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SLAVES;
CAPE OF GOOD HOPE.

RETURN to an Address of the Honourable the House of Commons,
dated 13th April 1824;—*for*

Copies, or Extracts, of all CORRESPONDENCE relative to the Condition and Treatment of Slaves at the Cape of Good Hope, during the last five years:

Copies, or Extracts, of all CORRESPONDENCE relative to the Condition and Treatment of the Hottentots, during the last five years:

Accounts of all Grants of LAND at the Cape of Good Hope, made either to Hottentots or Bonshmen, during the last seven years:

Accounts of all Commandos or Expeditions against the BONSHMEN, which have taken place at the Cape of Good Hope, since 1797; stating the number of Bonshmen killed, wounded, and taken Prisoners; stating also what had been done with the Prisoners:

Copies of each Census of the POPULATION of the British Dominions at the Cape of Good Hope, since 1797; distinguishing (as far as can be done) the different Classes of which the Population consists.

Colonial Department,
Downing-street,
March 1827. }

R. J. WILMOT HORTON.

Ordered, by The House of Commons, to be Printed,
23 March 1827.

LIST.

N° 1.

Copy of a Dispatch addressed by Lord Charles Henry Somerset to R. J. W. Horton, Esq. dated Cape of Good Hope, 26 October 1824. (Five Enclosures.)

Copies of further Papers received subsequently to the above Dispatch ;—viz.

Copy of a Letter from A. Stockenström, Esq. Landdrost of Graaff-Reinet, addressed to Lieut.-col. Bird, Colonial Secretary, Cape Town, dated 5 May 1817 p. 23

Copy of a Proclamation issued by Lord Charles Somerset, bearing date 8 August 1817 - - - - - p. 25

Copy of a Return of all Commandos or Expeditions against the Bosjesmen in the district of Worcester, from the year 1805 to the end of 1823 - p. 26

Copy of a similar Return for the Drostdy of Graaf-Reinet - - p. 27

Copy of a similar Return for the Drostdy of Stellenbosch - - - p. 28

PAPERS

Relating to Slaves at the Cape of Good Hope.

— No. 1. —

Copy of a Dispatch addressed by Lord Charles Henry Somerset to R. J. W. Horton, Esq. dated Cape of Good Hope, 26 October 1824.—(Five Enclosures.)

Cape of Good Hope, 26th October 1824.

SIR,

EVERY effort has been exerted to put Earl Bathurst in immediate possession of the documents called for by the House of Commons, as stated in the order transmitted to me in your letter of the 14th February 1824, but the nature of the information required having necessitated a reference to the distant magistracies, some time has unavoidably elapsed in their preparation.

I have at length however the satisfaction to forward to you herewith :

No. 1.—Copies of four Proclamations published by this Government, relative to the condition and treatment of Hottentots at the Cape of Good Hope, since the Year 1819.

No. 2.—A copy of my Proclamation of the 18th March 1823, relative to the treatment and condition of Slaves, and a copy of a Letter which I addressed to the Court of Justice on the 5th January last, grounded on the resolutions agreed to in the House of Commons on the 15th May 1823.

No. 3.—A statement of the Population since the year 1807, distinguishing the different classes of which the Population consists.

No. 4.—A return of all grants of land made either to Hottentots or Bosjesmen during the last seven years.

No. 5.—A return of all commandos or expeditions that have proceeded against the Bosjesmen since the year 1797, and copies of the correspondence relative to treatment of Bosjesmen therein referred to.

I have, &c.

(signed) CHARLES HENRY SOMERSET.

R. J. W. Horton, Esq. M. P.
&c. &c. &c.

(Enclosure, N° 1.)

PROCLAMATION.

BY His Excellency the Right Honourable General Lord Charles Henry Somerset, one of His Majesty's most Honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-chief of His Majesty's Castle Town, and settlement of the Cape of Good Hope, in South Africa, and of the territories and dependencies thereof; and Ordinary and Vice Admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS it has been represented to me that the 4th and 6th clauses of my Proclamation of the 18th March last do not extend the same considerate advantages to Hottentots and prize negroes, and the children of Hottentots and prize negroes,

as

PAPERS RELATING TO

as are by those clauses secured to slaves and slave children, I do hereby proclaim and order that Hottentots and prize negroes and their offspring do, and shall enjoy all the privileges afforded to slaves and slave children by the aforesaid clauses as far as they are applicable to them. I do also direct and authorize the respective colonial clergy to marry enfranchised slaves who have been baptized, without the necessity of their appearance before a matrimonial court, or of being asked in church, upon receiving through the local authority a certificate of their baptism, and that their intended marriage is not prohibited by the laws respecting consanguinity.

And that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

GOD SAVE THE KING!

Given under my hand and seal, at the Cape of Good Hope, this 1st day of August 1823.

(signed) C. H. SOMERSET.

By command of his Excellency the Governor.

(signed) C. Bird, Secretary.

PROCLAMATION.

BY His Excellency Major-General Sir Rufane Shawe Donkin, Knight Commander of the most Honourable and Military Order of the Bath, acting Governor and Commanding in Chief His Majesty's Forces at the Cape of Good Hope, &c. &c. &c.

WHEREAS it has been reported to me by the magistrate of the frontier district that certain of the inhabitants of that district have taken into their service wandering Kaffers and Ghonaquas; and whereas experience has shewn that this sort of communication with the tribes of Kaffers gives them a pretext for wandering into the colony, under the plea of visiting their friends and relatives who are in the service of the inhabitants, and the opportunity of committing depredations, generally with the connivance of those who are so employed; in pursuance therefore of the system which has directed the intercourse with the Kaffers to be confined to the supply of their wants by barter at Graham's Town, I have judged proper most strictly to prohibit, as by these presents I do prohibit all and every of the inhabitants of the frontier districts of Tulbagh, Graff-Reinet and Uitenhage, taking into service, or harbouring any male Kaffer or Ghonaqua Hottentot, belonging to the Kaffer Kraals; and I hereby direct the magistrates of the frontier districts to call upon the several field-cornets of their respective divisions to make this order known to each householder therein, as no plea of ignorance will be admitted in extenuation of any contravention hereof; and I hereby further direct and order the several field-cornets aforesaid to arrest any Kaffers or Ghonaquas belonging to Kaffer Kraals, whom they may discover within the boundaries of their respective divisions, and to conduct them to Graham's Town, there to be delivered to the officer commanding His Majesty's troops, for the purpose of their being dealt with according to such instructions as the military commander shall have received from me on this head.

And in order to enforce a prompt and due compliance with this necessary regulation, I hereby order the respective courts of Landdrost and Heemraden of the aforesaid districts of Tulbagh, Graaf-Reinet, and Uitenhage, to take cognizance of the circumstances hereby prohibited, and to decide therein, affixing a fine not exceeding 300 rix dollars to a first offence against this ordinance, and empowering the aforesaid courts to banish from their district any person who shall be proved to have been guilty of a second offence.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

GOD SAVE THE KING!

Given under my hand and seal, at the Cape of Good Hope, this 28th day of January 1820.

(signed) R. S. DONKIN.

By his Excellency's command.

(signed) C. Bird, Secy

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PROCLAMATION.

BY His Excellency the Right Honourable General Lord Charles Henry Somerset, one of His Majesty most Honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS by a Proclamation bearing date 23d April 1812, the respective landdrosts of the country districts have been authorized to apprentice all Hottentot children who have attained their eighth year for the term of ten years, to such of the inhabitants in whose service they may have been born, and by whom they have been maintained, during the above-mentioned term of eight years, under the restrictions and regulations therein prescribed:

And whereas it has been represented to me that it would be highly advantageous to the class of poor and unprotected infants, either Hottentots or others, who may at present or hereafter be found in this colony, and whose situations are not provided for by the said Proclamation, or by any other law or usage at present in observance in this colony, if some further provisions were made for their protection; I have therefore judged proper to order, as is ordered by these presents,

That in future, in case of the death of Hottentot or other females, in the service of inhabitants or otherwise, leaving behind them an infant or infants without means of subsistence, and whose cases have not been provided for in the Proclamation of the 23d April 1812, or any other law or usage at present in observance in this colony, or in case of any other accident by which such children shall have been deprived of lawful protection they before enjoyed, the inhabitant in whose family such infant or infants at the time of the decease of his her or their mother, or of such other accident, may happen to be found, shall make due report of the same within three months, in Cape Town, to His Majesty's fiscal, in the country districts to the respective landdrosts, and in Simon's Town to the government resident, on pain of 100 rix dollars for every person neglecting to do so.

And His Majesty's fiscal, the respective landdrosts of the country districts, and the resident of Simon's Town aforesaid, are hereby authorized and directed in the same manner as is prescribed in the said proclamation of the 23d April 1812, to place all such Hottentot or other unprotected infant or infants, as by the laws or usages of this colony are not otherwise provided for, with Christian inhabitants, of known and acknowledged humane disposition and good character, binding them as apprentices to such individuals, until they shall come to the age of eighteen years, or if females, until they shall come to the age of eighteen years, or the time of their marriage.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

GOD SAVE THE KING!

Given under my hand and seal, at the Cape of Good Hope, this 9th day of July 1819.

(signed) C. H. SOMERSET.

By his Excellency's command.

(signed) C. Bird, Secy

PROCLAMATION.

BY His Excellency, Dupre Earl of Caledon, Viscount Alexander, and Baron Caledon, of Caledon, in that part of the United Kingdom of Great Britain and Ireland called Ireland, and one of the Representative Peers of that Kingdom, Governor and Commander-in-Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same.

WHEREAS it appears, that the provisions made from time to time for securing the fulfilling of contracts of hire between the inhabitants of this colony and Hottentots are not sufficient for the intended purpose; and whereas, for the benefit of

this colony at large, it is necessary that not only the individuals of the Hottentot nation in the same manner as the other inhabitants should be subject to proper regularity in regard to their places of abode and occupation, but also that they should find an encouragement for preferring entering the service of the inhabitants to leading an indolent life, by which they are rendered useless both for themselves and the community at large ;

I therefore have thought proper to establish and ordain, and by these presents do establish and ordain :

1st. That all and every Hottentot in the different districts of this colony, in the same manner as all inhabitants, shall have a fixed place of abode in some one of the districts, and that an entry of the same shall be made in the office of the fiscal, or the respective landdrosts, and that they shall not be allowed to change their place of abode from one district to another, without a certificate from the fiscal or landdrost of the district from which they remove, which certificate they shall be bound to exhibit to the fiscal or landdrost of the district where they intend to settle, for the purpose of being entered in their office ; while every Hottentot neglecting this order shall be considered as a vagabond, and be treated accordingly.

