Colonel Somerset in no ordinary difficulties, and the colony in the utmost danger. Are the Committee to understand by this that you anticipated any such crisis as has since occurred?—Certainly not; I did not conceive, in the first place, that the Caffres would have so well combined their measures as to have been able to make so desperate an attack upon the colony; I did not believe, although I knew that the Hottentots had been very greatly excited by the proceedings of Dr. Philip and Mr. Reid with regard to the vagrant-law, that at that period they were so much shaken as I now know they were. I felt that the colony was, as it were, thrown open to the Caffres by the system of extreme forbearance pursued. I felt confident that the Caffres would take advantage of that system; but I did not believe that a war such as took place within six weeks afterwards was likely to occur. I am now, however, firmly convinced that the Caffres were greatly induced to make the war by the dependence they placed upon the Hottentots joining them. In reply to a question upon a former occasion, I said that I conceived that the state of the Hottentot settlement was "connected with the Caffre war." I was afterwards asked whether I meant to say that the war was caused in some degree by discontent among the Hottentots. I replied that I had not said any such thing. But since I gave that reply, I am in possession of information which leads me to believe most decidedly that the excited state of the Hottentot settlement, and the way in which the Caffres counted upon it, did very much induce the latter to begin at the time they did.

3529. This

3529. This conversation between Dr. Philip and Botman, which took place in 1830, caused great dissatisfaction, then that dissatisfaction continued in 1832, and it further continued to 1835, when the war broke out?—It was re-excited in 1832, and it was again re-excited in 1834, and continued till the war broke out; and I must add that, notwithstanding the extracts which have been laid before this Committee from certain letters and despatches, I for one have no doubt that Dr. Philip was regularly employed by Sir Benjamin D'Urban, in 1834, to make communications to the Caffres, and that then the prospect of re-occupying a very considerable portion of the ceded territory was held out to the Caffres, and I do certainly believe that one of the principal causes of the outbreak of the Caffres, when it took place, was that "hope deferred;" they had been looking forward from month to month for the realization of the promises made to them on the part of the government.

3530. Then you think they were quite contented at various times, when they were enduring what they considered to be a great grievance, and that they were excited to war by a promise that that grievance should be redressed?—I have not said so.

3531. Have not you said that they were contented at one time, notwithstanding the endurance of what they considered to be a great grievance?—Yes, from September 1829 to April 1830.

3532. And have you not also said, that you believe that one of the causes of the war was, that a promise had been held out to them of reinstatement in their land, which promise had been returned home?—I did not say so; I said hope had been deferred; at what precise period Sir Benjamin D'Urban made the promises to the Caffres I am not aware; he states in his despatch of the 28th October 1834, that the communications were made to them in the middle of that year, and in the second despatch, 5th January 1835, that subsequently he employed Dr. Philip to communicate further upon the same subject, and to explain in detail the arrangements he was about to enter into; and that they were satisfactory. And I have said that one of the principle causes of the outbreak, I believed, was the constantly deferring the realization of those promises; and, if I mistake not very much, Macomo has since given that as one of the reasons for making the attack at the time they did.

3533. Mr. Gladstone.] Have you any personal knowledge which would enable you to throw light upon the question, whether, at the period you went on the frontier, Dr. Philip was employed by the government as a medium of communication with the Caffres?—I was at Graham's Town in October, and I was afterwards at the Kat River settlements at the latter end of that month, and the beginning of November, when Dr. Philip was there; the general impression on the frontier was, that Dr. Philip was so employed; Dr. Philip positively had communications with the Caffre chiefs at that time; one of the chiefs said to me himself that the land was to be given back to them, and I never had the slightest doubt that Dr. Philip had held conferences with the chiefs, and that they did count upon the restoration of the ceded territory. The subject was canvassed in the public newspapers at the time, and there was considerable feeling excited on the part of the inhabitants of the district of Albany with reference to the restoration to the Caffres of the ceded territory.

3534. Did the Caffre chief to whom you have alluded acquaint you that he had received a promise of the restoration of the land from Dr. Philip?—No; the Caffre chief I allude to, with whom I had the conversation that I have placed upon the evidence, was Macomo; he said "We are to have the land back again." The thing struck upon me particularly at the moment, from circumstances I had heard a few days before.

3535. He did not mention that he had derived that impression from Dr. Philip?—No.

3536. You have no personal knowledge as contradistinguished from the report you made of the general impression upon the frontier respecting the question, whether Dr. Philip was authorized by Sir Benjamin D'Urban to communicate, as from the government, to the Caffres?—No personal knowledge at all. My impression is from what I heard upon the frontier, and which is corroborated by Sir Benjamin D'Urban's despatches.

3537. Chairman.] Are you aware, that so reserved was Dr. Philip upon this subject, that though he was travelling with a gentleman, and that gentleman a missionary, he never communicated to him that he had any instructions from

386.

Col. T. F. Wade.

25 April 1836.

the government?—No; I was not travelling with the party; it is impossible for me to say.

3538. When did you become acquainted with this conversation between Dr. Philip and Botman?—Almost immediately after it took place.

3539. Did you represent it to the government?—Certainly I did. I have read the letter which I wrote in reply, to the commandant, by the governor's order, and it is upon the Minutes.

3540. Did you communicate to the governor in the year 1834, that you considered that a great crisis was approaching?—I did not; and I beg to explain why I did not. I have already stated that within a month after Sir Benjamin D'Urban's arrival Colonel Somerset made an application to him to bring back the Caffres to the ceded territory, and that I then went to Sir Benjamin D'Urban and explained to him the grounds upon which Sir Lowry Cole in the first instance, and myself afterwards, had removed the Caffres. I went fully into the subject, and pointed out to him our reasons for having done it, and what I conceived would be the consequences of their re-admission. Within a fortnight after that, and after Sir Benjamin D'Urban had had communication with the military and civil authorities upon the frontier, he displaced the Caffres; turned them out again; I had therefore every reason to feel satisfied that Sir Benjamin D'Urban saw that my representation was a correct one; he acted upon it after communication with the civil and military authorities upon the frontier. I have described the state of the frontier when I went up there; I found that notwithstanding Sir Benjamin D'Urban had turned out the Caffres, still that there was a system of forbearance carried on by his orders, which gave them ingress at any time they chose. Seeing this, I certainly did not feel it my duty to go to the governor when I arrived at Cape Town, and again urge my opinions upon him. I was also aware that both Colonel Somerset and Captain Campbell had strongly represented to the governor the necessity of a different system; and I must add that I was not on those terms with Sir Benjamin D'Urban that would have permitted of my going to him except in the most official manner. Before I went to the frontier I had stated to Sir Benjamin D'Urban that I should be most happy, while I was there, to be employed in any way that he thought was for the benefit of the service, or to make any report to him, and he declined my offer. At the same time, I must say, that had I not been fully impressed with the conviction that most ample representations upon the subject had been made by the proper officers to Sir Benjamin D'Urban, and had not been attended to, I should have deemed it my duty to have gone to him when I came down to Cape Town; and further, I must say that if there had been a meeting of the executive council after my return to Cape Town, (I was there but a very short time, when I was obliged, by ill-health, to embark for this country,) it was my full intention to have brought the subject of the frontier forward in that executive council, if an opportunity offered.

3541. Did you, as second in command, feel yourself at liberty, when you saw a crisis approaching which was to put the colony, according to your own words, in the utmost danger, to abstain from communicating that very important fact to the government?—I have already stated that I should have done so if I had not been perfectly aware that the strongest representations had been made both by Colonel Somerset and by Captain Campbell of the state of the frontier, and the necessity of a different system being adopted. I felt perfectly convinced from all my communications with Sir Benjamin D'Urban, and from what I knew was his opinion of me, that if their representations were unattended to, mine would be totally unavailing.

3542. Colonel Smith is reported to have addressed Macomo recently in these words: "Macomo, I have admired your character as a soldier in the bush. You have been a bold and determined enemy, and I have every confidence in the sincerity of your expressions of attachment to my King and Governor." Colonel Cox has been asked whether he concurs in that sentiment, and he says that he does. Do you concur in it?—I certainly do not. Personal knowledge of the Caffre chiefs I have had none, except for a moment, upon the frontier; but from the whole of the knowledge I have derived from carrying on the military correspondence between four and five years with regard to the Caffres, I certainly would not place reliance upon any one chief among them. Those of Pato's tribe I should be more inclined to rely upon than any of the others. On this point I beg to add an extract from a letter of one of the missionaries, Mr.

Chalmers,

384
Col. T. F. Wade

Chalmers, who has resided constantly amongst those very Caffres of Charley and Macomo, and knows them well: "So far (says Mr. Chalmers) from saying with Messrs. Brownlee and Reid, that I consider the chiefs Tyalie, Botman, and Macomo were honest men, I stated that they were generally found to conceal when they could; nor am I their enemy because I say so, I know it is truth."

25 April 1836.

3543. Mr. A. Johnstone.] Are you now prepared to give in certain depositions of a tenor similar to those which you gave in upon a similar occasion?—I am.

[The same were delivered in and read, as follows:]

16 January 1836.

7. Maart, servant of Piet Delport, residing at Caffres Kloof, field-cornetcy of Koenap, district of Albany, duly sworn, deposes:—I belong to the tribe called Amapotas, whose language, mode of fighting, and other customs, are the same as those of the Caffres. I came to the colony about 10 years ago, and understand the Dutch language as well as my own language. I was in the service of David Petrus de Lange at the time he went with a commando, under field-cornet Erasmus, to Zeko's kraal, about five or six years ago. I attended De Lange as his after-rider. The commando took all the cattle that could be found near the kraal, and after returning the milch cows to the Caffres, proceeded with the remainder of the cattle towards Fort Willshire. We went as far as from here to the first outspan place on the Somerset road, about six miles. I then saw three or four Caffres armed with assagays, coming towards the cattle; they came up to Wynand Bezuydenhout, who speaks the Caffre language, and asked him for some of the cattle; he went with them to field-cornet Erasmus. We proceeded a little further, when I perceived that the number of armed Caffres had greatly increased. I cannot say what number of Caffres there were. I believe there were hundreds of them. I heard one of the Caffres call out to the others, "What is the use of your assagays; what sort of men are you; don't you see the cattle are on the move?" On hearing which I immediately interpreted it to De Lange, and said to him, "There will be bloodshed to day; they will attack us when we are in the bush." We were in entering a wooded pass, and I saw that the Caffres were preparing to attack us. They were rolling their karosses round their left arms, which they always do when they are going to fight, and holding their assagays ready for action in the left hand; in the right hand each held a long stick, which they use to drive cattle. Almost immediately afterwards I heard the Caffres whoop, which was repeated from one to the other; this was succeeded by a shrill twittering whistle from the whole mass, who immediately rushed among the cattle, dispersing and driving them in every direction. The cattle being maddened by this peculiar noise, which I have just described, ran amongst us, mixed us all altogether, and threw us all into confusion. Some of the Caffres, in separate parties, drove off small portions of the cattle in different directions, and while we were in this state of disorder, I heard the cry amongst the farmers, "The Caffres are throwing assagays." Some of De Lange's men then fired, and if they had not done so, we should all have been murdered. After this I saw the Caffres running away; they had then each an assagay in the right hand, the stick being shifted to the left hand. I do not know whether any person was killed by the firing; the herd of cattle was very large, and covered a great space of ground; people might have been killed without my seeing it. I heard at the time that the Caffre chief Zeko was killed. I did not know Zeko, and cannot say whether he or any of his people followed us from his kraal unarmed. As soon as the attack was repelled, the commando collected the cattle together again, and proceeded to Fort Willshire, great numbers of Caffres following us until we reached that place. I cannot tell where field-cornet Erasmus was when the Caffres attacked us; it was impossible to tell where he was, or to see far, on account of the wood and the confusion we were in. No shot was fired before the rush was made upon the cattle; the Caffres were making off with the cattle when the firing took place. Some time before stating to my master that I thought the Caffres would attack us, I heard one of the Caffres call to the others to turn the cattle when they got into the bush, and use their assagays if they could. I then thought they would attack us, and I would have told my master what I heard, but he was at some distance from me, and I did not express my opinion to him until I saw the Caffres rolling their karosses round their left arms, which was shortly before the attack was actually made.

It would have been impossible for the burghers to have kept possession of the cattle without firing upon the Caffres. I do not know what orders Erasmus gave to his people before he came to Zeko's kraal. I was not one of the armed party. My business was to take care of my master's horses, and to carry his gun when he was not using it. On that day my master carried the gun himself, as the horse which I led was restive, and I could not carry it.

I do not know Captain Stockenstrom. I never was examined by any one respecting what took place on the commando in question. I may have mentioned the circumstances to some of my companions, but to no one else. I was ordered to appear here by Johannes de Lange; he refused to tell me for what I was wanted, nor did I know until I appeared before this court. I left De Lange's service some years ago, since which time I have had no connection whatever with him, or any other person who was on the commando at Zeko's kraal. I do not know the names of any of the Hottentot after-riders who accompanied the commando. I cannot tell whether there were any colonial cattle amongst those taken from

388

382 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Col. T. F. Wade.

25 April 1836.

Zeko's kraal. The cattle taken were brought to Graham's Town. I do not know what became of them afterwards; I got none of them.

Witnesses:
(signed)

J. H. B. Wienand,
George Cyrus,
Interpreter.

(signed) *Maart,* ^{his} _{mark.}
D. Campbell, Res. Mag. Alby.

At Graham's town, upon the 26th day of January 1836, before Duncan Campbell, Esq., resident magistrate for Albany, and Edward Norton, Esq., Justice of the Peace for the same district, appeared

8. Marthienus Johannes Bekker, residing at Botha's kraal, field-cornetcy of Fish River, district of Albany, agriculturist, duly sworn, deposes:—I was on commando under the Field-cornet Erasmus in June 1830; I was present at Fort Willshire when Erasmus received instructions from the commissioner-general to proceed to the kraal of the Caffre chief Zeko; that he was to take the cattle, and if the Caffres drew an assagay, that he was to fire upon them. We arrived at Zeko's kraal the following morning; the cattle were out of the kraal; we took as many cattle as we could find in the vicinity of the kraal; the milch cows were returned to the Caffres. We then proceeded on our road to Fort Willshire, accompanied by several Caffres from Zeko's kraal, without assagays: there were about 2,000 head of cattle. When passing through a part of the country covered with thorn trees, about an hour after we had left Zeko's kraal, I suddenly heard the shrill whistle of the Caffres, accompanied by shouts, and immediately succeeded by a number of Caffres rushing amongst the cattle, and turned the foremost upon the others, producing confusion, the Caffres carrying off detached portions of the cattle in different directions. I then heard some shots fired: the Caffres who made this attack were armed with assagays; each Caffre had a bundle of assagays. I cannot say how many Caffres were engaged in this attack; the attack was so sudden, and the country so covered with thorn trees, that I can form no estimate of the number of Caffres who made it. I did not fire, nor any of the people near me; the firing to which I have alluded was about a quarter of a mile from me. I and the people near me galloped after some portions of the cattle that were carried off, which we recovered, and brought back to the herd. I do not know whether all the cattle taken by the Caffres were recovered or not, from the nature of the country and the extent of the herd. We then collected the cattle together, and took them to Fort Willshire, where we arrived the same evening. At Fort Willshire some of the cattle were given up to Tyalie, and the remainder was brought to Graham's Town, where they were distributed; I received none of them. When the firing took place, Erasmus was in the rear of the party.

From the time we left the kraal until the attack was made, Caffres were constantly joining the commando; but I did not notice whether they were armed or not at the time of their joining: when the attack was made, all the Caffres that I saw were armed with assagays.

(signed) *M. J. Bekker.*
D. Campbell, Res. Mag.
Edw. Norton, J. P.

9. Andries Lodervicus Pretorius, residing at Vaal Krans, situate in the Koenap, in the district of Albany, field-cornetcy of Koenap, agriculturist, duly sworn, deposes:—I was on the commando under Field-cornet Erasmus, at Zeko's kraal, in the month of June 1830. We collected all the cattle we found near Zeko's kraal, and, after returning the milch cows to the Caffres, we proceeded on our return to Fort Willshire. A considerable number of Caffres, armed with assagays, and some unarmed, accompanied the commando at a distance of nearly half a mile. Some of these Caffres were in the rear, and some on each side of us; to the best of my judgment there were at least 300 of these men. After proceeding for about an hour on horseback, we were passing a neck of land covered with thorn trees, when I heard the Caffres give a shrill whistle, followed by shouts, and they immediately rushed amongst the cattle, which they turned, and separated portions of them, which they were driving away. I then heard several shots fired behind me; I rode back to see what was the matter, and there I saw cattle, boors and Caffres mixed together in confusion; there were four or five Caffres lying upon the ground, who had been shot, several bundles of assagays lying near them, as well as single assagays, that had been separated from the bundle, lying close to their right hand. All the Caffres that I saw lying dead had assagays lying near them. I did not know Zeko; I cannot say whether he was one of the men that was shot; I do not know where Field-cornet Erasmus was at the time. We then collected the cattle, and proceeded on our journey to Fort Willshire: the Caffres continued to hover near us until we reached that place; we saw them upon the heights as we proceeded until near dusk, at which time we arrived at Fort Willshire. On the third day after our arrival, Captain Stockenstrom came to Fort Willshire, and gave some of the cattle to the chief Tyalie, and the remainder was taken to Graham's Town and distributed; I did not receive any of them.

The following day, after we had brought the cattle to Fort Willshire, Captain Stockenstrom

strom asked Erasmus who it was that was shot, whether it was Zeko or Geneko; and upon Erasmus answering that it was Zeko, Captain Stockenstrom answered, "That is just the man I would have had."

(signed) *J. L. Pretorius,*
D. Campbell, Res. Mag.
Edw. Norton, J. P.

389
Col. T. F. Wade.

25 April 1836.

Boesack Tamboer, before described, duly sworn, deposes:—I cannot tell how long it was after the commando that I was examined by Captain Stockenstrom; I have said a month; it may have been two or three months; I cannot state it positively. After I had stated to Captain Stockenstrom the particulars, as I have done here, he asked me if Erasmus had not put me up to that story; and on my saying that he had not, and that he did not know for what purpose I was sent for, Captain Stockenstrom said that he would drag the truth out of my throat with a riem-chain. He did not ask me many questions. On my assuring him that I was telling the truth, he gave me a glass of brandy, and sent me home, telling me not to be afraid, as no farther notice would be taken of it. I am quite certain that I told Captain Stockenstrom the same story that I told here; what I said was written down at the moment by his secretary, and can be seen. I left Erasmus's service two years after the commando; I went into the service of an Englishman, named Marshall, and after leaving him, I went to Willem Durand, with whom I have stayed ever since; neither Marshall or Durand was on the commando at Zeko's kraal. I have never been examined by any one since I was examined by Captain Stockenstrom, until I appeared before this Court; nor have I conversed with any one about it since that period.

(signed) *Boesack Tamboer,* ^{his} ~~x~~
^{mark}
D. Campbell, Res. Mag.
Edw. Norton, J. P.

Witnesses.
(signed) *J. H. B. Wienand,*
John Carlisle.

At Graham's Town, upon the 27th day of January 1836, before Duncan Campbell, Esq., Resident Magistrate for the district of Albany, and Edward Norton, Esq., and Alexander Boswell Armstrong, Esq., Justices of the Peace for the same district, appeared

10. Willem Jacobus Botha, residing at Quarra, on the Koenap, field-cornetcy of Koenap, district of Albany, duly sworn, deposes:—I was on the commando at Zeko's kraal, under the command of Field-cornet Erasmus, in June 1830; the commando assembled at Fort Willshire. Before we reached Zeko's kraal, Field-cornet Erasmus ordered the burghers not to fire upon the Caffres unless the Caffres threatened to throw assagays at them. On coming to Zeko's kraal we collected the cattle together, and took possession of them. Erasmus gave back the milch cows to the Caffres; he gave them a great many, but I do not know if he gave them all. After this, we proceeded with the rest of the cattle towards Fort Willshire; we were accompanied by a party of unarmed Caffres; I saw 16 or 18; there may have been more; I did not know Zeko; I was nearly in front of the whole party. After we proceeded about an hour's ride from Zeko's kraals, a number of armed Caffres approached us from different directions, four or five at a time; I saw these Caffres distribute some assagays amongst the unarmed Caffres, and immediately I heard the Caffres' whistle and scream, in the way they drive cattle, by which they drove the cattle furiously upon the boors, and scattered them. I endeavoured to keep the cattle together, but I was so mixed with them that I could not use my gun; just at this time, while the cattle were rushing in this way, I heard shots fired, and I afterwards saw three Caffres lying dead, each with a bundle of assagays beside him. I do not know who fired, but it was close to me; I don't know the exact distance; I had enough to do to take care of myself; the Caffres succeeded in carrying off several portions of the cattle to some distance; we retook with difficulty the portion of cattle after which I went; I cannot say whether all the other portions were recovered or not; it is my opinion, that if the burghers had not fired upon the Caffres, the whole of the cattle would have been carried off by the latter; I considered that I was in danger of being killed by the Caffres, as well as being trampled on by the cattle, from the furious manner in which the Caffres drove them. It is usual for Caffres, when they attack a party for the purpose of taking cattle from them, first to throw the party into confusion by driving the cattle furiously upon them; the Caffres attacked us in a bushy part of the country, and I cannot tell how many there were of them; after the attack was repelled, we proceeded with the cattle to Fort Willshire.

From the bushy nature of the country, and the inequality of the ground, I could not see any distance, and therefore I cannot state what number of cattle the Caffres took away, or how many Caffres there were engaged. I do not know where Erasmus was. I heard no orders given to fire. I would have fired myself, in my own defence, without any orders, if I had been able to extricate myself from the rush of the cattle. The attack was so sudden and the confusion was such as to render it impossible to ask for orders, or to get to the field corners. The cattle we were driving formed a line about half a mile long.

The cattle we took from Zeko's kraal were sent to Graham's Town and distributed amongst the farmers from whom the Caffres had stolen cattle during the preceding year. I got none of them. I saw some colonial cattle amongst those we took from Zeko's kraal.

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Col. *T. F. Wade.*

25 April 1836.

I particularly remarked a cow which belonged to my brother-in-law Nicholas Barnard, which had been stolen seven days before. I never was examined until to-day about the commando at Zeko's kraal.

(signed) *Willem J. Botha.*
D. Campbell, Res. Mag.
Edward Norton, J. P.
A. B. Armstrong, J. P.

11. Henry Somerset, Lieutenant-Colonel, Commandant of Caffraria, residing at Oatlands, near Graham's Town, duly sworn, deposes:—I was commandant of the frontier in June 1830. I remember having sent a commando, in that month, to the kraals of Zeko, Gemeko, and other Caffre chiefs, for the purpose of seizing their cattle. The officers commanding divisions of this commando were ordered to seize all the cattle of Zeko, Gebeco, Vassie, and Magogo, and to bring them to Fort Willshire, where it was intended to select the colonial cattle from the Caffre cattle. It was intended to return a portion of the latter, keeping an equivalent for the cattle that were stolen by the Caffres. The cattle taken by the divisions were brought to Fort Willshire, and I delivered them over to the commissioner-general who was there. The colonial cattle were to be separated from the Caffre cattle at Fort Willshire, as it would have been impossible to separate them at the Caffre kraal without confusion and bloodshed. After I had decided upon these orders, I requested Captain Stockenstrom to explain them to the burgher force, which he did, and repeated them several times in the Dutch language to Field-cornet Erasmus, in my presence; there was no difference in the orders given, each officer commanding a division received precisely the same orders. The field cornets were directed to explain them to the Caffre chiefs. The commando marched upon the evening of the 17th of June 1830, and my orders were carried into effect on the morning of the 18th. The day afterwards (viz. the 19th,) Erasmus joined me on the Tamaga, and reported to me the circumstance that occurred after he had taken the cattle from Zeko's kraal and was conducting them to Fort Willshire, which I reported to government. I produce extracts from my letter to the military secretary, under date the 24th June 1830.

