

A STUDY OF THE BRITISH PARLIAMENTARY SELECT
COMMITTEE ON ABORIGINES IN
BRITISH SETTLEMENTS
1835 TO 1837

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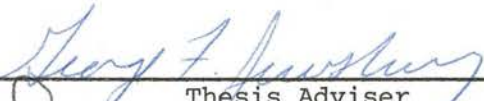
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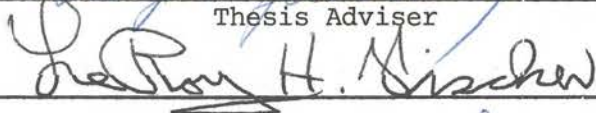
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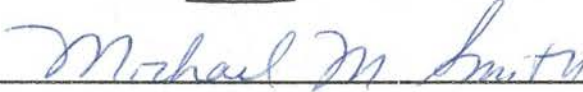
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PREFACE

This study explores aboriginal problems in British settlements. It does so by way of examining the British Parliamentary Select Committee on Aborigines (British Settlements) appointed by Parliament in 1835 to look into the problem.

By studying colonial official dispatches to the Colonial Office in London and by examining the evidence given in the report of the Committee, the author establishes the fact that serious aboriginal problems resulting from contact with British settlers existed. The author also explores missionary reports, individual memoirs relevant to the problems, and articles in local London newspapers and magazines at the time.

A detailed analysis of the biographies and political experience of the commissioners are given to help show why and how they arrived at the decisions they made and recommended to Parliament. The study then summarizes the report of the Committee and draws relevant conclusions.

The author wishes to express his deep appreciation to his major advisers, Dr. Edward M. Walters and Dr. George F. Jewsbury, for their patience and wise guidance during this study, especially with my English language difficulties. Thanks are extended also to the members of the committee, Dr. LeRoy H. Fisher, Openheim Regents Professor, and Dr. Michael M. Smith for their helpful critical comments on both style and content. I am also deeply indebted to all faculty members and graduate

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Finally, I do express my warmest thanks and love to my wife, Lilian, who for the last nine months read every word of the study and lovingly encouraged me. Without her love, devotion and interest in my success, this study would never have been accomplished. A note of thanks goes to my children, Rutendo, Rufaro and Ruzivo, who have patiently waited for five years to see me finish this and other studies.

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CHAPTER I

INTRODUCTION

The purpose of this study is to examine race relations which existed between British settlers and aboriginal tribes in British settlements by studying the Parliamentary Select Committee on Aborigines appointed in 1835 and reappointed in 1836. The study begins with a brief account of the aboriginal problem in early nineteenth century Great Britain up to 1835. By referring to official reports from colonies to the Colonial Office in London, the study provides a summary of the dispatches. Reports from missionaries and friends of aborigines on the same subject are also summarized. This aspect of the study serves two purposes: first, to show that serious racial problems existed; and second, to show the forces which necessitated the appointment of the Aborigines' Committee.

The study then gives a close examination of the creation of the Committee, its composition and terms of reference drawn up by Parliament. Special attention is paid to the political status, experience, and knowledge of the individual commissioners to determine their qualifications for their task.

In the section on the proceedings of the Committee, the study surveys the evidence brought before the Committee and also analyzes the devotion of each committee member to his duty. Then a character sketch of witnesses and an evaluation of their evidence are also given. As a

process of further analysis, the attendance record of committee members at hearings and the frequency of appearances of witnesses are also surveyed.

The last two major sections of the study conclude by briefly examining the report of the Committee, its findings, and its recommendations. It draws conclusions from the report, noting in particular its impact on both the British Government and the Empire. Since the plight of aborigines was a chronic problem for Britain, last section contrasts past policy with the new proposals.

The actual origins of British involvements with colonial colored races began with the discovery of the Americas and the subsequent settlement of the new lands. By the Treaty of Utrecht, 1713-1714, Britain was granted the Spanish Asiento which gave British slave traders the exclusive right to supply Spanish American colonies with 4,800 African blacks annually. The capture and transportation of such slaves showed no respect for the dignity and rights of the Blacks. The evils of the trade, so commonly known, lasted for about a century and a half. By 1807 British slave trade was abolished but the institution of slavery continued as an important part of the national commerce of Great Britain. In the same context, aborigines became "local slaves" in their lands.

To the British settlers in these colonies, the "free" native races were no freer than slaves, since the British colonial policy before 1834, if it can be called a policy, was haphazard and unenforceable. Aborigines' lands were confiscated without compensation; ill-treatment of native men, women and children was a common occurrence. The British Government could grant vast plots of lands to individual Britons without the slightest reference to the indigenous owners. Colonial officials

disbursed funds derived from sales of these lands, stock and goods without making any reserves for the benefit of the aborigines.

Theoretically, British humanitarian interest in the protection of aboriginal races in British colonial possessions began in the 1670s but was not intensified until the last quarter of the eighteenth century. One of the earliest records in British colonial affairs regarding the welfare, rights, protection and justice for indigenous colonial peoples appeared in a directive issued by Charles II to the Council of Foreign Plantations in 1670. In the directive, the King commanded the Council to treat the American Indians humanely. As noted above, with passage of time the directive became a dead letter.

As Great Britain acquired more foreign lands around the world and took a lead in slave trade, protection of aborigines was overlooked and scarcely debated in Parliament because of interest in slave trade profits. By the beginning of the nineteenth century, the evils of slave trade and of slavery dominated colonial affairs and overshadowed aboriginal problems. Religious organizations, especially the evangelicals, influenced by philanthropists like William Wilberforce, Granville Sharp, William Burke, Thomas Fowell Buxton, Zachary Macaulay, Stephen Lushington, and Lord Suffield, to name a few, fought for the abolition of slave trade in Britain and the empire first and then for total emancipation of all slaves in all British occupied territories. The fact that these humanitarian movements concentrated on slave trade and on slavery led to the negligence of problems of aborigines even though the two issues were almost inseparable until the late 1820s.

One other factor which contributed to the negligence of the difficulties facing aborigines in their contact with settlers was

British mercantilism which took precedence over humanitarian concern regarding the indigenous inhabitants of the lands they settled or with whom Britain traded. As long as profits flowed from those settlements to the parent state, aboriginal suffering remained a secondary concern. To the humanitarians also, as long as slave trade and slavery remained the chief evils to be combated, the struggle for aboriginal survival and justice remained of less immediate worry. As a result, total attention to the problem did not come until 1833 when the Slave Emancipation Act became law.

These problems were slavery, harsh treatment of native races, and epidemic foreign diseases which caused untold deaths among native inhabitants. The humanitarian movement, consisting of philanthropists, Wesleyan Missionary Society, British Anabaptists, the Dissenters, London Missionary Society, the Scottish Missionary Society, and the Church Missionary Society, fought slavery first for more than two decades until its abolition. After the death of slavery, they turned their full attention to aboriginal problems in 1834.

On July 1 of 1834, Thomas Fowell Buxton moved a motion in the House of Commons calling for "an inquiry into the state and condition of the aboriginal tribes" in those countries under British control. The motion was shelved without debate only to be made again on July 14, 1835. The outcome of the motion was the appointment of the Parliamentary Select Committee on Aborigines (British Settlements) by Parliament on July 15 of the same year. By assigning this thorny issue to a parliamentary committee, the British Parliament was following a practice which had become common and useful during the nineteenth century to seek solutions to the many problems that vexed the nation.

During the rest of the nineteenth century, the British people faced political, economic, social, and colonial problems of a greater magnitude than in any period before 1800. To solve those vexing problems, the British Government and Parliament resorted to the method of using Royal and Parliamentary Select Committees as fact-finding missions. Never before had so many parliamentary committees been appointed by both the House of Lords and the House of Commons. For instance, between 1800 and 1832, a total of sixty major committees were appointed to investigate in the problems of the nation and, in return, to report and recommend solutions to Parliament. Between 1832 and 1900, about 2,030 such new committees and commissions were created to explore crises ranging from parliamentary reform, abolition of slavery, labor discontent, the plight of the poor, and trade to imperial concerns affecting British subjects.¹ The findings and recommendations of such committees often became the bases for new legislation.

The third decade of the century (1830-1840) probably had more than its fair share of such committees of inquiry. A chronological examination of the commissions functioning during this period shows that in 1834 there were 291 committees; in 1836 about 528, including the Aborigines' Committee; in 1837, 290; in 1838, 346; and in 1839 and 1840, 432 and 237 respectively.² Certainly the number of committees increased relative to the growing number of critical problems emerging from the European revolutions of 1830, the chaos brought about by the Industrial

¹Clokie and Robinson, "British Parliamentary Papers, 1832-1900," Royal Commissions of Inquiry (Stanford, 1937), pp. 58-59; 76-79.

²Ibid., pp. 58-59; 76-79.

Revolution, and the "Prometheus Unbound" spirit of Romanticism that gripped the rest of Western Europe during the period. It was during this time that the problem of aborigines, dwindling in numbers in British settlements, drew the attention of the public.³ In order to legislate effectively for this colonial problem, the House of Commons appointed the Parliamentary Select Committee on Aborigines (British Settlements) to investigate into the question of the welfare of and justice toward the native races in Britain's colonies. The Committee is the subject of the study.

It should be pointed out here that a few basic terms are used interchangeably in the study and should be taken so for clarity of meaning. The term "aborigine", as defined in Footnote 3 below, is repeatedly alternated with "native," "native inhabitants," "indigenous people" (owners), "native tribes" and a few others. In reference to the Cape Colony, the documents use the term "Caffres" for aborigines of that area. However, the author has preferred to use "African" in its place in many instances. Other terms also used in the documents in connection with South African aborigines are "Bantu" or "Natives" but have been avoided here because of the insulting connotation they convey to modern readers of the subject, especially when applied to South Africa. Also the documents make a difference between "Caffres" and "Hottentots." The author finds no marked distinctions between the two peoples, at least for this study and has termed both "African" except where specifically stated.

³The term "aborigine" is used in this study not in a strictly ethnographical sense but simply to indicate those indigenous peoples with whom British settlers and colonists came into direct or indirect contact.

The geographical term "Pacific Islands" is used in the documents to include New Zealand and the adjacent islands during the time period covered since the present New Zealand was not officially colonized until about 1840 under the Gibbon Wakefield Plan of Colonization.⁴

⁴See Figure 1 on following page, for all areas covered in the Report of the Committee and in this study.

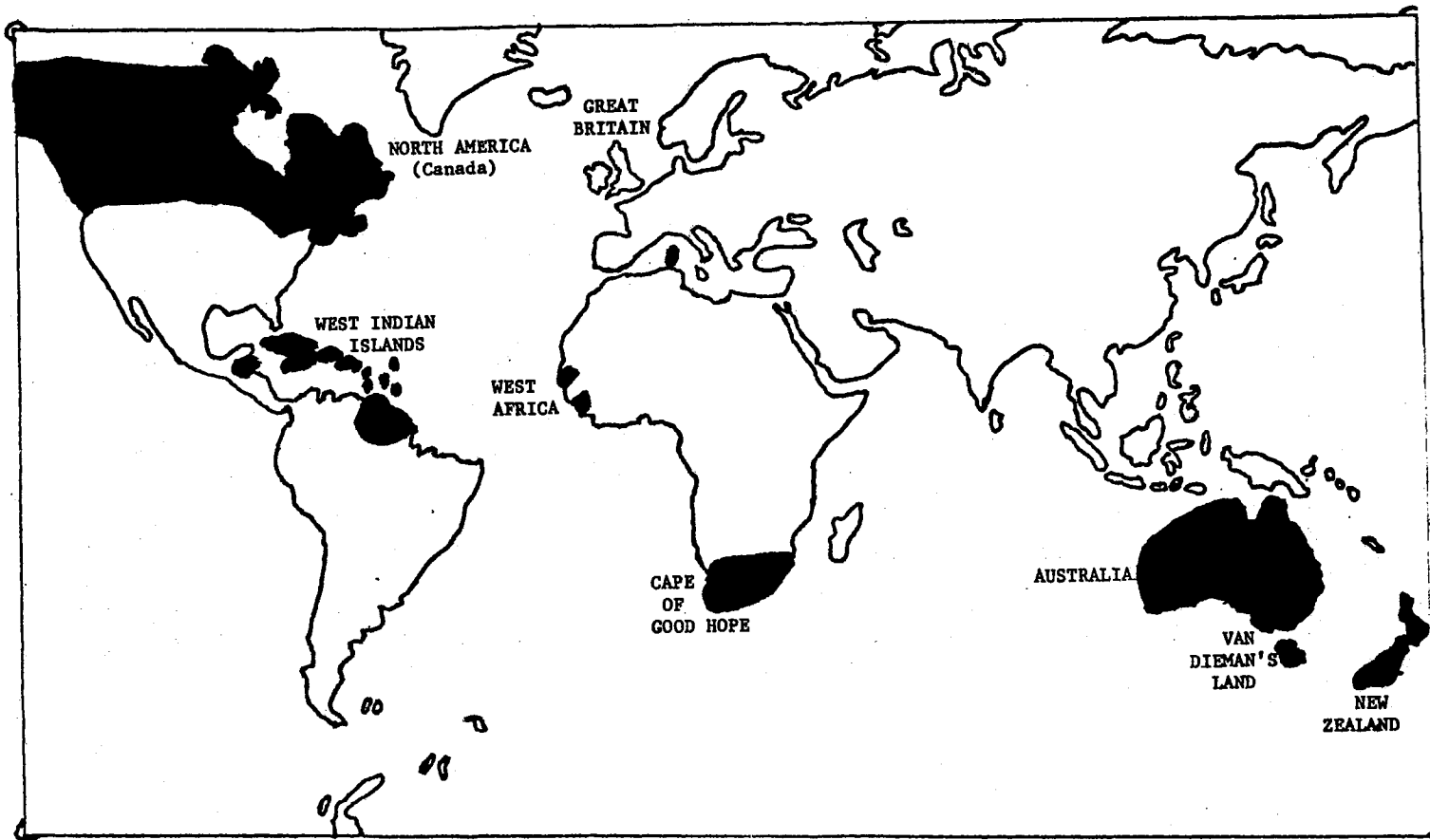


Figure 1. British Settlements Covered in the Report, 1835-1837

CHAPTER II

THE ABORIGINAL PROBLEM IN EARLY NINETEENTH CENTURY GREAT BRITAIN

From the 1810s to the early 1850s, the renowned "hungry forties," reports from both missionaries and colonial governments' officials in the British Empire spoke of damaging activities arising from contact between aborigines and civilized settlers. Reports reaching the British Government, members of Parliament, and the various humanitarian and religious organizations gave full accounts of hostilities between British settlers and the native inhabitants of those countries under British control. Most of the aboriginal problems were linked to the introduction of alien modes of life: European diseases, guns, hard liquors, cruelties committed by colonials, and the devastation of instigated tribal wars. Each colonial region experienced aboriginal problems peculiar to its geographical sphere even though some problems were common in all the other areas.

In Canada, reports had been sent to the British Government by governors and missionaries warning of the danger of extinction of the Indian races even though an Indian Department there was theoretically responsible for Indian welfare. On July 24, 1828, Major-General Henry C. Darling, a military secretary in Canada, sent a long report to Lord Dalhousie giving an account of the condition of the Canadian Indians of

the Lower and Upper Canadas.¹ The report revealed how land once belonging to the various Indian tribes had dwindled. The Algonquin and the Abenauqual tribes were described in the report as:

. . . once possessed of considerable landed property
Of the greatest part of the possessions, they have of late years been most cruelly deprived, by intrigue and oppression of various designing individuals who, under a variety of pleas, have got hold of nearly the whole of their properties.²

The report went further to narrate the possible dangers of bloodshed between Indian tribes and between Indians and white settlers. Major-General Darling called for immediate positive measures by the British and colonial governments to support and protect Indians in order to prevent their extinction of that species of mankind. Darling charged that white persons were introducing rum and spirits or liquor which were poisoning young Indians. He claimed that disease, starvation, and wanton murders by settlers were rampant in British North America. These problems confronting the Indians, as narrated in the report and other relevant documents, were said to be responsible for the decline in the Indian population of Canada. The decline was also caused by smallpox and other European epidemic diseases such as tuberculosis, sex diseases, and whisky related attendant dissipation. Starvation due to constant removals and subjections to unfamiliar situations further depleted Indian populations. The reports further

¹British Parliamentary Papers, Anthology Aborigines [Irish University Press, (I.U.P.), Dublin, 1968], 1834 Session, Vol. III, pp. 22-31, "Dispatch and Enclosures from Lord Dalhousie to Sir George Murray."

²George R. Mellor, British Imperial Trusteeship, 1783-1850 (London, 1951), pp. 368-410; Cambridge History of the British Empire, Vol. VI (Cambridge), p. 16.

stated that the condition of the Canadian Indian in the 1830s clearly illustrated the fate of a backward society confronted with an aggressive, alien civilization.³

In addition to serious aboriginal problems in Canada, there were similar concerns also about the native inhabitants of the British West Indies and South America where Britain had just abolished slavery in 1833. Race relations had not improved or returned to a reasonable normality. The apprenticeship of emancipated slaves was not working as effectively as had been hoped. Plantation masters in the West Indies still refused to pay the free blacks their wages. Flogging, whipping and all forms of torture associated with slavery and slave masters continued. The Indian races had become totally extinct. Fighting between rebellious free blacks and white settlers remained so unchecked that a form of "war" existed in Jamaica and in other islands where freed blacks outnumbered whites. Indian affairs, mainly in British Guiana were under the direction of a "Protector of Indians." Such a protector of Indians in Guiana reported to His Majesty's Government on January 18, 1827, of the existence of only two families of the Warrows of Essequibo tribe in that colony because the rest had been exterminated since the arrival of Europeans in that region. With the rest of the West Indian inhabitants, reports contended that it was only tradition to talk of their ever having existed in that region.⁴

³George Bagot, "Observations on the Proposals of Hillhouse," Parliamentary Papers, 1834, Vol. III (Dublin: I. U. P., 1968), pp. 167-168; *Ibid.*, 1836 Session, Slave Trade, Vol. 82-83.