2d. That every inhabitant who engages a Hottentot in his service for the space of a month, or any longer period, shall be bound with the same to make his appearance before the fiscal or the landdrost, or the field-cornet of his district, and there enter into and sign *in triplo* a proper written contract, containing

- (a) The name of the person who takes into service.
- (b) The name of the person who enters into service.
- (c) The terms of the contract.
- (d) The amount of the wages.
- (e) The time of payment ; and
- (f) Such further conditions as the persons contracting shall agree upon.

Of which contract, after having been duly signed *in triplo*, each of the parties shall be furnished with one counterpart, and the third counterpart is to remain in the office of the fiscal, landdrost or field cornet ; while, for the sake of facilitating the execution of this measure as much as possible, the fiscal and respective landdrosts shall upon applying for the same be furnished on the part of government, *gratis*, with the necessary printed copies for their own offices, and those of the field-cornets under them.

This being neglected, no contract of hire against a Hottentot shall stand good ; and in a case where it is proved that the Hottentot was ignorant of these present regulations, upon the existence of a hire contract being satisfactorily proved, the engagement shall stand good in favour of the Hottentot, who shall be entitled to all the advantages secured by this proclamation to Hottentots entering into contracts before the fiscal, landdrost or field-cornet.

3d. In such cases where a Hottentot entering any service, with the consent of the person whose service he engages in, includes his wife and children, or any of them, in the contract, the same shall be supplied by such person whose service the said Hottentot enters with the necessaries of life, (lodging included,) in the same manner as the person who made the contract, provided they have not made a personal engagement for themselves ; as in this case a separate agreement must be made with them, and duly signed.

4th. That the agreement expiring on the last day of the time stipulated in the contract, the servant shall not be obliged to continue his services any longer, but be at liberty with his wife and children, (if they are with him,) and with all his cattle and other property of whatever nature it may be, to leave the master, and enter another service, or act in any other manner the laws of this colony admits of, without being hindered by the master, or any one on his part, on pain of forfeiting 100 rix dollars to be divided in three shares, one third for the treasury of the district, one third for the magistrate who prosecutes, and the remaining third for the Hottentot thus molested.

5th.—That the master shall be obliged to pay the wages agreed for strictly on the periods mentioned in the agreement ; and that in case of neglect, upon the Hottentot's lodging a complaint, the case shall be tried by a committee of the court of justice, in the presence of the fiscal, if in the district of the town, and by the board of the respective landdrosts and heemraaden if in one of the country districts, which Board, upon a summary investigation, shall administer justice ; and in case the complaint

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plaint is well founded, the master not only shall be obliged to pay the servant his wages, but shall over and above forfeit all claim to the further fulfilment of the contract, as likewise all claim on account of such necessaries as he may have provided.

6th.—That before the said committee of the court of justice, and the board of landdrost and heemraaden, in the same manner shall be tried all cases in which a Hottentot lodges a complaint against his master for ill treatment; when if upon a summary investigation the fact be found true, the Hottentot shall be discharged from his service, and the master be fined in a fine not exceeding fifty rix dollars, and not less than ten rix dollars, according to the nature of the ill treatment; and the Hottentot, if found to have urged his complaint wantonly or malignantly, shall receive such correction as the nature of the case shall require.

(This article is not to extend to ill treatment accompanied by mutilation or injury done to any part or limb of the body, by which the complainant may be deprived from the use thereof for some time or for ever; but in these cases the fiscal or the landdrost shall prosecute according to the common law in use in this colony.)

7th.—That in case the Hottentot, at his own request, shall have been supplied by the master during the term of contract with clothing or other necessaries, in deduction of the amount of his wages, the nature and value of such supplies shall, at the time of supply, be stated to the ward-master, or field-cornet, who upon the Hottentot's affirming the same, shall make a memorandum thereof, in order to be had recourse to in case of any dispute about the payment of the wages; but in case of the supplies not being stated at the time, and registered in this way, no allowance for them shall be made: this same rule is to be observed when any claim arises between a master and Hottentot on any other account, during the term of the contract, by which the Hottentot becomes the debtor of the master.

8th.—That no wine, brandy, or other spirituous liquors, shall be considered as necessaries of life, and consequently no allowance shall be made for the supply thereof to a Hottentot by his master, during the period of his employment.

9th.—That in case it is found, at the expiration of the term of contract, that the Hottentot has been supplied with more than what the amount of the wages he agreed for comes to, the master shall not have any claim on that account on the Hottentot's or his family's further services, but shall notwithstanding be obliged to let him or them depart without any ways detaining him or them, and to prosecute the Hottentot before a committee of the court of justice, in the presence of the fiscal, or the board of the respective landdrosts and heemraaden, who upon finding the claim to be founded, shall condemn the Hottentot to the payment thereof, leaving to the plaintiff to carry his condemnation into effect, *ordinario modo*.

10th.—That the master shall in no case be allowed to detain, or prevent from departing, the wife or children of any Hottentot that has been in his service after the expiration of the term of contract of their husband or father, under pretence of a security for what he may be indebted to him, not even if he had any claim on the wife or children themselves, for money or any other advances; but he shall be obliged to have recourse to the mode of proceeding prescribed in the last preceding article, and not be allowed by his own authority to attempt the repayment of himself, by the personal services of these natives.

11th.—That likewise in case of the Hottentot's dying, through which the effect of his personal contract of hire ceases, the wife and children shall be at liberty to depart, (if not personally engaged,) and to take with them all their property, of whatever nature it be; and all disputes arising on this head shall come under the summary cognizance and decision of the said committees of the court of justice, or the heemraaden.

12th.—That the whole of the property which a Hottentot may leave behind on his decease shall be given up by the master, to those who according to the laws and customs of this colony shall be entitled to the same.

13th.—That the Hottentots engaged in the manner prescribed in the second article shall be bound diligently and honestly to serve their masters during the period of their contract, and to behave with proper submission, on penalty, that in case any founded complaints about their noncomplying with their contract be lodged against them, to the fiscal or respective landdrosts, they shall by order of the same be subjected to domestic correction; or if their misconduct deserves a severer punishment, they shall, upon a summary investigation of the case, by a committee of the court of justice, or heemraaden, be punished with confiscation of the wages due to them, or part of the same, or a temporary confinement, or a more severe domestic corporal

corporal punishment, according to the exigency of the case, independent of their being bound to serve out their full time according to agreement.

14th.—That this, however, shall not extend to cases where any public criminal offence has been committed by the Hottentots, who are in such cases to be prosecuted by the fiscal or landdrost of the district in the usual manner.

15th.—That no Hottentot shall be taken into service without being provided with a certificate, either of his master or the fiscal, landdrost or the field-cornet, under whose district he did serve, containing a declaration that he has duly served out his time—or in case he has not served out his time, that he left the service of his former master with proper consent, or upon due authority; while the Hottentots that have been in the military service, must be provided with a legal discharge, before any one whosoever shall be allowed to take them into his service; and any one taking into his service a Hottentot not provided with such certificate or discharge, shall forfeit 100 rix dollars—one third for the informer, one third for the public treasury, and one third for the magistrate who carries on the prosecution.

16th.—Lastly, The Hottentots going about the country, either on the service of their masters, or on other lawful business, must be provided with a pass, either of their commanding officer, if in the military service, or the master under whom they serve, or the magistrate of the district, on penalty of being considered and treated as vagabonds; and moreover, the tenor of a Proclamation of the 17th of October 1797, respecting soldiers, sailors, servants, &c. as well as military deserters, is to be strictly attended to in regard to Hottentots going about the country; so that every one is to ask a pass from any Hottentot that happens to come to his place, and in case of his not being provided with it, to deliver him up to the field-cornet, landdrost or fiscal, in order to act as after due inquiry they shall feel incumbent to do.

And in order to give the fullest publicity to this my intention and command, besides the usual means of making the same known, I do hereby direct each and every ward-master of this town to appoint and assemble one Hottentot from every house in the respective wards, and each field-cornet in the several country divisions one Hottentot from each house in such division, as early as possible after the receipt of this proclamation, and to explain, or cause to be explained to such Hottentots so assembled, the full meaning thereof; and I do further direct the ward-masters and field-cornets aforesaid to report to His Majesty's fiscal, and to their respective landdrosts, their having complied with this instruction, as they shall answer the contrary at their peril.

Given under my hand and seal, at the Cape of Good Hope, this 1st day of November 1809.

(signed) CALEDON.

By his Excellency's command.

(signed) *H. Alexander, Secy*

Enclosure, N° 2.

Newlands, 5 January 1824.

GENTLEMEN,

I HAVE the honour to enclose for your information certain resolutions which, having been unanimously agreed to in the House of Commons on the 15th of May last, have been forwarded to me by His Majesty's Secretary of State for the Colonies.

I have at the same time received His Majesty's commands not only to give my particular attention to the amelioration of the state of slavery generally, but also to give immediate effect to certain measures which are particularized in Earl Bathurst's communication.

Fortunately the steps which I took by my Proclamation of the 18th March last, have anticipated the views of His Majesty's government in most of the points which have attracted its attention; some other regulations will be gradually introduced, but there is one to which I am to call your earliest notice, it is that of abolishing flogging in all cases of female punishment, whether slaves, Hottentots, or others; and

and I am therefore to require, that in all sentences which your worshipful court shall be compelled to pass, wherein the law as it at present stands would warrant the punishment of flogging to be inflicted on female delinquents, some of the other modes of satisfying justice, more applicable to the female characters, should in future be adopted; it being my intention, in obedience to the commands of His Majesty's government, that this regulation shall not only be carried through your court, but also through the inferior courts, and into the domestic corrections authorized in the departments of His Majesty's fiscal, and in those of the landdrosts and deputy landdrosts respectively.