(Extracts.)—"A division of the mounted burghers, under the provisional field-commandant Erasmus, crossed the Keiskamma River, above Fort Willshire, on the evening of the 17th. This division came upon the kraals of Sobeeeka and Zeko at day-light on the morning of the 18th. The Commandant Erasmus informed me that, previous to taking off the cattle, (amongst which he found numbers of colonial cattle, some of which had been stolen but a few days,) he spoke to the chief Zeko, and informed him that the Caffre cattle would be returned after the colonial cattle had been selected, but that he must first seize the whole of the cattle and drive them to Fort Willshire. Zeko begged to have his milch cows, which was granted. The Caffres remained passive until the division approached the wooded country, when they made a general rush, and, getting in amongst the cattle, commenced discharging their assagays. The field commandant, finding the matter becoming serious, and that the Caffres were succeeding in getting away the cattle, opened a fire upon the Caffres, the result of which was, that Zeko and several Caffres were shot."

"I have reason to be satisfied with the activity and exertion of the Field-commandant Erasmus." "The cattle were placed at the disposal of the commissioner-general." "The commissioner-general informed me that he had directed Charlie to move out of Macassana with his people immediately, which I presume he will do."—(signed) *H. Somerset, Lieut.-Col. Commandant.*"

On the 22d I returned to Fort Willshire, accompanied by the commissioner-general, where I found the Caffre chief Tyalie and his brothers, who were clamorous about some cattle taken from Zeko's kraal, which he (Tyalie) laid claim to, and also about Zeko being shot. Tyalie was allowed to select the cattle which he claimed as his own, but finding that he was taking the colonial cattle, and all the superior cattle out of the herd, I brought the circumstance to the notice of the commissioner-general, and Tyalie and his people were directed to abstain from selecting any more until we had examined into the circumstances which attended their seizure. An investigation was accordingly instituted by the commissioner-general and myself, but more especially by the former, in the presence of the Caffre chiefs Eno, Tyalie, and his brothers. Various individuals amongst the boors, as well as the Caffres which Tyalie could bring forward on the occasion, were examined, and both the commissioner-general and myself expressed our opinion that the field-cornet was fully justified in firing upon Zeko and his people under the circumstances that had occurred. I had many interviews with Tyalie previous to my departure for England in 1832, and he did not, at any time during the many interviews I had with him, make any allusion to this affair; on the contrary, he expressed himself fully satisfied with all my conduct towards him up to that period. The Caffres who were brought forward by Tyalie during the investigation were stated to be Zeko's people, who had followed the cattle purposely to Fort Willshire to complain of the conduct of the boors, and that they were present at the time.

As stated in my official report to Government of the 17th of June 1830, the removal of Tyalie was postponed in order to see whether he would perform certain proposals which he had made, but the investigation respecting the death of Zeko having taken place, the commissioner-general ordered Tyalie to leave the Macassana; and all the cattle taken from Zeko's kraal, except those identified by Tyalie, to be sent to Graham's Town.

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391

I have known Field-cornet Erasmus for many years, during which time he has often been employed as a commandant under me; I always considered him as a humane man, and discreet in his intercourse with the Caffre people.

Col. T. F. Wade

25 April 1836.

(signed) *H. Somerset,*
Lieut.-Colonel Commandant of Caffraria.

(signed) *D. Campbell,*
Resident Magistrate.

At Braah Matches, Gord Fontein, in the district of Albany, on this 30th day of January 1836, before Duncan Campbell, Esq., Resident Magistrate for the district of Albany, and Edward Norton, Esq., Justice of the Peace for the same district, appeared:—

12. John Philip Koch, who being duly sworn, deposes:—I reside at Braah Matches, Gord Fontein, in the field-cornetcy of Fish River, in the district of Albany. I was one of the commando who went in June 1830 to Zeko's kraal, under the orders of Field-cornet Erasmus. The commando assembled at Fort Willshire; I do not know what orders Erasmus received from Captain Stockenstrom. I do not know that he received any orders from him; but while at Fort Willshire, I saw Captain Stockenstrom standing on a raised stoop (or terrace) before the quarters of the military officers, and I heard him say to Erasmus and Provisional Field-cornet David de Lange, who were standing near him, "Now remember you are not to fire on the Caffres if they do not draw their assagays with the intention of throwing them, but if they do draw them, then shoot them dead; if one Caffre draws his assagay, don't spare them."

The commando proceeded to the kraals of Zeko, which we reached early in the morning. I do not remember the precise date, but I know it was in the month of June 1830. Previous to reaching the kraal the Field-cornet Erasmus told his people that they were not to fire on the Caffres, unless they threw assagays; he first stated this to the subordinate officers, that is, the provisional field-cornets and corporals. He afterwards made the commando assemble around him; he addressed them in an earnest and urgent manner to abstain from firing, unless their lives were in danger from the Caffres, but if the Caffres drew their assagays, they were to fire upon them; this he stated to be the orders of Captain Stockenstrom to him (the field-cornet). When we reached the place where Zeko resided, we collected all the cattle we could find; the greater part of those we took were outside the kraals. I saw colonial cattle among them. I identified seven of my own, two oxen and five cows, they were branded with my brand-mark on the right thigh; they were stolen from me, with eight other cattle, two years previously. The herd was very large; I cannot state accurately their number. I believe there were between two and three thousand head; before leaving Zeko's kraals I saw some cattle being separated from the herd, and asking the cause of it, I was told they were milch cows, with small calves, which the Field-cornet Erasmus was returning to the Caffres. We then proceeded with the cattle towards Fort Willshire; about 20 unarmed Caffres followed us; I knew Zeko; he was not among those who followed us unarmed. As we proceeded on our journey, other Caffres by twos and threes, armed with assagays, kept joining us, and at length so many had joined, that Erasmus ordered them to return to their kraals; a few young lads did so, but the adults remained and paid no attention to the orders of the field-cornet; their numbers continuing to increase, the field-cornet requested me and some others to endeavour to discover from what direction these men were coming, for the country was so bushy that we did not observe them until we found them mixed among the cattle. In consequence of this order from Erasmus I paid some attention to the motions of the Caffres, and I observed that as we proceeded, numbers of Caffres kept joining us from the bushes, and were distributing a portion of their assagays to those of their countrymen who had joined us unarmed; I mentioned this to the field-cornet, and he said he would drive them away. Shortly afterwards the Caffres gave a loud shrill whistle, which is made by blowing through a small bone, and the cattle rushed furiously back upon the farmers, and a number of Caffres then became mixed with the cattle. I was at this time with Geet Scheepers and John Greyling, the former called to me and said a Caffre was going to throw his assagay at me; I looked round and saw a Caffre in the act of throwing an assagay at me; I had no time to dismount, but fired my gun at random. The Caffre ran away and was not injured; his assagay fell a few feet in front of my horse. Geet Scheepers dismounted and picked it up. Several other Caffres at this time had drawn their assagays and several shots were fired by the farmers, by which some of the former were killed, all of whom had assagays lying by their side on the ground when I saw them. I was about 100 yards from the place where the Caffres were killed. At the time the firing took place, shortly after the firing to which I have alluded, Zeko came up to John Greyling, with whom he (Zeko) was well acquainted, and addressing Greyling by his Christian name, said, "John, you will not pass the Keiskamma to-night with any cattle; if you do, the river will run with the blood of the boers instead of water." Greyling replied "Never mind, we will pass the Keiskamma to night for all that." Zeko had a bundle of assagays in the left-hand and one in the right, and on Greyling making the reply I have stated, Zeko made a peculiar spring, which is usual with Caffres when about to throw an assagay, brandishing his assagay at the same time as if he intended to throw it. Greyling, without being in the least intimidated, said "Zeko, you must not throw at me; I will have nothing to do with you;" and immediately rode off at a quick pace in another direction, followed by Zeko at a running pace. I lost sight of them there, and shortly afterwards I heard a shot fired in the

392

386 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Cpl. T. F. Wade.
25 April 1836.

direction in which they went. I did not see Zeko afterwards. I have heard that he was shot. Zeko spoke in broken Dutch, and what he said was quite intelligible to us.

As soon as we could collect the cattle which the Caffres had dispersed, we proceeded on our journey to Fort Willshire, the Caffres following us all the way. At Fort Willshire a considerable number of cattle were given up to Tyalie, and the remainder were taken to Graham's Town and distributed. I received the seven head which I identified as my own property at Graham's Town; I got no others.

(signed) J. P. Koch,
D. Campbell, Resident Mag.
E. Norton, Justice of the Peace.

A true copy from the original examination, filed among the Records of the Court of the Resident Magistrate for the district of Albany.—Dated this 5th February 1826.

(signed) D. Campbell, Resident Magistrate for Albany.

Colonel Wade.] There is also in addition to these, not a deposition, but a statement of Field-cornet Erasmus himself, which, with the permission of the Committee, I will also put in.

[The same was delivered in and read, as follows:]

STATEMENT of the Field-cornet Erasmus.

The patient manner in which the laborious and minute investigation relative to the death of the Caffre chief Zeko has been conducted, the very satisfactory nature of the evidence which has been elicited, and the overwhelming testimony which that evidence contains, renders almost unnecessary any observations upon the charges made by Captain Stockenstrom against myself and the burghers who were present on that occasion; but as the charges have been brought in so very direct and public a manner, and as they have become the subject of public investigation, I consider it my duty to offer the following statement in answer to the false and unfounded charges made by the commissioner-general.

Before entering into an examination of the statement made by Captain Stockenstrom, or of the evidence upon which he considered himself warranted in making so very heavy a charge against myself and the respectable body of burghers which I had the honour to command, I shall beg leave to detail the circumstances relating to the commando of June 1830, and to the death of the Caffre chief Zeko.

In the early part of the month of June, according to directions which I received from the commissioner-general, I proceeded to Fort Willshire with the burghers under my command, and placed myself under the orders of Colonel Somerset. The troops and burgher force which were assembled at that place were placed under the command of different officers; and one division, consisting of about 60 mounted burghers, was put under my orders. The object of the commando was to seize the whole of the cattle belonging to several kraals, the people belonging to which had been actively engaged for some time in committing depredations within the colonial boundary; and the orders which I received were, that I was to march with my division towards the kraals of the chief Zeko and Sebecco, in such a manner as to take them by surprise, if possible; I was then to seize all the cattle I should find, and drive them off with as little delay as possible to Fort Willshire. I received these orders from Captain Stockenstrom, in the presence of Colonel Somerset, the commandant of Caffraria, and whose orders I understood them to be; they were communicated to me in Dutch, therefore I could not misunderstand them, and I was distinctly ordered to seize all the cattle which I might find in those kraals, and in the event of any resistance being offered, or, in the words of my orders, "if the Caffres drew an assagay," I was to fire upon them. After receiving these orders I marched to the kraal of Zeko, and succeeded in taking possession of all the cattle belonging to the kraal. That chief sent to me to ask for the milch cows, which I declined to give up; he sent again, saying that if I took the milch cows the calves would starve, upon which I sent him word, that although I had no orders to that effect I would let him have them, and told him to let his people drive them out; he then sent his people and they took away as many cows as they pleased, without any obstruction. I asked where the chief Zeko was, and he was pointed out to me, and I went up to him, accompanied by Johannes de Lange and the interpreter. I explained to him that I was acting in obedience to the orders which I had received, which were, to take the cattle and drive them to Fort Willshire, where the colonial cattle would be separated, and those belonging to the Caffres given back, provided they made no resistance, and that any Caffres who wished might accompany me unarmed, to speak to the commandant and the commissioner-general, and to bring back such cattle as they might be pleased to give up. I also particularly desired him to notice that I had come quietly and civilly, and that I should proceed in the further execution of my orders without using any violence, unless they offered resistance, and in that case I should be obliged to do my duty by force. I then proceeded with my division and the rest of the cattle towards Fort Willshire; we were accompanied by several Caffres, (but I did not see Zeko amongst them) who were unarmed, and who told us they would show us the nearest way and help to drive the cattle. We proceeded on our route rather more than an hour without any thing occurring, and came towards a part of the country covered with bushes and thorns, when some of the people told me that several armed Caffres were hovering about us, and that their number appeared to be increasing, and

393
Col. T. F. Wade.

25 April 1836.

and that they had been seen giving assagays to the unarmed Caffres who were accompanying us. I told my people to look well about them, but on no account to commence hostilities; I was at this time riding behind nearly the whole of the division, my agter-ryder Boesac was behind me. We then came to a neck of land which was covered with bushes and thorns, (which in many places were so thick that we could only see for a few yards round us. The cattle, in number about 2,500, were scattered over a large space, and the burghers were necessarily also scattered in endeavouring to keep them together, and to preserve the line of march as much as possible. On a sudden I heard the Caffre warwhoop, and the loud whistling and cries with which the Caffres hurry on cattle, and simultaneously the cattle turned and rushed violently back upon us. The confusion which ensued is indescribable; the Caffres yelling, the burghers shouting, the cattle rushing on in one wild troop, goaded to madness by the assagays and yells of the Caffres, bearing along with them many of the burghers, who were irresistibly driven back as if by a torrent, and the whole enveloped in thick clouds of dust, formed a scene of confusion and disorder that for a few moments defied all control. I endeavoured, in vain, to turn the cattle; but so completely had the Caffres obtained the mastery of them that it was impossible, and I turned my horse behind a small bush in order to avoid being trampled down by them. At this moment several shots were fired; and immediately the cattle had passed I rode in the direction of the firing. I saw several of the burghers, who were coming towards me, some of them had assagays, and they told me that the Caffres had drove the cattle upon them, and thrown assagays, and that some of the Caffres had been shot. I told them not to give up the cattle; and getting together some of the people, I rode after the cattle, which a party of the burgher force were endeavouring to turn. We again got possession of the cattle, and proceeded on the route to Fort Willshire. I gave no orders to fire. I did not see the people who did fire, and I did not during the whole scene of confusion, which I have attempted to describe, see Zeko, or any of his people, either dead or alive. As soon as the confusion was over, and we were again on the route, I made inquiry into the circumstances, and from the information which I received, I considered the burghers perfectly justified in what they had done; and upon my arrival at Fort Willshire, I gave up the charge of the cattle to that place, having only succeeded in taking about 1,600, the remainder having been taken from me by the Caffres. I then proceeded with a small party of burghers to the Namaka, where the commando was lying. I there saw Colonel Somerset and Captain Stockenstrom, to whom I reported what had taken place, and they were pleased to express their approbation of the manner in which the service had been performed.

I shall now proceed to examine the charge made against me by Captain Stockenstrom, and which may be divided into four heads.

- 1st. That I seized the cattle belonging to Zeko's kraal contrary to orders.
- 2d. That Zeko and six of his men were murdered in cold blood, and unarmed.
- 3d. That this was done to find a plea for seizing the Caffre cattle contrary to orders.
- 4th. That I made a false report.

With regard to the first of these points it may not perhaps be deemed presumption in me to question whether, in a military point of view, and we were employed on military duty, the commissioner-general had any right whatever to give orders; and it may be incidentally remarked, that the first time he assumes his right to give orders is in his Memoir, dated London, 31st October 1833, where he says "I accompanied one of the divisions of the commando after having strictly forbid the boors," &c. The field-cornets were ordered to assemble their men, and repair to Fort Beaufort, and place themselves under the orders of Colonel Somerset, as will be seen by the order which has been produced by the Field-cornet Botha. Captain Stockenstrom refers to the military commandant (23 June 1830,) for a detail of the operations. I consider myself, therefore, warranted in referring to the orders given by Colonel Somerset when I proceeded to Zeko's kraal. The orders which I received were conveyed to me by Captain Stockenstrom in the Dutch language, in the presence of Colonel Somerset, and before all the field-cornets and several of the burghers, and I was distinctly told to take all the cattle which I might find at Zeko's kraal; this is amply corroborated by the evidence of the different burghers who have been examined; and upon referring to the evidence of Colonel Somerset, he says, "the officers commanding divisions were ordered to seize all the cattle of Zeko, Sebecco, Vossio, and Magogo, and to bring them to Fort Willshire," and which is fully corroborated, if indeed corroboration were wanting, by the order produced by Captain Aitchison before the Committee of the House of Commons, in which that officer is directed to secure the cattle of those kraals, and drive them off in the direction, &c. (Evidence, p. 35.) As I do not consider that any man will have the hardihood to assert that the orders given to my division were different from those given to any of the others, I consider the fact of the orders which I actually received to be completely established; but in case further testimony should be considered necessary, it will be abundantly supplied by the correspondence of the commissioner-general himself. In his report of the transaction, he says, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Willshire, where the colonial cattle were selected," (23 June 1830.) I reported that in obedience to the orders which I had received I had taken the cattle, and was proceeding with them to Fort Willshire; but it is the commissioner-general's commentary "where the colonial cattle were to be selected." If I had been ordered to take only colonial cattle out of Zeko's kraal, (and which the commissioner-general, and every man of experience, knows to be nearly impossible,) how does it happen that Captain Stockenstrom, after reporting that I took all the cattle, and was proceeding with them to Fort Willshire, where the colonial cattle were to be selected, and after detailing Captain

So in original.

394

388 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Col. T. F. Wade.
25 April 1836.

Aitchison's proceedings, approves of the whole, and never once intimates that I took Caffre cattle contrary to order; but says that "the proceedings of the late expedition, not my division alone, but the whole of the expedition, which acted under similar instructions, seem the only ones likely to keep the Caffres in check." I consider these points so conclusive as to the fact to the orders which I received, that it would be a waste of words to proceed further with the subject.

2d. "That Zeko and six of his men were murdered in cold blood." In making a charge of this enormous nature against a body of loyal and respectable men, it is to be regretted that the commissioner-general, who evidently states it as making out a very black case against the frontier farmers, did not think it necessary to give some little clue to the persons from whom he derives his information, and I trust that I shall not be considered as using strong language, when I say that, in deliberately making so grave a charge, upon such flimsy and nameless testimony, he has ill performed his duty as a man or as a public functionary. The evidence of the burghers who have been examined, corroborates in every particular the statement which I have made; but which, admitting for a moment, as the commissioner-general appears to think, the evidence of the coloured people is to be taken before that of the whites, the evidence of the Caffre and of the Hottentot, who were examined by Captain Stockenstrom, fully prove the falsehood of the charge, and justify the proceedings of the burghers; and from what I saw myself, (and in the wild confusion of the moment I saw but little,) I am satisfied that had the burghers not fired upon the Caffres, they could not have succeeded in retaking the cattle. The coloured people who accompanied my division were few, but I pledge myself to use every possible endeavour to bring forward as many of them as possible, being fully assured that every one will add his testimony to declare the falsehood of the accusation made by the commissioner-general. And before proceeding further, I would pause a moment, to ask whether the commissioner-general was warranted as an officer and a gentleman, in making so serious a charge against a body of men whose veracity and humanity is to the full as unimpeachable as his own, upon the evidence of the Caffres and their chiefs, men whom he had always regarded as "notorious robbers," and their chiefs as "leaders of robbers."

3d. That this outrage was committed to find a plea for seizing the Caffre cattle. This assertion must certainly have been made without the least reflection, for what plea could possibly have been wanted to do that which the farmers were expressly sent to do, to seize all the cattle at Zeko's kraal, and with the express execution of which duty I was expressly charged. It will be found in the evidence that has been taken, that the cattle had been seized, and had been in our possession for upwards of an hour, and we were on our route to Fort Willshire, when the Caffres commenced their attack; how then could I or those under my command want a plea for doing that which we had already done. I beg to remark, that it appears rather a contradiction that I should first give up the milch cows to the Caffres, and afterwards shoot them in order to obtain possession of their cattle.

4th. That I made a false report. This accusation is made against me in the evidence of Captain Stockenstrom before the Committee. How far his statement squares with the truth will be amply shown by the whole of the evidence which has been taken. It is utterly false that I ever made any such report as that stated by Captain Stockenstrom in his examination before the Committee. I made but one report, and that one has been repeatedly stated in the evidence of the burghers, and to which I refer. It is, however, only necessary to refer to the correspondence of Captain Stockenstrom to prove the falsehood of this statement. In his report to the Government, he states, "Mr. Erasmus reports that when he had collected the cattle of the said kraals, and was proceeding with them to Fort Willshire, where he was furiously attacked by the Caffres." This is the report which I gave at the time. I distinctly said that I had taken all the cattle belonging to Zeko's kraal, according to the orders which I received; and that I executed that service in strict accordance with those orders, and to the entire approbation of the commandant of the frontier and the commissioner-general, is evident from the tone of satisfaction in which Captain Stockenstrom records my report, and his conviction that the fate of Zeko was justly merited.

Before closing these remarks, I beg to be permitted to observe upon the manner in which the commissioner-general has performed what it appears he considers to be his duty. A charge of the most serious nature is made against several public functionaries, and the persons under their orders: If they were guilty of the charge, they were liable to punishment, and yet the commissioner-general, the highest civil authority on the frontier, does not think proper to hold any public investigation, either to clear up the matter, or to bring the parties to justice.

Graham's Town, 3 Feb. 1836.

(signed) P. R. Erasmus.

(A true copy.)

(signed)

D. Campbell,

Resident Magistrate.

3544. What is the date of the deposition of Colonel Somerset which you have now read?—The 26th day of January 1836.

3545. Before whom were these depositions taken?—They were taken before the resident magistrate of the district of Albany, Captain Campbell, in consequence of the publication of the evidence taken before this Committee in the Colonial Papers. His reason for instituting an inquiry was, as he has informs

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395

me, this, that if there was any shadow of truth in the charge, Erasmus was a most unfit person to hold any office under government, and that remote as the period was when this atrocious act was alleged to have been committed, he felt it his bounden duty to institute a rigorous inquiry into it, which reason he also states he had communicated to his excellency the governor.

Col. T. F. Wade.

25 April 1836.

3546. What is the next part of the case to which you wish to direct the attention of the Committee?—To the state of the Hottentots in the Kat River settlement immediately previous to the war, and the dependence that appears to have been placed upon them by the Caffres, and to certain proceedings of the missionaries with regard to that irruption.