⁴Henry William Macaulay, "Evidence Before the Select Committee," Parliamentary Papers, 1837 Session, Vol. II (I. U. P.), pp. 32-42.

In Sierra Leone, West Africa, the treatment of aborigines was by far better than in other colonies, due to the nature of the settlement. Sierra Leone had been opened as a settlement for the freed slaves from Britain and some of her colonies. Signs of ill-treatment were not as visible as they were in other areas. In this area Africans displayed quick grasp of civilized skills, education, and administrative know-how as long as they were left alone. Between 1835 and 1837 many of them had become municipal counselors and some had acted as jurymen, policemen, militia, and public officers. The settlers in Sierra Leone sought no personal extravagant gains and treated the Africans, who outnumbered them 320 to one, well and humanely. Another factor which made Sierra Leone different was that her residents were not indigenous to the area and so could not be rightfully called aborigines.⁵ The rest of West Africa: Gambia, Gold Coast (Ghana), and the present Nigeria regions, were involved in the slave trade and thus its problems were wrapped up with those of slavery. The Committee left investigation of native problems in that sphere of colonial problems.

The problems of South African aborigines had begun as early as 1652 with the establishment of a Dutch colony at the Cape of Good Hope. The aborigines of that part of the world, the Hottentots, Bushmen, and the "Bantu" (African), who occupied the rich country, owned many head of cattle which the first Dutch settlers admired. The Dutch policy towards the native inhabitants was enunciated in Jan Van Riebeck's sentiments when he wrote in his journal while at the Cape as he viewed

⁵William Howitt, Colonization and Christianity (London, 1838), pp. 420-421.

the "green pastures" surrounding the fort, on December 13, 1652: "Today the Hottentots came with thousands of cattle and sheep close to our fort We feel vexed to see so many fine head of cattle, and not be able to buy to any considerable extent." He went further in his journal, wishing he had permission, and with 150 men he would take 10,000 or 11,000 head of cattle from the Hottentots by force of arms. Van Riebeck repeated his sentiments five days later and yet, strangely enough, he repeatedly admitted that the aborigines were capable and did possess remarkable kindness and harmlessness. Not long after, a system of cattle confiscation and enslavement of the Hottentots was in full scale. Land grabbing, acre by acre, became a normal routine. From then on, relationships between the aborigines and the European settlers at the Cape were never harmonious.⁶

On October 31, 1801, William Stephanus Van Ryneveld, the British Government's Fiscal, a man of character and talent charged with the administration of justice at the Cape, reported to the British Major-General Francis Dundas that the Hottentot population was already reduced by tribal warfare and constant fighting with the Dutch farmers. A year later, Jacob Abraham de Mist, a member of the Dutch Council for Asiatic Possessions, presented to the British Government a memorandum on the Cape in which he stated that the settlers were treating the aborigines cruelly and as a result hostility between them and the settlers was increasing. He called for the protection of the aborigines and asked: "On what grounds did these poor creatures deserve the persecution and

⁶Vincent Harlow and Frederick Madden, pp. 593-596.

ill-treatment meted out to them by the Company's servants from the very founding of the Colony?"⁷

The history of the Cape Colony is full of stories of bitter fighting between the settlers and the aborigines stemming from a number of basic causes. Firstly, reports and memoranda from both colonial government officials and missionaries--mainly the London Missionary Society--give gloomy pictures of colonial life at the Cape. The reports also show that the indigenous peoples stole cattle and other property from the settlers and when the latter demanded compensation, war broke out. The African aborigines also differed with settlers on land occupation policy. Where settlers sought to own individually enclosed plots, African aborigines viewed land as tribal property which could not be divided into private islands. Thus another important cause for constant clashes was violation of each other's area of operation. The European squatters, ever seeking more and larger farms, constantly came into boundary disputes with aborigines.⁸

In 1828, the British Government became concerned with the condition of the original inhabitants of South Africa. After studying official and private reports from the colony, especially the evidence of the Special Reports of the Commissioners, the House of Commons took two important steps. It set up a sub-committee to visit South Africa and investigate the allegations. It also passed the July 17, 1828, Fiftieth Ordinance, which stipulated specific rights, privileges and

⁷ Ibid., pp. 599-609; Parliamentary Papers, 1837, Vol. II and III (I. U. P.), Evidences by Dr. John Philip, Andrew Stoffel, and Andries Stockenström.

⁸ British Parliamentary Papers (originals), 1830 (584), Vol. XXI, pp. 21-22; Harlow and Madden, pp. 610-613.

laws guaranteeing the equality of the aborigines with other British subjects. The twelve-point document infuriated the Dutch farmers and frontier squatters who intensified their ill-treatment of the original inhabitants.

When the sub-committee issued its report on Hottentots in 1830, its conclusion was that the safeguards established for the Hottentots had been largely ignored, notably their right to possess land and obligations of their employers to observe the conditions of labor contracts. The past system was also criticized as having caused many inconveniences and as having placed Hottentots under the control of every inhabitant of the colony. The report went further to list the injuries and injustices done to the aborigines and confirmed the evidence Parliament already had.⁹

With the introduction of the Vagrancy Act in 1834, the future of both the Hottentots and the "Bantu" became bleak. The London Missionary Society became more concerned than ever because the new act removed all freedom and rights guaranteed the aborigines under the Fiftieth Ordinance. More atrocities began to be revealed. For instance, the evidence given before the Select Committee (1835) by Reverend Philip, spoke of the Boer settlers tying aborigines on wagon wheels and flogging them for slight offences. It also mentioned the maiming, murdering, and pursuing of aborigines like wild beasts and shooting them. Beating and cutting with thongs of rhinoceros hide were regarded as gentle punishments; firing small shots into thighs of Hottentots was "common." Some of these cruelties could have been exaggerated. Indeed much good

⁹Parliamentary Papers, 1836, Vol. I (I. U. P.), pp. 407-413; Howitt, pp. 422-424.

work had been done to and for the aborigines by some settlers, even though the Hottentot population had been reported to have declined from 200,000 in 1652 to 32,000 in 1836. The reports of such atrocities and acts of cruelty became known to the British public by the 1830s and disturbed their consciences.¹⁰

In Australia, where more English settlers of a different character lived, the condition of the aborigines was as despicable as in South Africa. The earlier white settlers were convicts serving long prison sentences for crimes committed in England. They had come to Australia under the "Transportation System." Many of the convicts escaped from the camps into the interior where they came in contact with the Australian aborigines. Others, after gaining their freedom, settled or hunted in the interior. Another group of European settlers consisted of adventurers who penetrated the land, capturing or killing animals and inhabitants. Also ship deserters frequented all the shores of Australia. Just south of Australia, in Van Diemen's Land, present-day Tasmania, both settlers and convicts settled among the native people of the island. Such were the types of invaders whom Howitt had alleged to have gone there under,

. . . that dreadful and unrighteous system . . . a very favourite scheme of the Europeans, and especially the English, the convict system--the penal colony system--the throwing off the putrid matter of our corrupt social state on some simple and unsuspecting country, to inoculate it with the rankness of our worst moral diseases, . . . has here (Australia) shewn itself in all its hideousness.¹¹

¹⁰Howitt, p. 470.

¹¹Saxe Bannister, "Minutes of Evidence Before the Committee on Aborigines," Parliamentary Papers, 1837, Vol. II (I. U. P.), p. 5 (.037)-21; Howitt, pp. 472-473.

Reports from New South Wales and Van Diemen's Land spoke of escaped convicts rampaging and killing male aborigines and raping women. They reported shipmen anchoring on the shores and going into the interior for aboriginal women, and as a result European diseases spread among the aborigines who then died in large numbers. The news reaching London in the late 1820s also alleged military massacres of aborigines by British soldiers there. For instance, Governor-General H. C. Darling was allegedly said to have ordered soldiers in 1826 to slaughter a tribe of aborigines whom he assumed to have killed a settler. Further accusations about the ill-treatment of aborigines were made concerning the loss of their land, hunting grounds, and property. Settlers were reported never to care about the education, Christianization, and civilization of the aborigines.

In Van Diemen's Land, the story of the aboriginal suffering as a result of coming in contact with the European settlers was told in a dispatch of January 25, 1835, from Lieutenant-Governor George Arthur of Van Diemen's Land, to Thomas Spring-Rice, then Under-Secretary of the Colonies. Arthur reported the aborigines to have been almost extinct and that 130 of their species left had to be moved away to Flinder's Island for protection, preservation and civilization under a G. A. Robinson. He further described the great animosity between settlers and aborigines which had resulted in the latter losing land, game, and property. The convicts, he continued, did much injury to the aborigines and many had been killed or had died of hunger. He pointed out that no treaties had been signed with the chiefs when the British first settled there and that no provisions were ever made to guarantee the protection and survival of the aborigines. The results were

catastrophic. From that report, the assertions that some aboriginal tribes were becoming extinct could be confirmed. The conditions of aborigines described were common in all Australian colonies.¹²

From the evidence given to the Select Committee on Aborigines and the reports of the Church Missionary Society, there can be little doubt that not every dark deed inflicted on the aborigines received publicity. The arm of the law over the convicts--many of whom were gentle beings charged with petty offences--was not long enough to deter potential offenders in a large and remote land. In Tasmania, for instance, by 1835 male convicts outnumbered male free settlers. The fact that both types of settlers were struggling for existence in a strange land compelled them to resort to harshness and brutality with the aborigines even though the latter were not to be seriously feared. In addition to violence, there were other causes of gradual extinction of the aboriginal peoples. European clothing, diseases, and drink accounted for great numbers of deaths among the aborigines.¹³

A forty-year missionary veteran among Australian aboriginals, Daisy Bates, advanced another important cause for the reduction of the aboriginal population. She contended, "The Australian native can withstand all reverses of nature . . . but he cannot withstand civilization. The one great fault in our attempts to Christianize the Australian aborigines lies in our violent snapping of their own traditional beliefs." Her point was that British civilization was no better

¹²Lieutenant Governor George Arthur to Secretary Thomas Spring-Rice, Parliamentary Papers, 1837, Vol. II (I. U. P.), pp. 121-122.

¹³E. R. B. Gribble, The Problem of the Australian Aboriginal (London, 1932), p. 141:x; G. R. Mellor, pp. 318-319.

replacement for the culture and concepts of life that had formed those people. In an effort to take up the new way of life forced on them, the aborigines choked to death.¹⁴

The problems of the Maoris of New Zealand arising from their contact with the European settlers also became known to British officials as early as 1824. Reverend Samuel Marsden, a Christian Missionary Society member stationed in the Bay of Islands, New Zealand, in a reply to an inquiry by his society about the British intentions to establish a colony in (New Holland) New Zealand stated that a colony would result in settlers and Maoris committing crimes unless some government was formed with it to check on any European violence on the aboriginals. There were also reports of whalers who stopped by the islands, killed Maoris or set them at each other so that the whalers could collect tattooed heads of Maoris to sell in Australia. Reports of aboriginal women raped and kidnapped were frequently reported. Such charges forced the Southern Whalers of Samuel Enderley and Son to send a petition to Lord Bathurst, the Colonial Secretary, on April 24, 1826, urging the British Government to form a settlement in New Zealand with a government to restrain aggression on the aborigines by settlers and also to prevent plunder of settlers' property by the natives.¹⁵

A significant report on the ill-treatment of the aborigines of New Zealand and the South Sea Islands came in the dispatch of Lord Goderich

¹⁴Daisy Bates, "The Passing of the Aborigines (London, 1932), p. 67:155.

¹⁵Samuel Marsden to Joseph Pratt, Christian Missionary Society (C. M. S.) Archives (Australian Mission: History Records of New Zealand), No. 37, Vol. I, p. 627; Harlow and Madden, "Memorial by Southern Whalers to Lord Bathurst," (April 24, 1826), pp. 520-521.

of June 14, 1832, to Governor Richard Bourke. Speaking of the appointment of James Busby as Resident Commissioner in New Zealand, Lord Goderich noted that "this appointment has been made . . . partly in order to repress the outrages, which unhappily British subjects are found so often to perpetrate against the persons and property of the natives and society in those regions." He went on to mention that British subjects there fomented wars between tribes for selfish designs. There was extraordinary traffic (trade) in human heads. He emphasized that,

The duty of rescuing uncivilized nations from the fearful calamities so often produced by the vicinity of European settlers and navigators may be collected from almost every page of the history of that intercourse.

Some Maori chiefs had written Lord Goderich in Decmeber, 1831, complaining of the behaviour of British subjects in New Zealand and the Pacific Islands too. By 1834, the British Government was well informed of the treatment of aborigines in New Zealand.¹⁶

The British public had been informed of the crimes committed by both the natives and the settlers in the colonies against each other. The suffering of the indigenou peoples and their alleged extinction aroused humanitarian concerns in England. Descriptions such as the following, helped to heighten concern:

The savages of Europe, the most heartless and merciless race that ever inhabited the earth . . . are busy in the South Sea Islands. A roving clan of sailors and runaway convicts have revived once more the crimes and character of the old buccaneers. They go from island to

¹⁶Harlow and Madden, "Lord Goderich to Governor Richard Bourke," quoted from Historical Records of Australia, Series I, Vol. XVI, pp. 522-523.

island diffusing gin, debaucher, loathsome diseases, and murder, . . . as if they were the greatest blessings that Europe had to bestow. They are the restless and triumphant apostles of misery and destruction.¹⁷

Such were the known conditions of aborigines in the British possessions. Reports of unfriendly relations between the peoples of the colonies came mainly from resident missionaries and other concerned settlers. Many of the missionaries belonged to the evangelical groups such as the Methodist Missionary Society, the Church Missionary Society, the London Missionary Society, and other Anglican clergymen. These same groups and the humanitarians had been fighting slavery since the mid-eighteenth century. From 1830 to 1834, they increased their attack on the British policy on aborigines. Missionaries afield gathered data and dispatched it to their organizations in England. Such data were published in British newspapers and church bulletins. The missionary societies joined forces with the reform movement and the philanthropists to pressure the British Government and public into seeking ways of ameliorating the condition of the aborigines in the colonies and adjacent regions. Many periodicals, whose basic aim was to amass support for the aborigines, sprang up. Among the most influential were The Aborigines' Friend, The Anti-Slavery Reporter, and The Fabian News. A series of articles in these periodicals appeared monthly from people like the Reverends William Yate, William Shaw, and John Philip in South Africa, Saxe Bannister in Canada and Australia, and Reverends John Beecham and William Ellis in New Zealand, to mention a few.¹⁸

¹⁷ Howitt, p. 485.

¹⁸ British Parliamentary Papers, Vols. I-III (I. U. P.).

In the House of Commons, William Wilberforce headed the movement until his retirement in 1833 when Thomas Fowell Buxton took over the leadership along with many other humanitarians like Dr. John Lushington. Philanthropists in Parliament presented petitions that came from the various pro-aborigine organizations. The pressure for protecting the natives had been built up so strongly after the abolition of slavery in 1833 that even the language of the Christian and humanitarian reports became almost hysterical. Howitt's record again typifies the mood:

Do the good people of England, who sit at home at ease, who build so many churches and chapels, and flock to them in such numbers, . . . who spend £170,000 annually on Bibles, and more than half a million annually in missions and other modes of civilizing and Christianizing the heathen . . . know that at this very moment, wherever their Bibles go, . . . their own government and their own countrymen are as industriously labouring also, to scatter the most awful corruption of morals and principles amongst the simple native of all; that they are introducing diseases more pestilent than the plague, more loathsome than the charnel house itself . . .? That out of that England . . . have come pouring swarms of lawless vagabonds . . .?¹⁹

Such was the mood which brought the reformed British Parliament to reexamine her colonial policy on aborigines in response to Fowell Buxton's motion of July 1, 1834, calling for an investigation into the aboriginals' fate. Although the British Government had sufficient evidence to warrant an investigation, it called on the colonial government officials to furnish more fresh information on the relationship between settlers and aborigines. Needless to say, there was just as convincing and as numerous evidences denying the existence of such ill-treatment. Petitions supporting the existing system also appeared before Parliament from both settlers and their lobbying organizations in England.

¹⁹Howitt, pp. 418-419.

CHAPTER III

COMPOSITION OF THE SELECT COMMITTEE

A new effort to examine the predicament of the aborigines came in the summer of 1834, when the Parliament member for Weymouth, Thomas Fowell Buxton, moved a motion in the House of Commons calling the members' attention to the problems facing the natives in British-occupied territories. He urged the House to request the King's government to inquire into the state and condition of the aboriginal tribes in the colonies and adjacent areas. Fowell Buxton contended that such an investigation was mandatory because aborigines in British-controlled territories had been harmed rather than helped from contact with British settlers. He warned Parliament that aboriginal populations had decreased and many more were on the verge of extinction due to the kind of treatment rendered them by British subjects who introduced hard, spirituous liquor and firearms among the natives.¹

To support his assertions, Fowell Buxton mentioned South Africa where he said that it was regarded an act of prestige for a European to shoot a native. The philanthropic politician produced more evidence from both the Colonial Office and private correspondences from various colonies to prove the alleged atrocities committed by British settlers

¹Parliamentary Debates, 1834 Session, 3rd Series, Vol. XXIV (June 2 - July 9), pp. 1061-1063.

in the name of civilization but was "in reality, barbarianism." His motion (July 1, 1834) did not call specifically for the creation of a committee of inquiry but requested,

. . . that an address be presented to his Majesty, praying that he would be graciously pleased to cause an inquiry to be made into the state and condition of the native inhabitants in and adjacent to colonies under the dominion of Great Britain.²

The Secretary for Colonies, Thomas Spring-Rice, seconded the motion and promised the House full information on the subject. He told members of the House that he accepted the principles of the motion but disagreed with some of Fowell Buxton's accusations. Spring-Rice, however, made a mild admission that there were some evils done as "evils to a certain extent, consequent on the introduction of civilisation into a savage country, must be." The Secretary remained on the defensive and expressed doubt that the evils prevalent then in the settlements could be completely removed.³

The impact of Fowell Buxton's first motion was that the British Government sent a circular on July 19, 1834, to all colonial governors requesting fresh information on aborigines and giving them directions "as shall secure to the natives the due observance of justice and the protection of their rights, promote the spread of civilisation among them and lead them to peaceful and voluntary reception of the Christian religion." That circular triggered a constant flow of evidence from colonies for and against Parliament's move on aborigines. Many colonial officials remained neutral and gave information on both sides

² Ibid.