I have, &c.
(signed) CHARLES HENRY SOMERSET.

To the Chief Justice and Members of the
Worshipful the Court of Justice.

PROCLAMATION.

BY his Excellency the Right Honourable General Lord Charles Henry Somerset, one of His Majesty's most Honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS I, having taken into consideration the happy increase of the means of religious instruction, and the opportunities for religious worship, which have been established in this settlement, and the benefit which is resulting therefrom to the community at large; and being confident that there exists but one feeling in the breasts of the inhabitants, that it is the bounden duty of every true Christian to civilize the lower classes, and to ameliorate their condition as far as may be consistent with the security of the state, and with a due consideration to the rights and privileges of all: and whereas, it must be evident to every well-disposed and religious person, that the propagation of Christianity amongst slaves will tend, beyond any other measure, to promote morality amongst them, and to improve their condition and conduct; do (under a sanguine hope that the following regulations may conduce to those desirable objects, and to the removing of any existing evils) hereby proclaim and order:—that

1st.—Sunday being commanded in all Christian states to be a day of rest, it is hereby forbidden and declared illegal to compel a slave to perform field labour on the Sabbath-day, or any other work but such as is ordinarily considered work of necessity. Complaint in such case to be made to the local authority, who is hereby empowered to exact a penalty for every such offence, if proved, not exceeding fifty rix dollars, nor less than ten rix dollars.

2d.—Slave proprietors, who have caused their slave children to be baptized in the Christian religion, shall, as far as relates to such slaves, be exempt from any tax which has been imposed on slaves in this colony.

3d.—The manumission of a slave who has embraced the Christian religion, shall not be subject to the customary payment of fifty rix dollars to the reformed church; but such slave shall nevertheless be entitled (the same as other members of the church) to support from the vestry under the usual regulations and conditions.

4th.—Christian slave proprietors, residing in Cape Town, and other towns and villages, and their immediate vicinity, where free schools are or may be established, are, after the first day of June next, to send their slave children above three years, and under ten years of age, at least three days in each week to the established free school nearest to their dwelling; and those whose residence will not permit them to afford this consoling advantage to their slave children, are anxiously invited to avail themselves of any means which may offer for giving them instruction.

5th.—Slaves who have been baptized, and who are not within the prohibited degrees of consanguinity, may intermarry with their proprietor's or respective proprietors consent, had in writing, and delivered to the local authority; and the children of such marriages shall be the property of the proprietor of the mother. The same shall hold good with regard to slaves of either sex intermarrying with free persons, in which case also when the wife is a slave, the children of such marriage belong to her proprietor.

6th.—

6th.—The consent in writing, of the proprietor or respective proprietors, as the case may be, transmitted to the clergyman through the local authority, shall supersede the necessity of being asked in the church, or of appearing before the matrimonial court to legalize the marriages of slaves, and the respective local authorities shall be responsible that all marriages between slaves are without delay enregistered, as all other marriages are, and that a notification of the marriage be made to the general or district office (as the case may be), established for the enregistration of slaves.

Slave marriages shall be celebrated in the church on Sundays, where the locality will permit, and in other cases the clergyman will once in twelve months appoint the most convenient places in their respective districts, for the purpose of marrying slaves and baptizing children, so as to remove the inconvenience arising from remote habitations, which marriages it shall be lawful for the clergyman to perform, upon receiving the written consent of the proprietors, through the local authority as above directed. The marriages of slaves, and the baptism of their children, shall be performed without fee or reward.

7th.—After the celebration of marriages, it is forbidden for the parties to be sold separately, or the children of such marriages without the parents, or the survivor of them, until such children shall have attained the age of ten years, except under a decree of the court of justice.

8th.—Children not born in wedlock of a slave woman, who has embraced the christian religion, and has been baptized, shall not be sold from their mother, unless they shall have fully attained their ninth year; neither shall such christian female slaves so baptized be sold, without selling to the same person any child she may have under the age of nine years, except under a decree of the court of justice.

9th.—The regulations prescribed in the preceding clause respecting children born of mothers who have embraced the christian religion, and have been baptized, shall also be observed with regard to children born of slaves not of the christian religion, and not having attained their year, to whom the special care and attention of the mother must be considered indispensable; and all sales not in conformity to the restrictions comprehended in this and the foregoing clauses, are hereby declared null and void.

10th.—In order further to ensure the observance of the preceding clauses, separate books shall be kept in the respective offices for the enregistration of slaves of all slave marriages, and of all slave children born in lawful wedlock; for which purpose owners shall report to that office, in their respective districts, the date and proof of baptism. Those who neglect causing the children of their christian slaves born in wedlock to be baptized within twelve months after the birth of such children, shall incur a penalty of not less than twenty-five rix dollars, and not exceeding 100 rix dollars for each offence, and shall be compelled to have such child or children baptized at their own expense.

11th.—Slaves who have embraced the christian religion, and have been incorporated in the church by baptism, although transferred or become the property of heathens, are not to be deprived of the right of attending at church or place of christian worship on Sundays, under a penalty of ten rix dollars to be paid by the proprietor, unless justifiable cause can be shown for such prevention.

12th.—The evidence of a slave, upon oath after baptism may be received by the constituted authorities, or competent courts, the same as that of any other christian.

13th.—The property possessed by a slave, whether acquired by work in extra hours (with the permission of the proprietor), by donation, legacy, inheritance or by any other honest means, is inherent in the slave, and in no event belongs to the proprietor, except in cases of suicide. In cases where differences may arise with respect to the property of a slave, or the means by which such property has been acquired, either party may bring the case under the cognizance of the local competent court: every slave is entitled to dispose of his or her property, or other rights legally acquired, as well during life as by will at his or her demise, according to the laws of the colony; but in consideration of the peculiar circumstances, which attach to this class of the community, it is here enacted that if a slave die intestate, having no husband wife or child (as the case may be), the last declaration of the party, relative to the disposal of his or her property, if made before two credible witnesses, of the age of twenty-five years or upwards assembled for the purpose (who shall depose on oath to the truth of their statement), shall be considered valid and effectual for the disposal of his or her property, under the direction

tion of the orphan chamber, provided such disposal be not in favour of either of the said two witnesses, and the orphan chamber shall make the disposal accordingly. In cases where intestate slaves have no relations, and make no declaration or last will and testament, such as above described as to the disposal of their property, the property shall be paid by the orphan chamber into a fund, formed for the purchase of such female slave children as shall have been at one of the established schools during a period of four years, and who shall be particularly recommended by the committee for their moral and exemplary conduct during that period. The value of the female slaves whose freedom is thus purchased shall be fixed according to their actual value at that period, by a commission of the court of justice; and such purchases shall be exempt from all taxes and charges ordinarily imposed upon the manumission of slaves. This fund shall be placed under the direction of a Board, consisting of his Excellency the Governor for the time being, the Colonial Secretary, the Chief Justice, the President of the orphan chamber, the colonial Chaplain, and the senior Ministers of the reformed and Lutheran Churches, and such other person or persons as the Governor for the time being shall be pleased to appoint, who are also empowered to receive all donations and legacies which may be made in aid of the objects of this fund. In the disposal of property left by slaves, the fees to which the orphan chamber shall be entitled, shall be on a scale of one half only of the established fees of that institution.

14th.—Every slave is to be daily supplied with sufficient and wholesome food; and in cases of dissatisfaction relating thereto, appeal may be made by either party to the local authority, and if deficiency or bad quality be proved, the proprietor or employer for the time being shall incur a penalty of twenty-five rix dollars, and for a second offence a penalty of fifty rix dollars, to be disposed of as hereinafter directed, in clause twenty-three; if on the contrary the complaint be proved to be unfounded or frivolous, the complainant may be proceeded against as hereinafter directed.

15th.—Every slave is to be kept provided with good and sufficient clothing, by the proprietor for the time being, and in case of dissatisfaction, appeal may be made, under the same provisions and penalties on either side, as stated in clause fourteen.

16th.—Slaves employed in garden or field labour are not to be compelled to work more than ten hours in each twenty-four hours, from the 1st April to the 30th September; nor more than twelve hours in twenty-four hours, from the 1st October to the 31st March inclusive, except during the ploughing or harvest seasons, or on extraordinary occasions, when a remuneration shall be made to them in money, or by an additional proportion of food, according to the discretion of the local magistrate (if appealed to), under a penalty not exceeding fifty rix dollars, nor less than ten rix dollars.

17th.—Proprietors or persons employed by them are not at liberty to inflict any punishment on a slave beyond what may be considered a mild domestic correction; this correction is only to be given with rods, or other implements of domestic punishment; it is not to exceed twenty-five stripes, and is, in no case, to be repeated within twenty-fours, nor until the delinquent shall have recovered from the effects of any former correction, under a penalty, in breach of any of the provisions of this clause, not exceeding 100 rix dollars, nor less than 50 rix dollars for each offence.

18th.—Should it be necessary for the security or safety of a family or individual to put a slave in irons, the same shall be reported, within twenty-four hours, to the local authority, under a penalty of fifty rix dollars, stating the cause and circumstances under which such measure could be justified.

19th.—Maltreatment of a slave by the proprietor, not attended with death, may be punished by fine, imprisonment, banishment or other sentence of the law, according to the nature of the case and the degree of cruelty exercised; and the slave may be publicly sold for the account of the proprietor, but under special condition, of never again coming into his power, or into that of his parents, children, brothers, or sisters; but when the maltreatment of a slave has been attended with death, it must be recollected that the court in giving judgment will be guided by the law applicable to homicide.

20th.—Maltreatment of a slave by the overseer or representative of the proprietor or other individual shall be punished as if the same had been inflicted on a free person, placed under the superintendence or direction of such overseer or other representative of the proprietor. Domestic punishment is forbidden to be inflicted on a slave by any other hand than that of the proprietor, employer or overseer, (not being a slave,) except in cases where the proprietors or employers, having no free person in their employ, are females, or infirm, or suffering under disease, or are upwards of sixty
years

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years of age, under a penalty of 100 rix dollars, nor less than fifty rix dollars, to be paid for each offence by the person who has caused such illegal punishment to be inflicted.