3547. Have the goodness to proceed with that statement?—Not very long after my return to this country last year, I received several private letters, giving me an account of the occurrences on the frontier of Albany, connected with the irruption of the Caffres. Amongst other things it was stated, that it was suspected the Caffres had been tampering with the Hottentots, that is, the portion of the settlers under the guidance of the missionary, Mr. Reid; that for some time after the war broke out, with the exception of depredations on the Bastards, and more particularly on the Field-cornet Groepe, whose son they wounded when defending his father's property, and succeeded in carrying away 240 head of his cattle, the Caffres had abstained from making any regular attack upon the Kat River settlement; that they evidently expected the Hottentots either to join them or to stand neuter; that at last, finding that the Hottentots opposed them, they made a regular attack upon the settlement on the 17th February, in which they entirely failed, losing several killed and wounded, and not carrying away one head of cattle. In another letter it was stated to me, that it had been discovered that for some time before the war broke out Mr. Reid had had a son of Gaika residing with him at Philip's Town in the locations, without any permission from the authorities, and in direct contravention of the law; that as soon as the officer commanding in the settlement discovered it he sent and brought the boy away, and that then, and not before, Mr. Reid moved up to the camp where the settlers were concentrated; that on his arrival on the frontier, Sir Benjamin D'Urban was so convinced of the great impropriety, to say the least of it, of the missionary Mr. Reid's conduct in respect of the Caffres, that he thought it right to remove him from Graham's Town, and prohibit his return to the settlement. Another of my correspondents stated that the Caffres were particularly enraged with the Hottentots for not joining them, which they had fully reckoned upon their doing; that there had been a strong impression amongst the Caffres that Reid's people (as the Hottentots are called in contradistinction to the Bastards), were at least to "sit still," unless attacked; that it was beyond a doubt that illegal intercourse had been carried on between the Hottentots and Caffres, chiefly by means of the Gonahs, a connecting link between these two people (some of whom, I beg to observe, were in the settlement under legal contract, but many more without legal permission, and were, in one case I know, encouraged to remain by Mr. Reid, although ordered by the civil magistrate to remove;) that the evil consequences of the great excitement produced amongst the Hottentots by the misrepresentations as to the nature and intention of the vagrant ordinance, and the inflammatory speeches made as well by the missionary Mr. Reid, and his son, as by many of the settlers themselves, at the public meeting held in the settlement in the preceding month of August, were at the breaking out of the war fully apparent; that there could be no doubt, from the proceedings of the Caffres, an evident distinction having been made by them between the Hottentots and Bastards, that they had taken advantage of these excited feelings, had tampered with the Hottentots, and were impressed with the belief that, at the very least, they (the Hottentots) would await the results, and see whether they (the Caffres) were successful; and that the successes of the Caffres in the first instance were so great, that had it not been for the declaration of martial law, the consequences of which were strongly impressed upon the whole of the people in the settlement by the magistrate, (who was also the officer in command of the troops,) the undoubted fidelity of the Bastards, the judicious arrangements of the officer in question, who lost no time in concentrating the whole population, Hottentot and Bastard, in one position, thereby controlling the disaffected, and the appearance of a detachment of the regular troops, the disaffected would have declared themselves, and the consequences have been most disastrous.

396

Col. F. F. Wade.

25 April 1836.

trous. Now I must at once admit, that although I was perfectly aware that the Hottentots were in a most excited state, consequent upon the proceedings relating to the vagrant law I have alluded to, and although I was fully convinced from every thing I had heard when on the frontier, six weeks before the war broke out, that communications had been made to the Caffres by the missionaries which had excited them exceedingly, particularly in regard to "the land," yet when I received the letters I have alluded to, I was very far from believing that the evil had attained a height that threatened not only the safety of the settlement, but that of a considerable portion of the colony; but from information that I have since received, the slightest doubt does not remain on my mind that the Caffres had turned the unsettled state of the Hottentots to good account, and had successfully tampered both with many of the Hottentots, settlers and soldiers; that they were fully impressed with the belief that the Hottentots would join them; and that had it not been for the measures above referred to, the latter would have done so to a considerable extent. My reasons for coming to this conclusion are, first, that it is a fact that the Caffres did not attack the settlement at their first rush into the colony, when the people were all scattered through the locations, and the attention of the troops drawn to so many other points, and when therefore there was every chance of success in their favour; secondly, that they did make a most desperate attack upon it six weeks afterwards, when the whole of the people were concentrated in one position, when a detachment of the line had joined them, and when therefore the chance of success was greatly diminished; and I must add, that it is a fact that Mr. Reid had the Caffre boy in question living with him without the permission or knowledge of the public authorities; that the governor did remove Mr. Reid, and has not since permitted him to return to the settlement. Thirdly, it has been stated on oath that a very few days after the war broke out, a messenger came from the chief Tyalie to a missionary, requesting the latter "to inform Mr. Reid that he Tyalie had told Hintza and the Tambookies that if they came into the colony they were to come by the Chumie station, meaning that they were not to come through the Kat River settlement, lest in mistake they should attack it; and that if Hintza passed above the Katberg, Mr. Reid must take care of himself, and all the Hottentots who did not wish to fight against the Caffres; that they must keep by themselves, for they were friends to the Caffres." (I must add that I know that the missionary in question was obliged by the Caffres to write to this effect, and that the letter was brought to a military officer, but that it was not transmitted to Mr. Reid.) The missionary who has deposed to this fact further states "that he heard the Caffres generally say, why do the Hottentots shoot upon us, we were told they were our friends?" It has also been stated on oath by one of the missionaries residing in Caffreland, that a Caffre came to him about three weeks after the war commenced, but before the attack on the Kat River settlement, for the purpose of informing him, that the Hottentots had promised to assist the Caffres against the colonists; that when required to name any of the Hottentots he alluded to, he did name five, and specified the time and place when two of them had communicated with the chiefs Tyalie and Macomo, in the preceding month of October; that the Caffre said that some of the Hottentot soldiers were willing to assist the Caffres; that he particularly alluded to one of the Hottentot settlers, one of Mr. Reid's people, who he said had often communicated with the chiefs on the subject, was one of the principal mediums of communication between them and the Hottentots, and had frequently permitted the Caffres to enter the settlement without passes. He has further deposed, that on the very day this communication was made to him, he received intelligence from another missionary residing further in Caffreland, stating "that Tyalie was still waiting for the Hottentots." That he, the deponent, has no doubt but the Caffres did reckon upon the Hottentots of the Kat River becoming their allies, but that they never counted upon the Bastards; that the Caffre chiefs urged him (the missionary) to write to Mr. Reid and Mr. Thompson, to get them to ask the Hottentots "why they were beginning to fire upon the Caffres coming from the colony with cattle," and "that they expected the Hottentots would have allowed them to pass unmolested;" and "that the Caffres showed instant surprise and disappointment, whenever it was declared that Hottentots were concerned in hostilities against them."

3548. Do you produce the depositions of the missionaries to whom you have

now

391

Col. T. F. Wade.

25 April 1836.

now alluded to?—I do not, I state it as a fact within my knowledge, that depositions have been made containing what I have now read, and that those depositions have been placed in the hands of the governor of the colony.

3549. In whose possession are the letters extracts from which you also read?—They are private letters to myself.

3550. They are in your own possession?—Yes; I have said that I received several private letters, giving me that as intelligence, and that I was slow to believe it until it was corroborated by the other information I have read.

3551. Do you think that the statements of the missionaries to which you have alluded, as made upon oath, are now in the Colonial Office?—I think it is very probable they are, because I know that they have been placed in the hands of the governor many months ago, and I think it is very likely that they have been transmitted by his excellency to the Colonial Office.

3552. Would you be so good as to state the names of the missionaries who made those depositions upon oath?—I have alluded I think to three missionaries, Mr. Chalmers, of the Glasgow Missionary Society, presiding at the Chumie institution, and his assistant, Mr. Weare; the depositions are by Mr. Weare and Mr. Chalmers only; Mr. Ross is the missionary referred to, in one of them as having sent the message to Mr. Chalmers, telling him that Charley was still waiting for the Hottentots. He resided further in Caffreland.

3553. Which of those missionaries made the first statement, and which of them made the second?—The first of the statements was made by Mr. Weare, and the second by Mr. Chalmers.

3554. Mr. Johnstone.] Will you have the goodness to proceed with your statement?—The next document I wish to place on the minutes is a statement of the proceedings of the Caffres, from the 17th to the 24th of December, as made by Mr. Chalmers to the commandant of the frontier. Mr. Chalmers says, "when I left Chumie for Graham's Town upon the 11th of December, all appeared to be quiet and peaceable in Caffreland, but when I returned on the evening of the 17th, the scene was changed. The Caffres for miles round were greatly excited. They had left their habitations, sent their women and children to the institution for protection, and either betaken themselves to the forest or to sit with the chief. Mrs. Chalmers informed me Tyalie and his councillor had called at the Mission-house early in the morning, and had stated to her that an affray had taken place between a party of military and Caffres. The report of the Caffres was the following:—That Tyalie's cattle had been grazing within the colony, and that a young officer from Fort Beaufort, with a party of the Cape corps, had seized, and was driving them off; that Tyalie's brother, Zeko, happening to be at the place at the time, and perceiving the chieftain's cattle to be carried off, mustered all the force he could obtain at the moment, pursued the patrol, and retook the cattle, and that in the skirmish two Caffres were killed, and two others wounded, one of the wounded being Zeko himself. On the morning of the 18th, Tyalie came here accompanied by his councillors, and requested me to write to the nearest military post, and inquire "why Zeko and his people had been wounded and killed?" I complied with his request, but the answer being unsatisfactory, and the Caffres being evidently excited, I insisted on Tyalie's proceeding to the post, and having a personal interview with the commanding officer there. He seemed inclined to take my advice, but his old councillors replied "No, do you not see what the white men do to us. They have murdered Eno's son, they have killed Tickoso, they have killed Zeko, one of Gaika's sons; Gaika was a great friend of the white people, and they murder his children after he is dead. The white men pretend to live in peace with us, and you tell us they are friendly towards us; but look! They murder our chiefs and people; we can reckon up 44 men who have been murdered during time of peace. Tyalie shall not go to the post—do you wish him to be killed also? No; we must bite the white men to-day." Of course reasoning with such people was of no use whatever. During the day of the 19th the Caffres appeared to be under dreadful excitement, running to and fro across the country in every direction, as if engaged in some extraordinary enterprise. Having heard that Zeko was most severely wounded in the head, I thought it necessary to request my assistant Mr. Weare to accompany me to visit him; we were never more astonished when we entered Zeko's hut, and found him looking as healthy as usual, having no bandage round his head, nor any appearance of a wound, although his head was shaved. We asked to see the wound

398

Col. T. F. Wade.

25 April 1836.

and were surprised to find it was a mere scratch ; if anything like a shot had penetrated the skin, it must have been very small indeed. When we got home to the institution, Colonel Somerset had arrived at the Kat River Post, and had sent down a message to me requesting me to call the chief to him. On Saturday morning I accordingly dispatched a man to Tyalie, but he remained so long that I could not communicate with Colonel Somerset that evening. The message of the chief was, " Colonel Somerset, I cannot see you nor speak with you until you explain to me why Eno's son was murdered by your men, and why Sikoso was killed by the boors, and why my brother is killed in the head." I wrote this communication, expecting to send it early on the morning of the 20th instant, but about two o'clock in the morning a Caffre came to my house, as sent by Tyalie, (I learned afterwards that he had been dispatched by the confederate chiefs) and directed by him not to transmit Tyalie's former communication, but to write to the colonel and inform him that Tyalie would hold a conference with him at the Chumie. That Tyalie would come with only two attendants, and Colonel Somerset must come with the same number, and they would talk over the matters in dispute, as Chumie was a place where God's word was preached, but the post was a place of war. Judging no evil, I wrote as requested, and dispatched the messenger at half-past five o'clock in the morning. Scarcely had he got out of sight, when the Caffres came pouring into the village from the direction of Tyalie's kraal. In the course of a very few minutes the institution was surrounded by 800 or 1,000 armed men, yelling and shouting as if they were triumphing over a fallen victim. I was astonished at their conduct, and proceeded to the foot of the village to ask what it all meant, and why they had broken the word of their chiefs, when, to my astonishment, Tyalie himself stood forward from the midst of them. I remonstrated with him on the deceitfulness of such conduct, and entreated them to go home : they only answered with a horrid yell, and withdrew about 400 yards, and sat down in ambush until the messenger returned. Fortunately, the colonel did not come, and his answer being unsatisfactory, I had to write him in the name of Tyalie, challenging him to come and punish him, and take away his cattle. This was about 9 A.M., and forthwith the Caffres commenced a great slaughter of cattle and goats, which continued the whole of that day, (Saturday 20th), and during the greater part of the following Sabbath. In the meantime, they had scouts out to watch the movements of Colonel Somerset. On this Sabbath-day they did what they pleased at the institution. On this day I heard that Macomo and the other chiefs had been lying behind the Chumie on Saturday morning, waiting the arrival of Colonel Somerset ; and in the evening of this day (20th) Macomo sent out these men against the colonists on the lower part of the Kat River. On the 22d all the Caffres round Chumie were busily engaged in Chumie. In the afternoon the chief Tyalie sent a messenger to me to state that the country was now broken, but that the Caffres would do no injury to the traders or the missionaries. Scarcely had an hour elapsed after this communication, when intelligence reached me that the traders Rogers and Bucling were murdered. On the 23d and 24th large bodies of armed Caffres passed towards the colony, and a report was spread in Caffreland that Lieutenant-colonel Somerset had been killed by his own soldiers. On the 26th, 27th and 28th the Caffres returned with their booty, highly elated with their success, and "speaking great swelling words of vanity:" so great was their arrogance, that they came and told me to take charge of their wives and children, while they proceeded to the Salt Pans and Port Elizabeth, where they had determined to construct their cattle kraals and erect their huts.

3555. Mr. Hindley.] Did it turn out to be true that Mr. Rogers was murdered?—I do not know the fact ; but I have not the slightest doubt about it. The next document which I wish to put in has reference to the advice and communications of one of the missionaries to the Caffres, and which I have alluded to as having, in some degree, caused the excitement at this period amongst the Caffres. This is a deposition taken at Graham's Town on the 1st day of January 1836, before Duncan Campbell, Esq., resident magistrate for the district of Albany and Somerset.

Before John Mitford Bowker, Esq., and Charles Maynard, Esq., Justices of the Peace for the District of Albany, appeared,

William Guyton Atherstone, Esq., residing in Albany, who, being duly sworn, deposes:—I was last April with the army that invaded Caffreland ; on the 14th of that month

25 April 1836

month I was with a small escort that captured 53 head of cattle from the Caffres, between King William's Town and Fort Wellington. After having captured the cattle, we ascended a hill, when a Caffre, who belonged to the party from whom we had captured the cattle, fired a shot at us, apparently with a view to attract our attention, and immediately commenced talking to us; he said, "Yes, children, you must take these few cows and calves; they belong to Caliabe; but you will have no rest until we are revenged; we are enemies for ever;" the interpreter, a man named Majeiko, one of Pato's Caffres, asked him, "Who began the war; was it not yourselves?" The Caffre then said, "No, it was one of your white men." The interpreter asked, "Who was that?" The Caffre said it was "Isongolo," literally, a reed, and meaning the Rev. Mr. Reid, the missionary at the Kat River; "Isongolo held a great meeting, and told us that the English were gradually taking away all our land, and if we did not stand up and make resistance, they would not leave us any ground to sit upon. We saw that Isongolo talked well, and we followed his advice, and you will repent it:" he then said, "You have taken all our cattle away, how shall we get food?" The interpreter said, "There is a fat cow just killed in the kloof, eat that;" to which the Caffre replied, "You may leave that to the wolves and vultures; we scorn to eat anything that has been touched by you." There were present Commissariat-conductor William Biddulph, a serjeant of the Cape corps, the chief Pato, with some of his attendants, and several other persons. I stood close to the interpreter, who explained the conversation to me as soon as it was ended. I felt much surprised at hearing this, and got upon my horse, and rode up to Jan Tzatzoe, who had been standing at a little distance, and had also heard what the Caffre had said; and being anxious to know whether or not what the interpreter had told me was the correct interpretation, I asked him what the Caffre had said, and he repeated the same story that the interpreter had told me, without any variation, excepting in the mode of expression. I asked him whether he thought that Reid had done such a thing; he said he did not know; he had heard something of it before; he thought there was some foundation for it, or else the Caffre would not have said so, and would not have invented these stories to injure Reid, whom the Caffres loved. I kept a journal, in which I noted down the results of each day, and therefore I know the precise date. I spoke to Jan Tzatzoe and to the interpreter in the Dutch language.

(signed) William Guyton Atherstone.

This is duly authenticated and signed by the three magistrates before whom it is taken, and certified to be a true copy.

3556. What is the name of the gentleman?—Mr. Atherstone, the son of a very respectable gentleman at Graham's Town, the district surgeon.

3557. In what capacity was he connected with the corps?—I am not certain; I understand that he was acting as assistant-surgeon of the troops at the time.

3558. What is the next subject upon which you wish to make any observations to the Committee?—I will now proceed to offer some explanations upon the commando system, as it has been described first by the Secretary of State in his despatches to the late and present governor of the Cape of Good Hope, dated respectively the 13th and 27th November 1833, "on the faith," as Mr. Stanley states, not only "of some very strong representations recently received" (by him) "of the cruelties of the commando system, but also on account of the statements which have been advanced on this subject by several writers on South Africa." Secondly, as it has been described on the authority of some of the latter within the walls of Parliament. Mr. Stanley, in speaking of the commando ordinance, says, "this ordinance has engaged my particular attention, not only on account of some very strong representations which I have *recently received* of the cruelties of the commando system, but also on account of the statements which have been advanced on this subject by several writers on South Africa. These expeditions have been represented as a system of military execution, inflicted upon the natives sometimes to prevent or to punish their hostile incursions into the territory wrested from them by European settlers, but more frequently as a means of gratifying the cupidity or the vengeance of the Dutch or English farmers; and further, as being marked by the most atrocious disregard of human life, and by cruelties alike disgraceful to those who sanctioned, and destructive to those who endured them." In the other despatch, he describes them very nearly in the same terms: "You are doubtless aware of the statements which have gone forth to the world in regard to these commandos, which have been represented as a system of military execution inflicted upon the aborigines, sometimes to prevent or punish their hostile incursions into the territory wrested from them by the European settlers, but more frequently as a means of gratifying the cupidity or the vengeance of the latter." In Parliament the following exposition of the commando is said to have been given: that they are "hunting expeditions, attended by the military

400

Col. T. F. Wade.

25 April 1836.

and European settlers, and other persons which proceed to the districts inhabited by the natives, and surrounding their villages at a considerable distance gradually close in upon them, and destroy both villages and their occupiers," and that "even in 1827 the system continued with its usual ferocity." Now, I admit, without any hesitation, that there are very many and very great evils inherent in the commando system, (some of which I will hereafter enumerate;) that it is a mode of defence greatly liable to abuse under many circumstances, local and others peculiar to the colony, (some of which also are insurmountable); that almost at the very moment when the Secretary of State addressed the last of the despatches above alluded to to Sir B. D'Urban, communicating His Majesty's disallowance of the commando ordinance, I was myself employed in writing to Mr. Stanley, representing the commando as a "system of defence of very ancient date, and which, in every point of view, in my humble opinion, required to be abandoned;" (but not certainly urging that it should be so without the substitution of some other efficient measure of protection, and which, I must add; it was the intention and instructions of the Secretary of State should be provided before the disallowance took place;) and, admitting all this, I do not pretend to assert that instances of misconduct and outrage may not have occurred on the part of those employed on commando within the last 10 or 15 years; but I do assert that such instances have been very rare; and in the most direct and unequivocal manner I deny the correctness of all and every statement or representation, proceed it from what quarter it may, which can be said to justify the descriptions contained in the above extracts; and on the part both of the colonial government and colonists I protest against the "representations" or "statements" in question being admitted as in any degree proving the correctness of the accusations with which they have been assailed, without a formal and public investigation *there*, where alone it can be instituted with any reasonable hope of the truth of every such charge being ascertained, into every case of outrage or oppression that has been brought forward. With the greatest possible respect for this Committee, I deny that they are in a position to arrive at a satisfactory conclusion, viz. to elicit the whole truth, and thereby do justice to all parties. Let a commission proceed to investigate upon the spot; let the accusers and the accused be confronted, and the colonists will not, I dare affirm, be found to shrink from an inquiry which they have over and over again challenged and solicited. Let a commission of competent and unprejudiced men be granted, and I feel well assured that the inhabitants will stand acquitted in the eyes of their fellow-subjects, of the foul charges which have been so unsparingly and unhesitatingly preferred, and so credulously—nay, I must say, so unjustly—received in this country, as substantiated, without a single tittle of evidence having been heard on the part of the accused. Whilst on this topic, I must further remark on the extreme incorrectness of those statements which represent the farmers as enamoured of commandos, or interested in the continuance of the reprisal system, as a source of gain; as regards the first, there are thousands of official documents in existence to prove that there has at all times been the greatest difficulty in procuring the attendance of the burghers on commando, and, in fact, the disallowed ordinance, (above alluded to) which in 1833 re-enacted (for it did no more except to provide penalties) the proclamation of Lord M. in 1797, and the former regulations of the Dutch Government, on which that proclamation was founded, was rendered necessary solely in consequence of the refusal of the burghers to obey the orders of the field-commandants, (one of whom, in 1832, resigned on this very account) when called upon to proceed on commando, for which offence no definite penalty was provided by the Proclamation. In support of the above assertion, I will only refer the Committee to the commissioner-general's letter summoning the farmers to attend on the commando in 1830, in which no less a threat than that of forfeiting his farm is held out in case of disobedience on the part of any burgher; and as to "reprisal," I do not believe that the most hardy accuser of the colonists will venture to state that they have been enriched by that system, or that any man who pretends to possess the slightest knowledge on the subject, will assert that on a fair comparison between the amount of loss by depredation and gain by restitution or reprisal, since the arrival of the British settlers on the frontier in 1820, the Caffres have not had immensely the advantage. I shall now, with permission of the Committee, as far as the scanty materials I possess will enable me to do so, examine and offer some information

Col. T. F. Wade.