³ Ibid.

of the problem, but some strongly warned the House of serious consequences that might arise out of such an inquiry.⁴

Early in the 1835 parliamentary session, Fowell Buxton gave notice that he would make the same motion he had made before the House in the last session. On July 14, he repeated the motion "praying on His Majesty to investigate into the condition of the aborigines" but did not again call for a parliamentary committee. He reiterated his former fears and called on Parliament to resort to humanity for:

. . . humanity would be found a course not only more consonant to good feelings, but productive of more advantage than severity; that kindness would be far preferable . . . far safer, far cheaper, and far more profitable, than coercion.

The Under-Secretary for Colonies, Sir George Grey, seconded the motion, but amended it so that it called for the appointment of a Parliamentary Select Committee on Aborigines in British Settlements (Aborigines' Committee). Parliament passed the motion with little opposition and a committee was named on July 15, 1835. Thus the Aborigines' Committee came into being.⁵

Parliament members named to the Committee were: Thomas Fowell Buxton, the chairman; John Bagshaw; Edward Baines; Sir Rufane S. Donkin; Sir George Grey, Colonial Under-Secretary; John Hardy; Benjamin Hawes; Charles Hindley; Edward Holland; Andrew Johnstone; Charles Lushington; Joseph Pease; John Pemberton Plumptre; Colonel Thomas Perronet Thompson; and Henry Wilson. Later, William E. Galdstone, the new Colonial

⁴British Parliamentary Papers, 1835, Vol. XXXIX, No. 49.

⁵Parliamentary Debates, 1835 Session, Vol. 29 (July 29-August 3), pp. 549-550.

Under-Secretary, replaced John Hardy on February 16, 1836. All were members of Parliament whose background and knowledge require examination to understand their qualifications for appointment to the Committee.⁶

Sir Thomas Fowell Buxton (1786-1845) was the eldest son of Thomas F. Buxton, Sr., of Earl's Colne. His mother, a member of the Society of Friends, was an intelligent and energetic woman who exercised more humanitarian influence on her son. Fowell Buxton was said to be vigorous, bold, and of a determined character during his youth. He delighted himself in all kinds of sports even when he entered Trinity College, Dublin, in 1803, the institution which seemed to prepare him for the kind of task he later got involved in. The young Buxton studied English literature and political economy in college, participated in philanthropic activities into which his mother and William Allen, his private tutor, had introduced him.⁷

When Sir Fowell Buxton moved to Spitalfields, England, in 1808, he became disturbed with the problems of the weavers of that district. Through the vigorous charitable organizations of Spitalfields, he fought long battles seeking improved working conditions of the weavers. In 1816 he held a one-day rally which he personally addressed, and raised £43,369 for the poor's relief in the county. That was his first successful battle in support of the suffering. He soon joined the Committee of the Society for the Reformation of Prison Discipline which

⁶ British Parliamentary Papers, 1836, 1837, Vols. I and II (I. U. P.), pp. ii and 2, respectively.

⁷ Buxton, ed. Memoirs of Sir Thomas Fowell Buxton (London, 1838), Chapter 1 to 3.

gave him the opportunity to visit prisons such as the infamous Newgate Prison. For two years he worked for improvement of prisons and later in 1818 published his findings in a pamphlet entitled "An Inquiry Whether Crime and Misery are Produced or Prevented by Our Present System of Prison Discipline," a publication which went through five editions in a year.⁸

In the same year, 1818, Fowell Buxton was returned to Parliament as a member for Weymouth, a constituency he represented until 1837. During the same period he prepared a work on prison discipline; he founded a savings bank in Spitalfields, and made an investigation into the London Hospital administration. He helped in the formation of a new Bible Association and in the establishment of a saltfish market in his county. He also devoted his first term in Parliament to matters concerning criminal laws in Britain. For instance, he seconded Sir James Mackintosh's motion in the House of Commons which called for a committee to look into the subject of prisons. He sat on two Parliamentary Select Committees set up to inquire into the penal code of England; the findings of those committees eventually led into the reform of the prison laws in Britain. Fowell Buxton's philanthropic concern revealed itself again in 1820 when he supported a historic motion in the House calling for the abolition of death penalty for forgery. By 1824 much of Fowell Buxton's parliamentary performance had already earned him the stature of a humanitarian.⁹

⁸Buxton, pp. 248-258.

⁹Ibid.

Married, with a fervent love for his family, Fowell Buxton remained faithful to his family, friends, and the poor, even though he came from a well-to-do family himself. He was a very religious man who sincerely believed in prayer. For instance, in 1833, as he was ready to go to Parliament to present his motion on the abolition of slavery, he prayed, "For the slavery cause, my prayer is that Thou wouldst not leave it to the weakness and folly of man, but that Thou wouldst rise up as its advocate" His journal was filled with such passionate prayers, which showed that he maintained that mode of life throughout his political career.¹⁰

In 1824 William Wilberforce, then leader of the Anti-Slavery Movement and Party in Parliament, requested Fowell Buxton to take up the leadership of the movement since Wilberforce was waning in health. With that assignment began his total commitment to the cause of slaves and the aborigines. Even though he had taken an influential part in parliamentary debates before that year on the subjects of slave trade and slavery, his major part remained confined only to those issues but not to aboriginal problems. As of May 15, 1824, when he introduced a motion before the House calling for the gradual abolition of slavery, he devoted his entire political energies to fighting that issue until the victory of 1833.

While in Parliament Fowell Buxton spared himself no time for idleness. In the 1832 parliamentary session, he took part in several debates on parliamentary reforms other than on those of slavery. He supported all the three Reform Bills in the House. The majority of

¹⁰Buxton, pp. 258-259.

his passionate debates which revealed his philosophy and eloquence were on slavery. He participated in the debates on the British Government's plan to abolish slavery. During the Committee stage of the bill, on May 14, 1833, Fowell Buxton vigorously opposed a clause in the bill which required the slaves to pay for their own emancipation.¹¹ He spoke on every clause of the bill he believed to be unfair to the slaves. He vigorously opposed the system of apprenticeship of slaves. He opposed the Government's clause allowing the removal of slaves from one colony to another. He also moved an amendment prohibiting the removal of apprentices from one colony to another after the passage of the Act, "without the consent of the said apprentice given and recorded in writing signed by the said two Justices of the Peace."¹²

In the subsequent debates on the same bill, Fowell Buxton showed his political acumen. In order to achieve his goal of total abolition, he supported a clause in the bill granting slave owners compensation of £20 million because "if emancipation was not given, more than £20 million would be spent in military preparations; and, what was worse, it would be against men who were merely asserting their natural rights," he said.¹³ In the debate on March 10, 1835, concerning the situation in South Africa, Fowell Buxton again displayed his deep human concern for oppressed tribal races of that area. He eloquently told the House of Commons that atrocities were committed by colonists in South Africa:

¹¹Parliamentary Debates, 3rd Series, 1833, Vols. XVI-XIX.

¹²Ibid., Vol. XX, pp. 61-64.

¹³Ibid., p. 135.

. . . for sure, he was that our treatment of them had been such as to make every honest man blush. He could mention several instances of atrocious robbery and cruelty which had been committed by the Colonists in Southern Africa, under the pretext of recovering stolen cattle, from the Caffres.¹⁴

Prophetically, he foretold that there would be no tranquility in the Cape Colony unless substantial justice was established for the African people and the settlers. Fowell Buxton also participated in debates on observance of the Sabbath, slavery in East India, Catholic emancipation, and sugar duties.

Early in 1834, he began to inquire into the condition of aborigines arising from their contact with English settlers in countries under British control. He studied records in the Colonial Office relevant to aborigines and began a series of correspondence with missionaries in the colonies and adjacent areas. He contacted interested individuals who furnished him with information. By 1835, when he became the chairman of the Aborigines' Committee, he had acquired a thorough knowledge of colonial problems relevant to the native inhabitants in British settlements. Reverend John Philip, a missionary to South Africa, who had just published a book on the ill-treatment of aborigines there, along with Saxe Bannister in Australia and Zachary Macaulay in West Africa were some of his key sources of information on conditions in the colonies.¹⁵

Fowell Buxton served as chairman of the Committee throughout its entire tenure from 1835 to 1837 when it issued its final report. In the

¹⁴Ibid., 1835, Vol. XXVI, pp. 464-465.

¹⁵Buxton, pp. 259-318.

1837 parliamentary election, he lost the seat for which he had decided to run against heavy odds. After that he devoted his time to fighting slavery in East Africa, a job he did until his death in February, 1845.

In the final analysis, Fowell Buxton, the politician and philanthropist, was a truly benevolent man devoted to humanity, a devoutly religious man attached to the Church of England, who was never swayed by sectarian differences from friends, duties, and labors. The comfort of all, the protection of the weak, the education, rights, and justice of the poor, were his major concerns. Social improvement as a whole remained his main objective in life. Much more so than anything else, these qualities qualified him to head the Aborigines' Committee. Politically, he was a moderate reformer. That might have been the reason why he accepted the principle of gradual abolition of slavery. No doubt, however, that his idealistic views of life and mankind were responsible for the nature of the final report of the Committee.

The Parliament member for Sudbury, John Bagshaw, born in 1784 and died in 1861, was a financier, a banker, and a merchant from a well-to-do family. He joined the East India group of merchants early in his life. He lived and conducted his business activities in Calcutta, India. On his return to England, Bagshaw was elected to Parliament in 1835 for the newly created borough of Sudbury, a constituency of five hundred £10-householders and a population of 20,165.

While in Parliament, Bagshaw had participated in several important debates. In 1835, he called on the British Government to send troops to the Cape Colony to protect the settlers from African attacks. He strongly defended the colonists against Africans. In his appeal to Parliament, he showed the fervent love he had for that colony where he

had previously stayed. He contended that the whole of the east of the Cape Colony had been attacked by Africans and had been "devasted from Bathurst to Grahams-town; a great many lives had been lost, and a vast amount of property had been destroyed."¹⁶

Showing his dislike for the Dutch, he deplored the Boer commando system used on the Cape frontier for "the system . . . necessarily leads to the punishment of the innocent, instead of the guilty" among the Africans. He praised Sir Rufane Donkin's administration of the Cape Colony. He made a motion, strange in its spirit at the time, calling on the Government to appoint a local governor at Grahams-town and give him troops because, "Property is now out of the question; life is the only thing which excites anxiety, or for the preservation of which it is thought necessary to incur any risk," he said, quoting from a letter dispatched to him from the Cape Colony.¹⁷

Colonists and aborigines were not his only concerns. He also participated in many other debates including the bill on the sugar duties on East Indian sugar, and the bill concerning the East India Maritime Officers. Indian affairs were always attractive to him. However, his experiences in Indian colonial affairs and also in South Africa added depth to the committee. Bagshaw is known to have represented Sudbury for three years only. The defeat in the 1837 fall

¹⁶ Parliamentary Debates, 1835, Vol. XXVI, pp. 725-9.

¹⁷ Ibid.

election kept him out of Parliament until 1847 when he was elected for Harwich.¹⁸

Edward Baines, a Parliament member for Leeds, was a journalist born at Walton-le Dale, Lancashire in 1774 of a tradesman of Preston. He received his high school education at Preston and was apprenticed as a printer at sixteen under the tutorship of Messrs. Binns and Brown Printers and Booksellers, who owned the Leed's Mercury. In 1801 Baines became the proprietor and editor of the Leed's Mercury which was about to collapse under its former proprietors. He improved it in such a way that it subsequently increased its circulation and became the leading Whig paper in Yorkshire.

While in Leeds, Baines participated in local affairs, promoted local reforms, and helped establish the Leeds Mechanics Institution. He took part in local politics and devoted the columns of his paper to questions of Catholic emancipation, abolition of slavery, and parliamentary reform. Before entering Parliament, he was frequently in contact and in consultation with leading members of the House of Commons during the stormy era of the Reform Bill. In February, 1834, he was elected to a reformed Parliament as a liberal. He continued therefrom to represent the Leeds constituency until 1841, when he retired from politics.

As a politician, Baines was a radical and eloquent reformer concerned with issues involving factory legislation, abolition of church rates, and civil disabilities. He favored shorter Parliaments, ballot

¹⁸For the biographies of many of these committee members, see Sir Leslie Stephen and Sir Sidney Lee's Dictionary of National Biography, Dodd's Parliamentary Companion, and Jedan's Record of National Portraits.

voting for national elections, free trade, repeal of the Corn Laws, equal civil rights for dissenters plus their exemption from church rates. In 1834 he participated in debates on all these questions and on bills affecting the wages of workers and the condition of the poor. He called for the amendment of Poor Laws, repeal of cotton duties, the admission of dissenters into all the universities of Britain, especially Oxford and Cambridge Universities.¹⁹

In 1835, Baines participated in not less than sixteen debates on the same subjects that came up before Parliament in the 1834 session. Even though he debated twenty-seven times in the Commons in 1834, his debates covered many different subjects. His debates in the next year centered mainly on two issues--the rights of the dissenters to marry, enter colleges, be professors, worship freely and not pay rates to the Church of England, and factory laws. He called for the repeal of the New Factory Act so that minimum living wages for factory workers could be established. He also called for laws that insured better and safer working conditions for the workers, especially the hand-loom weavers.²⁰

Baines' debating vigor had not abated by 1836, for he continued to speak on many social and political issues still plaguing England at the time. During that parliamentary session, he debated not less than sixteen times on issues ranging from the rights of dissenters, taxation system, observance of the Sabbath Day, factory regulations,

¹⁹ British Parliamentary Debates, 1834, Vols. XXI, pp. 1146, 1197, 1399; XXII, pp. 5, 171, 395, 628, 735, 927-1056; XXIII, XXIV, XXV, pp. 130-653.

²⁰ Ibid., Vols. XXVI, pp. 527-1097; XXVII, pp. 852-1281; XXVIII, pp. 83, 507-525; XXIX, p. 1182.

tithes, paper duties, registration of births, to the electoral system of Britain as a whole. He was quite a concerned politician who did not shrink from defending the underprivileged.²¹

His political career demonstrates that he was a true member of both the Corn Law League and the Tanfieldcourt Reform Club who was a good speaker who enjoyed personal influence and popularity. No doubt his political philosophy permeated his publications such as his famous book, Comprehending the Civil History of Great Britain and France, 1792-1815, which came out in two volumes. At the close of his life, Baines was remembered as a benevolent, just, popular, and liberal local magistrate and politician. He was fittingly qualified to be a member of such a committee on aborigines.

Another very experienced member of the committee was Sir Rufane Shaw Donkin, a Parliament member from Berwick. Born in 1773 of an aristocratic Northumbrian family and of Scottish descent, Sir Donkin received his education at Westminster School. He studied classics and mathematics in France for one year like many aristocratic children. Later he became an army officer and served in the Isle of Man, West Indies, Portugal, Flanders, Sicily, and India. By 1811 Sir Donkin had attained the rank of major-general.

Thereafter, Sir Donkin lived a civilian life for nine years in England and in India before going to the Cape of Good Hope in 1820 to serve as Acting-Governor of that colony during the absence of Governor Lord Charles Somerset. During the same 1820 to 1821 period, he also remained a member of the Bengal Establishment. While in South Africa

²¹Ibid., Vols. XXI - XXXV.

he earned himself high regard of the local English settlers but lacked support from the Colonial Office, especially from the Earl of Bathurst, then Minister for Colonies.

Sir Rufane Donkin spent the rest of his life involved in colonial trade, literary and political pursuits. He was a true conservative on colonial affairs, who supported settlers rather than aborigines; the record of his South African administration testifies to that. Further still, he was a member of that bastion of imperialism, the Royal Geographical Society of London. Sir Donkin believed strongly in mercantilist colonial system which he supported constantly even as a Parliament member. Nevertheless, his wide knowledge of colonial affairs was gained from both his parents and his own experience and was vitally important for the deliberations of the Committee. As an author, he wrote more on colonial lands. His eight volume book published in 1829, A Dissertation on the Course and Probable Termination of the Niger, was a complete discourse about the source and mouth of that "legendary" Niger River in West Africa. The work contained a wealth of knowledge on the aboriginal tribes of the region.

In 1833, Sir Rufane was elected to Parliament for the first time, representing Berwick Borough. While in Parliament, he participated in a few debates. For instance, in his first year in the House, he debated on a bill concerning flogging in the military and called on the House to "leave the question of military discipline to the officers in the army."²² In 1835, Sir Donkin also debated and supported a bill on army estimates because, as he said, "I am a professional soldier" and so

²²Ibid., Vol. XVII, pp. 55-56.

supported the bill and Lord Hill who had impartially distributed patronage in the army.

For the rest of his parliamentary career until 1837, Sir Donkin stayed aloof from debates but faithfully voted for those issues important to his constituency. He represented Berwick until 1837, when he was heavily defeated in an election that came about shortly after the death of King William IV. He then was out of Parliament for two years and then returned for the Sandwich Borough. When Sir Donkin was appointed to the Committee, he already had wide knowledge and experience in colonial affairs which would enable the Committee to determine truth from the evidence before it.