21st.—On the complaint of a slave to the local magistrate against the proprietor, or other individual, the magistrate shall take charge of the complaining slave, and inquire into the case forthwith, in order, should the complaint be well founded, to proceed against the person complained of, in such manner as the law directs; but should the complaint prove groundless, the slave shall be condemned to such legal punishment as the nature of the case may require.

22d.—The corpse of a slave shall not be interred without permission being first obtained from the fiscal, landdrost, or field-cornet under whose immediate jurisdiction the employer for the time being resides, under a penalty of fifty rix dollars.

23d.—All penalties incurred under the provisions of any of the clauses in this proclamation shall be disposed of as follows: one third to the informer, and two thirds to the fund specified in clause 13, for purchasing the freedom of female slave children of the free schools.

24th.—It is clearly to be understood, that none of the provisions contained in the foregoing clauses do, or will affect in any degree the property of the proprietors in their slaves, or their just claims to their services.

And that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

GOD SAVE THE KING!

Given under my hand and seal, at the Cape of Good Hope, this 18th day of March 1823.

(signed) C. H. SOMERSET.

By command of his Excellency the Governor.

(signed) C. Bird, Secretary.

Enclosure, N° 3.

Statement of the Population at the Cape of Good Hope, commencing with the year 1807.

| Year | FREE INHABITANTS. | | HOTTENTOTS. | | APPRENTICES. | | SLAVES. | | Total. |
|-------|-------------------|--------|-------------|--------|--------------|---------|---------|---------|---------|
| | Men. | Women. | Men. | Women. | Male. | Female. | Male. | Female. | |
| 1807. | 14,169 | 12,551 | 8,607 | 9,050 | — | — | 19,056 | 10,230 | 73,663 |
| 1808. | 14,774 | 12,813 | 8,151 | 8,569 | — | — | 19,225 | 10,344 | 73,876 |
| 1809. | 15,225 | 13,455 | 8,299 | 9,163 | — | — | 19,105 | 10,560 | 75,807 |
| 1810. | 16,322 | 14,615 | 9,493 | 10,271 | — | — | 19,821 | 10,600 | 81,122 |
| 1811. | 16,853 | 15,012 | 9,775 | 10,390 | — | — | 19,176 | 10,713 | 81,919 |
| 1812. | 17,090 | 15,617 | 9,355 | 10,055 | — | — | 18,804 | 11,103 | 82,024 |
| 1813. | 17,321 | 15,964 | 9,651 | 10,256 | — | — | 18,999 | 11,015 | 83,207 |
| 1814. | 17,862 | 16,477 | 9,668 | 8,834 | — | — | 19,862 | 11,366 | 84,069 |
| 1815. | 18,135 | 17,306 | 9,614 | 8,690 | — | — | 18,496 | 11,304 | 83,518 |
| 1816. | 18,230 | 17,884 | 9,484 | 10,552 | 528 | 225 | 18,596 | 11,466 | 86,965 |
| 1817. | 20,154 | 18,578 | 11,683 | 11,870 | 778 | 330 | 19,080 | 12,293 | 94,766 |
| 1818. | 22,434 | 20,420 | 11,489 | 11,491 | 961 | 412 | 19,507 | 12,802 | 99,516 |
| 1819. | 20,912 | 19,612 | 11,323 | 10,295 | 968 | 418 | 18,708 | 12,154 | 93,390 |
| 1820. | 23,828 | 21,946 | 12,700 | 12,687 | 959 | 451 | 19,191 | 12,719 | 104,481 |
| 1821. | 24,977 | 23,001 | 14,291 | 14,544 | 913 | 451 | 19,164 | 13,024 | 110,370 |
| 1822. | 24,023 | 22,121 | 14,700 | 14,512 | 954 | 503 | 18,971 | 13,154 | 109,138 |

(Excepting Albany, the census of which district has not been returned.)

Cape of Good Hope, 16th October 1824.

It has not been found practicable to furnish a return of the population for any period antecedent to the year 1807, many of the drosties had not been established, and the practice of taking the census commenced late in most parts of the colony.

(signed) CHARLES HENRY SOMERSET.

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Enclosure, N° 4.

Grants of Land at the Cape of Good Hope, made to Hottentots and Bosjesmen during the last Seven Years.

| District. | Date Of the Grant. | GRANTEE. | Extent of Land. |
|--------------|--------------------|-----------------------------------|--|
| Cape - - | 15 Oct. 1817 | Jac ^s Davidson (Hott.) | 3 morg. 67 roods, perpetual quit rent. |
| Stellenbosch | 1 July 1817 | Saartje (Bastard Hott.) | 2 morg. - - ditto. |
| Ditto - - | 27 Oct. 1817 | Moses Balie (ditto.) | 24 morg. 136 roods ditto. |
| Ditto - - | 27 Oct. 1817 | Carel Fortuin (ditto.) | 29 morg. 410 roods ditto. |
| Ditto - - | 4 Feb. 1819 | Carel (Hott.) | 12 morg. - - ditto. |
| Worcester - | 24 Sept. 1821 | Abraham Zwart (Hott.) | 27 morg. 194 roods ditto. |

It is to be observed, that it is the practice of Hottentots, when they are not in service, to repair to one of the Moravian or other religious institutions. The applications for land, therefore, by this class are very rare.

(signed) CHARLES HENRY SOMERSET.

Cape of Good Hope,
16 October 1824.

Enclosure, N° 5.

RETURN of all Commandos or Expeditions against the Bosjesmen which have taken place at the Cape of Good Hope since 1797; stating the number of Bosjesmen killed, wounded, and taken Prisoners, stating also what had been done with the Prisoners.

| DISTRICT. | Number of Commandos | Number of Bosjesmen | | | REMARKS. |
|-------------------|---------------------|---------------------|----------|------------------|---|
| | | Killed. | Wounded. | Taken Prisoners. | |
| Stellenbosch - - | 14 | 45 | 4 | 22 | <p>The Commandos that proceeded against the Bosjesmen from this district were ordered out in consequence of the repeated depredations and murders committed by this marauding race of people. To repress this disposition on the part of the Bosjesmen, no other means could be rendered available than that of immediate pursuit and punishment. The expeditions mostly took place during the latter end of the last century, and it has not therefore been practicable to ascertain precisely the fate of those taken prisoners: some, however, it appears escaped, and it is surmised that the remainder were released.</p> <p>The same remark is applicable in this instance.</p> <p>According to the practice of the district, the prisoners were distributed among the inhabitants, and put out to service for a stated period. The greatest precaution, however, has been observed in the treatment of these uncivilized people, and the Proclamation establishing the registry of slaves will show that no attempts could be successful to include any of this class amongst those unfortunate persons. The accompanying documents show the anxiety of the colonial government in this regard, and detail the system at present pursued, and the regulations established respecting them. Most of the prisoners taken on these expeditions have returned to their kraals, and the remainder are living with the farmers on the same terms as their Hottentot servants. In cases where the perpetrators of murders could be discovered, they were tried by the colonial laws, and, if convicted, underwent the punishment their crimes demanded.</p> |
| Worcester - - | 18 | 42 | 7 | None | |
| Graaff-Reinet - - | 21 | 97 | 3 | 280 | |

(signed) CHARLES HENRY SOMERSET.

Cape of Good Hope,
16 October 1824.

PROCLAMATION.

BY His Excellency the Right Honourable General Lord Charles Henry Somerset, one of His Majesty's most Honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS from the numerous manumissions which take place, and the large class of negro apprentices (which has of late years been, by decisions of the court of Vice Admiralty, greatly increased), it appears to be expedient that the most minute precautions should be taken to prevent the possibility of such free persons, or their offspring, merging into a state of slavery, or being confounded with the domestic or other slaves, the property of individuals in this settlement :

And whereas it has not been found sufficient to cause a census of such free persons to be taken, numbers of them being so ignorant as not to be able to comprehend the utility to themselves of making known to the magistrates, hereunto appointed, their places of abode and avocations, and thus leaving it uncertain whether they be or be not free persons ;

Be it therefore, and it is hereby ordered, by virtue of the power and authority vested in me by His Majesty, that henceforward all persons shall be bound to have their slaves registered, according to the regulations hereinafter prescribed, viz.

1st.—There shall be an office established in Cape Town, for the purpose of keeping exact registers of all slaves within the colony.

2d.—In each of the country districts, there shall likewise be an office for the same object, under the immediate inspection of the landdrost, and in correspondence with, and under the control of the principal office in Cape Town.

3d.—The office in Cape Town shall be managed by an inspector and assistant inspector, with the necessary clerks. The offices in the country districts shall be conducted by the district clerks, except in the district of Stellenbosch, where there is no district clerk, there the secretary to the drostdy shall take this duty upon himself.

4th.—Every proprietor of a slave or slaves shall be bound to enter at the office of the district in which he resides, by name and sex, all his or her slaves, stating their respective ages, (to the best of his or her knowledge,) country and occupations, and also to report and receive a certificate of all manumissions, transfers, inheritances, births, deaths, or changes of property, as the case may be.

5th.—The inspector of the enregisterment shall cause an alphabetical register of all proprietors within the Cape Town, the Cape district, and the residency of Simon's Town, to be prepared ; and he shall cause to be entered therein, separately and distinctly, each person's slaves, by name, sex, age, country and occupation, carefully noting therein the changes that shall occur, whether by transfer, manumission, inheritance, gift, death, or change of property.

6th.—The secretary to the drostdy of Stellenbosch, and the district clerks in the remoter districts, shall keep registers in their respective districts, and shall be obliged monthly to transmit copy of all their proceedings to the chief office in Cape Town, where registers for each country district shall be separately kept, to be formed from the proceedings of these officers.

7th.—The inspector in Cape Town, the secretary of the drostdy of Stellenbosch, and the district clerks respectively, shall give to each person registering his slaves a certificate of his having so done, which certificate shall be a counterpart of the registry, and thus describe the name, sex, age, country, and occupation of the slaves so registered, and which certificate such proprietor shall have to keep for his own security.