25 April 1836.

formation as to the cause and proceedings of some of the principal commandos on the Eastern frontiers, that have taken place since the introduction of the system of reprisal, to which the continuance of the commando has so frequently been ascribed, and also respecting some of those which have taken place on the northern frontier, during the same period. Those to which I shall allude, I have selected as having been brought prominently forward by the "writers on South Africa," and others, in proof of the "cold-blooded," "wanton murders," "unprovoked aggressions," &c. which the inhabitants, and with them the government, have been so recklessly and indiscriminately accused of. Before I proceed I wish to make two observations with reference to the means of defence and state of the frontier, at the period above alluded to, when the reprisal system was introduced. First, I find in the Report of the Commissioners of Inquiry, May 25th, 1825, the following extract: "The general tranquillity of the frontier was considered to be sufficiently restored in 1817 to admit of the reduction of the Cape Corps, which had been raised in 1812." Now with great deference to the Commissioners of Inquiry, I very much doubt the correctness of that statement. I find in the government advertisement of the 18th of April 1817, in which Lord Charles Somerset announces the result of his conference with Gaika, that the cause of his having been called to the frontier was "the frequent and daring outrages and depredations committed on the colonists by the people of the Caffre nation." And in his despatch to Lord Bathurst of the 17th of May 1817, he states "I cannot perhaps more effectually point out to your Lordship how destructive to my hopes and views for this colony the removal of the dragoon regiments from hence will be, than by referring your Lordship to my despatch, dated 24th April last, detailing my plans and intentions relative to the best mode of defending the frontier from the depredations of the Caffres, the ground-work and whole main-spring of which defence resting upon the operations of cavalry, &c." Again, in his Lordship's instructions to the commandant of the frontier, of the 9th of May following, there is full proof that he did not deem general tranquillity to be so re-established as "to admit" of a reduction of his force, for in announcing to that officer the orders that had been received for withdrawing the English cavalry, and disbanding the colonial corps, he also informed him, that although this arrangement "would induce a considerable change in the nature of the force," it was "not his intention to subtract from its numerical strength." It is true that the removal of the Caffres from the colonial territory in 1813 had put a stop to depredations "so far to the westward" as they had before that most necessary expulsion extended, viz. "to the limits of the Uitenhage district, on the Cape Town side." But it must be borne in mind, that this very desirable object was not attained without, after their expulsion, keeping in the field, in addition to a very considerable regular force, the commando which had been employed in executing it, and who remained with the troops until 1815. 2dly. It is stated in the Evidence, page 116, that when the "reprisal system" was introduced, "depredations were on the decrease." I have not seen any return of the losses in 1816, but that they were sufficiently extensive in 1817 to require measures to repress them, is shown in the above extracts, and further proved by the returns of that year, in which they are stated at 844 head of cattle, 108 horses, of which not one half of either were recovered. Towards the end of the year 1817, it appears that a considerable quantity of colonial cattle having been seen in 'Tsambie's kraals by the field commandants Nal and Muller, a commando was sent "to demand from that chief all the cattle belonging to the colonists which he had in his possession," and with directions that "should he hesitate in delivering the same, to take steps for enforcing the demand, by securing Caffre herds belonging to the chief or his people equal in number to the quantity seen in his kraals." The above is quoted from the instructions issued by Lord C. Somerset to the Commandant Major Fraser, on the 5th December 1817, in which also occurs the following passages, "His excellency has now an opportunity of distinguishing the guilty, and in the instructions which I am about to communicate to you, I am to point out that the redress due to the colonists is to be sought for from that guilty party, without injuring or even molesting those kraals whose chiefs have evinced their rectitude by a faithful adherence to the treaties entered into with them." "In case of resistance you will use every endeavour to secure the person of 'Tsambie, and bring him pri-

402

Col. T. F. Wade.

25 April 1836.

soner into the colony; should you succeed in capturing him, his excellency most strongly desires that such steps may be taken as shall be effectual to prevent his escape." "His excellency desires at the same time, that no undue severity shall be used towards him, but, on the contrary, that every comfort and convenience, and every mark of kind treatment, consistent with the perfect security of his person, shall be afforded him." Also, "you will endeavour to impress upon the chiefs that harbouring deserters or colonists (which 'Tsambie has done) cannot but be considered as a measure hostile and injurious to this Government." The commandant was at the same time "to send messengers to Gaika, with some acceptable presents," at the moment he set off for 'Tsambie's kraals, and "to assure him that no hostile steps will be taken against him or his chiefs, and that the armament has for its object solely to enforce a compliance on the part of 'Tsambie with the public treaty on the Kat River;" every exertion was to be made "to continue on the best terms with Gaik and his wishes were to be sought and gratified as much as possible." It was added, "as however it may happen that Gaika may not be inclined to put faith in these friendly assurances, and may possibly seize the moment when you are absent at 'Tsambie's to make an irruption into what he may deem an unprotected country, his excellency has written by this opportunity to the landdröst of Graaf Reinet, apprising him of the measures which are about to be adopted by you, and desiring him to have such a force in readiness on the Baviaan's River side as shall be efficient to follow and cut off any number which might make the attempt alluded to." Lastly, the governor enjoined the greatest forbearance in a paragraph which I will read to the Committee. "There is no moment perhaps so favourable for contrasting the disposition of a great and enlightened nation with that of a savage one, as that in which the former is compelled to act with vigour, and his excellency trusts, therefore, that on the present occasion you will be mindful of this observation, and should it be necessary to proceed to extremities for the recovery of the colonial property from 'Tsambie and the chiefs under him, you will take special care that the acts it may be expedient to resort to, shall not be mingled with any feelings of retaliation on account of the cruelties which have been committed by this unhappy ignorant people, and will not permit their kraals or cultivated grounds to be destroyed, but will act towards them with all the humanity practicable. Should the colonial cattle have been concealed, so as to render it necessary to take an equivalent from the Caffre herds, you will distribute the latter among the colonial sufferers, putting, however, such conspicuous marks upon each captured Caffre ox, as shall enable you as magistrate of the frontier to recognize such ox at any future period, and be a complete check upon the inhabitants from having in their possession any Caffre cattle not obtained in this just way of restitution." These, permit me to remark, are not the orders of a government using the commando as "a means of gratifying cupidity or vengeance." To what extent Major Fraser succeeded in that commando, I am not aware, but in animadverting on an instance which occurred soon afterwards, in which the orders relating to "reprisal" were widely departed from, Lord Charles Somerset remarks, that "every head of cattle which was brought back by Major Fraser was distributed to those who had been plundered." "There was no booty made." For a very short period this commando produced the desired effect. Towards the end of 1818 Major Fraser was succeeded as commandant by Lieutenant-colonel Brereton, to whom the governor explained, in his instructions, dated Cape Town, 4th September 1818, "the policy to be observed in regard to the Caffre people;" from which instructions, with the permission of the Committee, I will also read some "extracts," which are necessary to a right understanding of the transactions that very shortly afterwards followed. After explaining that the troops on the frontier occupied a line of nearly 180 miles, extending from Esterhuis Poort (which was the left) to the sea, running along the boundary which separated the Uitenhage district from the Caffre territory, the instructions state, "the object of occupying this line is to repress the frequent incursions of the Caffre people, whose habits of marauding frequently induce straggling parties to enter into and conceal themselves in the colonial territory, for the purpose of plundering the colonial herds; in effecting which they often perpetrate the most cruel murders." "It will be manifest that the system of occupying small posts, which you will see to be the one which has been adopted, and in which the troops on the frontier are placed, is calculated for observation, not for aggression ;

403

sion; but it is necessary that this circumstance should be impressed upon you in order to explain to you the colonial policy in regard to the Caffre people. This policy consists in using in their regard the greatest possible forbearance, in considering them collectively (as often as possible) as friends, and in imputing the grievances, of which the colonists have so much reason to complain, to the acts of individuals or petty chiefs, it being hereby intended to lay the foundation of a more moral sense of right among them; for from the moment the chiefs disclaim the acts of the marauding parties they admit their injustice and impropriety, and it is this feeling that it must be your zealous endeavour to improve." "The Caffre people appear to range themselves under various petty chieftains, and these chieftains again, when not strong enough to assert an entire independence, seem to consider themselves as attached to some more powerful chief. The authority of these chiefs is however extremely limited, nor does any communication we have hitherto had with them lead us to suppose that the great chiefs can altogether control the subordinate ones, or that the subordinate chiefs have any efficient check upon the individual members of their respective kraals."

Col. T. F. Wade.

25 April 1836.

It appears that, in consequence of the reduction in the regular force, the mounted inhabitants were again called out in 1818 to assist the patrols. The "depredations and murders within the colonial territory having, towards the end of the year, in an alarming degree recommenced." The governor had moreover learnt, "that a combination had been formed against the Caffre chief Gaika, by the border chieftains, headed by his uncle Tsambie, for the purpose of obliging him to give up his pacific system;" and Gaika having "requested assistance," his excellency determined to support him. "Before, however, his assent to his being succoured could arrive, Gaika's enemies had overtaken him, defeated him with great loss; his women and cattle, the two great objects of Caffre jealousy, fell into the hands of the marauders, and he retreated to the fastnesses of the Winterbergen."

Such is Lord Charles Somerset's account of the circumstances which led to the commando of 1818; and in the Report of the Commissioners of Inquiry it is stated, that "impatience of the restrictions" (prohibiting them from crossing the boundaries) "was manifested by the Caffres, and jealousy of the ascendancy of Gaika, against whom a confederacy was formed, while protection was given to those who committed depredations in the colony; that measures were in progress to strike a blow against the confederate tribes which "were anticipated" by them; that they "attacked and defeated Gaika, dispossessed him of his cattle, and drove him out of his country."

It will be seen, however, on reference to the Evidence (pp. 42, 528 to 534, and again, p. 117) that Captain Stockenstrom's statement differs materially from the above accounts. He says, "that the expedition went purposely to support Gaika on his complaint that the other chiefs were going to attack him;" that the cattle captured by the commando "were not taken in consequence of any seizures that had been made by the Caffres upon any cattle belonging to the colonists, or belonging to Gaika;" that "no part of Gaika's complaint was that they had seized his cattle;" that "it (the commando) had nothing to do with any quarrel of the colonists," that he knows of; and "that the commando entered Caffreland upon a question totally unconnected with any loss of the colony."

I am not in possession of a copy of the instructions issued to Colonel Brereton on entering Caffreland, but the purport of them is set forth, as also the result of the expedition, and the governor's opinion thereon, in the following "extract" from his lordship's instructions to that officer's successor, dated "February 25th, 1819."

"The instructions," says the military secretary, (issued to Colonel Brereton) "are particularly worthy of your attentive study, as they lay down with great minuteness the line of policy which it has been judged proper to adopt towards the Caffre people; a line which his excellency the commander of the forces will at all times regret the necessity of departing from, although recent circumstances" (those which followed Colonel Brereton's commando) "attending their unwarrantable incursion of the Albany district, appear to necessitate more energetic measures with respect to the hordes who have been guilty of so many atrocities."

"The colonial government has however but one object in view, the tranquillity

404

Col. T. F. Wade.
25 April 1836.

quillity of its own border; to this end the civil and military exertions are pointed.

"The colonial government seeks no enlargement of territory; the known boundary of its settlement, the Great Fish River, it does not desire to pass; on the contrary, it rigidly prohibits its subjects from crossing this line of demarcation, lest in so doing molestation or injury should be offered to the Caffre tribes; in short, the colonial government seeks no communication with the Caffre people, unless they themselves deem that communication useful, in such cases by a public agreement made with their chiefs; the means are placed in their power of coming to Graham's Town to effect such barter as they may require.

"It is impossible to conceive a fairer line of conduct in their regard, or one better calculated to convince them that the inhabitants of the colony wish to live in friendship with them; but the colonial government has gone farther, it has encouraged the settlement of a zealous missionary there, not only thereby to throw the elements of the Christian faith in their way, but to endeavour gradually to communicate to them the arts and benefits of civilized society, nor did a great proportion of the Caffre people refuse to acknowledge the justice and benevolence of the line adopted in their regard. The chief Gaika (not long since considered the most powerful of those who adjoin our border) appears strenuously to have exerted himself to bring the Caffre people to live on terms of reciprocal forbearance towards the colonists. Among his own people he checked depredation, he collected and restored a large quantity of cattle, and many horses which had been plundered from our territory; and he frequently availed himself of the privilege of sending to Graham's Town for the supply of his wants; the consequence of this was a tranquillity on the frontier such as had not been experienced in the memory of man. Confidence began to be established, farms to be settled, and there was every prospect of seeing the most highly favoured province of this government peopled and brought into cultivation.

"These were the flattering views which his excellency entertained when he learnt that depredations and murders within our territory had in an alarming degree recommenced, and that a combination had been formed against the Caffre chief Gaika by the border chieftains, headed by his uncle Tsambie, for the purpose of obliging him to give up his pacific system. Gaika notified the change, and requested assistance. He, however, does not seem to have apprehended the storm to have been so nigh; for when it was signified to him that so unforeseen a circumstance required communication with his excellency, and fresh instructions, he appeared satisfied to wait, and did not press for more decided measures.

"In the meantime, before his excellency's assent to his being succoured could arrive, Gaika's enemies had overtaken and defeated him with great loss; his women and his cattle, the two great objects of Caffre jealousy, fell into the hands of the marauders, and he retreated to the fastnesses of the Winterberg.

"Meanwhile Lieutenant-colonel Brereton assembled a force for the purpose of restoring order; his instructions being to fall upon Tsambie, and compel him to afford redress. Our very decided superiority, should Tsambie dare to face an European force, could not be doubted, and it was wished that success should again throw the strength of the wavering into Gaika's scale, and thus oblige Tsambie to retire beyond the Keiskamma. His excellency felt that no other object was of any value, except the personal punishment of Tsambie, or his adherent chiefs. Lieutenant-colonel Brereton was not, however, so fortunate as to come up with them; they retreated to the impenetrable thickets with which the interval between the Fish and Keiskamma rivers is covered, and abandoning their cattle, or a great proportion of it, they secured by this means their safety.

"Lieutenant-colonel Brereton replaced Gaika in the ground from whence he had been driven, and restored to him a quantity of cattle beyond what had been plundered from him. He also restored to the colonists who had been plundered a quantity of Caffre cattle, equal to what they had been dispossessed of. In these measures Lieutenant-colonel Brereton acted prudently, consistently with the agreements entered into with the Caffres themselves, and in pursuance of his instructions. But his excellency does not judge so favourably of his having brought away so much Caffre cattle beyond what was necessary to do justice

justice to those who had suffered; nor does his excellency deem Lieutenant-colonel Brereton to have adopted the most eligible course in returning so soon as he did, without having accomplished the object for which he had been authorized to enter the Caffre territory."

"It has been a maxim, which his excellency has sedulously endeavoured to inculcate, that the colonial government stood in no need of Caffre cattle, and for a long period not a head of Caffre cattle was suffered to be brought into this settlement. Subsequently, when the extent of plunder made it absolutely necessary for our inhabitants to be indemnified for their grievous losses, it was part of our convention with the Caffres, 1817, that when colonial cattle was not restored, an equal quantity of Caffre cattle should be taken; but no encouragement or authority was ever intended to be held out or given for breaking through this rule.

"When Major Fraser returned in 1818 from an incursion into Caffraria, every head of cattle which he brought back was distributed to such as had been plundered; there was no booty made; and it will be advisable to recur to this mode of acting, and not by partial plunder to put ourselves in some measure on a footing with the savages, who have little object in their irruptions into our districts beyond the plunder of the colonial herds."

To the above I shall add "extracts" from letters addressed by Captain Stockenstrom to the chief secretary, Colonel Bird, dated 12th & 18th February 1819, having reference to this commando, and containing his opinions as to the measures necessary to be pursued towards the Caffres, who were at this time over-running the district of Albany. From these it will appear that although Captain Stockenstrom strongly deprecated both the impolicy and injustice of the seizure by Colonel Brereton's commando of so large a body of cattle beyond what might be fairly claimed as indemnification for the extensive losses sustained by the colonists, and by our ally Gaika, (those of the latter amounted to the whole of his cattle, upwards of 10,000 head,) he was very far from disapproving of the commando for the purposes the governor had in view when he sanctioned it; viz. to chastise the confederate chiefs, and compensate our ally; and that he entertained a very strong opinion as to the necessity of the most vigorous measures being had recourse to for the suppression of inroad, and the protection of the inhabitants.

After stating that what he had anticipated from the extensive seizure made by the commando of Colonel Brereton had been realized, and that it was "becoming more and more evident to every person knowing the Caffres, and the state of the interior, that the present system upheld with respect to those savages could not be continued," he proceeds, "how many lives have not been lost since the last commando? What determined and successful attempts upon our armed parties and guarded flocks have not lately been made by a race who formerly fled at sight of a musket? and what else could be expected from a populous tribe driven to desperation by being deprived of all their cattle, their only means of subsistence, left to choose between starvation and retaliation? God forbid that I should plead the cause of cruel barbarians, who have given me too much cause for revenge. On the contrary, I think it absolutely necessary for the safety even of a strong post, that they be most effectually set down. But could not that end have been obtained when we had about 900 men in Caffreland? Might not a camp have been established at some favourable distance near enough to the first river to keep open a communication with the colony, and prevent the Caffres from getting in our rear? Could not these head quarters, under the protection of the military, have served as a rallying point, or rendezvous, and a place of safety for the provisions and baggage, whence strong detachments of mounted men might have been sent out to harass and destroy the Caffres in all directions, until you had made the survivors feel your authority and power, invoke your clemency, give up your deserters, and compensate your ally (Gaika) for the injury done him?"

"That Gaika, from motives of self-interest, will keep to the side he has taken, I doubt not; but that his people would not have co-operated with 'Tsambie in a general massacre if they had been sure of success, whilst our men could not have defended themselves without a chance of shooting one another, no man who knows a Caffre will believe. The prospect of getting possession of so many arms and so much ammunition is more than sufficient inducement for a Caffre to betray his own father."

406

Col. T. F. Wade.

25 April 1836.

"You will perhaps ask what would you have us do? If the farmers cannot be taken from their homes, are the Caffres not to be punished for the murder of two valuable officers, so many soldiers and others? Are they to triumph in the possession of the fruits of the industry of so many wretched families reduced to beggary and nakedness by their depredations? On the contrary, I only object to inefficient measures whereby nothing can be gained but the revenge of the enemy, who, encouraged by partial successes, make the repetition of these petty commandos necessary."

"I even think that things have come to that crisis, that nothing less than a repetition of the commando of 1812, on the other side of the Fish River, will bring the Caffres to peace.

"I mean that about 600 or 700 inhabitants from the upper districts should be sent to guard the frontier, with part of the military; that all the Hottentots who were discharged from the Cape regiment should be called in for the time being, and mounted on horses required from the farmers, who remain at home; that these Hottentots, joined by 500 farmers, which this district, including Cradock and Beaufort, might furnish, and 250 Uitenhage farmers, with some of the military, enter Caffreland at different places, according to a preconcerted well-digested plan, and there remain, acting, as I have above proposed in speaking of the former commando, until you may return with the assurance of being able to live in peace for the future. Some lives will, no doubt, be lost, as the Caffres are in possession of the guns and ammunition of all the men they killed, wherewith they may arm all runaway Hottentots and the whole of David Sturman's kraal. The deserters naturally will also take an active part against us; but the evil is growing so rapidly, that the longer such serious steps are postponed, the more blood it will cost to root it out. A commando lasting so long may also be hard upon the inhabitants for the moment; but it is the only way of making it cease it all; and the peace they will afterwards enjoy will amply repay them for their exertions and sacrifices."

In his letter of the 18th, he adverts to the same subject, and states, that he has sent a confidential person to Cape Town to communicate with the government on the subject—

"The principal points I have directed him to represent are, in the first place, the absolute necessity, if anything at all be done, that a force be employed capable of crushing the Caffres most effectually, so as to reduce them to the necessity of praying for mercy, laying all your arms they have taken from the unfortunate victims of their cruelty at your feet, and bringing your deserters to your camp; for these are the most dangerous incendiaries amongst barbarians, prone to everything horrible, and all petty efforts will add fuel to the flame. In the second place, the danger of allowing any Caffres, apparent friends or enemies, from mixing with your force; for even should they harbour no treacherous designs for the moment, the inhabitants, for whose conduct I will answer if they be well managed, will be a useless body, perhaps run all risks, and abandon the commando, when they shall be surrounded by those against whom they possess a natural and well-grounded antipathy and suspicion. The general cry is, let us meet any number of Caffres, but let us meet them as enemies; for our enemies they are, all of them.

"Thirdly, I have directed him to submit to you of what little use a mounted force can be, if it be kept with the infantry. The latter are necessary, but only to protect your camp, your artillery, your waggons, &c.: they may act occasionally in bushy country, but they cannot come up with the Caffres, if these wish to avoid them."

"My motives may be considered to proceed from revenge, or from imaginary apprehensions; but to refute the former, I have only to ask whether false notions of philanthropy are to lead us to waste the blood of those who have a claim to our protection, from a wish to have it to say, that we brought about civilization by lenient measures, when those very measures are a stimulus to the most savage barbarity, by allowing the greatest cruelties to go unpunished. And as to the latter charge, experience will soon enough prove the truth of what I have advanced, were even my own conduct not a sufficient check to such an insinuation, should it exist.

"Believe me that the Caffres may be brought to this bearing; but they are no more to be trifled with. Gaika individually may remain faithful to our cause

cause, (only from policy), but all his men must be thrown to the opposite scale."

After the return of Colonel Brereton's commando, the Caffres rushed into Albany, and committed the most dreadful excesses; "compelling the inhabitants to abandon their dwellings, most of which were destroyed." The commandant was busied in making preparations for expelling them, "punishing Tsambie, forcing him, with his principal adherents, across the Keiskamma, and restoring to Gaika, and his chiefs who remained faithful to him, the lands on the left bank of the Fish River," when the Caffres were again beforehand with us, and made that daring and well-concerted attack upon Graham's Town in the month of July, which has been already described.

25 April 1836.

Here again I will, with permission of the Committee, introduce some further extracts from Lord Charles Somerset's instructions of 25th February 1819, to show, that notwithstanding the excesses committed in the colony, it was by no means his Lordship's intention, at this period, to have had recourse to the extreme measure of depriving the Caffres of the country between the Fish and Keiskamma Rivers, to which he was at length compelled, as the only means of protecting the settlement from the unceasing, harassing and ruinous incursions of the Caffres, and which long experience had proved it was totally impracticable to effect so long as they had access to the extensive thickets on the banks of the Fish River, "the occupation of which, (the Commissioners of Inquiry state), "exposed the frontier to invasion, which the military posts established had been unable to check."

(Extract).—"His excellency has no doubt that you will find it easier now to expel the Caffres, who, since Lieutenant-colonel Brereton's return, have invaded Albany, and committed the most dreadful excesses, than it was at former periods. The circumstances of the country are much changed: when the Caffres were with so much difficulty expelled the Zuureveldt, they possessed the advantages of that great and strong district; they had been long in the occupation of the country they had invaded; they had their families and their cattle there, and every inducement to make them cling to the soil as long as possible. Now, they are merely passengers in it; they have neither their property nor their families, and nothing to induce them to remain, beyond the spirit of hostility which has caused their entering it.

"It will become a question, when you shall have expelled them, whether to follow them or not into their own country; and this question must, in some measure, be decided by circumstances. His excellency deprecates fruitless hostility as much as he does a system of revenge.

"The generality of incursions from the colony have not had the effect of coming up with any body of Caffres, and of decidedly showing that savage race the great superiority of European troops. The importance of punishing Tsambie is very great; and if, upon the retreat of these marauders from the Zuureveldt, there is a reasonable prospect, by a prompt and decisive blow, of attaining this object, his excellency will assent to the opportunity being seized; but it is only with a view of forcing this marauder, with his principal adherents, across the Keiskamma, and of restoring to Gaika, and his chiefs who remained faithful to him, the lands on the left bank of the river, that his excellency is induced to do so.

"If the attainment of this object is not feasible, his excellency is of opinion that it will be more advisable to temporize, than by a few partial injuries to rouse and foment the spirit of retaliation and revenge, always prominent sentiments in the breasts of savages.

"It will then be your object to protect and strengthen Gaika, by concerting with him, and establishing his own immediate residence so near to a strong post of ours, adequately secured, (for in intercourse with savages it is always essential to exert the greatest vigilance), to be chosen by you, as shall protect him from personal danger, and, at the same time, admit of his gradually exerting himself to regain the ground he has lost.

"Whatever, therefore, he may want, and we can conveniently supply him with, should be given to him; and the chiefs who are in his interest, or who can be brought over to it, should be, as far as possible, by promises and conciliatory presents, induced to give him their support.

"So soon as he shall be established under your own immediate protection, his excellency thinks it would be advisable that Mr. Brownlee should be

6408

ol. T. F. Wade.