One other baronet in the Committee was Sir George Grey, the only son of Charles Grey and also the nephew of the Earl of Grey. Grey was born in 1799 to Charles and Mary Grey, a woman of strong religious feelings and a friend of William Wilberforce. Mary impressed on her son much of her fervent and simple religious piety, a piety Grey never released the rest of his life.

Early in his life, Grey had planned to take holy orders but abandoned the idea when he went into law in 1823. In 1828, he succeeded to his father's baronetcy and four years later entered Parliament as a member of the newly enfranchised borough of Davenport. In July, 1834, he was appointed Under-Secretary for the Colonies in Lord Melbourne's ministry and served under Thomas Spring-Rice, then Secretary for the Colonies. Lord Melbourne's government fell shortly thereafter before the end of the year. When the Melbourne Government returned to power in April, 1835, Sir George Grey returned to his post and became responsible for implementing the provisions of the Abolition of Slavery

Act in the West Indies and elsewhere in the British Empire. While at the Colonial Office, he increased his knowledge of colonial problems confronting the aborigines.

A member of the Whig Party, Grey gained popularity in Parliament for his sound judgment, oratory, and skill in handling detailed business. Careful in action and moderate in speech, George had an exceptionally tactful way of presenting his ideas. For instance, in an 1833 parliamentary debate on suppression of disturbances in Ireland, Grey supported the bill and declared that there was in Ireland,

. . . a conspiracy that had made the law a by-word, rendering it a protection to the guilty instead of the innocent, which prevented the Government of the day from bringing the offenders to justice and who made the offender himself the sole Executive and Legislature of the country, and the administrator of his own law, which he administered with a severity unparalleled in the history of past or present times.²³

While in Parliament he sought and supported measures for gradual social reform, improvement of the penal system, and an end to transporting convicts to the colonies. As a staunch believer in maintenance of law and order, Grey opposed the Chartists to the end of their existence. He also opposed bribery and intimidation at elections. He called on the House to reduce election time to one day rather than the two days then in practice. He argued that such a reduction would remove the evils which "tended to demoralize the country, and to render the franchise rather a curse than a blessing . . ."²⁴

²³Ibid., Vol. XVI, p. 35.

²⁴Ibid., Vol. XXVI, pp. 873-874.

George Grey's political character could perhaps be described as one of moral excellence and social charm, a man who was content to remain an administrator without aspiring to statesmanship. He generally was singular, free from personal ambition, and self-sacrificing to the task of carrying on the responsibilities of his department. His moral, political and social qualities made him a valuable member of a committee that was endowed with the task of studying aboriginal problems. He was a rare model of a politician who retired from politics without bitterness. Moderation, a unique aspect of Grey, was important especially when handling such a touchy issue as human race relations.

A newcomer to the House of Commons in 1832, Benjamin Hawes (1797-1862), was born in London of a Lambeth soap-boiler family. He eventually became a soap manufacturer and a lawyer. Hawes' first important office was the magistracy of his county. He then became a deputy-lieutenant for Surry. After the Reform Bill of 1832 became law, he was elected to Parliament in the newly created borough of Lambeth, a seat he held from December 12, 1832 to March 11, 1847. In that latter year he ran for the Kinsale Borough, which he also represented during the last period of his political career.

When Hawes first entered Parliament, he was said to have muddled many affairs but later earned respect from the House of Commons. While in the House, he strenuously advocated the repeal of the Corn Laws. A true reformer, he favored triennial Parliaments, ballot voting, property tax, low fixed duties on foreign corn, and free trade. He became and remained a staunch member of the Reform Club, which advocated the political program he cherished. Hawes was also credited for the bill that introduced the penny postage system in England. In essence, his

political career is filled with actions and sentiments concerned with the workers, the poor, and social reforms.

While in Parliament, Hawes participated in debates on several issues. In all he debated in the House of Commons for at least not less than ten times. In 1833, he supported a motion calling for the observance of the Sabbath in all of the kingdom. He also supported a provision in the Emancipation Bill which barred black children born after the Emancipation Act passed from apprenticeship. Hawes also supported the Excise Duty Bill, the New Houses of Parliament Bill, the Railways Bill, and the Registration of Births Bill. On the whole, Hawes was a reformer with a considerable knowledge in colonial affairs which qualified him to serve as Under-Secretary for Colonies in 1846. His publication, The Abolition of Arrest and Imprisonment for Debt Considered in Six Letters, published in 1836, revealed his deep concern for the underprivileged and convicts.

Unlike Hawes, Joseph Pease (1799-1872) was a successful businessman who inherited more wealth from his family. Pease was a worsted manufacturer of the Pease and Company Darlington Mills. He owned collieries, railways, and ironstone mines which employed 10,000 workers by the middle of the nineteenth century. He was the only member of the Society of Friends (Quakers) seated in the House of Commons between 1832 and 1838. He carried his Quaker faith, habits, and stubbornness of purpose with him into Parliament. He even kept himself in Quaker dress during parliamentary sessions. On his first day in the House, he refused to take the oath of allegiance which all Parliament members took because it was against his religious beliefs. The House of Commons had to devise a special method of swearing him in.

Pease returned to Parliament in 1832 as a member for South Durham, a seat created under the Reform Bill. He was a radical reformer who championed extreme social and political changes in nineteenth century England. He favored protection of agriculture, revision of the monetary system, and the removal of bishops from the House of Lords. He fought vigorously for short Parliaments elected by a ballot system.

During his parliamentary career, Pease participated in debates involving crucial issues in Britain. In 1833, for instance, he debated seventeen times. In the debate on offences committed by Irish Nationalists, he rejected the British Government's practice of categorizing people of the kingdom by their denominational faiths. In supporting agriculture, he rejected the repeal of the Corn Laws, not on principle but on the conviction that time for such a repeal was inappropriate. In a debate on the revision of the Reform Bill, Pease condemned the bill because it had not gone far enough to include all British citizens.

Perhaps Pease's most humanitarian pronouncement was the one he made during a debate on the Capital Punishment Bill in 1833. Supporting a motion which called for the reduction of the severity of such a punishment, Pease argued:

The system, as at present, is at variance with the principles of the Christian religion. Why should a man convicted of murder, for instance, be executed within forty-eight hours after the sentence? Why should he, in so short a space, be called into the presence of Omnipotence, when the points of law on which his fate depended were often so doubtful as to require hours of discussion before the judges could decide? . . . if more time were given, and the public mind allowed to dwell on the nature of the offence and the state of the criminal, all feelings of revenge would give way to those of humanity and justice.²⁵

²⁵Ibid., Vol. XV, p. 1154.

The poor, the underprivileged, the oppressed, and all those regarded underdogs in his society were always his main concern.

Pease also debated on other issues ranging from law and order, poor laws, factory laws to abolition of slavery. He supported all those measures that called for the betterment of the lower classes of Britain and remained constant in his views. He always demanded honesty and fairness in passing laws affecting those not represented. In all, Pease devoted himself to philanthropic and educational needs of the lower classes of his time and nation.

Charles Hindley (1800-1857) had an early life that contrasted with that of Pease. Hindley came from a lower nineteenth century middle class family. To make ends meet, Hindley worked as a cotton spinner from 1819 until he eventually became a cloth mercer of Manchester. He also served as a classical and mathematical tutor for a Moravian establishment, the Gracehill, situated in Ireland. In 1825, he founded the Ashton and Dunkfield Mechanics Institution. As he grew more politically ambitious, he contested the parliamentary seat for Ashton Under-Lyne in 1832 but was defeated. Three years later he ran for the same borough and was elected with increased votes giving him the opportunity to exercise his Whig principles which he so ardently cherished.

By temperament Hindley was a radical reformer who championed the concerns of the workers, the poor, and the under-privileged. He cherished hopes for a totally reformed triennially elected Parliament by a ballot system. He opposed the colonial policy on aboriginal tribes in all British settlements. Hindley was known to have imbued and dissipated his radical views in the Reform Club and the Peace

Society, both of which he was a faithful member. Later he became the president of the latter organization.

Hindley was also a vigorous debater in Parliament. Although he participated in debates only occasionally, his debates were always blunt and vicious. In the 1835 parliamentary session, he debated on a motion which called for an investigation of the Central Board of Poor-Law Commissioners. He attacked the board commissioners and accused them of drafting agricultural paupers from farming regions and dumping them into the slums of the manufacturing sectors. He called on Parliament to end what he called merciless transportation of innocent farm hands who were shipped to industries to provide cheap labor. He warned that the activities of the commissioners would result in unemployment for the skilled hand-loom weavers.²⁶

In a debate on a petition from the Church of Scotland calling for state financial support, Hindley revealed his antagonism against the dissenters. During the same session, he participated in a debate on the Factories Act. In the debate he supported the cause of the workers and strongly opposed child employment. He called for an amendment which would stiffen conditions for the employment of children and argued, "If some limitation were not fixed as to the age at which children should be employed in these factories, the relief the House was anxious to afford them would not be obtained."²⁷ He and four others, Lushington, Holland, Bagshaw, and Wilson, were the new members in the parliamentary session of 1835 who were appointed to the Select Committee.

²⁶ Ibid., Vol. XVII, p. 358.

²⁷ Ibid., Vol. XXVIII, p. 895.

Edward Holland, born 1806, was another of the new members of Parliament elected in 1835. The eldest son of a London merchant, Samuel Holland, Edward grew up in the metropolitan capital exposed to all political, economic and colonial news of the British Empire. He was first returned to Parliament for East Worcester in 1835 and held the seat until 1837 when he lost the elections. A member of the Whig Party, he cherished doctrines of parliamentary reform, secret ballot voting, and short Parliaments.

Holland was a man of few words who rarely debated in the House. In 1836, he opposed a petition calling for easing electoral regulations for Dublin. During the same session, he petitioned Parliament on behalf of merchants trading with Malta to establish "free and unrestricted trade with the island."²⁸ However, his petition did not receive the support of enough members of the House to merit a debate. Though defeated in the 1837 elections, he maintained his reform views and was able to return to Parliament in 1855 as a member for Eversham Borough. He then held this seat for over thirteen consecutive years.

Charles Lushington (1785-1866), on the other hand, came from a wealthy family renowned for liberalism and philanthropy. His father, Sir Stephen Lushington, and his eldest brother were staunch members of the Anti-Slavery Movement, the Aborigine Protection Society, the Reform Club and other humanitarian and religious organizations that upheld similar views. At fifteen Charles entered the civil service of the East India Company and served in Bengal for twenty-seven years by the end of 1827. While in Bengal, the highest civil service office he held was

²⁸Ibid., Vol. XXXIV, p. 164.

that of chief secretary of the Bengal Government. His job in India exposed him to all the evils of the British colonial system and to the problems of aboriginal tribes elsewhere in the Empire.

Upon returning to England, Lushington involved himself in the political debates that had erupted. In 1833, he ran for the parliamentary seat for Ashburton and was returned. He held that seat until 1847. Lushington, like his father and brother, was a firm reformer, strong supporter and member of the Emigration Committee and the Reform Club. He favored the repeal of the Septennial Act, the expulsion of bishops from the House of Lords, a secret ballot system and the freedom of dissenters from all legal restrictions. He was then appointed to the Committee already armed with colonial experiences and radical schemes.

While in Parliament, Lushington had participated in debates involving the social welfare of the English people. In 1836, he supported Cuthbert Rippon's motion calling for the removal of bishops from the House of Lords, contending that such a measure would be "essential to the maintenance and purity of religion."²⁹

Later in the year, he defended the committee on female emigration to New South Wales (a committee of which he was a member) for having effectively and wisely conducted the transportation of the females. He nevertheless deplored the state of the society in New South Wales which he claimed to be full of vices. In many other debates, he remained objective and cautious. He maintained these qualities throughout his political career, and in addition, was always persistent, constant and devoted to duty and assigned responsibilities.

²⁹ Ibid., Vol. XXXIII, p. 320.

The member for East Kent in 1832-1837, John Pemberton Plumptre, born in 1791, was the eldest son of John Plumptre, the dean of Gloucester, formerly from Fredville and Nottingham. John P. Plumptre graduated from Eton College, and then went to the bar and practiced law for a short time. He became the Deputy Lieutenant of Kent before he was elected to Parliament. A conservative, he opposed emancipation of the Jews in England. First elected to Parliament in 1832, he maintained a rather moderately conservative political stance and voted against reform measures in the House of Commons. For instance, in June, 1833, he vigorously seconded a parliamentary motion against political unions.

In Parliament, Plumptre participated in few debates and in many cases took either a moderate line or a conservative stand. In 1833, for example, he opposed a bill which called for the reduction of the number of bishops in the House of Lords. During the same session, he participated in a debate on observance of the Sabbath. In his speech, Plumptre supported the bill on the grounds that,

There were three classes of peoples to whom the Bill would be beneficial . . . the large class of persons to whom the Sabbath was a day of bodily rest. Another, . . . that composed of persons who required religious instruction and discharging religious duties. The third class was that of persons whose feelings and desires ought not to be outraged as Christians who believe that profanation of the Sabbath was a disgrace to the nation.³⁰

Plumptre's argument showed how he often thought of people in classes.

The same philosophy became apparent during a debate on the formation of political unions. He argued that ordinary civilians had no

³⁰Ibid., Vol. XVII, p. 978.

right to form political unions because they would destroy the power of Parliament. He went on:

The people have no right to form such unions as the means of obtaining redress, for they have the right of petitioning. They have no right to form and organize themselves into permanent political bodies. The King, Lords, and Commons, formed, I may say, a Political Union; and with their power these other Unions are inconsistent.³¹

Although he upheld such conservative views on the rights of ordinary citizens, Plumptre is on record for having opposed apprenticeship of slave children born after the passing of the Slave Emancipation Act and also for supporting a twelve-hour work-day for factory workers. His presence in the Committee served to provide another basic view of the problem that vexed British politicians.

Unlike Plumptre, Colonel Thomas Perronet Thompson came to Parliament in 1835 with a wealth of military, colonial, and literary knowledge. Colonel Thompson was born in 1783 at Hull, to Thomas Thompson and Philothea Perronet. Philothea was a woman of Wesleyan background and upbringing who influenced her son's political thinking.

Colonel Thompson's parents were merchants and bankers who taught their son all of Britain's overseas trade methods. He entered Queen's College at fifteen and joined the navy sometime between 1803 and 1806. In 1808 he became the governor of Sierra Leone.

While in Sierra Leone, Thompson tried to suppress the evils of the apprenticeship of freed blacks and to bring about reforms. He was opposed, however, by local settlers who forced the British Government to recall him at the end of 1809.

³¹ Ibid., Vol. XVIII, p. 1271.

Shortly thereafter, Colonel Thompson returned to military service and served in Spain, the Persian Gulf, the rest of the Middle East region, and India. He then returned to England in 1822 and devoted his time to literary writing and politics. Associating himself with philosophical radicals who championed Benthamism, his first works dealt with economic issues. His article titled, "Instrument of Exchange," first published in the Westminister Review, dealt with various monetary systems he thought suitable for world trade. Incidentally, he later owned the Westminister Review and made it the instrument of the Benthamite theorists. In 1829, he published "True Theory of Rent" in support of Adam Smith's theory. His most popular pamphlet relevant to his era was the "Catechism of the Corn Laws," which consistently attacked the English Corn Laws.

With the winds of parliamentary reform setting in by 1829, Colonel Thompson made his paper the mouthpiece of the Reform Movement, the Corn Law Leaguers, the Abolitionists, and the anti-imperialism clique, with him contributing the rest of the articles. Then in 1835, his political dreams came true when he was elected to Parliament for Hull. During that first session he was appointed to the Select Committee.

Politically, Colonel Thompson favored, like many other reformers, parliamentary reform, secret ballot voting, short or annually elected Parliaments, and equal representation of all British subjects, regardless of their economic or social status. Even though he lost his seat in 1837, he never changed his views throughout his political career. More importantly, his presence in the Committee was necessary to offer views of both the settler's and a colonial official's stand in regards to aboriginal issues.

Another committee member, Henry Wilson, was a typical Tory politician to whom his contemporaries referred as a "moderate reformer," but was in actual fact a true disciple of conservatism. The son of Joseph Wilson of Stowlangtoft Hall, Wilson was born in Suffolk near St. Edmund in 1797, and later received his education at Oriel College, Oxford, where he graduated in 1823 with a Masters of Arts degree. He then entered Lincoln's Inn in 1827 before he was admitted to the bar. In 1835, he was elected to the House of Commons for the Suffolk Borough and later held the seat until the close of the 1837 parliamentary session.

When he lost the election in August of that same year, he became the sheriff of Suffolk until 1845. Between 1837 and 1837, Wilson seemed to have not participated in any debate on any issue. However, he still was appointed to the Committee much more so to represent a conservative view in the deliberations than for his special knowledge.

One other Tory added to the Committee on February 16, 1836, replacing John Hardy, was William Ewart Gladstone, the youngest of John Gladstone's four sons. William's father owned a large plantation in Demerara, West Indies, and employed many slaves before 1833. The time William E. Gladstone spent on his father's plantation had by 1835 afforded him substantial opportunity to acquire knowledge of colonial problems especially those affecting aborigines and slaves. That experience on the plantation made him accept slavery earlier in his life and also restricted him to his conservative political affirmations.

For his education Gladstone first attended Eton College, the oldest and strictest conservative school of medieval England for scholastic training of boys in 1821. While there he studied Latin, Greek, and

theology. Later he went to Christ Church, Oxford, where he participated in political debating clubs, the major one of which was the Debating Union. In the Debating Union, Gladstone debated on religious toleration for the Jews in England, and on abolition of slave trade and slavery. In his debates he opposed abolition of slavery but called for the amelioration of the conditions of slaves. He maintained that line, with some modifications, until he went to Parliament, where he called for gradual abolition with compensation to slave owners.