8th.—The inspector in Cape Town, or the functionaries alluded to in the country districts, as the case may require, shall grant a like certificate in all cases of the registry of birth, death, manumission, transfer, inheritance, gift or change of property.

9th. — In all cases of the sale of a slave, the party purchasing such slave shall obtain from the inspector in Cape Town, or the functionaries alluded to in the country districts, as aforesaid, a certificate of such transaction, which certificate shall describe the name, sex, age, country, and occupation of such slave, and shall be granted upon

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upon the former proprietor, or his authorized agent, or his representatives, heirs, executors, administrators or assigns, making known to the registry office in writing, that such slave has been sold, and the then proprietor shall receive the said certificate as his deed of transfer, title, and claim to the slave purchased, and for which certificate (which shall be issued on a stamp of five rix dollars) he shall pay an additional sum of five rix dollars towards defraying the charges of the registry establishment.

10th.—A like certificate shall be granted in all cases of gift, inheritance, exchange of a slave, or other change of property therein, upon a stamp of five rix dollars, with an addition of five rix dollars towards defraying the charge of the registry establishment.

11th.—The inspector, or other functionaries, as the case may be, shall grant a certificate of the registry of the birth of a slave, which certificate shall describe the mother of such slave, stating her probable age, country, and occupation, and a charge of one rix dollar shall be allowed for the certificate of registry thereof.

12th.—No charge is to be made for the certificates of registry granted under the provisions of the 7th article of these regulations, nor is any charge to be made or fee to be taken for granting certificates of the registry of deaths.

13th.—The worshipful the court of justice is hereby required to appoint a commission once in each year to examine the registers of the inspector's office in Cape Town, and the documents upon which the registers are prepared, and satisfy themselves that the utmost accuracy is observed in keeping the same, of which they are hereby required to make report to me or to the governor for the time being; and the commission of circuit is hereby required to examine in like manner the registers of the respective country districts at the annual circuit, and to report their having so done to me or to the governor for the time being.

And whereas it appears to be of the greatest importance that no person shall, under any pretext whatever, evade or neglect to comply with the regulations herein prescribed and made known; be it therefore hereby further declared and ordered that if any person or persons shall have delayed making the return of his, her, or their slaves, called for by the 4th article of these regulations, beyond the 31st of March 1817, for Cape Town district and the residency of Simon's Town, or beyond the termination of the ensuing year 1817 for the respective country districts, such person or persons shall be considered as having manumitted the slave or slaves not then registered; and the worshipful the court of justice is hereby directed, in cases of applications for freedom of any slaves so situated, not to require other proof thereof than the mere want of registry as herein prescribed, except in such cases in which the proprietor or proprietors of a slave or slaves whose registry shall have been omitted, shall, upon reasons "founded in the law," be justified in his, her, or their claim for relief.

And be it likewise hereby further ordered that no infant born subsequent to the date of the present proclamation shall be recognised as slave, unless the birth of such infant be duly registered, as prescribed by the 4th article of the present regulations, within six months after the birth of such infant.

And it is hereby further ordered that in all cases of manumissions, deaths, inheritances, or changes of property, the party or parties failing to notify such circumstance to the inspector's office, or to the registry office in the country districts, as the case may be, such person or persons shall be liable to a penalty of 100 rix dollars in each case, which penalty shall be recoverable upon proof of the contravention of this regulation being brought before commissioners of the worshipful the court of justice for this town, district, and residency of Simon's Town, or the court of landdrost and heemraaden in the country districts.

And it is hereby further directed and made known, that no claim to a slave shall be held to be valid, unless the transfer of such slave, or the change of property therein, shall appear upon the registers of which the party claiming the slave shall have obtained a certificate thereof.

And in order that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

GOD SAVE THE KING!

Given under my hand and seal at the Cape of Good Hope, this 26th day of April 1816.

(signed) C. H. SOMERSET.

By his Excellency's command.

(signed) H. Alexander, Secretary.

Graaf-Reinet, May 9, 1822.

SIR,

I BEG leave to enclose copies of Reports received by me from the deputy landdrost of Cradock, on the subject of a patrol sent out in pursuit of a marauding Bosjesman's Kraal.

I have, &c.
(signed) *A. Stockenstrom.*

Lieut.-Col. Bird, Colonial Secretary,
&c. &c. &c.

Cradock, 23d April 1822.

SIR,

FIELD Commandant Van Wyk, having strongly urged the expediency of it, has obtained my sanction to march with a patrol from Tarka by the Bamboo's and Zuchor Burgen along the course of the Orange River.

This patrol moved on the 20th instant, and purposes being absent eighteen or twenty days, of which I hope you may approve.

I have, &c.

W. W. Harding, Deputy Landdrost.

Captain Stockenstrom,
&c. &c. &c.
Landdrost of Graaff-Reinet.

Cradock, 2d May 1822.

SIR,

I BEG leave to enclose copy of a report from the Veld Commandant, S. I. Van Wyk, of the proceedings of the patrol mentioned in my letter of the twenty-third ultimo.

The prisoners will be forwarded to Graff-Reinet as soon as an escort can be procured.

I have, &c.
(signed) *W. W. Harding*, Deputy Landdrost.

Captain Stockenstrom,
Landdrost of Graff-Reinet.

Tarka, 30th April 1822.

W. W. HARDING, esquire, deputy landdrost, reports that the patrol has on the 20th instant come up with the plundering Bosjesmen, there were eight Hottentots among them, of whom four were killed and four taken prisoners, twenty-four women and children have also been taken—I have sent back one of the women to tell the robbers that it is on account of their plundering and murders alone that they are pursued, that if they will desist no harm shall be done to them—one of the Hottentot prisoners died on the road; I send you three, with six horses and nine oxen, among the horses there is one belonging to A. Opperman, which, together with twenty-two others, were stolen away, and the nine oxen are of the fifty-one that were stolen away. The body of the Hottentot who died I had examined in presence of two witnesses; copy of the inspection I send herewith.

The Hottentots Knevel, Faw and Esau, who have conducted the prisoners, can best state in what manner the other died. I have received the body when dead.

Your servant and friend,
(signed) *S. T. Van Wyk*, Field-cornet.

The women and children are so disposed of that they can subsist without stealing.

Extract of a letter from the Colonial Secretary to the Landdrost of Graaf-Reinet,
dated 23d May 1822.

FEELING as you have always most properly done on these subjects, his Excellency doubts not but that you will have considered it your duty to cause minute inquiry to be made into the circumstances of the death of the prisoner who is stated by
Van

Van Wyk to have perished on the road to Cradock ; but what his Excellency chiefly wishes to call your attention to, is the postscript of Commandant Van Wyk's report, wherein he states that the women and children taken have been so placed that they may now earn their livelihood without stealing ; what then has become of these prisoners ? What is the practice of the district in such cases, and upon what authority is the practice, whatever it may be, based ? 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 justifiable, and ought never to take place without the greatest precaution, for the future treatment of these unfortunates, and prevention of the possibility of their merging into the class of slaves.

Graaff-Reinet, June 5, 1822.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 23d ultimo, in answer to mine of the 9th, reporting the result of a party which has been sent under the Commandant Van Wyk in pursuit of some marauding Bosjesmen, and beg leave, in reply to the several propositions therein contained, to acquaint you that as soon as I received the report on the above subject, I, as his Excellency the Governor conjectured, requested the deputy landdrost to collect every information connected with the whole affair, on the receipt of which I shall be able to judge what steps to take relative to the three prisoners sent to this drostdy, and what can have caused the death of the fourth, mentioned by the said commandant.

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 these 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 expeditions 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 frontiers, 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 those 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 in enclosing 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 but that severer 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 enclosed copies—distressing, because it is quite clear that the continued drought, 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 commandos. Now then when a kraal has been thus attacked and dispersed, the bringing away such men, women, and children, as surrender themselves, or offer no resistance, is a matter of course or rather of charity ; indeed they very seldom will 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,

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 don't like one master they can go to another, and when they wish to return and join some peaceable kraal of their own tribe, they cannot be prevented. By these means numbers of them, at last finding an abode 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 once was 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 of 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.

I have the honour to be,

Sir,

Lieut.-col. Bird, Colonial Secretary,
&c. &c. &c

Your most obedient servant,
(signed) *A. Stockenstrom.*

Cradock, 1st June 1822.

SIR,

I HAVE the honour to enclose copies of Reports from Field-cornet J. Van Wyk, and the P. field-cornet Steenkamp, concerning a patrol which made prisoners the Bosjesmen Hottentots named Lustig and Wildschut, and who being persons of the most dangerous description to the peace of this district, I am at a loss how to dispose of, and request your instructions on the subject.

Although perhaps not much credit should be attached to reports brought by these Hottentots, yet I consider it my duty to acquaint you that they state the whole of the country along the Orange River, the Cafferberg and the Ooase Tafelberg to be covered with Caffers under the command of Gacka and the son of Patuna, who murder every one coming in their way.

Of the probability of this you will be the best judge, and I shall be happy to receive any orders you may deem proper to favour me with in consequence.

And have the honour, &c.

(signed) *W. W. Harding*, Landdrost.

Captain Stockenstrom,
Landdrost, Graaf-Reinet.

Tarka, 1st June 1822.

W. W. HARDING, Esq., deputy landdrost make report, that some days ago the Bosjesmen have carried off four oxen belonging to P. J. Jordaan ; I have sent out a patrol commanded by the Provisional field-cornet J. H. Steenkamp, and enclosed you will receive his report : I can also tell you that the two Bosjesmen mentioned I am well acquainted with, that I have taken much pains to make them give up their evil practices, but all in vain ; that the said Bosjesmen, Lustig and Wildschut, are constantly given to stealing, and thereby encourage others, who probably would not do so—said Wildschut escaped some years ago from the prison at Graaff-Reinet, where he was in irons for stealing.

Your servant and friend,
(signed) *J. J. v. d. Wyk*, Field-cornet.

Tarka, 30th May 1822.

To the Field-cornet P. J. Van Wyk.

My good friend—this is to report to you that I have been on patrol in search of the oxen that had been taken from P. J. Jordaan, that I have met with them at the kraal of Wildschut and Lustig, one of them I found dead. I have taken prisoners all I found in the kraal, to the number of fifteen, great and small ; I send you two Bosjesmen, Wildschut and Lustig, and am,

Your friend,
(signed) *J. H. Steenkamp*, P. veld-cornet.