25 April 1836.

directed to take up his residence with him. Upon the death of Mr. Williams, who had been a resident missionary near Gaika's kraals, and who had made himself much liked by Gaika, to whom he was personally useful, Gaika applied to have a successor sent to him, and his excellency selected Mr. Brownlee for the purpose of affording Gaika's people such instruction as they might be desirous of obtaining. A copy of Mr. Brownlee's instructions were sent to Lieutenant-colonel Brereton, and from him you will receive it, and learn the importance of having a confidential person with that chief, there being no other mode of communication entirely to be depended on.

"Should Gaika wish to have any of his sons educated in the colony, his excellency will gladly avail himself of the opportunity of procuring them instruction, and take charge of them for that purpose, placing them under the care of the Moravian missionaries to effect it; such a measure should be suggested to him at a convenient opportunity, for his excellency has more hopes of effecting permanent change in the disposition of the body of Caffres towards us, by introducing among them moral and religious sentiments, and the first principles of civilization, than by any other measures which can be pursued.

"If by these measures Gaika can gradually regain the power of which he has been stripped, and if we, at the same time, can continue to encourage him in sentiments of friendship and justice to the colony, we shall have attained a most important end, by means honourable and benevolent, and certainly by means which are deserving an attempt.

"His excellency considers that notwithstanding the disasters which have occurred, much has already been effected, under the system he laid down, by the acknowledgment of a large proportion of the savages of the justice of the principles upon which we have endeavoured to act, insomuch that, even at this moment, the position of Gaika at the Kakaberg at the head of 7,000 armed men, has had the effect of protecting the district of Graaff Reinet from plunder and devastation; and his excellency pleases himself in foreseeing in this strong and chosen band, the elements of a future friendly and extended intercourse with our Caffre neighbours."

As to the result of the campaign which followed the attack on Graham's Town, the Committee have had the evidence of Captain Stockenstrom, who acted as interpreter at the conference on the 15th October, when Gaika, "after much consultation with the other chiefs," (page 41—549) consented to the cession of the country between the Fish and Keiskamma Rivers; and, on the same authority, the history of the new arrangement made in the following year, by the Acting-governor Sir Rufane Donkin, on which occasion Captain Stockenstrom again acted as interpreter; and as that gentleman has not hinted at any stipulation that "the cession should only be a temporary one," and the tract in question "remain neutral only for a time, until Gaika's enemies were tranquil, after which the English were to withdraw from it and the Caffres to return," a stipulation which it has lately been asserted in the colony was made, "but entirely sunk" in the account of the conference published in the Government Gazette,—it is, I conceive, fair to assume that this claim, now for the first time set up for the Caffres, is utterly void of foundation, and, that however unwillingly the cession was made—and it would in truth have been unlike any other cession of country had it been a willing one—it was final and complete.

"The system of defence established by Lord Charles Somerset, previous to his departure from the colony, was one," the Commissioners of Inquiry state, "that required vigilance and activity on the part of the troops." The following extracts from the instructions issued to the commandant at this period, 17th October 1819, will explain in what that system consisted.

"The enclosed return will show the detail of the force which is now placed under your command, amounting altogether to 1,775 rank and file; but as it will be requisite that I should take the earliest opportunity of sending the Royal African Corps to England, to be disbanded, according to the order I have received from His Majesty's Ministers, which will reduce that number to 1,219, I have decided upon augmenting the cavalry and infantry of the Cape Regiment, the former to 120 rank and file, (of which, 12 will be kept in Cape Town) and the latter to 300 rank and file, which will leave the permanent force of the frontier at 1,405 rank and file, of which 108 will be regular cavalry, and 300 mounted infantry, out of the 300 of which the Cape Corps will be composed.

"The distribution of this force, which, upon full consideration, appears to me

me to be most eligible, and which I am to desire therefore that you will conform to, is as follows:—

	Rank and File.
“ Algoa Bay	50
Rautenbach’s Drift	50
Roode Wal	100
Caffre Drift	100
De Bruin’s Drift	90
Graham’s Town :	
Infantry	330
Cavalry	108
	438
Post at Phoonah’s, now Fort Willshire	250
Post at the Givanga	250
In each of which 100 mounted men of the Colonial Corps is to be considered as included.	
	438
Making a total of rank and file	1,328

Col. T. F. Wat.

25 April 1838

“ Having personally fixed on the spot for the post at Phoonah’s kraal, I have only to explain to you the views I entertain with respect to this occupation. Experience has shown that no number of military posts are effectual for preventing the inroads and depredations of the Caffre people upon the colony, so long as that people have it in their power to establish themselves upon the confines of our territory, and possess the forests of the Fish River to secrete their plunder until opportunity offer for driving off the stolen herds to the savage hordes in the rear, who gladly receive and conceal them; in the arrangement therefore which I have lately come to with the chief Gaika, it was agreed that the Keiskamma, from the sea to where the Chumie falls into it, and the ridge of the Kat River hills from the Winterbergen to where they touch upon the Chumie, shall henceforward bound the Caffre people on our side, so that no kraals shall remain in the ceded line, no hunting be allowed, and no grazing to be claimed in future within it. To see to the due execution of this agreement is the first object which you are now to attend to; to preserve the agreement from infraction the ultimate one. By the occupation of strong permanent posts in the heart of the ceded territory, containing each a force sufficient for aggression, it is not to be doubted but that Gaika and his subordinate chiefs may be controlled. It has been agreed that as soon as the next full moon arrives, Gaika and his people shall move from the Kakaberg behind the Chumie. Mr. Stockenstrom has assembled 150 mounted Graaff Reinet burghers, and 50 from Uitenhage, at the Daviaan’s River; these are directed to see that he (Gaika) leaves that country and retires behind the Chumie; they are then to destroy all the old kraals, from the Kakaberg to Phoonah’s, including those of Kafta, Eno, Botman, Pangella, &c., and to join the force under your command at Phoonah’s kraal. As soon as these burghers shall have joined you, (unless circumstances shall then render it of importance to deviate herefrom) you are to dismiss the men now retained from each command, and permit them to return to their respective homes.

“ The burghers under Mr. Stockenstrom will then assist the military in scouring the Fish River woods, and in destroying the remainder of Lynx’s, Congo’s, Habana’s, or other kraals which are within the *ceded* limits. In the meantime the work at Phoonah’s must be proceeded in, according to the plan which Major Holloway has furnished for this purpose, and of which I approved, subject to such alterations as the nature of the ground to be occupied should necessitate; every man who can be useful should be employed for its speedy completion; and for this purpose the whole regular force destined for Caffre-land, and including the Royal African Corps, should be encamped in the vicinity, to afford due protection to the workmen, and to furnish the necessary parties for the work itself.

“ As soon as this post shall be reported to you to be in a state of efficient security, you will be pleased to place two guns in it with a portion of artillery, and the garrison before mentioned, not leaving it with less than two captains.

440

ol. T. F. Wade.

15 April 1836.

“ By this time it may be hoped that the remainder of the burghers may be dismissed, as it is of moment that this description of force should not be kept from their houses a moment longer than absolutely necessary. The commanding engineer will have had, during these operations, time to fix upon a proper spot on the Gwanga for the second post, the want of secure water having prevented me from approving of the spots shown to me when I visited them. The force from Phoonah should then be encamped in the vicinity, and this work be proceeded in, in a similar manner to the first, and when sufficiently secure, be garrisoned as was directed for the post at Phoonah’s.

“ As the permanent interior distribution and arrangement of these posts will take a considerable time, the men and officers must, in the first instance, hut themselves roughly within the works, the permanent buildings being to be proceeded in without loss of time, and every artificer who can be collected from the force under your command and can be made useful, must be given up to the department which will be charged with the completion of these buildings.

“ It will be essential, previous to your withdrawing the troops (with the exception of those to be permanently stationed at the two posts just spoken of from the ceded territory, that you seek an interview with Gaika, and inform him, that as he is now the recognized chief of all the country between the colonial boundary and Hintza’s territories, it is from him that the colonial government will exact satisfaction, if depredations are nevertheless committed on the colony, and that a force sufficient for the object will be constantly at Phoonah’s to enforce my orders on this head; that therefore it will not avail him to say that his inferior chiefs do not attend to his injunctions; he must control them, or point out which of them it is that continues to plunder the colonists, when a quantity of cattle equal to what has been lost will be taken from the depredators, and the parties punished with exemplary severity.”

In 1820 there was no commando; the Caffres were totally excluded from the colonial territory under the threat of being shot if found within the boundaries without permission, and a considerable military force was stationed on the frontier to enforce the exclusion, consequently the losses by depredation were comparatively few, nevertheless they amounted by returns to 483 head of cattle.

In 1821 the losses were reduced to 298 head, but the Caffres were already creeping back, the military commandant having unfortunately connived at their return; an erroneous impression existing also as to the precise line of demarcation; and the foundation was thus laid for those extensive depredations which took place in the two following years, and which at length led to the commando of December 1823, alluded to in the evidence of Captain Aitchison. In proof of this I annex extracts from reports of Captain Stockenstrom, addressed to the colonial secretary under date February and March 1821.

February 28th.—“ I think it necessary to enclose for his excellency’s information, a copy of the commandant Van Wyk’s report on the subject of the commando sent out, as reported in my communication to you of the 13th instant, in order that his excellency may be aware in the first place, that the party did not fall in with the banditti they were sent in search of, and next, that the Caffres again occupy the country about the head of the Kat River.” Again, March 23d, after returning from a circuit through the Tarka and Baviaan’s river districts, he reports “ the Caffres are making themselves extremely troublesome; in the latter quarter hardly a day passes without some robbery.”

The Commissioners of Inquiry state that “ the depredations alarmingly increased in 1822, amounting by the returns to 2,591 head of horses and oxen, and that they were continued in the following year, 1823, in which the losses were 2,136 head;” that they were attributed by Lord Charles Somerset to the relaxation of the system of defence that had been established, viz. “ excluding the Caffres from the thickets of the Fish River by constant patrols,” and that it was admitted by the commandant that “ he had not persevered in that system.” That this relaxation, and the most unfortunate re-admission of the Caffres to the upper sources of the Kat River, were the real causes of the renewal of depredations, there can, in my humble opinion, be no doubt; and that the latter were carried on to a most grievous extent in both those years, before a commando was had recourse to, is unquestionable; and the British settlers represented, in a memorial to the Secretary of State, dated March 10th, 1823, that

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“the increasing and unpunished incursions of the Caffres had become insupportable.”

The Rev. W. R. Thomson, a missionary residing at the Chumie, and employed also as government agent, on being referred to in December 1822, by the commandant, for information respecting a reported combination amongst the Caffres against the colony, stated, that he did not believe any such combination existed, but added, “their disposition to do mischief to the colony, if they had strength, cannot be questioned; but they are too weak to attempt anything on an extensive scale, and they appear to be conscious of it.” “They will not, I think, attempt anything beyond the small skulking plundering parties, and these, I believe, will only be effectually repressed by active retaliation on the part of the colony.” “Gaika appears neither to have the power nor the disposition to control the predatory habits of his people, and will wink at the crime for the share of the plunder;” and, “I cannot object that vigorous measures are absolutely necessary, and even a commando, to make reprisals for the cattle lately stolen: this would probably serve to check them in some degree for a short time.”

25 April 1836.

But the conduct of the Caffres during the latter part of 1823, and, indeed, “ever since the treaty of 1819,” will be best understood from the following letter, dated September 14th, 1823, addressed by Captain Stockenstrom to the deputy landdrost of Cradock, on occasion of one of the field-cornets belonging to his district having conducted a party in pursuit of stolen cattle into the kraals of Macomo (which had been re-established on the upper sources of the Kat River,) for which the field-cornet incurred the displeasure of the military commandant, under the erroneous impression that the country in question was not included in the ceded territory.

“Sir,

“Graaff Reinet District, Baviaan’s River, Sept. 14th, 1823.

“I have to acknowledge the receipt of your letter of yesterday’s date, covering copy of one from Lieut.-col. Scott, on the subject of the late excursion of Field-cornet Van der Nest in pursuit of stolen cattle, and to acquaint you that, after having heard the statement of said field-cornet himself, and others who accompanied him, I am perfectly satisfied that he will be fully able to justify his proceedings when called upon by the government, you, or myself; and it will be particularly gratifying to him to know, that the government, so far from attributing any want of veracity to his late report, has thereby discovered a misunderstanding to exist as to the true line of boundary, and has issued orders for its being cleared up; yet, as it is essential that you should be aware upon what grounds Van der Nest’s conduct stands approved of, until the decision of higher authority, I have to inform you, that Van der Nest did not enter Caffraria, but found the Caffres where he had an undoubted right to treat them as enemies, and where it was clearly understood and agreed between his excellency the governor and Gaika, in 1820, that they should never again establish themselves with impunity, every branch of the Kat River being thenceforth to be considered part of the colony; but, admitting that the said Caffres had been in the Chumie, or further eastward, even then the field-cornet would only have done his duty, according to the orders laid down and communicated to the chiefs assembled on the Kat River in 1817, and never to my knowledge repealed, viz. that in case of cattle being stolen, the traces were to be followed to the first kraal, and if restitution of the cattle, or discovery of the perpetrators was there refused, the number of cattle stolen should be taken out of the first flock found. Nor did the field-cornet, by taking 63, possess himself of the number he ought to have brought away, if he could, inasmuch as he did not go merely to indemnify himself, but also two of the inhabitants of his division, who had lost 52 head about the same week, which had been traced into the same kraals.

“If the field-cornet had allowed the cattle to be taken from him, I would readily have considered him guilty of indecision; but after having brought them through the bushy, and having reached the open country, having thus shown the Caffres that they did not dare to attack him, notwithstanding their numbers, he saw that they were going to resort to their cowardly practice of taking revenge on the women and children by their outrunning the cattle, and seeing night approaching, it was his duty to get home before the Caffres could obtain their object, which he could not do if he stayed with the cattle.

“That we have something serious to expect very soon on the part of the Caffres no one will doubt; but that their attempts will be attributable to the late insignificant party and their proceedings, might have been admitted, if the Caffres had, ever since the treaty of 1819, adhered strictly thereto, and we been the aggressors, but will not bear a moment’s argument when the depredations and murders perpetrated for such a length of time back,—the report of the deserters some time ago, about the concerted reconciliation of all parties in Caffreland,—and their concerted plans of operation, together with our long experience of the treacherous disposition of the Caffres, give every one the assurance that the massacres, fires and plundering of 1819, would be repeated the first favourable opportunity. Van der Nest perhaps may have the credit of having unmasked the plot before it had got to too great maturity; and at any rate to expect that men in respectable circumstances should tamely

412

Col. T. F. Wade.
25 April 1836.

submit to being plundered day after day, and to see their lives and those of their families in constant danger from savages, whose existence almost depends on our forbearance, without one single effort to save themselves from beggary and destruction, would be exacting too great a sacrifice of natural feeling. I shall soon again communicate with you respecting the provisional arrangements I shall here make in expectation of orders from government.

“ A Stockenstrom.”

“ Deputy Landdrost, Cradock.”

A copy of the above letter was at the same time transmitted by Captain Stockenstrom to the colonial government on the 19th September, stating that it “ fully contained his sentiments on the state of the frontier and the Caffres;” that “ he found that the inhabitants continued to be constantly harassed by Caffres, who almost every night made attempts on some kraal;” that if he “ might be allowed to judge of their real views, they would put off any serious attempt against us until the nights shall again lengthen, if we allow them so much time;” that “ partial inroads, for the purpose of plunder, were their only object for the present;” and he added, “ the situation of the Caffres on the Kat River certainly facilitates their inroads and depredations, and would be of great advantage to them whenever they are undertaking anything serious.”

It was this state of things that raised the question as to what were the precise limits of the boundary, as established in 1819. The point had been referred to Captain Stockenstrom for decision in the month of August, and his opinion was further required by the Governor as to the expediency of maintaining the line established by the treaty, which, following the crest of the mountains, from the Winterberg to the Chumie, embraced the whole of the sources of the Kat River, or of adopting a lower line, crossing the several streams considerably below their sources, and leaving the latter in possession of the Caffres.

Captain Stockenstrom’s reply to this reference I shall also annex, from which it will appear that he entertained a most strong, and, as it appears to me, most sound and correct opinion, as to the impolicy of permitting the Caffres to reside on the upper sources of the streams in question—an opinion which, had it been attended to at the time, would have saved both Caffres and colonists a world of future woe.

“ Sir,

“ Graaff Reinet, November 21st, 1823.

“ As I informed you in my letter of the 7th instant, I proceeded to the frontier and met Lieut. Pettingall at Fort Beaufort. We mutually explained to each other what we considered the boundary from the Winterberg to the Chumie, and it appears, by some misunderstanding, the upper parts of the Kat River and Gonap have been hitherto considered as out of the colony by the military on the frontier.

“ The ‘ Cape Gazette’ of the 30th October 1819, however, clearly points out what was agreed upon as the boundary between the colony and the Caffres in the treaty between his excellency the governor and Gaika in 1819, upon which I have always acted, not being aware of any subsequent alteration.

“ In your letter of 28th August last his excellency desires my opinion as to the expediency of maintaining the boundary established by said treaty, or adopting that taken by the surveying engineer. I humbly beg leave to state that I think the former unquestionably the best and most natural. If the Caffres remain on the higher branches of the Kat River and Gonap, where they are now in great force, they will always be extremely dangerous to the Bavarian’s River and Tarka divisions. In either of these they can commit depredations and all kinds of outrages after dark, and be back in their kraals with their booty before the next morning, or at least before there is the slightest chance of any party overtaking them; and whenever they should undertake a general attack upon the country, one long night can bring them into the heart of either of the above field-cornetcies.

“ I think also that, upon a minute examination of the map and the features of the country, his excellency will perceive that if any part of the Kat and Gonap Rivers be included in the colony the whole of their branches up to their sources should be embraced also, as the ridge of high land running from the Winterberg between the said sources, and those of the Black Kyr and the Chumie is evidently intended by nature as a barrier between the country watered by these several streams.

I have, &c.

(signed) “ A. Stockenstrom.”

The commandant, however, having, as already stated, permitted the return of the Caffres, either from a good-natured feeling, or because he was in error as to the true line of boundary, the governor would not remove them, and, in an evil hour, conceded to them the fatal indulgence of residence “ on sufferance;” and this, too, although at the moment it was granted the returns from the district under Captain Stockenstrom’s jurisdiction alone showed a loss of upwards of 1,500 head of cattle. The colonists of course complained loudly of being thus plundered

plundered with impunity, and at length followed that commando to which Captain Aitchison has alluded in his evidence, which was sent into the kraals of Macomo (for it was to this chief the indulgence had been conceded, and the cattle had been traced to his kraals,) and captured 7,000 head of cattle, of which the exact number stolen—viz. 1,776 head—were distributed to those who had been plundered, and the remainder (5,224) were returned to the Caffres.

In one of his reports to the chief secretary on the subject of this commando, Lieutenant-colonel Somerset, the commandant, expresses himself in the following terms:—"Although it may sometimes be necessary to retaliate upon the Caffres, by taking cattle from any kraal indiscriminately, yet it is a measure that should be avoided as much as possible, as the Caffres are so well aware of how far they are in fault, and can tell to a head the number of cattle they have taken from the colony, that it is never advisable to take more cattle from them than can be traced to their particular kraals, otherwise they will retaliate and cause a useless and troublesome warfare; for this reason I returned the surplus cattle taken on the 14th December, keeping only the exact number stated in the returns."

Now I conceive that in the above letters and extracts there is abundant proof that, from the date of the treaty in 1819, to the period in question (December 1823,) not only were the Caffres not treated with harshness or severity, but that there was evinced towards them a most mistaken and blameable degree of forbearance; that a measure of indulgence had been granted them, which, from the very first moment, they abused; and that, had they been again driven beyond the Keiskamma, the justice of the measure could not possibly have been questioned.

Nevertheless, what says Mr. Pringle, in his "African Sketches," an authority mainly relied upon by those who deem it impossible to promote the welfare of the aborigines without assailing the character of both the colonists and the colonial government.

In speaking of this period, and particularly of this commando of December 1823, Mr. Pringle remarks, "In the meanwhile his lordship's policy towards the Caffres had once more produced its inevitable effects,—provoked, goaded, plundered, often without cause,—and the innocent punished for the guilty; they had renewed their retaliatory and predatory incursions. This afforded a plausible pretext for a fresh campaign by the young commandant." Then, after describing the commando, he adds, "I learned from other authentic sources, that a considerable number of women and children were also shot by the boors." There is not one tittle of evidence to support this accusation, which Mr. Pringle has repeated on other occasions, whether upon sufficient grounds the Committee will hereafter have an opportunity of judging.

Such were the opinions of this writer in 1834; ten years before, at the period under consideration, he had been himself a settler, and had not only joined with others in advocating the cause of an unfortunate portion of their fellow-countrymen who were exposed to the incursions of an insidious and implacable enemy," but so impressed was he with the necessity of a more energetic system being pursued for their defence that, in his "State of Albany," published in 1824, he says, with reference to this commando of December, "Without calculating too much upon the severe check the Caffres have recently received, it may now be safely assumed that some more effectual system of defence will at length be speedily and permanently adopted." And again, "I cannot repress a strong conviction, formed during a residence of two years upon the Caffre frontier, and confirmed by frequent conversations with experienced officers, who have long served on it, that the Caffres may be effectually checked, and their predatory inroads completely repressed or prevented by establishing a line of small posts along a well-chosen frontier, and communicating with each other by constant patrols."

With reference to 1824 and 1825, the Commissioners of Inquiry state, in their report of the 24th December 1825, "the depredations of the Caffres have at no time been wholly repressed, and it is deserving of remark, that, notwithstanding the activity and vigilance of the troops that have unquestionably prevailed within the last two years, and the success that has attended the establishment of fairs, complaints of cattle-stealing are still made, and the barter of

Col. T. F. Wade.

25 April 1836.

hides is said to have encouraged the Caffres to commit depredations in order to supply them."

At this period the Caffres were further indulged with a permission (under a pass or license from the commandant) to graze their cattle on the right bank of the Keiskamma, it being explained to them "that the pass was to become void on any depredation being committed, and the cattle which had been permitted to graze under license should be forthwith sent over the Keiskamma into Caffra-ria;" depredations nevertheless continued, and were in some instances attended by the murder of the herds, when the Caffres were able to surprise them, who were strictly enjoined "never to fire at the Caffres, except in self-defence, which necessity may generally be avoided by giving the alarm in time."

In December 1825, in consequence of the numerous depredations that were traced to the kraals of a sister of Gaika, and of one of her captains named Nouka, a commando was sent into Caffreland, for the purpose of recapturing the stolen property, when a large quantity of colonial cattle, and also of Caffre cattle, was brought away to Fort Willshire, where the former having been selected, the principal portion of the latter was restored to the Caffres.

Mr. Pringle deemed it his duty to call the attention of the Commissioners of Inquiry to this commando, charging, as was his wont, those who were employed on it with "shooting the women and children;" "wantonly firing upon the fugitives;" that "the number of Caffres killed in the expedition was not exactly known, but as the boors fired upon the fugitives in spite, as it is said, of orders to the contrary, from 10 to 20 souls were supposed to have been wantonly sacrificed, chiefly women and children;" that "there had not been very recently any depredations on the frontier."—(*Vide Parliamentary Papers, No. 50, 1835, page 183.*)

The whole of the circumstances connected with this case immediately underwent the strictest investigation, when it appeared that depredations to a considerable extent had taken place before the commando was determined on; that Colonel Somersét had had an interview with the Caffre chiefs, who had assured him that Susa, the sister of Gaika alluded to, and Nouka, were the aggressors; that Gaika having himself traced some of the cattle to Susa's kraals, had sent one of his councillors to her to remonstrate; that this man was murdered, and a threat held out that if Gaika again interfered with her affairs, she would attack his kraals; nor did it appear that any woman or child, or indeed any one else, had been killed.