While still a student, he was a disciple of the George Canning foreign policy school. He maintained Canning's approach to foreign policy throughout his political career. Gladstone's future career was politics and he remained so for life even though at some early stage in his life he had dreamed of taking clerical vows as a High Church priest. As a student, he spent long hours studying parliamentary debates, which he regularly discussed with his friend and roommate. He developed a desire for Catholic emancipation but detested parliamentary reform. For instance sometime between 1830 and 1832 he worked with Charles Wordsworth and Lord Lincoln to promote a petition to the House of Commons against such a reform of Parliament. That petition which he almost singlehandedly solicited, was signed by more than seven hundred undergraduates.

In January of 1833, Gladstone entered Lincoln's Inn but was never called to the bar. He had already been elected to Parliament in 1832 under the Reform Act which he had so vigorously opposed. He was returned for the newly created borough of Newark, where his nomination had been patronized by the Duke of Newcastle, his school friend's father. In his maiden speech in the House, Gladstone defended his

father's plantation which had been attacked and described by Lord Howick during a debate on the abolition of slavery as a plantation where there "was undue mortality among the slaves."

When Parliament met for the 1835 session, Sir Robert Peel had offered Gladstone the post of Under-Secretary for Colonies even though he had earlier been appointed to the Lord of the Treasury office in December of 1834. Gladstone accepted the post to the Colonial Office rather than the Treasury Department. Unfortunately for Gladstone, the Peel Ministry suffered a defeat over a major bill early that year, and he was unable to hold the office long. He, however, returned to the same office in 1836. That appointment automatically made him a member of the Aborigines' Committee.

Politically, this fervent student of Homer and Dante was conservative. A member of the High Church of England, this young politician, later in his political career made one of the most dramatic political turnabouts from conservatism to extreme liberalism. Gladstone was a suitable Committee member not only because of his office and political affiliations, but more so because of his tremendous knowledge in colonial affairs. Even though he joined the Committee after its reappointment for a second term, he rendered an important counterpoint to the deliberations of the Committee.

In the House, Gladstone was a constant vigorous debater, popular for his skillful and articulate expressions. Gladstone opposed immediate liberal reforms of Parliament or other institutions of Britain. Part of this sentiment of his came out in his speech during a debate on Corporation Reform Bill of 1835. He adamantly argued:

I cannot approve of the frequency of elections which must occur under the Bill. I cannot approve of the restriction which it imposes upon the prerogative of the Crown. I cannot approve the extension of the power of licensing publichouses to individuals who are to be subjected to popular election. On all these grounds, with many others . . . I cannot honestly give support to the measure as it now stands.³²

Such was Gladstone's way of arguing. On March 22, 1836, he reiterated his conservative stand on the question of slaves and colonists. In response to another Parliament member's attack on those colonists who clamored for more compensation money, Gladstone retorted that the attack was an exaggeration for:

When it was considered that, in the worst times, the value of slave property was estimated at £45 million, it could not certainly be said with justice that the grant of £20 million was an "enormous" amount of compensation.³³

He went further to defend the former slave owners whom he claimed to have been robbed of their valuable property. Such a bitter conservative that he was, he joined the Committee by virtue of his office.

The Committee member whom Gladstone replaced was John Hardy, the second son of John Hardy of Horton, Parish of Bradford in Yorkshire. Hardy was born in 1773 and grew up in Yorkshire. He became a barrister after graduation at Middle Temple in 1799, and in 1840 was admitted to the bench. Between 1806 and 1833 Hardy became a chief steward of honor of the Pontefract and also the Recorder of Leeds. In 1832, he was elected to Parliament as a member for Bradford and held the seat until 1837.

³²Ibid., Vol. XXIX, p. 755.

³³Ibid., Vol. XXXII, p. 486.

In Parliament, Hardy supported the workers against manufacturers. He sympathized with dissenters and juvenile offenders. In 1833, he presented a petition on child employment which led into the passing of a law. In presenting his petition, Hardy persuasively argued:

The question is, if the Legislature of Great Britain were prepared to sanction, for the sake of commercial prosperity, a system which cramps the limbs and destroys the energies of so large of the population of the country The House should relieve some of them from the imputation of intentional inhumanity.³⁴

He later supported two bills which curtailed child employment and provided for the appointment of doctors and inspectors of factory workers and factory conditions.

Contrary to this seemingly humane philosophy, Hardy opposed the abolition of slavery bill during its Committee stage, and also opposed the reduction of slave apprenticeship from seven to three years. But later on, he voted for non-apprenticeship of slave children. However, Hardy did not complete his term on the Committee.

The last of the Committee members was Andrew Johnstone, an untiring Scotch who participated in almost all debates touching dissenters. Johnstone was of a Scottish Protestant faith and very loyal to his denomination. He married twice; his second wife was Fowell Buxton's daughter, a woman whose philanthropic zeal met with Johnstone's ardor for reform. As a reformer, Johnstone opposed lay patronage and the principles of the Voluntary Church Association of Scotland.

He was elected to Parliament in 1831 under the unreformed constitution. Once in the House, he fought to reform it from within. He

³⁴Ibid., Vol. XV, p. 1293.

supported both of the Reform Bills of 1830 and 1832. He fought for the legalization of the observance of the Sabbath but opposed the admission of Jews into both the House of Lords and the House of Commons, as he said, ". . . if Jews are admitted into the House, there will be at once an end to all Christianity. They treated the very foundation of the Christian faith with ridicule and called its great founder an imposter."³⁵ He maintained his anti-semitism but compromised on many major issues.

During this period in Parliament, 1833-1837, Johnstone participated in debates more than forty times, seven-eighths of which were on dissenters, workers and slavery. Any measures affecting the Church of Scotland met with his vicious attack if they offered no beneficial conditions for the Church. For instance, in 1833 he opposed the plan which proposed to put the patronage of the Church of Scotland under the British Government. As he argued, ". . . Since the Reformation no pastor could be set over any congregation in Scotland against their consent, without direct violation of the constitution of the Church of that country."³⁶

Nevertheless, Johnstone was an important member of the Committee whose parliamentary experience and religious knowledge added depth to the Committee and also to its outcome. He and all the other liberal members represented a clear-cut division of political opinions on the question of aborigines.

An analysis of these Committee members breaks them into two groups--the middle age and the young people. Nine of the members' ages

³⁵ Ibid., Vol. XVI, p. 16.

³⁶ Ibid., Vol. XIX, p. 712.

ranged from forty-four to sixty-two by 1835, while seven others, including Gladstone, ranged between twenty-six and forty. The average age of the Committee members was slightly over forty; the oldest three were Sir R. S. Donkin, John Hardy and Edward Baines. The youngest members were still in their twenties: Gladstone at twenty-six and Holland at twenty-nine. Seven of the members were born before the French Revolution and eight others during or after the troubled years of the Revolution. Five of them were new members to Parliament in 1835 and the rest of the members had been there for at least one or more years; and significantly enough, about three of them had had experience in colonial affairs. Two members, Sir R. S. Donkin and Colonel Thompson, had held high official posts in the British colonies. Sir George Grey had served in the Colonial Office for at least a year. The majority of them came from aristocratic families. Many more still were religious zealots who believed it their duty to spread Christianity to "infidels." Eleven of the fifteen member committee were Whigs but sixty-five percent of the whole committee was liberal or radical in the standards of the first three decades of the nineteenth century.

The rest of the Committee members were philanthropists headed by Fowell Buxton and Charles Lushington. The few journalists among them added another broad dimension to the Committee. Understanding the diverse elements and sentiments represented in the Committee throws light on the nature of the evidence gathered and of the report presented to Parliament. Many of the members, it should be pointed out, commanded great respect both in Parliament and among the English people at home even though some were disliked by settlers, especially

those who had connections with missionaries like Reverend John Philip of the London Missionary Society. Thus, the Committee of men of various experiences, talents, temperaments, and wealth set to work as prescribed by the House of Commons.

CHAPTER IV

THE PROCEEDINGS OF THE COMMITTEE

Once the Committee was formed, its purpose and scope was announced to the House and to all interested parties. The Select Committee was empowered:

. . . to consider what measures ought to be adopted with regard to the native inhabitants of countries where British settlements are made, and to the neighboring tribes, in order to secure to them the due observance of justice and the protection of their rights; to promote the spread of civilization among them; and to lead them to the peaceful and voluntary reception of the Christian religion.¹

The Aborigines' Committee was authorized to send for persons, papers, and records they deemed necessary to provide evidence. Furthermore, the Committee had to report periodically to Parliament summaries of the evidence taken before them and any of their observations. Five of its members comprised a working quorum. The Committee sat in London and was not required to visit colonial settlements. Thus the Committee was limited to evidence from the Colonial Office, colonial officials, and from those interested parties in London or colonies with representatives in either place. The aborigines or their elected chiefs had no direct means of presenting their views. Missionaries or some concerned settlers acted as their spokesmen.

¹Parliamentary Papers, 1836, Vol. I (I. U. P.), pp. ii-iii.

Although Parliament had instructed the Committee members not to give a report during the 1835 parliamentary session, the Committee went into action immediately on July 31, 1835, with an interview of Captain Robert Scott Aitchison. The Committee, however, restricted much of its investigation to those witnesses available in England, since witnesses who still resided in the colonies might face reprisals from other settlers or native inhabitants that would result from their evidence. However, that cautious line was not adhered to closely in the process of evidence gathering. Between July 31 and August 31, 1835, the Committee held twelve meetings. It heard evidence from eleven witnesses, four of whom appeared from two to five times during the same month, and the rest appeared once.²

When the Committee was reappointed in February, 1836, for a second term, it commenced its investigations on February 12 and continued until August 1. During that period, it held thirty-one hearings and questioned thirty witnesses; one of the witnesses appeared seven times, another five, and four witnesses appeared three to four times each. Six other witnesses appeared twice apiece and the rest gave evidence only once. Nine witnesses were once military personnel in the British colonies; eight were ministers of religion who resided or had resided in the colonies; eight others were laymen, three were medical practitioners, two were aborigines from South Africa, and one was a member of Parliament who was also a member of the Committee.³

²Ibid., pp. 1-183.

³Ibid., pp. 183-676.

After the August recess, the Committee resumed its proceedings on February 24, 1837, and continued until June 24. During this period it held nine proceedings and heard evidence from eleven witnesses. One witness, Reverend John Philip, appeared four times before the Committee for further examination. Another minister of religion from South Africa also appeared three times during the entire period. Three other witnesses gave evidence twice apiece, and the remaining six witnesses appeared only once. Significantly enough, seven witnesses gave evidence on South Africa; one Chippeway Indian chief and a Hudson Bay Company chairman testified concerning conditions in Canada. Two former lieutenant-colonels also gave evidence mainly on South Africa. One other important witness was examined on West Africa.⁴

A total of forty-six officially noted witnesses appeared before the Committee, either upon the request of the Committee or voluntarily. The composition of the witnesses lended itself into categories indicative of their interests in regards to the aborigines. Fifteen of them were military personnel who had served under the British and Colonial Governments in one form or another. Twelve men, representing religious organizations in the colonies, appeared before the Committee also. The majority of the witnesses were concerned with the suffering of the native inhabitants and therefore provided evidence incriminating the settlers. The rest of the religious witnesses gave evidence on South Africa just as much as the military personnel. The evidence of these two groups was generally of a collaboratory nature, but was especially contradictory on South Africa.⁵

⁴Ibid., Vol. II, pp. 88-108.

⁵Ibid., Vols. I and II.

Among the witnesses were also four former colonial government officials, including governors, lieutenant-governors, judges or secretaries to the governments. Six colonists also gave evidence besides two philanthropists, two merchants, two medical personnel, and four aborigines. The Committee did not depend on the evidence of these witnesses alone but also received written memoranda sent to individuals or the Colonial Office in London. Much of the evidence sounded believable since the rest of the witnesses had actually lived in the colonies. Evidence, however, tended to fall into anti- and pro-settler factions. Some evidence incriminated known persons residing in the colonies and resulted in some witnesses sued. For example Reverend John Philip was sued in South Africa for defamation of character and was later fined heavily by a South African court.⁶

A brief account of the backgrounds of some of the witnesses provides an insight into their depth of knowledge on colonial affairs presented to the Committee. The first witness to appear, Captain Robert Scott Aitchison, had been an officer in the Cape Mounted Riflemen since 1819 and had served there in South Africa all that time but for two years. His regiment served on the frontier border between Africans and settlers, and so he had observed the actual activities between the two peoples from the position of a law enforcement officer. His testimony showed a high degree of fairness in that he noted crimes committed by each side and pointed out where and when the colonial officials neglected their responsibilities to the aborigines. He accused settlers,

⁶Ibid., Vol. II, p. 108.

Africans, missionaries and colonial officials but commended each group where they acted justly.

Saxe Bannister, unlike Aitchison was a master of arts graduate of Queen's College, Oxford, and a law graduate of Lincoln's Inn, who got an appointment as attorney-general of New South Wales in 1823. Bannister served only briefly in Australia because he failed to agree with his colonial colleagues, especially concerning the colonial government there on the treatment of aborigines. He condemned masters and colonial officials for ill-treating the natives of that settlement. Even though he was not discharged, the Colonial Office refused to grant him a salary increase and upon disagreement, he was removed from office only to be succeeded by another man who was hired on the same higher salary scale he had requested. Bannister had developed a lively interest in the welfare of colored races even before his appointment to the attorney-general post. He was one of the pioneer members of the Aborigines' Protection Society, "a gentlemen bedel" of the Royal College of Physicians, and a fellow traveler in colonial affairs. He had visited South Africa, West Indies, West Africa, and Canada observing the conditions of aboriginal tribes in those areas. Bannister also authored many pamphlets and a book on colonial subjects. He wrote nine other pamphlets which dealt with social, economic, political, and historical themes. His evidence demonstrated a deep understanding of the real issues at stake. He was one of the few witnesses who proposed a positive plan for eliminating the problems arising out of the colonization policy. His evidence covered the entire British Empire in detail.⁷

⁷See Appendix A for the proposed plan.

The Reverend John Beecham, a Wesleyan Methodist Missionary Society clergyman, had been the General Secretary of that Society and later the Administrator who counseled the agents of the Society from all over the world. He had visited Australia, Canada, the United States of America, and West Africa. He later published a book on the colonization of the Gold Coast. Thoroughly versed in colonial affairs, he also testified before the Committee. His evidence, however, was of a general nature covering all the colonies.

One other key witness, Captain David Bucham, was a British government official serving under Sir John Duckworth, then in charge of Newfoundland. Bucham's primary duty was to open communication with the natives of Newfoundland and mainland Canada. His objective was to establish peaceful trade communications as well as a relationship beneficial to both aborigines and European settlers. He knew the language, culture, and concerns of the Indians of North America as well. When Bucham told the Committee that there were no aborigines existing in Newfoundland by 1835, the members of the Committee did not doubt the validity of the facts. His testimony was important since it described other causes of aboriginal extinction not then generally known. He alluded to hazards of cold, lack of food, intertribal warfare, lack of protection from marauding European hunters and traders, and the indiscriminate killing by settlers.

An important witness who gave oral and written evidence about aboriginal conditions in Australia, New Zealand, and Van Diemen's Land was William Grant Broughton, formerly a clerk in the East India House from 1807 to 1812. By 1835, Broughton had held four academic degrees, the highest of which was Doctor of Divinity. In 1838 he served as

chaplain of the Tower of London. He was then appointed Archdeacon of New South Wales for the Church of England with jurisdiction over all of Australia, Van Diemen's Land, and all adjacent islands. The Archdeacon traveled to all English settlements in Australasia establishing churches and organizing the clergy. He also visited churches in New Zealand. It was during his travels that he learned of the predicaments of the natives resulting from their contact with settlers.

Added to the list of key witnesses, but unique in experience, philosophy, and temperament, was Zachary Macaulay, the philanthropist son of John Macaulay. Zachary was sent to a Jamaican estate as a book-keeper at the age of sixteen. He became so annoyed with the miseries of slaves in the West Indies that he resigned his job in protest and returned to England in 1792. He was soon appointed the second member of the Sierra Leone Council which had been formed to open a settlement for freed slaves. He then went to Sierra Leone as the governor, councillor, paymaster, judge, clerk, preacher, and master of marriage ceremonies, positions he held simultaneously. The problems he faced there with French slave traders and explorers acquainted him with the aborigines' suffering caused by European adventurers. Despite many difficulties, he managed to put Sierra Leone on a firm foundation.

On his return to England, Macaulay worked with the African Institute and with members of the Anti-Slavery Society, such as William Wilberforce, Grenville Sharp, and from 1823 on with Fowell Buxton. By 1836, two years before he died, he had become a member of a British and French philanthropic group, the British and Foreign Bible Society, the Church Missionary Society, the Society of the Suppression of Vice, the Royal Society, and the French Society for the Abolition of Slavery. Macaulay

thus had sufficient experience to assist the Committee in formulating its report and recommendations.⁸

The Reverend John Philip, D. D., was perhaps the most important witness concerning South African aborigines. His concern pre-dates the period of the Committee. Dr. Philip was a minister of the Congregational Church earlier in his life. In 1819 he was invited by the London Missionary Society to conduct an investigation of their missions in South Africa. He and another member went to the South Africa colony where he was soon exposed to the settlers' strong resentment toward missionaries who "gently treated the natives." Philip and his colleague painted the darkest picture of native conditions in South Africa by 1822.