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Graaff-Reinet, June 5th 1822.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 1st inst. covering copies of reports from the Commandant Van Wyk and Provisional field-cornet Steenkamp, relative to the apprehension of the Bosjesmen Lustig and Wildschut, accused of cattle stealing; and beg leave to suggest, if you do not consider that they can be kept safe at Cradock until their case can be decided, that you forward them to the prison here, and collect the evidences against them as soon as possible.

Although I agree with you that little credit is due to their information about the Caffers, yet as the *Tafelberg* borders so close upon the Tarka, it will be easy for the Commandant Van Wyk to ascertain the truth, by sending out a reconnoitring party.

I have, &c.

W. W. Harding, Esq.
Dy. Landdrost,
&c. &c. &c.

(signed) *A. Stockenstrom*, Landdrost.

Graaff-Reinet, June 6th 1822.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 24th ult. covering copies of reports relative to the death of certain Bosjesmen shot by A. Ludeke, P. Torf and J. Baster, as stated by the Field-cornet Burger, and relative to the depredations committed by Bosjesmen, and the success of the Provisional field-cornet Jacobson, who went in pursuit of them.

On the former report you will allow me to observe, that the conduct of Ludeke, Torf and Baster call for the most minute investigation; for as the matter is now before us, it appears perfectly impossible that any necessity can have existed to shoot a Bosjesman, who is reported at that moment to have had no other weapon than a stone and a knife, opposed to three well-armed men.

The lamentable fate of the Bosjesmen's kraal, attacked by Jacobson, and which appears to have been inevitable, I shall report to Government; but have in the mean time to request that you be pleased to satisfy yourself that those who have been brought out by the commandos are not ill-treated, or in any way enslaved; his Excellency the Governor being most particularly solicitous on that subject.

I have the honour, &c.

J. Baird, Esq.
Dy. Landdrost.

(signed) *A. Stockenstrom*.

Colonial Office, 21st June 1822.

SIR,

WITH reference to your letter of the 5th instant, on the subject of the employment of Bosjesmen women or 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 the cases where these unfortunate people are brought 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 present in employ in the district, and with whom; and that in future whenever any are taken into the service of the farmers or others, they should be separately registered in your office, and subsequently only employed under contract, as in the cases 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 regulations 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 this 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.

I have, &c.

A. Stockenstrom, Esq.
Landdrost of Graaff-Reinet.

(signed) *C. Bird*.

Beaufort, May 24, 1822.

SIR,

I BEG leave to submit for your information copies of letters from the Field-commandant J. Burgers, of the 16th March, and from the Provisional field-cornet P. D. Jacobs, of the 5th, 9th, and 16th April last, which were received by the acting landdrost, Mr. Stockenstrom, during my absence, respecting the depredations of the Bosjesmen, and melancholy consequence thereof.

I have, &c.

(signed) *J. Baird*, Deputy Landdrost.

Captain Stockenstrom, Landdrost.

Sloing Fontein, 5th April 1822.

J. Baird, Esq. Landdrost,

I HAVE now to inform you, Sir, that I returned yesterday from pursuing the Bosjesmen, who had taken the seventeen oxen from me, as I reported to you on the 13th of last month. The Bosjesmen are in great numbers on the Baayers Fontein's Berg; they have made an intrenchment; fifteen of the oxen they have killed, and the others they have taken by force; they have shot at us a good deal with firearms and poisoned arrows; I intend with a strong force to dislodge them.

If nothing was done to prevent it, much mischief might result from the collecting of the Bosjesmen: I have sent to them to inquire whether they would make peace? they said they would have no peace.

I have, &c.

(signed) *P. D. Jacobs*, Prov. Field-cornet.

Wolvefontein, 9th April.

Friend D. P. Jacobs,

I MAKE it known to you that R. Wydeman, and four men of the commando are gone after the Bosjesmen, who last night have carried off one half of the cattle belonging to J. Benadie and J. Esterhuis—these people have asked for assistance; I must also state that on the 19th of March the Bosjesmen have carried away seven of my oxen, of which they have shot one, the others I have recovered. On the 29th, they have again taken by force upwards of forty head, of which they shot three and wounded five.

I remain your friend,

(signed) *P. J. Jacobs*.

Nieuveld, 16th April 1822.

To J. Baird, Esq. Landdrost.

I HAVE now to acquaint you, Sir, that I have returned home from pursuing the Bosjesmen I made my report of on the 5th instant. I went with my commando up to the kraal to try to make peace with them; but before we were near the kraal, they shot at us with poisoned arrows, and wounded a Hottentot I had by me. I ordered therefore to fire on them, and doubt not but what many have been killed. I could not count their dead, for they kept themselves near a dangerous cavern, and many of them were still in arms. I have taken nineteen women and children—three women I have left in the kraal, to tell their husbands to come out to make peace, and to leave off stealing. These women said their husbands are captains, and were gone with a party of twenty men to the field cornetcy of Vosster, to fetch cattle and sheep. Sixteen of the prisoners I have divided among the people who were with me. In the kraal I have found different articles that had been stolen from the inhabitants as follows: six iron pots, one stirrup, one bridle, some new handkerchiefs, not hemmed, torn in pieces, thirty bullocks, two shot bags, with shot, one tobacco box with an ear scratcher, a waist buckle, two hat buckles with a hat ribbon, five iron spoons, four steel forks, three razors, of which two broken, one whole, the half of a spy-glass, two keys tied together, one bullet mould, one whetstone, one pair of scissars, a piece of a gunlock, one dubbette, one steel buckle, two powder-horns with some powder, one knife broken in two, three small shambucks—this is all what I have brought away. I told G. Mynhart to come to see whether any of those articles belong to him.

I am your obedient servant,

(signed) *P. D. Jacobs*, Prov^d field-cornet.

Instructions respecting the introducing, permitting, and apprenticing of Bosjesmen in the district of Graaf-Reinet.

Article 1.—At the next ensuing “Opgaaf,” every inhabitant with whom any Bosjesman’s child resides shall be obliged to mention the same with his “Opgaaf,” state the name and age of such child, the manner how it came into the colony, and when and on whose authority it has been placed with such individual, whether the mother is still living, and where she is; accompanied with such documents of a magistrate or field-cornet as, in case of doubt, would satisfy the landdrost of the truth of the statement.

Such of the Bosjesmens children who from long residence have mixed with the Hottentots, and have been considered as such, and who have as Hottentots children been apprenticed among the inhabitants, by any of the landdrosts, are not here included; in future, however, this mixing of these two descriptions of people shall not be permitted, but the registers of them be kept separate.

Article 2.—When at the Opgaaf it shall appear that the individual comes fairly by such child, and has, according to the proclamation of 1817, maintained and brought up such child, it shall then, conformably to such proclamation, be apprenticed to such individual by agreement between the magistrate and the master, made in duplicate, according to a form herewith annexed, which agreement then also must be registered in the manner here annexed, and a copy of which shall be transmitted at the end of the year to the colonial office.

Article 3.—Such children who according to the first article shall have been returned, but who have not as yet been maintained by the individual returning them for the period specified by said proclamation, shall also be put on the register, in order, after the expiration of said period, to be regularly apprenticed.

Article 4.—When however such children shall be found in the possession of persons on whose good treatment of these children the magistrate should entertain doubts, they shall forthwith be placed under better care; when on the register in the column of remarks such changes must be noticed, referring to the journals in which the particulars of this change can be found.

Article 5.—The manner in which Bosjesmen’s children may be received according to said proclamation: these presents further direct, that all such children as may hereafter be received from their parents or others, must be brought to the landdrost, or deputy landdrost, within a month after having been so received, together with a certificate of the field-cornet, that they have been obtained as prescribed by the said proclamation, when such children shall also be registered and dealt with according to the proclamations.

Article 6.—Such persons who have Bosjesmen’s children in their possession, and do not return them at the first “Opgaaf” according to the first article of the present publication, and also those who shall hereafter receive such children, and not produce them, according to the fifth article, within the month, to the landdrost or deputy landdrost, shall lose all claim to such children, who on no account shall be permitted to remain with them, but immediately on being discovered be removed by the magistrate, and placed with other persons, and there finally be apprenticed.

Article 7.—It is to be well understood that Bosjesmen’s children who live with their parents at such of the inhabitants are not included in the foregoing, and consequently they cannot, without the consent of their parents, be apprenticed.

Article 8.—At the first Opgaaf after these presents every inhabitant shall state the names of the Bosjesmen and women who live with them, together with their children, and who have a fixed residence in the colony, expressing the terms upon which they so reside with them, and what remuneration they receive for their services. Among these are not to be reckoned those who, by a long residence in the colony, are considered as belonging to the Hottentots, and have as such entered into agreements with the inhabitants.

Article 9.—Of such returns a register is to be formed; but such Bosjesmen and women shall be at liberty, so long as they are not registered, to remove with their children, either to change the place of their residence, or return to their country, provided they ask leave to do so of the landdrost or deputy landdrost, in order to have it entered in the register whither they go.

Article 10.—When such Bosjesmen or women, after having been any time in the colony with their children, are desirous to enter into an agreement with any of the inhabitants, it must be done with the consent of the landdrost or deputy landdrost, who shall previously satisfy themselves that such Bosjesmen and women understand the

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the import of such agreement shall be considered equally binding as that entered into between the inhabitants and Hottentots, and the parties shall be subject to all the laws of the colony respecting it.

Article 11.—All such Bosjesmen who in future shall come to reside within this district, shall within the month be shown to the landdrost or deputy landdrost, in order to be registered according to the ninth article, and be treated as directed by the three preceding articles.