To this I shall only add an extract from the Reply of the Commissioners of Inquiry to Mr. Pringle, dated 17th February 1826, after they had investigated this case.

"In acknowledging the receipt of your letter of the 12th ultimo, in which you have been so good as to recapitulate the result of the observations that have been made, and of the opinions that have been formed in the district of Albany, of the manner in which the late expedition into Caffreland was conducted, we have been much struck with the difference that appears to us to exist between your statement of the general tranquillity of the Caffres that is alleged to have prevailed for several months past, and the circumstances that have come to our knowledge respecting the personal danger and repeated depredations to which Captain Campbell and his herds have been exposed, as late as in the month of November, and the occurrence of later depredations that are said to have been committed upon the cattle of a boor named Bester, who possesses property on the Fish River.

"We are also desirous of stating to you that Colonel Somerset had an interview with many of the Caffre chiefs previous to any movement of the troops, and was satisfied by their information, that the depredations complained of were chargeable against a particular tribe, whose kraals were more remote than those of the chiefs Gaika and Botman.

"The mistake that was committed in firing upon the inhabitants that were found in the kraals of the latter, is stated to have arisen from a thick fog, that made objects undistinguishable at the hour of the morning in which the attack was made; and that although some of the boors, disobeying their orders, fired shots, yet it is asserted that not one of them took effect; and that the women and children, who had been warned of the approach of the party, by the firing of a gun, had time to retire from the kraal. We understand that the mistake was explained to the satisfaction of Botman, and that he afterwards assisted in guiding the march of the troops to the kraals of the guilty chiefs.

"We

25 April 1846

"We state these particulars from information that has been furnished to us, with a view either of relieving the apprehensions that you may have been led to entertain for the tranquillity of the frontier and the security of your party, or to enable you to state to us the grounds of those apprehensions, should you continue to entertain them."

Now, as Mr. Pringle did not enter into any further explanation on this subject, and as, moreover, he has not alluded to this commando in his "African Sketches," he must, I conceive, be held to have tacitly admitted that he was wrong, and had no just grounds for preferring the serious charges in question.

Although depredations were persevered in during 1826 and 1827 to a considerable extent, only one commando took place, viz. in the month of September 1827, for the purpose already explained of replacing the Tambookies who had been driven by the Massoutas under Matuana in upon the colony, in their own territory; these savages had however retired, and the troops and commando having, General Bourke states, "undergone great fatigue, returned to their homes."—(*Vide* Despatch, 15 October 1827, Second Part Parliamentary Papers, No. 252, 1835, page 21.)

In 1828, that commando took place to which I have formerly alluded, for the purpose of supporting the Caffres against the threatened attacks of the Zoolahs under Chaka, and maintaining them in their country.

Both the policy which dictated this measure, and the operations to which it gave rise, are so fully explained in the despatches of Major-gen. Bourke, of 15th October 1827, 29th June 1828, and 1st and 26th August 1828, and in that of Sir Lowry Cole, the 31st January 1829, and their several Enclosures, which are before the Committee, in the Parliamentary Papers, Part 2, No. 252, Sess. 1835; as also in the additional "Explanatory Statement of Major Dundas," annexed to the former part of my statement, that although it is one of the commandos which has been seized upon with avidity by the accusers of the colony, as a proof that even at this late period "the commando system continued with its usual ferocity," I shall only offer a few remarks on it, and place in juxta-position extracts from the works of some of the writers alluded to, with the opinions of those who were from peculiar circumstances so situated as to be able fully to appreciate the feeling of the measure, and to bear testimony to the manner in which it was conducted.

Mr. Bannister has the following paragraphs relating to this commando and the preceding one:—

"The bloody events which took place so late as in July and August 1828, prove farther discussion to be needed, in order to put down the old system of unjustifiable wars on our part."

"In 1827 the cost incurred by a blind defence against the movements of north-eastern tribes, apparently pressed out from home by more powerful invaders, cannot be estimated at less than 200,000 rix dollars, several hundred inhabitants of the eastern district were assembled during some weeks, and the regular troops were increased by a prompt embarkation of a regiment from Cape Town with proper military supplies, whilst the Governor himself hurried to the frontier."

"Again, in 1828 troops were again marched into Caffreland to meet an imaginary irruption, which was thought much more formidable than that of the former year, and more than a thousand inhabitants were assembled with them, including men from their farms 300 miles off, and all were taken 250 miles beyond the boundaries, being absent from their homes during more than eight weeks without finding an enemy. A mode of defence inferior surely to any course likely to lessen the disturbances in the interior by civilizing the people."

It is true that the enemy that was attacked was not that enemy the colonial forces advanced to resist; but it is no less true that those who were encountered were a part of that tribe which had already depopulated and laid waste the whole of the Bechuana country, and driven hundreds of the Tambookies in upon our north-eastern frontier, and who, as described by Mr. Kay, "were of a far more ferocious character than the Caffres, rushing on to combat in dense masses, with stabbing spear and war club, and destroying the hordes overpowered by them root and branch."

As to an "imaginary irruption," Major Dundas's account is sufficiently explanatory of the devastation with which the progress of this ferocious horde had been marked, and certain I am that had General Bourke hesitated to send the

446

Col. T. F. Wade.

25 April 1836.

colonial troops into Caffreland at this period, and that the neighbouring tribes had been driven, as most assuredly they would have been, in upon the district of Albany, there is no term of reproach with which his conduct would not have been assailed with reference to this commando.

Mr. Bannister speaks of "lessening the disturbances in the interior by civilizing the people," and says, that "although the country from Lattakoo to Nattall had been thronged with the disturbed tribes for five years past," (which is perfectly true,) "and that Chaka, the chief of the Zoolahs, had been roving about for a longer period at the head of 20,000 or 30,000 men, subduing all his neighbours near us," (which is also most correct,) "we reject ready means of various kinds of being safe from alarm, and probable confusion on the frontier, if not danger;" and what are the ready means to which he alludes: "the military errors committed in 1828 arose from our want of that knowledge of the enemy, and from his want of knowledge of us, which political intercourse would give;" and he subsequently adds, "expensive embassies are not needed for the wild people of South Africa." Will Mr. Bannister point out the means which have been placed at the disposal of the colonial government at any period for civilizing the people in the interior, or the sum which at the period he is speaking of had been authorized to be expended, not upon "expensive embassies," but even in providing for the payment of one solitary agent amongst the tribes on our immediate frontier.

Mr. Bannister has been followed by Mr. Kay, who, I regret to state belongs to the Wesleyan connexion, the great majority of whose ministers have conferred incalculable benefits on the native tribes, and borne ample testimony to the good feelings entertained towards them by the colonists. I shall transcribe but one extract from this gentleman's Researches in Caffraria, and oppose to it the account and estimate of the character of this commando of Messrs. Boyce and Shrewsbury, also belonging to the Wesleyan connexion, premising only that these gentlemen had resided many years in Caffreland, and had far better opportunities of forming correct conclusions than Mr. Kay.

I must add that Mr. Shrewsbury has been described, by the Chairman of this Committee, "as a minister of great zeal, and mild and conciliatory manners, whose conduct (in the West Indies) was marked with the greatest prudence," to which was added, in my humble opinion the highest meed of praise that can be bestowed upon a missionary "that he had abstained from all political interference, devoting himself solely to the duties of his mission;" and that Mr. Boyce had the most favourable opportunities, from a residence for several years in the immediate neighbourhood of the scene of action, of collecting the most accurate information on the subject; added to which, he possessed also a perfect knowledge of the language of the country.

Mr. Kay observes,

"That a strong military force, together with several hundred armed colonists, were hurried into the interior, where they were immediately joined by an immense host of Caffres, who proved themselves to be Caffres indeed! On the Sunday evening the troops arrived within a few hours' march of the spot, and after halting for an hour or two again proceeded, with the view of taking them by surprise ere dawn of day the following morning. In this they succeeded; so that while the greater part of the people were still fast asleep, the rushing of horses, the clashing of spears, and the horrid roar of musketry, poured in upon them on every side. Who can conceive of a situation more awful? The thought makes one's blood run cold. If we had not heard the details of this sanguinary affair confirmed by more than fifty eye-witnesses we could not possibly have given credence to it; so strange was the plan, and so barbarous its results! A respectable British officer, whom duty required to be on the spot, candidly declared to the author that it was one of the most disgraceful

Mr. Boyce.

"It is easy to impute unworthy motives, and hint at the perpetration of cruelties, but in the discussion of the merits or demerits of the commando in 1828 we have to do with facts, and no one ought to obtrude his opinions, much less his censures, upon the public, who is not prepared to substantiate by well attested facts his claim to public attention." Mr. B. here quotes from the journal of the Rev. W. J. Shrewsbury, as printed in the Monthly Missionary Notices for May 1829, to the following effect:—

"The conduct of the British army has made a deep impression on the minds of Hintza and his people. On their march they rested one Sabbath at Butterworth, and our chapel was filled with British troops, listening to the word of God. When they came near the field of battle, the evening before the engagement, Lieut.-Col. Somerset called Hintza and Vosani, and requested they would give orders to their people not to kill any prisoners that might be taken, but to treat them with humanity, especially women and children; that if they did not promise this,

graceful and cold-blooded acts to which the English soldier had ever been accessory."

"The moment our troops arrived on the summit of the eminence that overlooked the vale in which Matuwana and his men were lying, orders were given for all to gallop down amongst the houses, their affrighted occupants then poured out in droves, and a dreadfully destructive fire was forthwith opened upon them. Numbers, gaunt and emaciated by hunger and age, crawled out of their miserable sheds, but with pitiable apathy sat or laid down, as if heedless of their fate. Many of the females cast away their little ones, the more readily to effect their own escape; while others actually plunged into the deepest parts of the river with infants upon their backs. In this situation some were drowned,—others speared,—many stoned to death by the savage throng,—inso-much that the water was at length literally dyed with blood. Dreadful to state, their missile weapons were met by rockets, and for spears they received balls, which their naked bodies were not long able to stand. Hundreds quickly fell, and the rest quickly fled to the mountains, whither they were pursued with as much speed as the soldier's horse was capable of."

the expense of the commando might have been spared, I have to observe, that although when viewed as a question of mere policy considerable difference of opinion may exist, yet I doubt the wisdom of any policy which is not humane and generous. Had the colonial troops merely guarded the frontier, and calmly looked on while the bulk of the Caffre population was being exterminated, they could not with all their vigilance have prevented the entrance of thousands of refugees into the colony; they would have found employment for years to come in clearing the thickets of Albany of peates of Caffres, dangerous from desperation, and doubly so from the possession of local knowledge; and instead of living on terms of friendly commercial intercourse with the Caffres, we should have needed double the number of troops to keep in check a fierce and warlike tribe.

If any one doubt the humanity of British interference in 1828, let him travel along the Untakalie River, and among the mountains near the sources of that river, and in the burnt kraals and human skeletons which he will observe on all sides, he will find specimens of the humanity of the Zoolas, Zwabees, and people of Matuwana, those "helpless inoffensive" people, (as they have been called) from whose tender mercies the Caffre and Tambookie tribes were delivered by the commando of 1828."

The author of the African Sketches, Mr. Pringle, has thus described this commando; attacking it not openly indeed, but under cover of that most convenient channel of a "letter," purporting to be written by a gentleman whose name he says he withholds, "lest, by giving it publicity, he should expose him, as others have been exposed, to bitter colonial persecution;" but who, he at the same time so clearly designates, that it is impossible to mistake him. The author introduces the nameless gentleman as travelling near the northern frontier in company with a nameless field-cornet of a nameless field-cornetcy, "one of the most respectable inhabitants of the district, and withal of a very frank and honest disposition." After having made this communicative, but nameless field-cornet relate to the nameless gentleman certain most horrible atrocities committed on a commando against the Bushmen, to which he (the field-cornet) was witness in his youth,—atrocities compared with which it is added "Dr. Philip never published anything half so bad," he then makes him draw the following comparison between the said atrocities and the proceedings of the colonial government on the occasion I am now considering:—

"But what had your Ficani done when they were destroyed by wholesale slaughter by your British commandos; while the boor is threatened with a prison and the gallows if he but fires a shot in defence of all he possesses in the world, of his life, his family, his property, a regular army is sent by the government hundreds of miles into unknown parts on purpose to destroy a whole tribe of people, of whom we never so much as heard before, who never did us the slightest injury, who, against our arms, were utterly defenceless."

"Here we had massacre in all its horror, shooting of men in cold blood, the murder and mutilation of helpless females and children, and other atrocities

418

412 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

Col. T. F. Wade.

25 April 1836.

too horrible to describe;" and then, he adds, "but all this I hear your English missionaries defend;" and in a note, he adds "this refers I presume to a letter by Mr. Boyce, a Wesleyan missionary, inserted in the South African Advertiser for March 18th, 1833, defending the justice and expediency of destroying the Ficani."

Now it so happens that Mr. Pringle has fixed the period of the conversation between the nameless actors in this tale, viz., when "measures were in progress for establishing a cordon sanitaire," to prevent the introduction of the small-pox, which took place some 16 months before Mr. Boyce's letter was written. As it cannot therefore be Mr. Boyce the field-cornet alludes to, Mr. Pringle's friends have within the last few months admitted that he was in error on this point, and have asserted that the field-cornet pointed at Mr. Shrewsbury, (how they ascertained the fact is not stated); but Mr. Shrewsbury has not said one word either on the policy, or in defence of the commando, but only on the conduct of the troops and Lieutenant-colonel Somerset.

The above extract affords an admirable illustration at once of the manner in which charges are got up by this author against the frontier colonists, the heedlessness with which men of every rank and description are charged by him with "cold-blooded murders," and of the insidious manner in which men of the most humane and unimpeachable character are assailed, if they do but dare to step forward in defence of the government or the inhabitants.

The next commando on the eastern frontier occurred in April 1829, for the removal of Macomo from the Kat River.

The Committee are already in possession of most of the information, both as to the cause and proceedings of this commando.

Mr. Bannister speaks of it as "the barbarous case of the neutral land," and after quoting a variety of contradictory statements from the Cape Advertiser, he arrives at the following amongst other conclusions: "That Macomo, the son of Gaika, was driven from certain lands without any negotiation, and in order that people from the colony might occupy them;" that "he had been expelled unnecessarily as well as unwisely;" that "for several years it had been determined to seize all the country westward of the Keiskamma."

Next follows Mr. Kay, who says, "this being regarded by the colonial government as a part of the neutral territory, and Macomo having been unwilling to quit it, compulsory measures were resorted to, and a number of troops sent against them; these, in clearing the country, deemed it requisite to set fire to the huts." Again: "In 1823 it is determined to amend the condition of Hottentots and other free persons of colour, in order to which land is of course wanted for them. The boors, some of whom had one, some two, and others as many as three farms within the colony, besides their new grants, could not be disturbed, because able to produce their writings and their title-deeds; but the poor Caffre, unable to show any writings, or to produce any diagram, must be compelled to give up the land of his fathers, because forsooth it belongs to the neutral territory."

Next, Mr. Pringle:

"Whatever may have been the true merits of the case, it is certain that in May 1829 Macomo and his clan were, by order of the colonial government, driven out of a large and fertile tract of country on the sources of the Kat River, upon the pretext that this tract was within the bounds of the ceded territory;" that Macomo "had been permitted to occupy it only on sufferance, and during good behaviour, and that he had forfeited his claims to its possession by his plundering the Tambookie chief, crossing the frontier with an armed band, and suffering his people to commit depredations on the colony."

Now to these witnesses I shall oppose the official accounts of this transaction, contained in Sir Lowry Cole's despatch, 14 June 1829 (2d part Parliamentary Papers, No. 252, Sess. 1835, page 42), the official correspondence already before the Committee, and the evidence of Captain Stockenstrom, and an extract from a letter from Mr. Gisborne, a gentleman who was with the commando, and who states that "he does not think it possible for soldiers to execute more mildly their orders to drive the Caffres out of the country than was done by that body of troops; they carefully collected the few utensils and the little food that was in the tents they were ordered to destroy, and where old and helpless Caffres remained in the kraals, they left their huts standing, and gave them their own rations for their subsistence." I will but add, that of all the
Caffre

Caffre chiefs to whom the indulgence of a residence during good behaviour within the colonial limits had been conceded, there was not one who had so frequently abused it as Macomo. He had been more favoured by the colonial government than any other, by being permitted to re-occupy the fertile vallies of the Kat River, within little more than 18 months after the general expulsion of the Caffres; and within one year after his return, the depredations of his people were so extensive as to call for that commando in 1823 which has already been adverted to.

The next commando I shall allude to is that of 1830, respecting which the Committee have before them a mass of conflicting evidence.

I shall here offer a few remarks on some points connected with it. First, as to Mr. Pringle's account:

After admitting that "since March 1826, the government of the colony had been administered by individuals who cannot be suspected of any unworthy personal objects, and whose zeal for the public service no one has ever doubted," he adds, "yet, through some unhappy fatality, the old wretched policy of military reprisals, the commando system, is still carried on in all its pristine barbarity and injustice." "I cannot," he proceeds, "possibly give the details of all the iniquitous cases which have reached me," I shall restrict myself to this one, "the facts of which have not been derived from Mr. Bruce's letters, though also mentioned by him, but from a source which has never yet deceived me, (perhaps the "nameles gentleman,") and which in the present instance I can rely upon to the letter." And again, "it is certain the account I have now given of this affair was substantiated by the careful examination of eye-witnesses on the spot."

It is much to be regretted that Mr. Pringle has not named his authority, on whose information he places so much reliance. The degree of credit which is due to his statement, although "substantiated by the careful examination of eye-witnesses," will be at once apparent on comparing the following extract from it with Captain Stockenstrom's letter, June 23d, 1830.—(Minutes, page 106.)

"Field-cornet Erasmus was dispatched with a party of boors to search for colonial cattle in the kraals of Zeko; no colonial cattle were discovered in his possession, or in that of his followers; nevertheless, Erasmus took possession of the whole herds belonging to the clan."

Captain Stockenstrom, who was on the spot, and who saw the cattle at Fort Willshire, states distinctly in his report above alluded to: "Zeko's kraals were surprised by the burghers under Erasmus, and numbers of cattle taken from the colony, some being lately, were found therein."

The commandant of the frontier in his report to the military secretary, states, "The commandant Erasmus informed me that previous to taking off the cattle, amongst which he found numbers of colonial cattle, some of which had been stolen but a few days," &c. &c. And again, "Tyalie was allowed to select the cattle which he claimed as his own, but finding that he was taking the colonial cattle," &c. &c. I deem it unnecessary to offer any further comment on Mr. Pringle's statement.

As to the orders issued on the occasion in question, I cannot help advert-ing to one document relied upon by Captain Stockenstrom, as proving that they were not those that have been sworn to by the commandant, Lieut.-colonel Somerset and others, amongst whom are some of the most respectable field-cornets in the colony.

I allude to the letter addressed by the commissioner-general to the field-commandant Erasmus, under date 15 June 1830, and which the former has placed upon the Minutes, page 141. By this it appears that every burgher would be permitted to "turn out" such cattle as he could "swear to," as having been stolen from the colony. Now where was the process of identifying the cattle to be gone through? not surely at the kraals of Zeko, or doubtless Captain Stockenstrom, or some other qualified person, would have accompanied that division of the commando composed of the burghers, for the purpose of administering the oath; but at Fort Willshire, where (as Captain Stockenstrom has stated in his report of 23d June) "the colonial cattle were to be selected," and where, as he further stated, "great quantities of Caffre cattle were necessarily brought with those recognized by the colonists as stolen," on which point also the commandant reported on the 24th June to the military secretary, that Erasmus "spoke to the chief Zeko, and informed him that the Caffre cattle would be

420

Col. T. F. Wade.

25 April 1836.

returned after the colonial cattle had been selected, but that he must first seize the whole of the cattle and drive them to Fort Willshire. Lastly, in his deposition, Colonel Somerset swears "the colonial cattle were to be selected from the Caffre cattle at Fort Willshire, as it would have been impossible to separate them at the Caffre kraal without confusion and bloodshed." "There was no difference in the orders given; each officer commanding a division received precisely the same orders;" and in page 35 of the Minutes, the Committee have a copy of the orders issued to the officer in command of another division of the commando, and who, be it remembered, was directed "to join the central division under the commandant of the frontier," with whom Captain Stockenström was, as soon as he had obeyed his orders, and these were "to secure the cattle of those kraals" to which he was sent, and "to inform the Caffres, at the kraals where he seizes cattle, that he has orders to take the cattle to the commandant, where all Caffre cattle will be restored to them, and only colonial cattle detained." In compliance with these orders, Captain Aitchison brought away 1,000 head of cattle, joined the commandant and commissioner-general as directed, had no report to make of any resistance having been offered by the Caffres, was not found fault with for having brought away Caffre cattle as well as that stolen from the colony, and of the whole "sweep" none were returned to the Caffres.

As regards the death of Zeko and the six other Caffres stated to be "murdered in cold-blood" on this commando, Captain Stockenström, it appears, instituted an inquiry, and took written statements on this subject on the 13th and 16th July, and 27th and 29th August 1831, not one word of which was ever communicated to the Government, his official report of the 31st August merely stating, without a tittle of evidence in support of the announcement, "It now transpires that Zeko and six of his men were murdered in cold-blood." In his Evidence (p. 144, q. 2804) he states, with reference to the above passage, "I conceive it cannot possibly appear in a letter to the government by an executive officer without immediately leading to an inquiry." Captain Stockenström was distinctly told by the governor himself, who, as already stated, was totally unacquainted with the investigation that had taken place, that if there was evidence to substantiate the charge against Erasmus, he should not go unpunished. In like manner he had been told by the chief secretary, in regard to the cases of Scheffers and Gordon, "if the representations you have made be substantiated in such a manner as to enable his excellency to act upon them, he will most certainly deprive those persons of their promised grants of land." What was his reply? "As to substantiating anything I have advanced respecting the cases of Scheffers or Gordon, or any body or thing else, I humbly beg leave to refer to the result of the crisis to which matters have been brought."

I shall add but one remark more on this subject. Captain Stockenström states, p. 119 in his Reply to the Queries of the Secretary of State, that he expected a "regular court of inquiry" (which, in his Evidence, he explains he expected would be "a military court") "would be held," to investigate the cases above referred to, and before which "he had determined on bringing forward the case of Rezendenhout, accused of maltreating a Caffre, who had himself admitted that his conduct had been most outrageous," (the Caffre having been plundered of his cattle and cruelly beaten, after having killed a cow to feed Rezendenhout and his party, who, be it observed, were not on commando or patrol), "and several others of a most galling nature." I do not believe Captain Stockenström, or any one else, can name an instance in which a military court was employed to investigate such outrages, over which it could have no control or jurisdiction whatever; nor one in which the conduct of a burgher employed on commando was ever subjected to military inquiry. Those of every rank and station, civil and military, serving on commando, are subordinate to the senior military officer present; but it does not necessarily follow, that the burgher force is therefore placed under martial law; on the contrary, the judges of the Supreme Court have unanimously given it as their opinion, that the calling out of a commando has not the effect of placing the persons composing it under martial law.