The London Missionary Society soon appointed him the superintendent of its missions at the Cape Colony. From Capetown, his headquarters, he attacked colonial native policy and agitated for the better treatment of aborigines. In 1823 and 1824, he furnished the investigating British commissioners sent there with lists of barbarities committed by settlers against natives. His list of recommendations to the British government was so persuasive that the Colonial Secretary, Sir George Murray, forced the Cape Colony government to implement them in 1828 as part of the Fiftieth Ordinance. Reverend Philip became unpopular with South African settlers, but he continued his campaign by traveling throughout Great Britain with two Africans--a Hottentot named Andies Stoffle, and African Chief Jan Tzatzoe (who also later appeared before the Aborigines' Committee)--rousing public opinion in support of the South African

⁸Christian Observer, 1839, pp. 756-768; Trevelyan, Life of Lord Macaulay.

aborigines. Philip's attack on settlers was perhaps of a romantic, evangelical zeal, but much of his evidence proved to be historically factual.

Reverend Philip found his arch-opponent in Colonel Thomas F. Wade, a veteran of civil and military service in British Mauritius and, after 1828 in South Africa. While in South Africa, Colonel Wade served as military secretary for the Cape Colony government, and made regular visits to the frontier to familiarize himself with the military problems there. In his evidence Colonel Wade admitted that atrocities occurred, but he charged Dr. Philip and other missionaries of misrepresenting the facts, of arousing aborigines against settlers, and of being politicians rather than missionaries. During the period the Committee held its proceedings, Colonel Wade kept in constant correspondence with settlers seeking data to dispute Dr. Philip's assertions and accusations. Colonel Wade, perhaps more than any other witness, was the settlers' staunchest defender. Based upon his evidence, the Committee admitted in its report that there was much contradiction in testimony concerning South Africa.

The Committee had this caliber of witnesses before it, plus voluminous written evidence and reports from the colonies from which to draw conclusions. The Committee approached the evidence in three basic ways: studying all records in the Colonial Office relevant to the subject, studying colonial officials' reports and memoranda, and taking written and oral evidence from witnesses. Witnesses were generally asked to give their backgrounds, answer questions and to present any prepared statements they might have. Many of the questions were of general nature designed to extract as much evidence as possible. Some,

such as question number 1380, were meaningless, spontaneous and immaterial. The Committee, however, was able to extract and gather much meaningful evidence which can now be summarized. For the purpose of this study, the summary is handled settlement by settlement in order to isolate findings peculiar to each colonial area.

In reference to Newfoundland, the evidence brought before the Committee revealed that when the British first entered the area, they found many Indians with whom they did not sign peaceful coexistence treaties. Instead English settlers occupied those areas where the aborigines hunted and fished thus depriving them of their means of livelihood. As a result, many of the Indians starved to death and many others were treated with hostility and cruelty. As Captain David Bucham reported, "Many were slain by our own people as well as by the Micnic Indians" who were permitted to harrass and hunt them. The evidence also shows that no efforts were either made to protect them or to communicate with them before 1810 when such steps were taken to communicate with them. Rough estimates of the native population of the settlement were put at 400 to 500 originally; the last of the natives seemed to have been shot by Englishmen in 1823 and the three women once in captivity died there also, the evidence claimed.⁹

The evidence on mainland Canada revealed that the first British settlers there found Indians whose agricultural knowledge helped the white settlers to survive. But in return the English settlers drove the Indians from their homes and lands into the interior forcing the once sedentary people to be nomads. The evidence further pointed out that

⁹Parliamentary Papers, Aborigines, Vol. I (I. U. P.), pp. 475-479.

those remaining were put in reservations and "reduced to a state which resembles that of gypsies in this country."¹⁰ Those Indians who managed to live in villages among whites "are a very degraded race, and look more like dram-drinkers than people it would be possible to get to do any work."¹¹ Much of the evidence spoke of an alarming situation among the natives. Much bloodshed and murder, resulting from tribal warfare, starvations, shootings by settlers, lack of game for Indians, introduction of intoxicating liquors and alien diseases, plagued the Indians. To quote the Chippeway chief's evidence:

We were once very numerous and owned all upper Canada and lived by hunting and fishing; but the white men, who came to trade with us, taught our fathers to drink the fire waters, which has made our people poor and sick, and has killed many tribes, till we have become very small.¹²

The Committee was further told of degeneracy and degradation of the Iroquois, the Cree, the Shawnee, and the Copper Indians. Other once powerful tribes were reduced to few families. Many had lost their lands, property, dignity, and identity, but only those living around Christian mission stations seemed to be improving and abandoning spirituous liquors. Sir George Murray's words summarized adequately the evidence. ". . . there was a proneness also in the new occupants of America to regard the natives as an irreclaimable race, and as inconvenient

¹⁰Ibid; Minutes of Evidence, Vol. I, question 3921. This source and others following are noted by the number of the question asked the witness and his reply. The questions are chronologically arranged in the documents.

¹¹Ibid., Vol. I, question 3456, Gisborne.

¹²Ibid., Vol. II, question 3915; Parliamentary Papers, Aborigines, 1834, Vol. III (I. U. P.), p. 135.

neighbours, whom it was desirable ultimately wholly to remove."¹³ Even though a Department of Indian Affairs existed in Canada, it did not serve the interests of the natives. It spent much public funds within its own offices and was charged in the evidence with corruption and inefficiency.

British settlements in South America included British Guiana, Demerara and Essequibo. Natives of these areas included former nations of the Arawado, Accaways, the Caribs, and the Warrows. The testimony before the Committee acknowledged the decrease of aborigines there since British occupation. The 1831 population of the tribes was estimated at 5,096 but the evidence pointed out that:

. . . it is the opinion of old inhabitants of the colony, and those most competent to judge, that a considerable diminution has taken place in the aggregate number of the Indians of late years, and that the diminution, although gradual, has become more sensibly apparent within the last eight or ten years . . .

due to increased consumption of rum among them.¹⁴

The witnesses also observed that there were six "Protectors of Indians" in the colony who were supposedly superintendents charged with distribution of presents from the British Government to the tribes. The evidence noted that rum or hard liquor were the chief items among the presents. Furthermore, the government officials there were negligent of implementing the laws and regulations issued periodically by the British Government. The colonial government was charged with

¹³ Parliamentary Papers, Aborigines, 1834, Vol. III, No. 617, p. 88.

¹⁴ James Hackett to Sir Benjamin D'Urban, Parliamentary Papers, Aborigines, 1834, pp. 194, 198.

failure to meet their obligations to provide moral and religious improvement of the natives. The "Protectors of Indians" were appointed and left to function without strict, specific directives from the British Government. Furthermore, all the reports available to the Committee noted the fact that those tribes had been totally abandoned. The resultant lack of provision for moral or civil improvement caused their decrease. The British had, in Lord Goderich's words,

. . . subjected these tribes to the penalties of a code of which they unavoidably live in profound ignorance They are brought into acquaintance with civilized life not to partake its blessings, but only to feel the severity of its penal sanctions.¹⁵

Unlike the situation in South American British colonies, the West Indies fell into a special category. Much of the evidence presented to the Committee covered aboriginal problems as well as those of slaves prior to 1833. The evidence showed that aborigines no longer existed in the West Indies. The several European powers which had occupied the islands interchangeably had destroyed the native peoples.¹⁶

Witnesses providing information on West Africa seemed to concentrate on Sierra Leone, which they pictured as a model colony run by an enlightened system. The witnesses who appeared, Henry W. Macaulay and the Reverend John Williams, emphasized the merits of the "let alone" policy for the aborigines. The evidence showed that the African (Negro) people had the capacity and the intelligence to develop and to adapt to civilized standards. The key witness, Macaulay, gave many instances to

¹⁵ Ibid., pp. 181-182.

¹⁶ Material on Slave Trade and Slavery in British West Indies provides a sufficient picture of the problems facing the natives of the area which led the acclaimed total extinction of the indigenous races.

prove his assertions. He concluded that it was owing to their being left to themselves that they had so quickly advanced, increased in number, and learned European skills.¹⁷ The evidence further underlined the need for religious and moral instruction. The rest of the West African coast embracing the Gold Coast and Nigeria was not included in the evidence assembled, since those regions had suffered already from the effects of slavery.

The evidence gathered on South Africa was plentiful, complex, contradictory, and difficult to classify in any meaningful category, due to the complexity and traditions of the region. Almost all of the witnesses, however, pointed out there was a potential danger of the extinction of the indigenous South Africans. All admitted problems arose on questions of land boundaries, thefts of cattle by both settlers and Africans, the encouragement of tribal wars by settlers, and then the ill-treatment of the aborigines by Boers and frontier English settlers. The witnesses and the official documents from the Cape Colony traced the growth of these problems from 1652 to 1834 and showed that little had been done to improve the relationship between settlers and the aborigines. Except for a few directives from Whitehall and the 1828 Fiftieth Ordinance, the colonial officials had no concern for the protection of the native peoples.¹⁸

On the problem of land occupation, the evidence pointed out that the frontier of the Cape Colony was ever shifting north and northeast

¹⁷ Parliamentary Papers, Minutes of Evidence, 1837, Vol. II (I. U. P.), questions 201, 227.

¹⁸ Parliamentary Papers, Minutes of Evidence on South Africa, 1836, Vol. I.

as a result of settler farmers demanded African land for grazing their cattle. When such complaints were made, the aborigines were forced to move, thus losing their rich pastures, cattle, and crops. In each of those forced removals, the natives were packed in arid areas. More often the result was a war between settlers and the possessors of the land. Such wars resulted in scores of thousands of aborigines killed, and the theft of thousands of head of cattle taken by settlers. The evidence of Colonel Wade, Major Dundas, Captain Aitchison, and Reverend Philip thoroughly explains this problem.

The Committee also learned the brutal atrocities committed by settlers on the natives, their property and their lands. As Colonel Wade reported:

. . . suffice to say, that, from all I have been able to learn, the state of the slaves was a thousand times preferable, in every point of view, to that of this unhappy race . . . were held in the most degrading thralldom by their fellow subjects . . .¹⁹

The witness pointed out the appalling degree of the negligence of the officials to either punish the culprits or at least restrain them in an effort to protect the aborigines. Reverend Philip suggested that the first step to stop such activities was to ban Boers from crossing the frontier into native lands.

The evidence also revealed the "commando system" in operation on the South African northern frontier. Captain Aitchison revealed the plan by which the colonial officials in the Cape Colony cleared away the aborigines on the frontiers. Under the commando system, small detachments of troops were sent to the frontier to harass constantly

¹⁹Ibid., questions 2781 and 1146.

the Africans, and when they fled, the commandos drove away large herds of cattle. This practice was a government instituted system, Aitchison contended in his testimony. Large sums of colonial as well as the British treasury money were poured into the program. The government appointed a field-commandant to each district and a field-cornet to each subdivision of the district.²⁰ However, numerous abuses of this system further disrupted relations between the settlers and the indigenous peoples. Such military parties made frequent raids into aboriginal regions to recover cattle or demand restitution in cattle.

On the other hand, it was also a common occurrence for the Africans to steal settlers' cattle, especially in times of droughts and poor harvests. In many instances, the evidence pointed out, those natives who stole cattle were never apprehended. In retaliation the commandos tortured the innocent village people and confiscated their animals. When such situations occurred, the testimony explained, Africans resisted by waging war or stealing cattle. Some African thefts were also deliberate, several witnesses argued. The Lieutenant-Governor of the Cape bluntly told the Committee that as long as Caffre (African) cattle were taken, peace on the frontier was utterly impossible.²¹

In addition to those areas of conflict which decreased aboriginal tribes in the Cape Colony was the practice of settlers seeking alliances with aboriginal subchiefs, urging them to raise a conflict with a larger chief and then going to destroy the larger chief's people,

²⁰ Ibid., Captain Aitchison, Vol. I, questions 62-102; Report of Commission of Inquiry, Parliamentary Papers, Native Inhabitants of the Cape of Good Hope, Part I, p. 194.

²¹ Parliamentary Papers, Minutes of Evidence on South Africa, Vol. I.

villages, and crops, and confiscating all of their cattle and land for the colonial government. The subchief received little from the spoils, since in many instances his men never fought the war. His greatest spoils was the capture of young women. The evidence pointed out that when such wars broke out, thousands of aboriginal men died and on many occasions some tribes have been totally wiped out. And so the story went on about the treatment of aborigines in the Cape Colony.²²

The Committee also heard testimony concerning the relations between British settlers and the aborigines of New Holland (Australia), an area where English colonization was increasing at the time.²³

The evidence to the Committee revealed gross atrocities similar to those committed in South Africa. Many accounts of murder and violence were reportedly committed by settlers, especially by the stock keepers who were mostly convicts employed by farmers on the frontiers of the colonies, remote free settlers, and cedar-cutters. Military parties were reportedly dispatched against the natives to slaughter them indiscriminately. The result, some witnesses confirmed, was that many natives had perished and there was the possibility of some tribes becoming extinct. In his evidence, Archbishop Broughton reported that,

They do not so much retire as decay; wherever Europeans meet with them, they appear to wear out, and gradually to decay; they diminish in numbers, they appear actually to vanish from the face of the earth. I am led to

²²For further details, the evidence given by all witnesses and the summary of the evidence in the Committee's Report is a complete account.

²³"New Holland" was the original name of the present Australia. It is used in the minutes of the Committee as such. For this study the term "Australia" refers to all colonies on the mainland Australia unless otherwise specified.

apprehend that within a very limited period, a few years, those who are most in contact with Europeans will be utterly extinct; I will not say exterminated, but they will be extinct.²⁴

The evidence also confirmed earlier reports that the tribes were disintegrating due to alien diseases introduced among them and to starvation caused by the shortage of the animals they used to feed on. As John D. Lang reported in a letter to the chairman of the Committee, "From the prevalence of infanticide, from intemperance and from European diseases, their number is evidently and rapidly diminishing in all the old settlements of the colony, and in the neighborhood of Sydney especially, they present merely the shadow of what were once numerous tribes."²⁵ Many witnesses from that region, especially the lieutenant-governors and Bannister were concerned about Parliament's recent action (1835) of granting permission for the opening up of a new colony of South Australia and of disposing of lands there without first signing land boundary treaties with the aborigines and without guaranteeing them their just rights and protection. Some petitioners had even complained before that the aborigines of Australia had been exposed to injustice and cruelty in their intercourse with Europeans and so that should not be continued. The Committee seemed sufficiently convinced that the Australian species of the human race faced immediate total extinction. At most the evidence had confirmed many of the reports that had prompted the establishment of an investigating committee.

²⁴ Parliamentary Papers, Minutes of Evidence, Aborigines, Vol. I, question 243, p. 17.

²⁵ Ibid., pp. 682-684.

The Committee heard evidence concerning aborigines in Van Diemen's Land (Tasmania) from several of the witnesses who appeared on Australia. Available to the Committee also were the dispatches of various governors of Australia and the lieutenant-governors of Tasmania. There was also a report by the Tasmanian local Aborigines' Committee which had been published in 1831. Of more significance to the Committee was Sir George Murray's dispatch of November 5, 1830, to the Colonial Office, which stated among other things: "The great decrease which has of late years taken place in the amount of the aboriginal population, render it not unreasonable to apprehend that the whole race of these people may at no distant period become extinct."²⁶ The dispatch went on to list alleged atrocities committed by settlers and aborigines.

The Committee further learned from the report of the Tasmanian Aborigines' Committee that the natives had lost patience, even though their numbers were small, and had resorted to indiscriminate retaliation against the settlers. The resultant wars often destroyed many more natives. Upon the recommendation of that committee, the remaining few Tasmanian natives were moved to Flinder's Island. The government of Tasmania had accepted the recommendation since their local Aborigines' Committee had warned that there was the "strongest feeling amongst the settlers that so long as the natives have only land to traverse, so long will life and everything valuable to them be kept in a state of jeopardy."²⁷ Thus the Committee had much disturbing evidence from that region.

²⁶Parliamentary Papers on Van Diemen's Land, 1831, No. 259, p. 56.

²⁷Report of the Aborigines Committee, Van Diemen's Land, 1830, Parliamentary Papers, No. 259, p. 360.

The last colonial zone from which the Committee received evidence was the islands of the Pacific Ocean. The evidence covered problems of aborigines in several British occupied islands and New Zealand. The evidence available indicated that runaway English convicts, deserting sailors, and the crews of the whaling vessels caused many problems for the native inhabitants of these islands. Witnesses charged these classes of British settlers of the most immoral and reckless behavior. Witnesses, especially missionaries, estimated that there were between one hundred and fifty and two hundred escaped convicts in New Zealand alone who indulged in immoral activities with the natives and "teaching them every vice."

Absconded seamen were reported to have set up shelters for selling liquors to the natives. After the aborigines were intoxicated, the witnesses testified, the sailors would resort to immorality and murder. The Reverend William Yate reported that a ship's captain gave a Maori chief a corrosive substance to use to poison his enemies.²⁸ Reports such as these convinced Committee members that rumors of a sharp decline in the population of the aborigines there were a reality as Lord Goderich noted in his dispatch of January 31, 1832,

. . . the natives of Europe minister to the passions by which these savages are inflamed against each other, and introduce them to the knowledge of depraved acts and licentious gratifications of the most debased inhabitants of our great cities, the inevitable consequence is a rapid decline of population, preceded by every variety of suffering.²⁹

²⁸Parliamentary Papers, Minutes of Evidence, Vol. I, questions 1699 and 1703.

²⁹Dispatch of Lord Goderich to Major-General Bourke, 31st January, 1832, Parliamentary Papers on New Zealand quoted in the Committee's Report, Vol. II, p. 17.

Common sailors were charged in the testimony to be the vilest of the seamen who visited these areas and were responsible for the excessive atrocities and mischiefs committed on the natives. Witnesses gave long lists of stories of inhuman treatment and behavior of the European visitors and settlers in both New Zealand and the adjacent islands. Contrary to these inflammatory reports, the missionaries were reported to be living peacefully with the aborigines who had learned to trust them.