Article 12.—Whenever in future it should unfortunately happen that plundering and murdering Bosjesmen's kraals must be pursued, all those who as usual are made prisoners, or follow the commando to the colony, and who cannot, like the actual plunderers and murderers, be tried according to the laws, are to be produced to the landdrost or deputy landdrost, within a month after the return of the commando; when the orphan children are to be put out with respectable and humane inhabitants, and treat them according to the spirit of the proclamation of 8th August 1817, always putting them on the register mentioned in the second article, while the remainder are to be disposed of as much into the interior of the district as possible, and there placed under the superintendence of those who will receive them, and treat them well. In this distribution care must be taken that men and their wives, parents and children, are not separated, after which they are to be considered and treated upon the same footing with those mentioned in the four preceding articles of the register made; there shall also annual copies be transmitted to the colonial office.

Article 13.—When Bosjesmen, who have, according to the fifth article, obtained a residence in the colony, should leave the colony either with or without the consent of the magistrate, and afterwards be found among a gang of plunderers, they shall then not be treated with the same leniency as before, but be prosecuted by regular process, and according to circumstances be banished for a number of years to Robben Island, or to such other place of security as his Excellency the Governor shall direct.

Article 14.—Any one neglecting to make the return required by the eighth article, or prevent any unengaged Bosjesmen to remove, with the consent of the magistrate, according to the ninth article, or detain any newly-arrived Bosjesmen longer than a month, without producing them to the landdrost or deputy landdrost, according to the eleventh and twelfth article, shall forfeit a sum not exceeding fifty rix dollars, for every Bosjesman and woman so detained.

(signed) *A. Stockenstrom*, Landdrost.

Graaff-Reinet, 26th December 1822.

Supplementary Article.

By the special command of his Excellency the Governor.

WHEN in consequence of the foregoing regulations a Bosjesman's child shall have been received and put out, and after that be reclaimed by the parents, the magistrate shall be authorized, the child having so been put out notwithstanding, to restore the child to the parents, provided satisfactory proof, to be judged of by the magistrate, be produced, that those so reclaiming the child be the parents indeed.

And in order that no one shall plead ignorance hereof, these regulations, together with the copy of his Excellency the Governor's approbation of the same, shall be published and promulgated in this district.

Graaff-Reinet, 26th January 1823.
(signed) *A. Stockenstrom*, Landdrost.

Colonial Office, 9th January 1823.

SIR,

I HAVE had the honour to receive and lay before his Excellency the Governor your letter of the 26th of last month, enclosing copies of regulations you had been directed by my letter of the 21st of last June to frame respecting such Bosjesmen, women or children, who should come or be brought into the Graaff-Reinet district; and I am instructed to convey to you his Excellency's entire approval thereof, and his

his

his desire that they may be promulgated and acted upon with the following alteration and addition, *viz.* that the penalty mentioned in the fourteenth article be worded, "not exceeding fifty rix dollars," which will leave it in the breast of the competent Court to increase or diminish the penalty according to the circumstances of each particular case: it is also his Excellency's desire, that an article be added to enable the magistrate to restore the Bosjesmen parents such children as having been abandoned by their parents, or found in a deserted state by colonists, shall be claimed by the parents and duly authenticated as the children of the claimants, of which proof the magistrate must be the judge.

I have, &c.
(signed) C. Bird.

A. Stockenstrom, Esq.
Landdrost of Graaff-Reinet.

Copies of FURTHER PAPERS received subsequently to Lord C. Somerset's Dispatch of 26th October 1824.

Copy of a Letter from A. Stockenstrom, Esq. Landdrost of Graaff-Reinet, addressed to Lieut.-col. Bird, Colonial Secretary, Cape Town, dated 5 May 1817.

Graaff-Reinet, May 5th 1817.

SIR,

A POINT which I consider as requiring the immediate interference of Government I neglected to represent to his Excellency the Governor, when his lordship visited this Drostdy; but a late occurrence having still more convinced me of the necessity of some provision—or rather, I think it my duty to delay no longer in making his Excellency acquainted with the following circumstance.

The cruel barbarous custom so prevalent among the Bosjesmen of murdering or exposing such of their children as they cannot provide for, or parting with them on any terms whatever, has induced several farmers to procure some of those children, by giving their unnatural parents some trifles for them in exchange, for the purpose of keeping them as servants hereafter, or some from a more humane principle, only to save their lives. This sort of traffick, already many years in use, when I first became aware of it, I of course thought dangerous to stop, as long as it remained perfectly understood that the farmer who got the child only considered himself master of it, until the parents again should claim it, when it was given up without any the least hesitation, or any remuneration being demanded, whatever might have been originally given in exchange; but having strong reason to suspect that this (as it is called) ancient custom is beginning to be seriously abused, that these children got in the above manner are transferred from one hand to another, and that payment is secretly taken; that many by these means are gradually taken from the frontier, brought into the inner districts, and passed off as orphans; that itinerant merchants begin to be supplied with them through some channel or other; that parents even begin to be disputed their claim to such children; from all which enormities I should think may result, that men might be found base enough, for the sake of some paltry gain, to give what the Bosjesmen may consider a great deal for such children, in order to supply others, anxious to procure them—this would be a sufficient inducement for one kraal to make an attack upon another, to murder the old ones and dispose of the children, independent of other excesses, to which men used to and leading the unpolished life of some of our most remote colonists may be seduced by such easy profit.

For all which reasons I consider necessary, with the most humble deference to his Excellency the Governor's better judgment, that before the evil shall be further extended, it should be ordered, under the most severe penalties, that no Bosjesman's child shall be received by any inhabitant from any of that tribe, except with the knowledge of the field-cornet of his district, who is to be held responsible upon his oath

oath, that he will be well convinced that no promise or gift on the side of the farmer has induced the Bosjesman to procure such child in an unfair manner, before he allows the child to be removed;—said field-cornet should moreover be obliged to make himself well acquainted whether such child is an orphan, and parted with because those it is in charge of will be no longer burdened with it, or whether it is given up by the parents from want, or the difficulty of carrying it along with them, which circumstances he should take down most minutely, together with the apparent age of the child, as well as every particular which can enable him to recollect its parents or guardians if ever they should return; the person then receiving such child should be bound to produce it whenever it shall be called for, and upon no condition whatever give it up to any person without proper authority, except to its parents, if they should reclaim it, when it shall be returned in the same manner as it has been received, in the presence of the field-cornet, who will then take care that it is not refused, except in cases hereafter mentioned—for instance,

In order not to discourage the farmers from taking up a number of children who would actually otherwise be sacrificed in the above cruel manner, it might perhaps be useful to stipulate, that such as shall have been received from the parents in a regular manner before the field-cornet under the apparent age of five years, and be reared by the farmer until it shall have completed its tenth year before it shall be reclaimed as above mentioned, shall be bound to serve the farmer for ten years more, upon the same principle, and under the same restrictions as have been established with respect to Hottentot children, by the proclamation of the 23d April 1812. That in the same manner a child received above five but under eight years of age, and reared until its twelfth is completed before it is reclaimed, shall be bound to serve until it shall become eighteen, and that all such received above eight and reared until it becomes fourteen, shall be bound to serve as long after as it has been kept before that time, that such as are well known to be orphans, and consequently not expected to be reclaimed, shall be brought to the landdrost with a certificate from the field-cornet describing how the child was obtained, and what proofs there are of its parents being no more, when the landdrost after making such farther inquiry as he shall deem requisite, and being convinced that the transaction is fair, shall bind such orphan in like manner as Hottentot children, according to the above-mentioned proclamation, always taking care to guess the age of the child as near as possible, and binding it only for so many years as to make its apprenticeship cease when it shall be calculated to be eighteen.

By such like regulations, or others more wisely concerted by his Excellency himself, I am in hopes that the state of such unfortunate children would be greatly amended, as they would place them by degrees in the same light with respect to the laws of the colony as the Hottentots now stand, and give them the same support of those laws as the latter people now enjoy.

The case which gave rise to my hurrying this representation, as alluded to at the beginning of this letter, was two little Bosjesmen girls being brought through this village a few days since, by a merchant from Cape Town, named Jacob Theron, who could give me no other account but that he had got them at a Bosjesmen kraal, where he was told that they were orphans; I naturally took these children from him and placed them in charge of the under sheriff, until I shall be convinced that no improper transaction has placed him in possession of them.

I have, &c.

(signed)

A. Stockenstrom,

Lieut-col. Bird,
Deputy Colonial Secretary,
&c. &c. &c.

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Copy of a Proclamation issued by Lord Charles Somerset, bearing date
8 August 1817.

PROCLAMATION.

BY his Excellency, the Right Honourable General Lord Charles Henry Somerset, one of His Majesty's most Honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-Chief of His Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, Commander of the Forces, &c. &c.

WHEREAS the lenient principles of His Majesty's Government, seconded by the humane disposition of the inhabitants, have gradually conciliated the fears and the animosity of that unhappy class of people the Bosjesmen, and excited their confidence: And whereas it has appeared to me, that the Bosjesmen have been for some time past, either from poverty, difficulty of maintenance, and removing their children from one place to another, in the habit of leaving such children with the richer and more humane farmers who, from compassion, were willing to receive and maintain such deserted children, until reclaimed by their parents: And whereas there is a tendency to abuse the best principles, and evil disposed persons may be tempted to pervert so good an example:

And whereas it becomes the bounden duty of the representative of a benign and humane Sovereign, to encourage that benevolence and charity which protects the neglected and deserted orphan from destruction, and to punish with the utmost severity, acts of so atrocious a nature, which may induce savage parents, for a paltry bribe, to divest themselves of their natural feelings, and sell their children, or by fraud or force, or even murder, to acquire possession of the children of others for the purpose of sale;

Be it hereby ordered and declared, that unless in the case of imminent danger to the life of the child, no inhabitant, without the previous knowledge of the field-cornet nearest to his residence, shall take, receive, or give any gratuity for a child to his parents, guardians, or others offering to dispose of such child, except in case of some well-grounded apprehension of death to the child, either from famine, irritation of the parents, or any other case which may induce such inhabitant to believe it necessary for the safety of such child to receive it; in such case, such inhabitant shall, as soon as possible, give notice to the field-cornet of the transaction, with an accurate description of the child, its sex, and supposed age, the names and descriptions of the parents, guardians, or such persons from whom it was received; and shall, if thought necessary, give security to restore the child when demanded, subject however to the subsequent conditions and regulations, under a penalty of 200 rix dollars, which penalty shall be recoverable by process in the court of landdrost and heemraaden, and appropriated to the district treasury. And be it further declared, that if any person be guilty of encouraging, by purchase or by promise, Bosjesmen or other savages to give up their own children, or procuring children by plunder, depredation or fraud, by the laws of all civilized nations, manstealing is the highest offence, and will be punished as elsewhere, to the utmost extent of the law; and that such procurements amount to such offence and crime, and will be punished accordingly.