I must here add, that neither have the colonial courts jurisdiction beyond the frontier, an evil which Sir Lowry Cole attempted to meet at an early period of his administration, by proposing an ordinance having for its object the punishment

421
Col. T. F. Wade.

25 April 1836.

punishment of offences committed beyond the boundaries "by persons usually residing in the colony." On the draft ordinance, however, being referred to the judges, they were of opinion that the governor in council had not the power of giving such extension of jurisdiction to the colonial courts, which opinion was reported to His Majesty's Government, and admitted to be a correct one. The evil, however, has not been corrected.

Also I must observe, that in his letter of the 1st April 1836, addressed to the Committee, in alluding to the extract from the civil commissioner of Albany's letter, which I have placed upon the Minutes, page 119, Captain Stockenstrom states, that he (the civil commissioner) "complains of not having an opportunity of earlier inquiring into the matter." The civil commissioner, I must observe, does not "complain," but "regrets that an opportunity was not afforded him to inquire into the subject immediately after its occurrence." Had the circumstances of the case been communicated to Captain Campbell, he would have done that which, as civil commissioner, it was strictly his duty to do, where an outrage upon the natives had been committed by any person belonging to his district, viz. he would have instituted that searching inquiry which Captain Stockenstrom himself has, in a report to the Commissioners of Inquiry, dated 9th August 1826, pointed out as the surest mode of checking outrages committed by those on commando; from which report, as it bears directly on the point under consideration, and contains also this opinion of Captain Stockenstrom with reference to depredations committed by the Caffres, that "the community can be held responsible for the acts of its members," I shall here take the liberty to annex an extract.

(Extract.)—"Another delicate point connected with all the above remains to be touched on, viz. the pursuit of robbers; and some specific regulations on that head are absolutely necessary. If we say that the boors are not to follow up murderers and plunderers beyond the frontier, we lay the firmest foundation for the very thing we are so anxious to prevent, viz. a few frontier petty war: for the order has only to become generally known, (which it must, or else it cannot be acted upon); and one night will be sufficient for the destruction of half the families on the extreme borders, by those who know that the crossing of a river or bridge ensures a safe retreat. Before reference can be had to Cape Town, the gang may be beyond the tropic, and could we then take indiscriminate vengeance on all kraals? It is not there as with the Caffres, where there are chiefs with authority to be found at all times, and where the community can be held responsible for the acts of its members. The savages here are divided into hundreds of small independent parties, who, unless you follow them on the spur, you can never find out again: the impunity of one set of depredators will stimulate others, and the flame once kindled, the scenes of blood of earlier days will be acted over again. The best check on these pursuers of marauders which I have been able to adopt, was to make every individual employed on such a party, particularly blacks, as soon as they return, appear at the drost's, and give a deposition of all the proceedings; by which it is easily discovered whether the pursuit was wanton or necessary, or whether any extremities which could be avoided were resorted to. No boor will inconsiderately run the risk of such inquiry, if his cause be not just; but to check one evil by the substitution of a still greater one, I humbly beg leave to dissent from.

I have, &c.

(signed) "A. Stockenstrom."

I am not aware that there has ever been any complaint respecting the commando of July 1831, always excepting that of Captain Stockenstrom, that it was sanctioned by the governor without reference to him the commissioner-general, "under the impression," (as he himself states), "that he was so far out of the way, that it was necessary on this occasion to dispense with so much of the instructions of the commissioner-general as charges him with the necessary discretion."

Looking at the correspondence on this subject before the Committee, and the examination had thereon, it is hardly necessary to say, that this commando never would have entered Caffreland had the commissioner-general been, as he informed the chief secretary in his letter of the 14th July he was, "on the very spot where the operations were to commence," where he was "best able to judge of the state of the country, and where the burgher force could be assembled with greater facility than in any other part;" the commando moreover not being able to enter Caffreland for a week, and the commissioner-general having satisfied himself that it was unnecessary—had he, under all these circumstances, "protested against its proceeding, and withdrawn the burgher force from Colonel Somerset's command," a course which, as he was informed at

422

Col. T. F. Wade.

25 April 1836.

the time, the governor "would have deemed him perfectly justifiable" in pursuing.

In 1832 there was no commando on the eastern frontier. Depredations continued, but were not carried to a very unusual extent; in one instance, however, they were accompanied by the murder of the herdsman, and the murderer having been given up on the demand of the government, was tried and executed at Fort Willshire, in presence of several Caffre chiefs.

I have alluded in the former part of this statement to the visit of Mr. Bruce, in company with Dr. Philip, to the frontier at this period. This gentleman was on the frontier for a few weeks; had conferences with the Caffre chiefs; discussed with them their claims to the ceded territory, visited the "Chumie Missionary Institution" (as the resident missionary, the Rev. Mr. Chalmers, describes it) "in search of cases concerning commandos in Caffreland, and wished him," (Mr. Chalmers) "to furnish him with some instances of military oppression against the Caffres," &c. &c. The result of his inquiries Mr. Bruce communicated to the Cape public, in several letters published in the "Commercial Advertiser;" in these he assailed the government, the colonists and the military in no measured terms, recording several instances of outrageous conduct towards the Caffres, and quoting as his authority for his assertions, amongst others, Mr. Chalmers, the missionary in question. Mr. Chalmers immediately came forward and denied that he had ever furnished the information stated to have been received from him, in a letter, of which I shall annex a copy:

"To the Editor of the 'Commercial Advertiser.'

"Sir,

"It has been with some degree of astonishment that I have read in your paper a statement said to be made by me to Mr. Bruce, concerning commandos in Caffreland, as being so detrimental to the cause of missions in that country, that the designs of our mission have been nearly frustrated, and we were about to relinquish our work. I lose no time to inform you and the public, that I made use of no such expression, nor anything which had the slightest allusion to it, neither to Mr. Bruce nor to any other person. It is impossible I could so express myself, for I never once conceived it; and I am sorry to think that a gentleman who seemed to be so deeply interested in the oppressions of the Caffres, as he terms them, should, in this instance, at least, have given such an unfair representation. Mr. Bruce seems to have wrote much from memory, and I call upon him to recollect himself, for I do honestly declare that I made use of no such language.

"So far from Mr. Bruce's statement being true (for it is not mine) I do assure both you and him that the Caffres in the neighbourhood of this institution, for the past three months, have given more general attendance and attention to the word of God, than I have seen or known them do since I arrived in Caffreland, which is now a period of five years; so that our church, which is capable of containing 250 persons, has been crowded to excess, and should our congregation continue we may very soon be compelled to erect a gallery.

"So far from Mr. Bruce's statement being true, I do assure both you and him that the foundation of a larger church has been dug at Lovedale; and at Burn's Hill and Perrie, our work seems to prosper, and we have no intention of leaving our work, no not for an hour, although the commando was in Caffreland to-morrow. We know the commando would protect us and our people, and many of the Caffres, as on former occasions, would flee to our institutions as to a place of refuge. With these facts gazing me in the face, how could I say that commandos were ruining our stations?

"Mr. Bruce came to the Chumie Institution in search of cases concerning commandos in Caffreland, and wished me to furnish him with some instances of military oppressions against the Caffres; I assured him that I did not take notes of such matters, neither did I consider it my duty to do so. I said, however, that I would give him what was in my possession if it would serve his cause; (not, however, written by me, but by another person.) I read to him from the journal book what he has given as from my journal; I read to him also the remark which the Chief Macomo made when driven from the Kat River, both of which Mr. Bruce transcribed.

"I was again asked for cases, I assured Mr. Bruce I had got none, and would not give him anything farther as good authority, but since he was so desirous of news, I would call the interpreter who would narrate to him the news; I did so, and shortly after Mr. B. requested me to call the chief, which I accordingly did. I find that in many instances what Mr. B. received from the lips of those two men, he has caused me to say, which I consider to be most unfair.

"Perhaps there may be some strange things in the system of commandos, yet, as I remarked to Mr. B., if he were among the Caffres for one year, he would speak more cautiously concerning them. Not but I am their friend, yea, woe is unto me if I am not their friend—in so far as is consistent with truth, farther I am not—but so far from saying with Messrs. Brownlee and Read that I considered the chiefs Tyali and Botma and Macomo were honest men, I stated that they were generally found to conceal when they could; nor am I their enemy because I say so; I know it is truth.

"I do

423
Col. T. F. Wade
25 April 1836.

"I do assure you that I, as an individual, owe much to the military on the Caffre frontier; I look back with peculiar gratitude to three particular instances when the poor Caffre has fled to me from the hands of those of his countrymen who were thirsting for his blood. I have given them a pass to Mr. Warden, he has kept them under his own care, and fed them at his own expense for some time, until they found themselves out of the reach of harm. I beg you would insert the above in your valuable paper, a copy of which I leave here for the "Graham's Town Journal."

I am, &c.
"W. Chalmers."

Nevertheless these letters have been over and over again quoted in proof of the iniquitous nature of our proceedings towards the Caffres; as have also those attributed to the pen of another individual, to whom I shall next refer, remarking first, that if it should appear to the Committee that I am here adverting to subjects not immediately connected with "commandoes," it must be remembered, that these are two of the authorities, and Messrs. Kay and Pringle other two, whose statements of "alleged outrages committed by the colonists upon the Caffres," have chiefly been relied upon, and been inquired into by the Secretary of State, from Captain Stockenstrom, who in reply has said that "some of the most heinous things they have said," he "knew to be quite true."

In support of the charges preferred by Mr. Bruce against the colony, several letters were published under the signature of "Tzatzoe," a Caffre, who received what education he possesses many years since at one of the missionary institutions in the colony. I know not whether this is the same individual of whom Dr. Philip has stated in a letter, from which extracts have been published in the Missionary Register, for January 1834, "We have at this moment a young Caffre chief at one of our missionary stations, who is vindicating the character of his countrymen, and exposing the cruelty and injustice with which they have been treated, in our public journals, with an ability superior to that of any of his numerous and virulent assailants within the colony;" but be that as it may, the annexed depositions will at least prove that the letters in defence of Mr. Bruce's statements were not written by Tzatzoe, but by one of the missionaries of the London Society, namely, Mr. Brownlee, and I am assured, on authority on which I can perfectly rely, that the copies of those letters transmitted to the editor of the Graham's Town Journal for insertion in that paper, were in the handwriting of Mr. Read, jun. son of another missionary of the same society, and himself employed as an assistant.

District of Albany.

At Graham's Town, on this 1st day of January 1836, and before Duncan Campbell, Esq. Civil Commissioner and Resident Magistrate for the districts of Albany and Somerset, appeared *William Guybon Atherstone*, Esq. residing in Graham's Town, in the district of Albany, who being duly sworn, deposes:—On Sunday, the 12th of April last, I was riding with Jan Tzatzoe, the Caffre chief, near the late station of the Reverend Mr. Brownlee, (now King William's Town), on our way to join the head-quarter division of the army; in the course of conversation I asked him, who wrote the letters which had appeared in his name in some of the Cape newspapers; he said he wrote them; I then asked him in what language he wrote them, as they appeared in the English language; he said "I do not mean I wrote them, I composed them, and got some else to write them down." He appeared unwilling to tell me who it was, but upon my pressing him, he said they were written by the Reverend Mr. Brownlee.

(signed) *William Guybon Atherstone.*

Before me,

(signed) *D. Campbell,*
C. C. and Res. Magistrate for Albany and Somerset.

(A true copy.)

(signed) *D. Campbell,* C. C. Resident Magistrate.

Appeared *John Mitford Bowker*, Esq. Justice of the Peace for the district of Albany, and Government Resident at Fort Peddie, in the said district, who being duly sworn, deposes:—I know Jan Tzatzoe, the Caffre chief, he resided for several months in the immediate neighbourhood of Fort Peddie; he has frequently brought letters to me, and requested me to read them to him, which letters were written both in Dutch and in English; he has also frequently requested me to write letters for him, which I have done; I have even written notes of the most simple kind, such as a request for a little tea and sugar; I always put his name to these letters, and it is my firm belief that he can neither write nor read manuscript.

(signed) *John Mitford Bowker.*

Before me,

(signed) *D. Campbell,*
Resident Magistrate for Albany.

(A true copy.)

(signed) *D. Campbell,* C. C. and Resident Magistrate.

1 January 1836.

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124

Col. T. F. Wade.

5 April 1836.

As I have already fully described the removal of the Caffres from the Muncassana, and the tract between the mouth of the Chumie river and Fort Willshire, in 1833, I shall here only add a few remarks on Mr. Pringle's history of the treatment of Macomo at this period, which I am the more anxious to examine as the "colonial oppression" which it is stated "continued to trample down this chief, with a steady, firm, relentless foot," is laid to my own charge.

Mr. Pringle says, "it is acknowledged that Macomo has evinced the strongest disposition to cultivate peace with the colony, and has continued to reside quietly within the narrow tract of land on the Chumie, which the Commissioner-general Stockenstrom, and the Commandant Somerset, left in his possession, after his expulsion from the Kat River in 1829, and which appears to have been verbally guaranteed to him also by Sir Lowry Cole."

Macomo was, in compliance with the instruction of the commander-in-chief, removed beyond the colonial boundaries at the period stated, with positive orders that he should never again be permitted to reside within the colony. Sir Lowry Cole never saw him, and never verbally guaranteed to him the possession of the tract alluded to, or of any other. Again, "Lieutenant-colonel Wade has thought fit to signalize his brief prefecture by cutting another slice from the Caffre territory, from that territory which even Lord Charles Somerset had reluctantly spared to Gaika, and which Sir Lowry Cole permitted his son Macomo to retain."

As already satisfactorily proved, I trust, to the Committee, the Caffres were not, upon the occasion alluded to, removed from any part of the Caffre territory "spared by Lord Charles Somerset."

Mr. Pringle adds, "the whole case is thus fairly and forcibly stated by Mr. Fairburn," one sentence only from which statement I deem it necessary to introduce; alluding to that portion of the neutral territory from which Macomo was removed at the period in question: he says, "to prove its neutrality it is, we understand, on the point of being given away to fresh hands from the colony;" and again "his excellency (the new governor) will no doubt inquire, whether the covetousness of individuals had not more to do with this act than a pure zeal for the public service." Such an intention never was entertained or thought of, by any one, that I am aware of, Mr. Fairburn only excepted.

The next instance of "harsh treatment" selected by Mr. Pringle, is the arrest of Macomo, when attending a missionary meeting at the Kat River, on the 7th October 1833, to which I have formerly alluded at page 115 of the Minutes, but which I deem it necessary to explain more fully in this place.

In Mr. Pringle's account of this transaction, after recording a speech said to be addressed by Macomo to the meeting, he adds, "in the midst of this exhilarating scene, the African chief recommending to his followers the adoption of the GREAT WORD, they were interrupted by the sudden appearance of a troop of dragoons dispatched from the military post, to arrest Macomo for having crossed the frontier line without permission; this was effected in the most brutal and insulting manner possible, and not without considerable hazard to the chieftain's life, from the ruffianlike conduct of a drunken sergeant, although not the slightest resistance was attempted;" he adds, "these facts have been published, with numerous other disgraceful details, in two Cape papers, without either contradiction or explanation being offered." There is but one word of truth in the whole of the above statement, namely, that the account published in the Cape paper, and which, although itself, for the greatest part untrue, is directly opposed to Mr. Pringle's statement, was permitted to pass uncontradicted.

First, Macomo was not arrested in the midst of the "exhilarating scene" alluded to: "when the sergeant arrived at Philip's Town the religious part of the meeting had been over for some time; and Mr. Read's family, several visitors, and Macomo amongst the rest, were at tea in Mr. Read's house."

Secondly, the "troop of dragoons," consisted of "one sergeant and six men."

Thirdly, the arrest was effected in the most mild and gentle manner, without the slightest hazard to Macomo's life, and by a sergeant who was perfectly sober, whose conduct Mr. Read repeatedly eulogised, the same evening, stating that it "had been most proper, and that it was well he had acted with such discretion and prudence, the matter ending so quietly as it did being mainly owing to his exertion of those qualities."

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There was present at this meeting, Mr. Barker, a missionary of the London Society, who, six weeks after the meeting had taken place, published an account of this transaction in Mr. Fairburn's newspaper, from which I shall here introduce some extracts.

"Macomo did not arrive until half-past five on the evening of the 6th (Sunday)." "On Macomo's arrival he immediately informed us that he had been refused a passport at the New Post, but being determined to be present, he had taken another road, and he said 'I am here, but what the consequence will be I do not know.'" The meeting took place on the following day.

"What followed after the meeting was over defies the whole art of penmanship to describe. We were sitting at the dinner table, at near five o'clock; the cloth not yet removed, when our attention was attracted by a party of soldiers riding furiously down the hill into the village. A simultaneous rush ensued to ascertain the cause, when the reason was soon explained, by sergeant Sandys inquiring for Macomo. I should have said that Macomo was the only person who had not left the room; he took his station inside the door. Macomo, however, was called, and he came. The sergeant told him he must go with him, to which he assented, for he had just been speaking of leaving, and was only waiting for a cup of tea. Macomo turned round to return to the room, the door of which was within 10 yards of where he stood, on which I heard the sergeant say, 'D—— you, if you shall move from that spot,' and proceeded instantly to load his firelock, and also gave orders to his men to do the same; but my attention was so rivetted that I did not observe their movements, I only saw the sergeant load his piece, by putting a ball-cartridge in both barrels, in the very face of Macomo. The patrol now dismounted, unsaddled their horses, and gave them a feed of corn, which they had brought with them. Macomo, mark, was now surrounded by the soldiers on foot, and positively forbidden to move from the spot, on pain of being PINIONED! His countenance now glanced with the most dignified disgust I ever beheld, while he every now and then turned round, viewing his guards, and asked what all that meant. The sergeant, too, acted his part in this tragedy, saying, 'You need not be afraid, Macomo; if you behave civilly, I shall treat you civilly; I am only doing my duty,' &c.; whilst Macomo as repeatedly cast his eyes on the guard, and asked, 'What does this mean? Is this civility?' 'Tell him,' said the sergeant, 'he need not be alarmed, he knows I am an old friend of his.' It is impossible to describe the look of contempt which Macomo gave him as he uttered—'Yes, I have cause to know you, for it is not the first time I have been insulted by you,' or words to that effect. 'What have I done amiss?' asked Macomo, almost raging with disgust; 'what have I done that I cannot withdraw for a moment?' But for Macomo there was no grace. In this degrading situation was Macomo held, without being allowed to move a yard from the spot where he was arrested, for an hour, the gaze of the multitude and the sport of soldiers! At length Macomo's horse was caught, the military horses re-saddled, and Macomo, in the midst of all a prince, requested young Mr. Reid to accompany him to his horse, that, as Macomo expressed it, though a prisoner, it might not be said his friends had all deserted him. The party rode off, Macomo accompanied by Lodewyk Pefferd, Mr. Reid, sen., and Andries Stoffels.

"Piet Bruintjes and Piet Draay declared that the sergeant and two other soldiers, nearly rode over a child of the former, as they came between the houses, a child five years old. I have the names of the two soldiers."

However totally at variance with the truth the above account of the sergeant's treatment of Macomo, two facts are established by this statement;

First, that Macomo was received by the missionary, Mr. Reid, and entertained by him part of one day and the whole of another, with a perfect knowledge that he had been refused permission by the proper officer to enter the colony.

Secondly, That the arrest did not take place at the church, but at Mr. Reid's house.

There is yet another version of this transaction to which I wish to allude before I give the correct one, namely, that of Captain Bradford, already on the Minutes; that gentleman has given the history of a meeting of several of the Caffre chiefs "assembled to consult on the expected arrival of the governor and their grievances" (No. 1434),—amongst those enumerated by Macomo was, "that he and other chiefs could not cross the English boundary, for a few

426

Ol. T. F. Wade.
25 April 1836.

hours, without obtaining permission from some colonial authority;" adverting to this point, Captain Bradford says, "an instance took place, in which Macomo was personally treated with the greatest indignity—having proceeded to the Kat River, without permission, to attend the anniversary of that establishment, and being seated in the midst of the party assembled in the chapel, a guard of mounted troopers galloped down the heights, under command of a sergeant, who placed Macomo between two soldiers, with a threat to shoot him instantly, if he attempted to move from between them, and in this manner conducted him to the military out-post, where, at the intercession of Mr. Reid, he was released, and permitted to re-enter his own country."

In reply to Question 1451, Captain Bradford states, that "the information relative to Macomo's having been forcibly conducted from Kat River by a party of soldiers, was given to him by Mr. Reid, of Kat River, and his son."

I will now add a different version of this transaction, of which the greater part has been deposed to by the sergeant, on oath, and the remainder can be also proved in like manner, if required.

On Macomo being refused permission to go into the Kat settlement, he quitted the post, disappointed certainly, but apparently acquiescent. The next day the officer received information, that notwithstanding his prohibition, Macomo and his party had entered the settlement by another road, and were received by Mr. Reid at Philipstown. Mr. Gardiner immediately sent Sergeant Sandys, c. m. n., a remarkably steady, intelligent and trustworthy person, with six men, to bring Macomo and all Caffres found with him, to the post.

The party started about two o'clock in the afternoon, the distance 18 miles, the road in some parts hilly and bad; they therefore rode smartly, as the sergeant was anxious to return before dark.

When he arrived at Philipstown, the religious part of the meeting had been over for some time, and Mr. Reid's family, several visitors, and Macomo amongst the rest, were at tea.

On the party halting before his door, Mr. Reid came out, professing complete ignorance of what could have brought them there: the sergeant informed him that he was sent by Ensign Gardiner to bring Macomo to Kat River post; that he wished to do so as quietly and gently as possible; and that he hoped Mr. Reid would do all he could to induce Macomo to come peaceably with him; for that his orders were most peremptory, and must be obeyed.

After some parleying, and Mr. Reid's going a good deal back and forward between Macomo and the sergeant, it ended in Mr. Reid's requesting that they might be permitted to finish their tea, when he himself would accompany the whole party, Macomo of course included, to the post, and endeavour to allay the displeasure of the officer.

To this Sergeant Sandys willingly consented, but requested that there might be no unnecessary delay. He ordered his party to keep a look-out round the house, for fear of an escape, and waited patiently for half an hour, by his watch: he then again demanded Macomo, and being led to suspect a greater unwillingness amongst them to proceed to the post, and the evening closing in, he became peremptory, and declared he could permit of no trifling, and, however unpleasant it might be, he must do his duty, and proceed into the house for Macomo, if he was not immediately forthcoming.

This produced the desired effect; Macomo came out; Sergeant Sandys accosted him good-humouredly, and being by experience well acquainted with his propensities, said, "Come, Macomo, it is no use being cross; here, take a little wine, and let us ride friendly; you and I are old acquaintance," which was perfectly true, as Macomo had constantly been in the habit of getting wine and other refreshments at this sergeant's quarters, whenever he came to a post where the latter was stationed. However, Macomo chose to be sulky; they rode on, and reached the Kat River post about eight o'clock p. m.

The officer reprehended both the chief and the missionary very severely, the former for disobedience of orders, and the latter for countenancing and encouraging his doing so. Macomo had not much to say; Mr. Reid was all mildness, sensible of his error, full of apologies and excuses.