In short, the Committee had learned from the evidence of all witnesses that aboriginal populations were on the decline, that the decline was due to some unprecedented actions of English settlers and Europeans in general, and that diseases against which the aborigines had no immunity were rampant among native populations. The evidence also indicated the weaknesses of the then British colonial policy on aborigines which did not guarantee the protection of the natives by vigorously restraining the marauding settlers. The convict transportation system was specifically charged to be responsible for much of the aboriginal suffering in Australasia.

Perhaps because of the greater number of clergymen who appeared as witnesses, the work of Christian missionary societies was reportedly improving the moral and spiritual life of the aborigines and that the latter learned civilized ways of life better and in peace with missionaries. Such was the nature of the evidence from that caliber of witnesses, from which the Committee made its conclusions and recommendations.

The proceedings of the Committee and its hearings can be summarized diagrammatically as illustrated on the following pages. The diagrams

show the behavioral patterns of the Committee members in the Committee hearings, their attendance at both the Committee meetings and the hearings, and also the frequencies of each witness's appearance before the Committee. However, the data supplied do not reflect the voting patterns of the members in actual Committee proceedings. Members tended to vote on either personal or party lines. What the analyses on the diagrams show was the degree of interest of each member in the problem under their investigation. Charles Lushington, for instance, has a 100 percent attendance record in both Committee proceedings and hearings for 1836 and 1837 compared with the very poor attendance record of Colonel Thomas Thompson. This should help to explain the working of the Committee.

The diagrams also show that the radical and/or liberal members of the Committee attended more committee proceedings than the conservatives. They also attended more hearings, percentage wise, than the latter, ranging from approximately 65 percent to 100 percent. This shows that the liberals had more interest in the work of the Committee, besides the fact that they were in the majority.

The diagrams on witnesses reflect one major factor: they indicate those witnesses who were totally concerned with the aboriginal welfare. Reverend John Philip had to be called repeatedly because of the leading part he had assumed in the question of aboriginal suffering. Furthermore, he was a close friend of Sir Fowell Buxton. Perhaps, the fact that his evidence contradicted that of Captain Andrew Stockenstrom in many ways persuaded the Committee to recall him to check on the validity of what he reported on various occasions. Certainly, the appearance of so many clericals influenced the nature of the final report.

TABLE I
ATTENDANCE RECORD OF COMMITTEE PROCEEDINGS

Committee Member	Proceedings		Total
	1836	1837	
Thomas Fowell Buxton	3	8	11
John Bagshaw	2	5	7
Edward Baines	2	6	8
Sir Rufane S. Donkin	2	0	2
Sir George Grey	0	1	1
Benjamin Hawes	0	0	0
Charles Hindley	1	7	8
Edward Holland	2	4	6
Andrew Johnstone	2	7	9
Charles Lushington	3*	9*	12
Joseph Pease	0	4	4
John Pemberton Plumptre	0	5	5
Colonel Thomas Thompson	0	1	1
Henry Wilson	2	8	10
William E. Gladstone	2	4	6

*This member attended all the proceedings of the Committee as he did in the evidence hearing proceedings.

TABLE II
HEARINGS' ATTENDANCE RECORD
OF COMMITTEE MEMBERS

Committee Member	Proceeding Sessions			Attendance Frequency %
	1835	1836	1837	
Thomas Fowell Buxton	x	27	8	87.5%
John Bagshaw	x	19	8	67.5%
Edward Baines	x	14	2	40.0%
Sir Rufane S. Donkin	x	22	0	55.0%
Sir George Grey	x	7	1*	20.0%
John Hardy	x	Withdrew	0	0
Benjamin Hawes	x	2	0	5.0%
Charles Hindley	x	21	6	67.5%
Edward Holland	x	7	4	27.5%
Andrew Johnstone	x	23	8	77.5%
Charles Lushington	x	31**	9**	100.0%
Joseph Pease	x	5	1	15.0%
John Pemberton Plumptre	x	8	2	25.0%
Colonel Thomas Thompson	x	0	0	0
Henry Wilson	x	22	5	67.5%
William E. Gladstone		20	4	60.0%

x That this committee member was at least a member since no log of the hearings of 1835 is given to show which committee member attended which of the hearings.

*Sir George Grey was the Under-Secretary for colonies in 1837 and may have been detained at the Colonial Office on official duties.

**Charles Lushington was the only member with 100% attendance for 1836 and 1837.

TABLE III
 RECORD OF THE APPEARANCES
 OF WITNESSES

Witness	Number of Appearances			Total Appearances
	1835	1836	1837	
Captain Robert S. Aitchison	2	-	-	2
Archdeacon Broughton	1	-	-	1
Thomas Philips	4	-	-	4
Reverend William Shaw	3	-	-	3
Captain Andrew Stockenstrom	5	7	-	12
William Parker	1	-	-	1
Captain Spiller	1	-	-	1
Major William B. Dundas	1	1	-	2
Captain Richard Blakeman	1	-	-	1
Captain Charles Bradford	1	-	-	1
Reverend William Yate	-	2	-	2
Captain George P. Beresford	-	2	-	2
Colonel Thomas F. Wade	-	3	2	5
Sir Rufane S. Donkin	-	2	-	2
Lieutenant-Col. William Cox	-	4	-	4
Reverend Hans Peter Hallbeck	-	1	-	1
Major Cloete	-	1	-	1
Walter Gisborne	-	1	-	1
William B. Marshall	-	1	-	1
Captain George Lambert, R.N.	-	1	-	1
Thomas Hodgkin, M. D.	-	2	1	3

TABLE III (CONTINUED)

Witness	Number of Appearances			Total Appearances
	1835	1836	1837	
Thomas Trapp	-	1	-	1
Captain Allen Gardner	-	2	-	2
Henry Rutherford	-	1	-	1
Dr. John Natterer	-	1	-	1
Captain David Bucham	-	1	-	1
Dandison Coates, Esq.	-	3	-	3
Reverend John Beecham	-	3	-	3
Reverend William Ellis	-	3	-	3
Elisha Bates	-	1	-	1
Reverend John Philip, D.D.	-	5	4	9
John (Jan) Tzatzoe	-	3	-	3
Andrew Stoffel	-	1	-	1
James Read, Jr.	-	1	-	1
Reverend James Read, Sr.	-	1	-	1
Richard King	-	1	-	1
Reverend Samuel Young	-	1	-	1
Reverend John Williams	-	1	-	1
Saxe Bannister	1	-	1	2
George Greig	-	-	2	2
William G. Atherstone	-	-	1	1
Lieutenant-Col. Colebrooke	-	-	2	2
Shah Wundais	-	-	1	1
Henry W. Macaulay	-	-	1	1
Reverend Stephen Kay	-	-	3	3
John Henry Pelly, Esq.	-	-	1	1

CHAPTER V

CONCLUSIONS AND RECOMMENDATIONS OF THE COMMITTEE

The Select Committee on Aborigines issued two reports. After the 1836 hearings, it presented a brief report in August to Parliament. In the preamble of the 1836 report, the commissioners stated that:

. . . their Inquiries have extended to Southern Africa, the Canadas, Newfoundland, New South Wales and Van Diemen's Land. They have also received some information relative to New Zealand and the South Sea Islands, which countries though not British possessions, are continually visited by Subjects of Great Britain¹

The report further suggested that the evidence assembled be printed and the Committee be reappointed since:

. . . the question (before it) is one which merits the most careful attention, and that they believe it will not be difficult to devise a system of Inter-course with uncivilized nations more consonant to Justice and Humanity, more in unison with the high character which Great Britain ought to maintain²

The report of 1836 did not give a detailed account of the Committee's conclusions. The 1837 Report, the final one, outlined the findings of the Committee as closely, though more detailed, as observed in the last chapter. The commissioners analyzed the evidence under each settlement and isolated those problems peculiar to the

¹British Parliamentary Papers, 1836, Aborigines, Vol. I (I. U. P.), p. iii.

²Ibid.

different regions. It would be redundant to reiterate the findings after the observations already made.³ The Committee, however, deserves credit for making specific observations about each aboriginal group and isolating each distinctive problem. Again, a close examination of the evidence previously indicated reveals those observations which came to the attention of the Committee.

Perhaps the clearest summary indicative of the Committee's final conclusions is this quotation from the report of a question asked of Dandison Coates:

Is it your opinion that Europeans coming into contact with native inhabitants of our settlements tend to deteriorate the morals of the natives; to introduce European vices; to spread among them new and dangerous diseases; to accustom them to the use of ardent spirits; to the use of European arms and instruments of destruction; to the seduction of native females; to the decrease of the native population; and to prevent the spread of civilization, education, commerce and Christianity . . .? In reply the witness in question positively said "Yes."⁴

Although this was a suggestive question, it spells out all the conclusions the Committee members had come to, for in the next paragraph of the report, the commissioners state, "These allegations have . . . been clearly proved in the evidence of which we have been given an abstract." The commissioners continued, "From all the bulky evidence before us we can come to no other conclusion."⁵

³A careful study of the synopsis in Chapter IV renders a broad and particular picture of the Committee's observations.

⁴Parliamentary Papers, 1837, Aborigines Report, Vol. II (I. U. P.), p. 74.

⁵*Ibid.*, p. 75.

The Committee further mentioned that oppression of aborigines had become a common practice not sanctioned by any British law. That practice by British citizens against aborigines was "a short-sighted and disastrous policy," the report commented. The commissioners thoroughly and clearly pointed out that such behavior which went unchecked in the Empire, impeded successful colonization, and became a burden rather than a blessing to the Empire. Furthermore, it threatened peaceful coexistence and engendered wars. In the view of the Committee, the British Government was responsible since it allowed each brutal action to go unchecked. Apologetically, the commissioners continued, ". . . but they seem to have arisen from ignorance, from the difficulty which distance interposes in checking the cupidity and punishing the crimes of that adventurous class of Europeans."⁶

In their conclusion, the Committee expressed the fear that the evils were likely to increase and that the danger of aboriginal tribes becoming extinct was imminent. They called for a new policy toward aboriginal tribes and a new national policy by which Britain could solve her population expansion crises: "The chief of these reasons is, that national necessity of finding some outlet for the superabundant population of Great Britain and Ireland."⁷ The report suggested that if colonization should be expanded, the laws sanctioning it should not tolerate either violence or fraud but guarantee protection of the weak and ignorant.

⁶Ibid.

⁷Ibid.

Having made their observations known in the report, the Committee then made to Parliament the nine suggestions examined below. The Committee noted that it was difficult to suggest solutions which would bring about laws that would effectively and comprehensively bind both British and non-British subjects in the colonies. However, the commissioners first made general suggestions and then listed specific ones for each area in focus. The task was nearly impossible. The evidence before the Committee differed, and in some colonies like South Africa was of a very contradictory nature.

The Committee proposed first that the protection of aborigines should be fully and squarely placed in the power of the Executive, that is, the colonial governors or the lieutenant-governors. It should not be the responsibility of local legislatures or the soldiers. The local legislature was mainly composed of settlers in every colony who had disputes with the aborigines concerning land and animal claims. The Committee therefore felt that the local legislature was a political and social faction which should not be made an arbitrator in such controversies. "Whatever may be the legislative system of any colony," the commissioners emphasized, "we therefore advise that, as far as possible, the aborigines be withdrawn from its control."⁸

Second, the commissioners proposed that when a constitution of any new colony was framed, or amended, any provisions of such constitutions which affect aborigines should be approved by the officer administering the government, who in turn would send the provisions to the British Government for Royal approval, except in cases of

⁸Ibid., p. 77.

emergency. Such colonial governors would then act as instructed by the King in Parliament with authority over all matters affecting the aborigines.⁹

A second suggestion by the Committee called for a limitation of contracts of service involving the aborigines. The absence of such a deterrent would allow labor contracts to deteriorate into the enslavement of the native peoples. The commissioners also observed that such uncurtailed and unregulated contracts were bound to "cripple the energies of the natives, by preventing them from selling their labour at the best price and at the market most convenient for themselves." In light of such possible dangers, any labor contracts between colonists and aborigines should be limited to a maximum of one year, after which the native contractee should be free to either continue with the same contract or quit. In case a native terminated his contract, the settler-master should have no control whatsoever over the aboriginal.

Added to these propositions was the recommendation that every contract for service ought to be made "in the presence of an officer specially appointed for that purpose." That suggestion and the proposed powers of the special protector, were intended to prevent any abuse or evasion of such regulations and duties.¹⁰

The Committee recommended sales of intoxicants to the aborigines should be prohibited at all cost. Any delivery of the liquor by individuals, companies, or by the British Government to the aborigines for any other purpose whether deemed legitimate trade or friendly

⁹Ibid., pp. 77-78.

¹⁰Ibid., p. 78.

barter, should be banned or severely controlled. The Committee recognized that it was nearly impossible to effectively prohibit liquor:

It is useless, therefore, to advance further than to recommend this subject to the diligent attention of all the local governments . . . there is no weapon so deadly or so certain as the produce of the distilleries.

The Committee certainly shrunk here from making a definite and enforceable suggestion that could have been adopted.¹¹

In reference to land policy, the Committee proposed respect for aboriginal land concepts and policies. Nevertheless, the Committee recommended:

So far as the lands of the aborigines are within any territories over which the dominion of the Crown extends, the acquisition of them by Her Majesty's subjects, upon any title of purchase, grant or otherwise, from their present proprietors, should be declared illegal and void.¹²

The commissioners realized, however, that there were special circumstances by which land could be obtained in non-British settlements by British subjects. They advised the government to warn any British subjects who ventured into such land acquisitions, that they did so at their own risk. The British Government would not guarantee support or protection in the event of war or injury. Such radical pronouncements in the report made supporters of British imperial expansionist policies oppose the Committee and label its recommendations as a total rejection of the nation's most enterprising subjects.

Having made suggestions on land acquisition, the Committee did not refrain from making some pronouncement on acquisition of new territories

¹¹Ibid.

¹²Ibid.

by local colonial officials on behalf of the home government. So, its fifth suggestion called for the prohibition of "all governors of Her Majesty's colonies not to acquire any new territories without sanction of Home government." What the commissioners meant was that colonial officials had been free under the prevailing system to claim and acquire vast new territories in the name of the British Government without express legal authority to do so. Many such land acquisitions often ended in war with the aboriginal tribes since no specific treaties with the legally recognized tribal leaders had been signed. Many of the aborigines-settlers' treaties prior to this period were verbal and always ended in costly wars in lives of the aborigines and in money from Britain to maintain the soldiers. The commissioners went even closer and desired such sanction to be granted by an act of Parliament.¹³

The Committee did provide for certain circumstances when such sanctions could be temporarily waived. If for instance, a special situation had arisen and accession to a territory was made under the authority and responsibility of the local colonial officials, such a transaction had to be clearly announced to all parties concerned. They had then to await the exclusive formal declaration by the legislature of such a transaction. The suggestions also exempted from enforcement in,

. . . the settlement of vacant lands comprised within any of the existing British colonies, the extent of which both in North and South America, in Australia, and in Southern Africa, is certainly sufficient to absorb whatever labour or capital could be profitably devoted to colonization.

¹³Ibid., pp. 78-79.

What the commissioners did not make clear was what they meant by "vacant lands." This is one of the many language ambiguities in the report.¹⁴

Reflecting the strong interest of its chairman, the Committee recommended the Christianization and education of the aborigines. The commissioners further recommended that the revenue of each British settlement should be pooled to provide for the education and religious instruction of the native inhabitants. In addition, such funds, the commissioners suggested, should be used to protect those survivors of the indigenous tribes of the lands grabbed by British subjects. In an effort to prevent possible invasions, the commissioners proposed that such appropriations should first be approved by the Home government which should give specific strict directives concerning the use of such funds.

The Committee pointed out that much of the money came from land sales in the colonies. For instance, at the time of drafting the report, lands in South Australia, then in the process of opening up and settlement, were on sale at a Parliament fixed price of 12S.0d. per acre. Much of the aborigines' lands everywhere in British settlements were being sold for higher prices than that in Southern Australia. And so they concluded that,

It requires no argument to show that we thus owe to the natives a debt, which will be but imperfectly paid by changing the Land Revenue of each of these Provinces with whatever expenditure is necessary

¹⁴The Committee did not, for another instance, define its meaning of "civilization," a term it labored in the report and also in evidence. Other terms like "savage," "barbarous nations," "civilized life" do commonly appear without their specific meanings given.

for the instruction of the adults, the education of their youth, and the protection of them all.¹⁵

It can be observed here that the suggestion of land sales was adopted. The education of aborigines, however, was seldom taken up in many British colonies by the colonial or British governments. Instead, missionary organizations undertook the responsibility, spending their own money in massive education programs for the aborigines.

Referring to the problem of the punishment of crimes committed against native inhabitants, the Committee noted that a law already existed binding the British subjects in the Canadas, Southern Africa, the South Sea Islands, Australian colonies, and adjacent regions where British subjects settled or visited. The commissioners were, however, quick to point out that the provisions of the law were insufficient to end the crimes or punish the criminals. The arm of the law was too short to reach those settlers beyond the frontier, where most atrocities were committed.

Furthermore, the commissioners argued, the law imposed stiff penalties on the aborigines who were ignorant of its provisions and the British judicial system. An improvement on the then existing system was necessary, the Committee felt, and thus suggested several remedies. In cases of an aborigine violating a British law, the commissioners proposed that "the utmost indulgence compatible with a due regard for the lives and properties of others, should be shown for their ignorance and prejudice."¹⁶ In reference to those cases committed

¹⁵ Parliamentary Papers, 1837, Aborigines Report, Vol. II (I. U. P.), p. 79.

¹⁶ Ibid., p. 80.

beyond the frontiers, British subjects are "amenable to colonial courts" while the native peoples were not, and thus the distinction was an injustice to the natives. The Committee then proposed that Her Majesty's Government and colonial officials should "induce the tribes in our vicinity to concur in devising some simple and effectual method of bringing to justice" both aborigines and settlers. Then treaties could then be signed embracing all such agreements. Though the suggestion was noble, conditions of frontier life did not allow such slow and bureaucratic red tape.