And whereas it is necessary to encourage a humane disposition in the farmers and residents in the neighbourhood of the Bosjesmen, and other savage tribes;

Be it further ordered and declared, that when any inhabitant, with the knowledge and consent of the field-cornet and landdrost, shall have received any infant under the computed age of five years, and maintained it until the age of ten years; or shall have received any child above the computed age of five years, and under that of eight years, and shall have maintained such child until its computed twelfth year—that in such case it shall be lawful for such inhabitant to apply to the landdrost of his district, who shall apprentice such child, be it male or female, to such inhabitant, by whom he or she may have been so maintained, in case he be willing to receive such apprentice for ten years, provided the landdrost be satisfied that the person to whom the Bosjesmen infant is to be so bound is a person of humanity, and one upon whom strict reliance for the good treatment of the apprentice may be placed. And in case the person who has maintained the Bosjesman for the period of eight years, shall not be willing to take such Bosjesman as an apprentice

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tice for the term of ten years, or that the person in question be not such upon whose humanity or circumstances the landdrost can place reliance for the good treatment of the Bosjesman to be apprenticed, then the landdrost is hereby authorized to bind such Bosjesman unto such other humane person, within his district, as he shall think fit for the period aforesaid.

The deeds of apprenticeship (a form whereof will be transmitted to the respective landdrosts) are to be made in duplicate, and to be signed by the landdrost and the party to whom the apprentice is bound; one deed whereof is to remain in the records of the drostdy, in charge of the secretary, and one to be delivered to the master of the apprentice.

The respective landdrosts are hereby ordered to keep an exact register of all Bosjesmen, male or female, apprenticed according to the above-detailed regulations, and to transmit annually the same for my information.

And be it further ordered and declared, that when a child of the computed age of eight years or upwards shall have been received and maintained by an inhabitant until the age of fourteen, that then and in such case such inhabitant shall apply to the landdrost, who shall, under the same rules and regulations, apprentice such boy or girl for a period not exceeding that during which it has been maintained.

And that no person may plead ignorance hereof, this shall be published and affixed as usual.

GOD SAVE THE KING!

Given under my hand and seal, at the Cape of Good Hope, this 8th day of August 1817.

(signed) C. H. SOMERSET.

By his Excellency's command,
(signed) H. Alexander, Secretary.

Return of all Commandos or Expeditions against the Bosjesmen, which have taken place in the District of Worcester since the Year 1805, up to the end of 1823.

| DATE of the COMMANDOS or EXPEDITIONS. | NUMBER OF BOSJESMEN | | | REMARKS. |
|---|---------------------|----------|---------------------|---|
| | Killed. | Wounded. | Taken Prisoners. | |
| February 7, 1805 | 1 | - | - | What was done with the wounded men or with the prisoners, if any, not noted. |
| - 18, | - | - | - | |
| March - 2, | - | 1 | - | |
| August - 20, | 2 | - | - | |
| October - 5, | - | - | - | |
| - 7, | 23 | - | - | |
| December 1, | 9 | 3 | - | |
| - 31, | 1 | - | - | |
| March - 20, 1806 | - | - | - | |
| November 3, | - | - | - | |
| February 12, 1807 | - | - | - | |
| May - 3, | - | - | - | |
| July - 5, | - | - | - | |
| February 25, 1822 | - | - | - | |
| March - 7, | - | - | - | |
| - 22, | 6 | 3 | - | |
| - 24, | - | - | - | |
| April - 11, | - | - | - | |

(signed) C. Trappes.

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Return of all Commandos or Expeditions against Bosjesmen, as far back as the same are recorded at the Drostdy of Graaff-Reinet.

| Date of the Expedition. | Date of the Reports of the Landdrosts. | OBJECTS AND CAUSES of the EXPEDITIONS. | NUMBER of BOSJESMEN. | | |
|-------------------------|--|--|----------------------|------------|------------------|
| | | | Killed. | Wounded. | Taken Prisoners. |
| 1813. | April 27 | Pursuit of stolen cattle - - - - | 4 | — | — |
| 1816. | June 16 | Pursuit of Kraals which had committed various depredations and murders - - - - | 20 | — | 24 |
| July - | Aug. 1 | As above - - - - - | — | — | — |
| Nov. - | Dec. 31 | Ditto - - - - - | — | — | 56 |
| 1817. | Jan. 16 | In pursuit of stolen horses - - - - | 10 | — | 3 |
| 1820. | Sept. 21 | As above - - - - - | 19 | — | 58 |
| Nov. - | Dec. 6 | In pursuit of stolen cattle and horses - - | 11 | — | — |
| 1821. | Dec. 20 | In pursuit of stolen oxen - - - - | 1 | — | — |
| 1822. | Feb. 14 | In pursuit of Kraals which had committed various depredations and murders - - | — | — | — |
| — | March 7 | As above - - - - - | 12 | — | 2 |
| April - | May 9 | In pursuit of stolen cattle and horses, &c. - | 4 | — | 29 |
| — | June 5 | As above - - - - - | — | not known. | 19 |
| May - | — | Ditto - - - - - | — | — | 15 |
| October | Nov. 21 | Ditto - - - - - | 1 | 1 | — |
| 1823. | Jan. 30 | In pursuit of stolen sheep and goats, &c. - | 5 | — | — |
| February | Feb. 27 | In pursuit of stolen horses - - - - | — | — | 9 |
| March - | April 10 | As above - - - - - | — | 1 | — |
| Nov. - | Dec. 11 | In pursuit of stolen sheep, &c. - - - - | 2 | — | 8 |
| 1824. | Feb. 25. | In pursuit of a Kraal which had committed murders and stolen sheep - - - - | — | 1 | 9 |
| — | — | As above - - - - - | 4 | — | 48 |
| — | April 30 | In pursuit of stolen sheep - - - - | — | not known. | — |
| March - | — | In pursuit of robbers - - - - | 4 | — | — |

According to an old custom, the prisoners were distributed among the inhabitants, to try to bring them to peaceable habits, as fully detailed in the landdrost's letter to the colonial secretary, dated 5th June 1822; so that most of them have returned to their kraals, and the remainder are living with the farmers in the same way as their Hottentot servants. In cases where the real perpetrators of murders could be discovered they were tried by the colonial laws, and on the 9th of January 1823, certain regulations were established by Government relative to the Bosjesmen.

Graaf-Reinet, June 22d 1824.

(signed)

A. Stockenstrom.

Return of all Commandos or Expeditions against Bosjesmen, as far back as the same are recorded at the Drostdy of Stellenbosch.

| DATE. | By whom the Commandos and Expeditions have been effected. | NUMBER OF BOSJESMEN | | | REMARKS. |
|-------------------|---|---------------------|----------|---------------------|--|
| | | Killed. | Wounded. | Taken Prisoners. | |
| 1797. Jan. 10. | Jacobus Gideon Louw, J. S. field commandant (two Commandos) - - | 7 | - | 13 | - - These two Commandos have been effected, on account of the Bosjesmen having stolen from the inhabitants in the neighbourhood upwards of 100 head of cattle, and killed the herdsmen. |
| 1798. May 19. | Johannes Abraham Van Wyk, field corporal at Hantam - | - | - | - | - - This Commando has been effected on account of repeated robberies of cattle and murders by the Bosjesmen, and no mention is made in the report sent in, of Bosjesmen being either killed, wounded or taken prisoners. |
| Dec. 4. | Jan Van Wyk, inhabitant of Roggeveld - - | - | - | - | - - This Commando has been effected on account of an attack made by the Bosjesmen, on the farm of the widow Gert Vissage, and it does not appear in the report sent in, that any have been killed, wounded, or taken prisoners. |
| 1799. Feb. 2. | Field-cornet J. M. de Wet, | - | - | - | - - Effected for several rob- beries committed; no mention is made in the report of any being killed, wounded, or taken prisoners. |
| Aug. 4. | Field-cornet Jacobus Pienaar, at Hantam - - | - | - | - | - - This Commando has been effected by order of the land- drost, no Bosjesmen however have been killed, wounded, or taken prisoners, only three of them were seen, but escaped. |
| 19. | Johannes Abr. Van Wyk, field-cornet - - | 4 | - | - | - - Effected in consequence of robberies committed by the Bosjesmen. |
| 31. | Jacobus Gideon Louw, field commandant at Hantam | 10 | 4 | 3 | - - As above. |
| Sep. 1. | Ernest Hendrick Welfaarh, field-cornet - - | 11 | - | 3 | - - In the report is not men- tioned what has been done with the prisoners. |
| - | Abraham Moreton, field- cornet - - | 11 | - | 3 | - - Same remark as above; and these two last Commandos have been effected for robberies committed by the Bosjesmen. |
| 1800. Sep. 1. | By order of Field-cornet Marits - - | - | - | - | - - Effected in consequence of repeated robberies; no Bos- jesmen seen, but some stolen cattle found and taken. |
| 9. | Ditto - - ditto - - | - | - | - | - - - Ditto. |
| 1802. Jan. 21. | Jacobus Kruger, field-cornet at the Coup - - | - | - | - | - - No Bosjesmen have been seen, as appears by the field- cornet's report. |
| April 2. | Ditto - - ditto - - | 2 | - | - | - - This Commando effected for cattle theft by the Bosjes- men. |

This formed at the Secretary's Office, Stellenbosch, from the reports received from the different field-cornets, as being the only records kept in this respect, and from which the above-mentioned return has been extracted, July 17, 1824.

(signed) P. C. Van Blemmestyn, Secretary.

SLAVES,
CAPE OF GOOD HOPE.

PAPERS

Relative to the Condition and Treatment of SLAVES
at the *Cape of Good Hope*, during the last Five
Years:—As per Address of 13th April 1824.

Ordered, by The House of Commons, to be Printed,
23 March 1827.