Mr. Reid begged very hard that Macomo might be released; he well knew the odium which would so justly fall upon him for having brought the man into such a scrape.

The officer ventured to comply, and Macomo was liberated in a quarter of an

an hour after he arrived, with an admonition never to act so again: he promised he never would.

Mr. Reid is rather aged, had exerted himself through the day, was fatigued with his ride, and frightened for consequences. He came to a house at the post where he knew he would be hospitably received, got refreshment and a bed in that house: during the evening he expressed great regret for what had occurred, pretending not to have been aware, until the sergeant came for Macomo; that there was any hindrance to Caffres going where they chose; whereupon it was remarked to him, that if he was ignorant on the subject, his friend Macomo knew it right well, and had used him very badly in implicating him in his disobedience.

Mr. Reid repeatedly stated on that evening, that the conduct of the sergeant had been most proper, and that it was well he had acted with such discretion and prudence, the matter ending so quietly as it did being mainly owing to his exertion of these qualities. He expressed the greatest fears of Colonel England (the commandant's) displeasure, and determined to set off at daylight, in order to write a deprecatory letter to that officer, which he said he would send by Mr. Barker, one of the missionaries, who should ride day and night with it. Some remark being made about the difficulty of riding at night, he said, "The case was too important for delay."

A person of undoubted veracity who attended the meeting, on discovering under what circumstances Macomo was there, pointed out the impropriety of the measure to Mr. Reid, and left the place immediately on their coming out of the church, as he so very much disapproved of making religion a cloak for inducing this savage to disobey laws and regulations intended for the benefit of the community.

Mr. Reid stopped at this person's house on his return to Philipstown, and declared, that where he had slept the previous night, the strongest disapprobation of Mr. Gardiner's conduct had been expressed. The reverse was positively the case, as he had been plainly told Mr. Gardiner could not have acted otherwise, without risking his commission.

The person above alluded to was the Rev. Mr. Thompson, the chaplain of the settlement.

Mr. Reid went home; Mr. Gardiner, softened by Mr. Reid's contrition and Macomo's obedience to his summons, made a favourable report to Colonel England, and no further notice was taken of the matter by that side. Six weeks elapsed, and all remained quiet, when Mr. Barker published the account of the transaction in one of the colonial newspapers alluded to by Pringle.

In that letter two men are made to state, that Sergeant Sandys nearly rode over their infant children, one of whom, Piet Brintjies, has but two children, both females: they have been married some years, and on being asked, did he believe Sergeant Sandys capable of wantonly or carelessly riding over a child, he very readily answered in the negative, but stated that the children were frightened by the dragoon horses.

I repeat, that every tittle of the above statement can be proved by the most incontrovertible authority; and I must add, that the moment Mr. Barker's letter appeared in the newspaper, the sergeant complained to his captain, and requested him to apply to Major Cox, commanding the regiment, to cause an investigation of his conduct; that his captain told him that "his commanding officer was quite satisfied with the way in which he had performed his duty, and that the letter must be treated with contempt."

Lastly, I must state, that Sergeant Sandys has held his present rank many years; has served 14 years in the Cape Mounted Rifle Corps; and that the strongest testimony has been borne to the great respectability of his character as a non-commissioned officer, and to the sobriety and correctness of his conduct during the whole of that period.

I shall now pass to the consideration of the statements that have been put forth (chiefly by Mr. Pringle) relative to some of the commandos against the Boschmen on the northern frontier.

Referring to "the annals of the barbarous wars that have been so long carried on between this race of men and the frontier boors," he says, "I shall not here rehearse the melancholy history, which is indeed far too voluminous for my limits; but in order to give the reader some idea of the system pursued towards this race of men, I subjoin a few illustrations not before published."

428

Col. T. F. Wade.

25 April 1836.

The first is styled "an anecdote of the olden times, as told by an actor in the bloody drama; the case," he says, "of the Dutch colonists, by one of themselves." "The letter from which I print I have received within these few weeks." Then follows the relation of the most wanton and atrocious massacre of four helpless women that has ever been recorded, even by Mr. Pringle.

With this case it is impossible to grapple, as it is that one already alluded to, related by the "nameless field-cornet" to the "nameless gentleman," described as "with Dutch blood in his veins, himself a colonist, and warmly attached to the Dutch-African population, though an enlightened friend also to the aboriginal race."

Mr. Pringle too, it is asserted, was "warmly attached" to the Cape colonists. "No author," (says Mr. Fairbairn, in introducing the "African Sketches" to the notice of his readers), "Dutch, English, French, Swede or German, who has treated of us or of our affairs, has spoken more kindly, more affectionately, or more respectfully of the colonists generally than Mr. Pringle has done;" and he adds, "the same remarks apply to the works of Mr. Bannister, Dr. Philip, and the Rev. Mr. Kay."

As it appears to me there is not much of kindness, affection, or respect, evinced in the recital of such an atrocity as the one above alluded to, without affording any clue by which "the actor in the bloody drama" could be singled out, instead of allowing the stigma to fall on whom it may of the whole body of field-cornets on the northern frontier; I must at once state, that I entirely disbelieve that any such letter was ever received by Mr. Pringle. The "second case" is introduced with this preface: "Let us once more revert to facts," "nor need we recal the barbarous acts of ancient times; let us look merely at the legalized butcheries of the Bushmen race, which were incessantly going on while I was myself in the colony." "I well recollect of the field-commandant Van Wyk, generally considered one of the most respectable men in the Cradock district, halting at my cabin in 1821, as he returned with his commando of boors from an expedition against some hordes of Bushmen on the Bamboo's Berg, who had committed depredations in the Tarka. He and his men, as I was then told, had slain upwards of 80 souls, and had taken captive a considerable number of women and children. It was an expedition ordered by the government, to repress the aggressions of the Bushmen, and this was the regular mode in which these affairs were managed; the kraal was surprised, the males consigned to indiscriminate slaughter, and such of the women and children as survived the massacre were carried into captivity."

I must first of all remark, that Mr. Pringle is in error in regard to the date of the commando he alludes to. It took place in 1820, and not as he states in 1821, and fortunately, the whole of the official correspondence on the subject is before the Committee (1st part Parliamentary Papers, No. 58, Sess. 1835, page 61, and following), and from which I shall give some extracts. The first, the Field-cornet VanWyk's report, 17th August 1820. "That the Bushmen had carried off 21 horses; that he followed them with three men, overtook them at the Bamboo's Berg;" "that they immediately concealed themselves behind the cliffs, and commenced attacking us with poisoned arrows." A skirmish ensued, one Bushman was killed, and the party succeeded in recapturing eight of the horses. "The Bushmen being strong in number, he (the field-cornet) ordered a commando to be in readiness on the 25th; and in applying to the deputy landdrost for permission to proceed with it for the purpose of recapturing the horses, he adds, "Sir; Many Bushmen I have detected in the act of thieving whose lives I have spared, and whom, since they have no means of gaining a livelihood, I have put in the service of certain persons, with the view of reforming them, if possible; but several of them have lately returned to their former courses of life, so that I have nothing to anticipate but evil from these folks." The deputy-landdrost grants the permission, and the following is the field-cornet's report on returning from his expedition, which I beg the Committee to compare with Mr. Pringle's statement.

Sir,

Tarka, 14 Sept. 1820.

The commando that went out on the 25th August last encountered the plundering Bushmen with 13 stolen horses, which they had still with them; but they had no sooner discovered the commando than they again retreated to their hills for shelter, and commenced shooting with poisoned arrows; 16 of the robbers were killed, a woman and two children remained dead on the field; 58 women and children were taken prisoners, and the horses recovered.

recovered. I also met other wild Bushmen, about whom there existed no appearance of having committed robbery; I therefore left them undisturbed, assuring them that they need entertain no fears on account of any commando so long as they kept themselves quiet and did not steal, the commando being directed only to the suppression of the robberies that had been committed.

Having understood that there were several Bushmen with stolen horses in their possession flying before the commando, I sent two of the captured Bushmen's women to the robbers, with directions to say, that if they discontinued their depredations no injury should befall them; but otherwise they must await the consequences of their temerity. The prisoners I have placed under the care of such persons with whom they can live without resorting to thieving. Seven of the horses above-mentioned belong to F. du Plessie and Putter, as stated in the report of the 17th August last, four to B. du Plessie, and one to C. Opperman.

W. W. Harding, Esq., &c., Cradock.

I am, &c.
(signed) S. J. Van Wyk.

The above was of course communicated by the deputy-landdrost to the landdrost of the district, Captain Stockenstrom, whose reply I take the liberty of annexing.

Landdrost's Reply to the above.

Sir,

Graaff Reinet, 20th September 1820.

I HAVE been favoured with yours of the 14th instant, enclosing copy of commandant Van Wyk's report of the recapture of horses taken by the Bushmen, and the attack of the plundering kraal.

Nothing can be more painful than to see those sanguinary examples, still occasionally necessary, but I feel confident that you will use every exertion to impress upon the minds of those who may be from time to time engaged in the same, that we consider those extremities only justifiable on the following principles. It is natural for them to try to recover what is taken from them, and what constitutes the support of their families. If in *this just attempt they meet with resistance*, there is no alternative between destroying the robbers, and being destroyed. But if on any occasion such as can be seized without risk be wantonly killed, and I find it out, as far as the laws enable me, or my representations to the government can avail, I will use every exertion to put it out of the power of the offender to repeat such excesses of revenge. I do not hereby intend to cast any censure on the commandant Van Wyk; on the contrary, it appears to me that he must have used great caution, as otherwise in the confusion of a conflict more women and children would have fallen; but I wish that the above sentiments may be on the mind of every commander of similar parties. They must recollect that the Bushmen, possessing no property themselves, are not sensible of the full extent of the crime of stealing, and that often absolute starvation is the only impulse; conciliatory measures whenever they can avail must be employed; they have contributed vastly to the tranquillity of the northern frontier. Let me beg of you, therefore, to be particularly watchful over the treatment of those which have been taken and now live amongst the farmers, and cautious to whom you entrust the orphans.

(signed) A. Stockenstrom.

In acknowledging the receipt of this letter the deputy-landdrost, whilst joining Captain Stockenstrom in deploring the necessity of such occasional attacks, and assuring him of his unceasing watchfulness over the treatment of such of this tribe as were living amongst the farmers, adds, "in the present case, it is my duty to bring to your knowledge the great and praiseworthy forbearance of Commandant Van Wyk and his party, who, though their cattle stood before their eyes, though every exertion was used to induce the robbers to restore or abandon them, though they were informed that the party came not to injure, but simply to recover what had been stolen, yet the only answer or satisfaction to be obtained was volleys of poisoned arrows, from which the commandant and his men endeavoured to shelter themselves with skins, hoping, though vainly, that reflection or prudence would induce the enemy to relinquish their plunder, and thereby set aside the dreadful necessity of firing, in order to regain their property and preserve their lives."

It may be as well that I should observe, with reference to the disposal of women and children taken on such expeditions, that in a letter dated 23d May 1822, the chief secretary, by the direction of Lord C. Somerset, calls the attention of Captain Stockenstrom to the practice of retaining the women and children, requires information respecting it, and adds,

It will naturally occur to you that there is much danger in permitting persons so circumstanced to be placed in servitude without great precaution, and without due authority, and it will also be manifest that the practice of retaining women and children can seldom be

430

Col. T. F. Wade.

25 April 1836.

424 MINUTES OF EVIDENCE BEFORE SELECT COMMITTEE

justifiable, and ought never to take place without the greatest precaution for the future good treatment of these unfortunates, and prevention of the possibility of their merging into the class of slaves.

A. Stockenström, Esq.

I have, &c.

(signed)

C. Bird.

Captain Stockenström's reply of 5 June, and the chief secretary's answer of 21 June 1822, as they enter very fully into this subject, and are a very sufficient reply to Mr. Pringle's statement that "such of the women and children as survived the massacre were carried into captivity," I shall here take the liberty of annexing.

5 June 1822.

As to the general principle, however, upon which parties of the above nature are conducted, the taking of prisoners (especially women and children), the manner in which they are disposed of, and the authority upon which such proceedings are based, about which his Excellency is justly solicitous, I beg leave to give you the following information:

Without going back to a remote period of the existence of this colony, in order to find out the origin of Bosjesmen commandos, a review of which would reflect but little credit on those who first rendered those cruel expedients necessary, by being the first aggressors, and thereby exciting the revenge of those savages, we still cannot help allowing, that in the present state of our frontier, the constant depredations of that unfortunate race of people must be occasionally checked by some serious example, to keep our remote districts at all habitable. Experience has taught us, that prudence, forbearance and kindness, are the best means of keeping the mass of these savages not only on peaceable terms with, but also very useful to us, and every impartial observer will acknowledge that the present generation of colonists (with some exceptions indeed) show by their conduct to the Bosjesmen their conviction of this truth, and of the inhumanity of destroying them on every slight provocation.

An instance of this I have satisfaction of inclosing in the report of the deputy landdrost of Cradock, transmitting others of the commandant Van Wyk, and provisional field-cornet Steenkamp, by which his Excellency will perceive, that though a kraal was surprised with two long-known desperate robbers therein, and the stolen cattle found with them, nothing more was done than the seizure of the two ringleaders; and I cannot help thinking that some sort of reward to Steenkamp would be politic, by holding him up as an example of moderation, even under such aggravated circumstances.

Still there can be no doubt that severe alternatives are sometimes unavoidable, as in Van Wyk's case, reported in mine of the 9th ultimo, and in another distressing one, which has just reached me from Beaufort, as per inclosed copies, distressing because it is quite clear that the continued droughts and consequent misery among the Bosjesmen, are the principal causes of the accumulated aggressions which have of late taken place, an impression which has made me perhaps too averse to those commandoes.

Now, then, when a kraal has been thus attacked and dispersed, the bringing away of such men, women and children as surrender themselves or offer no resistance is a matter of course, or rather of charity. Indeed they will very seldom stay behind; for the desperate characters on whose depredations the kraal depended for subsistence having most generally fallen in the conflict, or escaped into the deserts, the rest would perish unless they did come among the farmers, upon whom they must be a burthen for some time, but who keep and feed them with a view to induce them, by kind treatment, to stay with them as servants; for it is perfectly understood at the present day, that they are under no restraint whatever. That when they do not like one master they can go to another; and when they wish to return and enjoy some peaceable kraal of their own tribe, they cannot be prevented. By these means, numbers of them, at last finding an abode that they like, become the most useful herds, assist the farmer in every other business, till at length they are as it were confounded with the Hottentots; often bind themselves voluntarily by contracts, and enjoy the full protection of the laws, which indeed they do from their first coming among the colonists; objects which in my humble opinion are very desirable as the first steps towards their improvement. That the above system was once liable to be much abused I have every reason to believe, and it was against such abuses, among others, that my representation of the 5th May 1817 was levelled; but I am convinced that the proclamation to which that representation gave rise, is the most effectual barrier government can oppose to those abuses.

Lieut.-colonel Bird.

I have, &c.

(signed)

A. Stockenström.

Sir,

Colonial Office, 21 June 1812.

WITH reference to your letter of the 5th instant on the subject of the employment of the Bosjesmen women and children, I am directed by his Excellency the Governor to remark to you, that although he cannot but approve your general style of reasoning on this delicate subject, it nevertheless appears to him that there requires some more effective regulations in your district than seems at present to exist in cases where these unfortunate people are brought to or come into the colony under such circumstances as you have represented; it seems therefore desirable, that a return should be framed of what persons of this class are

at

25 April 1836.

at present in employ in the district, and with whom, and that in future where any are taken into the service of farmers or others, they should be separately registered in your office, and subsequently only employed under contract, as in the case of Hottentots. His excellency desires therefore that you will be pleased to make arrangements for carrying this recommendation into effect, and transmit as soon as you have it in your power to do so, a copy of the regulation you shall have framed for his excellency's information, with a copy of the return above described; and his excellency further desires, that a return may be from time to time (say every six months) sent to the office, of such other persons of this denomination as shall be under any circumstances brought into our limits and placed in employ, stating with whom they are serving, and for what time.

A. Stockenstrom, Esq.

I have, &c.
(signed) C. Bird.

Now before I proceed to the third case that Mr. Pringle has adduced in support of a remark which closes his account of Van Wyk's commando, viz. "Scores of such expeditions have taken place since, and the system continues to this very hour" (1834!) "but little, I fear, if at all, abated in its enormities," I will take the liberty of introducing this same gentleman in his character of a settler on the frontier, with the danger at his own door. In his "Sketches," Mr. Pringle states, that in the beginning of October 1821, he and his party were "somewhat alarmed by the discovery of a band of predatory Bushmen lurking among the rocks and caverns of the wild mountains," between their location and the Tarka; that Lieutenant Pettingall, who was then "in our valley, discovered this horde in searching for some of his horses that were missing; went out with an armed troop in pursuit, and came upon a party of these wild marauders in one of the most savage recesses of the neighbouring mountains, at breakfast on a grey horse, steaks roasting on the fire, cut out of the flank, with the hide still upon them. Pettingall, enraged by the loss of his best blood-horse, poured in a volley upon them, but apparently without effect, for they all scrambled off with inconceivable agility among the rocks and bushes; he recovered, however, some of his own horses, and eight belonging to our neighbour."

Now there is no expression of horror here, when "we" are "alarmed" and "our valley" endangered by the wild marauders; on the contrary, the "armed troop" with which Lieutenant Pettingall pursues them, is readily supplied by, and the application to the "kind consideration" of the deputy landdrost for "a party of farmers" to "assist us in hunting them out," proceeds from this same Mr. Pringle in 1821, who in 1834 asserts of the frontier colonists that "be they Dutch or British, they must of necessity continue to be semi-barbarians so long as the commando system, the system of hostile reprisals, shall be encouraged or connived at."

I shall here add the letter containing the "application" I have above alluded to.

Sir,

Twistdale, Baviaans River, 7th October 1821.

I BEG leave to state to you that we have discovered a considerable party of Bosjesmen, lurking in the immediate vicinity of this location, among some wild ravines betwixt us and the head of the Zeakoe Kloof, but from the exceeding ruggedness of the country, we find ourselves unable to get at them without assistance.

Last night Lieutenant Pettingall, who is completing the Government survey of this river, sent me information, that some of his men, in searching for horses he had lost, had fallen in with this horde, and that two men (who are still missing) he feared had been murdered by them. I immediately collected nine men, mounted and armed, and sent them to Mr. Pettingall, who having added some of his own people to the party, attempted to surprise the Bosjesmen. This morning early he came upon them at breakfast (on one of his own horses apparently) and recaptured eight horses belonging to Wentzel Coetzee; but the Bushmen instantly betaking themselves to the thickets, he did not succeed in killing or capturing any of them.

We propose to make another attempt upon them to-morrow; but as they may have probably shifted their quarters, and as it is supposed that they have stolen many horses from the Tarka, I respectfully submit to your kind consideration, whether such a party of farmers as can be hastily collected in that quarter, might not be sent to assist us in hunting them out, particularly as it is a public concern, and we have in fact as yet sustained no loss by them as far as we know.

I have not seen Mr. Pettingall since his return, but I suppose he will also write you on the subject as soon as he has ascertained the fate of his two men.

In order to lose no time I shall transmit this to Wentzel Koetzee to be forwarded to you by express.

W. W. Harding, Esq.

I have, &c.
(signed) Thos. Pringle.

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432

Col. T. F. Wade.

25 April 1836.

Whether this well-intended attempt at a "legalized butchery of the Bushmen race" succeeded, I know not; but at least if it did not, it was not the fault of Mr. Pringle, whose conduct and feelings in his capacity of settler in 1821 I shall here, in another instance, contrast with his writings in 1834. I find by an extract from his journal, that immediately on taking possession of his location, he applied for, "to the magistrates of our district, Captain Stockenstrom and Captain Harding," the means of defending himself; and "they assure me that 10 armed Hottentots will be speedily placed under my orders." They accordingly arrive, and "we are thus relieved from the necessity of keeping nightly centinels of our own body, and from any apprehensions of being surprised by marauders from the west country to the eastward, all well armed, expert in the use of the musket, and drafted for this particular duty from the service of the Dutch-African colonists, to whom all of them were under contract, and were supplied with provisions at the expense of the district."

Now I must remark *en passant*, that these Dutch-African colonists stood probably in as much need of their "contracted Hottentots," for the purposes of defence, &c. as Mr. Pringle, who only a month before he addressed himself to the "kind consideration" of the landdrost "to collect a party of farmers to assist in hunting out" the Bushmen, when the field-cornet of his district ordered his (Mr. P.'s) contracted Hottentot on patrol, as it was his bounden duty to do, in pursuit of horses which the Bushmen had taken away from his neighbours, immediately preferred a complaint against him for so doing!

This party of contracted Hottentots was, it appears, subsequently relieved, upon Mr. Pringle's application, by a detachment of the Cape corps. Mr. Pringle, however, was not contented with the services of these soldiers in their military capacity, but wished to employ them in the performance of other offices not exactly within the range of a soldier's duty; he offered to pay them, it is true, but not, indeed, in that coin which was likely to improve their habits as Hottentots, or their discipline as soldiers; the detachment, however, was refractory, and would not be so employed; and the same Mr. Pringle, who in 1834, when eulogizing the conduct of the Hottentots, after their emancipation by Major-general Bourke, remarks "that some hundreds out of the mass should have become the victims of the habitual intemperance to which the white inhabitants of the district towns continually tempted them by paying them for labour with ardent spirits (I state what I have with my own eyes a thousand times witnessed) is surely no great marvel," addressed a letter, from which the following are extracts, to Captain Stockenstrom, whose reply was, no doubt, as it necessarily must have been, that he, the civil magistrate of the district, could not order soldiers to perform the required work, whether paid "in money" or "in brandy:"

"Baviaan's River, Feb. 7th, 1821.

(Extract.)—"I want to build a fire-proof hut, in the event of disturbances; our people are busy, and I cannot get hands, unless you authorize me to employ our Hottentot guard upon it a few hours daily. I would gladly furnish an allowance of tobacco and brandy, and some pecuniary recompense also; but these inducements (without the authority to demand their labour at stated periods) I find insufficient to overcome the indolence of this unenergetic race. Hitherto I have never asked their assistance in any work, without paying them for it, but they have at length become so lazy, and so unconscionable, that I can make nothing of them! The only point in which I have ever exacted their service, was in assisting us to take care of the cattle occasionally, and this they have made some grumbling about. If you think, Sir, I have done wrong in exacting any assistance whatever—even though paid—be so good as to let me know. If otherwise, have the kindness to tell the bearer, and through him his comrades, that my orders must not in any case be disputed. I trust I am capable of abusing such a favour, which, however, seems requisite for maintaining my authority."—(signed) *Thomas Pringle.*

S. "To give you an instance of my trouble with these men, I may mention that I had one of them to ride down with Mr. S.'s servant, to look for his master; whether it was fear I know not, but not one of them would move. One said he was sick; another horse was tired; a third absolutely refused, until I threatened that I would report to you, when one went. Permit me to remind you of your obliging promise to look for a Bushman-boy for me; it would be a greater favour than I can easily express, as my endeavours to engage Hottentot servants have hitherto been unsuccessful."—*T. P.*
To Captain A. Stockenstrom, Landdroost.

Mr. Pringle prefaces the third of the "illustrations, not before published," with these