The suggestion of treaties led to the problem of treaty-signing between two peoples of very different philosophical and political systems. This was especially important since the aborigines did not know what a written treaty was and how it could be made and observed. The Committee proposed, and this was a suggestion from several witnesses, that "treaties should be frequently entered into between the local governments and the tribes in their vicinity" only as a general rule, since the powerful partner in a treaty could always seek a pretext to abrogate the treaty and resort to force and violence. The commissioners' opinion of the subject was, however, that treaties with the aborigines were "inexpedient." They concluded their eighth suggestion saying, "The safety and welfare of an uncivilized race require that their relations with their more cultivated neighbours should be diminished rather than multiplied."¹⁷

To conclude their general suggestions, the commissioners recommended that missionaries be encouraged to bring the aborigines to

¹⁷ Ibid.

voluntary acceptance of the Christian faith, but, "To protect, assist and countenance these gratuitous and invaluable agents is amongst the most urgent duties of the governors of our colonies." In addition to that recommendation, the Committee further went on record to propose that:

In such situations it is necessary that with plans of moral and religious improvement should be combined well-matured schemes for advancing the social and political improvement of the tribes, and for the prevention of any sudden changes which might be injurious to the health and physical constitution of the new converts.¹⁸

It may briefly be noted here that the general suggestions and the various options allowed in them indicate that they were not intended to end the known aboriginal-settler tensions, but to ease them. However, the suggestions carried weight since no British Parliamentary Select Committee before 1837 had made such liberal, humane, and far-reaching proposals on the treatment of aboriginal races.

Turning to recommendations about each particular area, the Committee first considered the South African situation, especially the problems at the Cape of Good Hope. For that colonial region, the commissioners recommended that the measures proposed and conveyed by Lord Glenelg to Sir Benjamin D'Urban, then governor of the Cape, on December 26, 1835, and repeated on February 5, 1836, be fully implemented and effectively enforced. The measures called for the signing of treaties between chiefs of African (Caffre) tribes and the governor. Furthermore, the provisions of the treaties were to be written in both English and native languages and should be fully explained to the senior and

¹⁸Ibid., p. 81.

minor chiefs. They also suggested that all agreements be made with chiefs only and that disputes should be settled with them only and not with their subjects.¹⁹

The Committee also went on record to note that British settlers had moved into Port Natal and were mixing religious and colonial principles in their contact with the native inhabitants. They expressed the strong apprehension that Christian principles were likely to be overlooked for "the pursuit of secular and selfish ends." In view of that, the Committee recommended that the government in the Cape Colony be empowered to superintend the settlement so as to restrain settlers and to provide a legal means of arresting and punishing those British subjects who inflicted injuries on the aborigines. Applying the same directives as recommended for the Cape Colony, much of the hostility likely to develop might be averted and the natives protected.

In the case of the Australian colonies, the Committee devised elaborate measures because they believed the situation was unique. The commissioners asserted that the aboriginal tribes were so ignorant that even their claim of ownership of the land was disputable and had been disregarded. For those aboriginal tribes formed "probably the least-instructed portion of the human race in all the arts of social life."²⁰ Although they were primitive, the land had been taken from them by sheer force, according to the Committee members' observations, and the land governed in the name of the king of Great Britain. It was

¹⁹ See Appendix B for details of these proposals.

²⁰ Parliamentary Papers, 1837, Aborigines, Vol. II (I. U. P.), p. 82.

the reasoning of the Committee that since those colonies of New Holland were under the British law, the aborigines logically became British subjects who deserved protection by the English law. The Australian governments should therefore recognize the natives' rights as such and render them their due process to protect their property and lives. The Committee pointed out, however, that crimes committed by the aborigines should not be tried under British law or be punishable as such since that law was alien to them. The need for protection of aboriginals and their property had been especially shown in evidence concerning New South Wales where aboriginal lands were confiscated and sold at a total value of £100,000, of which the legitimate proprietors received nothing but ill-treatment and forced removals.

The Committee then recommended two basic solutions to the Australian aboriginal impasse. First, it suggested that funds from the sold lands should be incurred judiciously for maintaining missionaries whose responsibility should be to educate the tribes in the Christian faith and civilized way of life. The missionaries, however, should be under the control of their respective missionary societies in England, not under colonial authority.

Second, the Committee proposed the creation of offices of "Protector of Natives" to which men knowledgeable in New Holland aboriginal culture should be appointed. The qualifications of such protectors would be first to cultivate a personal knowledge of the natives and a personal intercourse with them; second, they should acquire an adequate knowledge of the language of the tribes; and third, the protectors should be enabled to possess some articles to give to tribes as presents occasionally to facilitate their confidence.

In reference to their duties, the protectors should ascertain what species of industry was least foreign to the natives to which they could be employed. Second, the protectors should be empowered to provide means for the improvement of the aboriginal lands in a productive way capable of supporting the tribes; third, that the protector should act as the official coroner in cases of aborigines having been killed by settlers; and fourth, the protectors should, from time to time, determine what special aid would be needed for aborigines and to suggest such programs to the local colonial government and legislature who should in turn formulate short, simple, and temporary regulations to meet those aboriginal needs. Fifth, the aboriginal protector should be granted the power and office of a magistrate and should promote the prosecution of crimes committed against the native persons and property. In cases of charges against the aborigines, the protector should defend them individually and collectively. The last duty of the protector should be to provide periodical reports of his activities and recommendations to the local colonial government which would in turn pass the report and its own actions on it, to the British government.²¹ For this study, it is important to observe that the protector was an alien who was to work without the advice of the aboriginal leaders of his prescribed area. Such a shortcoming in the proposition lended itself to abuse by and bribery of the protector. The Committee should have at least realized that the "Protector System" had been tried in the West Indies and South America and was found wanting.

²¹Ibid., pp. 83-84.

When considering recommendations for the Pacific Islands, the Committee recognized that except for New Zealand the majority of the islands were independent populous nations free from any European control or any European power. Since British seamen, merchants and escaped convicts from Australia regularly visited the islands and committed criminal offenses against the aborigines of the regions, it became necessary to take some measures to restrain or stop the crimes. The inhabitants of these populous islands, without police and without a regular army, had become a target of the vices of European natives.

Recognizing that there existed a British law in the constitutions of Australian colonies which provided for the arrest and trial in courts of those Britons who committed crimes in the South Sea Islands, the commissioners felt that the measures were weak and inadequate. In view of that, "the South Sea Islands must be delivered over from the most degrading and intolerable of all forms of tyranny," they pleaded. The Committee then suggested measures though defective, they hoped would restrain crimes by Englishmen and render protection to the physical, moral and spiritual wellbeing of the islanders.

In the first place, the Committee proposed that consular agents be appointed and stationed in each of the non-British occupied major islands. Such consuls should be (a) vested with judicial authority to arrest, try, and deport all British subjects found committing such offenses that affect the welfare of the aborigines or interfere with the administration of native laws and justice; (b) that such islands with British consuls should be regularly visited by some of Britain's warships to assist in those undertakings; (c) that officers of those ships act as assessors or jurors for the trial of criminals when

required to do so by the consular agent; (d) that within prescribed limits a consular agent should be authorized to visit scenes of crime to proceed to the immediate place of crime for the inflicting of punishment especially expulsion from the island; (e) that in more serious cases, a record of the accusations, the defense, evidence and judgment should be made; (f) and finally that the prisoner be shipped by navy to the nearest British dominion and the judges of the courts therein review his case. If guilty, he should serve the sentence and when proved innocent, he should be forthwith returned to England.

In order to avoid conflict between British consular agents' directives and the laws of the islands, treaties with the native chiefs should be signed clearly drawing boundaries of authority and jurisdiction. The Committee admitted, however, that their proposed plan had defects in it, but believed it would serve "better than the entire impunity which at present prevails."²²

Concerning the situation in the Canadas, the Committee refrained from making any propositions on the understanding that the British government was at the time investigating the conditions of the Indian Affairs Department and since other negotiations were under way. However, the Committee still reported its findings.

Turning to British Guiana and South American settlements, the Committee proposed that the same recommendations made for Australian colonies and New Zealand be applicable, with modifications if necessary. The West African settlements of Gambia, Sierra Leone, and the Gold Coast had aboriginal problems, which, as noted earlier, were closely

²²Ibid., pp. 85-86.

allied to slavery and so remained in a category of their own. In view of that, the Committee again abstained from making any suggestions.

A brief examination of the massive evidence and the Committee's recommendations suggested a few important general observations. First, the evidence proved beyond all controversy that the cause of all the aborigines' suffering lay in the British administrative colonial system which allowed colonization without specific directives for the protection and safety of the aborigines. Second, the vigor with which the Committee began its inquiries influenced the Colonial Office immediately to remedy the situation, temporarily at least. After the dissolution of the Committee, when its report had been studied and filed, regulations safeguarding aborigines seemed to have been relaxed for the rest of the nineteenth century. Admittedly, the findings of the Committee and its recommendations were the most liberal made by any British Select Committee in the first four decades of the century.

Sir Thomas F. Buxton, with the help of the Reverend John Philip, drafted the whole report and became responsible for the form, nature, and biases contained therein. Sir George Grey, the Under-Secretary for Colonies, finally toned down the report, but the evidence remained to prove the assertions. The only unanswered questions were whether the Committee's suggestions were acceptable to Parliament and the Government and if they were feasible. The colonists would not accept such interference from White Hall. The tyranny of distance would hinder effective supervision of colonial officials. In essence the British Government could only issue directives. The real colonial policy on aborigines lay in the power of the colonial officials and the settlers. The recommendations mentioned above failed to remedy the ills the Committee

had unveiled, but they were a step in the right direction. The question of whether the findings precipitated the adoption of a new British colonial policy is the subject of the concluding chapter.

CHAPTER VI

SUMMARY AND CONCLUSION

The Select Committee on Aborigines' report revealed a high degree of British self-accusation and anger. That indignation of concerned Britons was reflected also in the report and in the words of a contemporary writer, William Howitt, who anguishedly said:

For more than a thousand years the European nations have arrogated to themselves the title of Christians It is high time that we look a little more rigidly into our pretences We talk of the heathen, the savage They know us chiefly by our crimes and cruelty. It is we who are, and must appear to them, the savages.¹

The crimes of cruelty Howitt discussed were spelled out clearly in the report. There could be no mistaking British responsibility. The report pressed the British Government to take up the responsibility of protecting aboriginal races in her colonies. The report pointed out clearly that protection of aborigines was not a mere privilege for the British Government but "should be considered as duty peculiarly belonging and appropriate to the Executive Government, as administered either in this country or by the Governors of the respective Colonies."²

On the other hand, the Committee expressed scepticism as to the beneficial influence of European commerce to the aborigines. Thus it

¹Howitt, pp. 1-7.

²Report of Select Committee, Parliamentary Papers (I. U. P.), p. 77.

recommended repression of further colonization in some instances and the adoption of a policy of segregating native peoples from European settlers in others. The former proposition was rejected by a similar commission of 1842, the Viscount Sandon West African Committee, which was composed largely of the same members of the Aborigines' Committee. This West African Commission advocated strictly supervised colonization and commerce as the only way to civilize the aborigines. The latter suggestion was quickly adopted by the Colonial Office and "Native reserves" were created in the colonies to avoid constant contact between races, except in cases of missionaries. Such plans were effected in South Africa, Australia, and New Zealand.

Much of the accusatory evidence in the report and the recommendations of the Committee were not well received by the colonists. They became outraged at the new trends in the colonial policy of Britain. In anger, they accused missionaries and philanthropists of creating conditions of bitter racial conflicts between the aborigines and the settlers. They complained that the Colonial Office and Parliament erred by listening to the philanthropists and missionaries, who, they claimed, were ignorant of the "irreclaimable savages in truth very much resembling wolves." To quote the Cape Colony's Acting Governor Wade, the aborigines were "barbarians who love plunder, and whose favourite propensity, stealing, would only be restrained by commandos."³ No matter how noble and feasible the recommendations would have been, they were not likely to succeed in colonies whose settlers and officials held such views.

³Parliamentary Papers, 1836, No. 585, pp. 281-394.

As will be pointed out later, however, the report had profound impact on the British Colonial Office.

The weaknesses of the report were noted by the contemporary commentators. Saxe Bannister, writing in 1838, accused the report of,

. . . inconsistency, overlooking gross official errors, omitting measures to provide medical aid to diseased aborigines, lack of provisions to compensate the natives for their lands already occupied by settlers, and of erring in making missionaries politicians.⁴

As a result of these weaknesses, Bannister believed that the recommendations of the Committee had not gone far enough and would not usher in a positive and effective new colonial policy. He forecast continuous frontier racial wars resulting in the extermination of native inhabitants especially in South Africa, Australia and New Zealand.

A close examination of the report reveals that the recommended new approach to colonial problems was a great departure from the British former colonial policy in practice since 1660. The ten to twenty years after 1837 saw the foundations of the present Commonwealth structure based upon two basic principles arising from the report of the Commission. First, the principle that progressive and "civilized communities" should be entitled to self-government. Civilized communities in this sense, however, did not embrace such well-organized aboriginal kingdoms such as the Zulu of Southern Africa or the Ashanti of West Africa. It meant those communities whose political machinery and economic reins were in the hands of British settler-subjects.

⁴Saxe Bannister, British Colonizations and Coloured Tribes, pp. 251-266.

Secondly, was the principle that underdeveloped peoples (aborigines) not fit for self-determination should not be exploited by the ruling race. The colonizing nation (Britain, as the parent) should hold a "trusteeship" of the interests, protection, and justice of the aborigines. This principle, the strongest recommendation of the Committee, approved and accepted the doctrine of the "white men's burden," which became the colonial policy of late nineteenth century Britain.

Despite the obvious fact that these two principles were often in violent conflict with each other, one thing becomes clear: the British Government and Parliament, in sincere response to the recommendations of the Committee, became the guardians of the aborigines. This step, however, was far ahead of what other European colonizing nations had done earlier in the nineteenth century.

Under the new "trusteeship" policy, all matters relevant to the welfare, justice, security, survival and prosperity of aborigines belonged to the "crown in the Governor or Governor-General" of each colony. Any treaties signed thereafter with aboriginal leaders or individuals, would be signed only by His Majesty's representative and would be subject to the approval of the British Parliament. Contrary to the practices of the old colonial policy, the new system forbade any occupation of native lands by settlers without British Government warrants. That is, the British Government delegated to itself the sole right to obtain lands from aboriginals by treaties, and in many instances by force, and thereafter to sell such lands to settlers or land-speculating companies. The settlement of South Australia, though started before the report was published, is a clear example.

The new measures brought about a few significant changes. They reduced the number of cases of encroachment by settlers into aboriginal areas. They clearly marked boundaries between settler-lands and aboriginal quarters, as approved by the British Government. The Privy Council was empowered to scrutinize all laws passed by colonial assemblies affecting the native inhabitants and to exercise the full responsibility of assuring aboriginal justice and protection. That meant that all laws passed by the colonies which did not receive the Privy Council's approval were null and void. All of that was fine on paper.

The Colonial Office, under the leadership of Lord Glenelg, a liberal humanitarian, clamped down on sales of arms and liquor to the indigenous people and allowed only restricted peaceful trade with aborigines. The measures reduced the atrocities given in evidence but did not end hostilities. The Great Fish River in South Africa was never too strong nor too wide to keep the settlers and the Africans from provoking each other. Desert conditions, lying between Australian aborigines and settlers of both New South Wales and South Australia, in the later 1830s and early 1840s did not stop a systematic attack and slaughter of natives in that country. The Waitangi Treaty of 1840 signed between the Maori Chiefs and the King of England as equals did not end constant feuds between the Maoris and the settlers.

Such ineffectiveness was not due to the weakness of the policy. It was due to the deliberate disobedience and stubbornness of the settlers who, rightly or wrongly, sought to survive in a strange land but at the expense of the legitimate owners of the lands they penetrated. Furthermore, the settlers regarded the new policy not so much as a necessity as a work of the "Exeter Hall Party," comprised of the

missionaries and humanitarians whom they believed to have exaggerated the real situation in the colonies and to have incited aborigines to rise against them. In South Africa, unlike Australia, the new measures emanating out of the report resulted in the development of a deep-seated racial animosity between the Boers and the English on the one hand, and hate and distrust between ordinary settlers and missionaries on the other. Missionaries were lauded only when they served to pacify the aborigines for the "progress of commerce and civilization." Racial tensions between Europeans and Africans deteriorated. Much of that racial strife has continued into present South African society.

To look for a total implementation of the suggestions of the Committee is to miss the mark. The Colonial Office began to act soon after the Committee issued its brief report in 1836. Many of the suggestions adopted were modified and expanded; some were applicable in some areas like Australia, South Africa and the Pacific Islands, but not in others like the West Indies and West Africa. Since the Durham Commission was under way by 1838, the measures adopted excluded British North America (Canada). In New Zealand and South Australia, plans were made to open colonies under the Gibbon Wakefield Plan of Colonization even though colonial officials there still remained under the control of the Colonial Office. In those regions, a combination of the provisions of the new policy and of those of Wakefield were utilized.

In West Africa, British Guiana, and the rest of West Indies, because of the close link between slavery and aboriginal problems, the Colonial Office implemented a different policy by which native peoples would be assured of protection and freedom from both evil practices. A Native Affairs Department, headed by a "Protector" of aborigines, was

created to monitor relations between settlers and aborigines or freed slaves, especially to ensure proper treatment of aborigines. In West Africa, the British Government even introduced a system of "Indirect Rule" by which a British Government Resident Commissioner ruled the colony at first with the advice of an African Council of Chiefs and later with a council of elected Africans. That system was adopted for the area to check any further tendencies by African chiefs to return to slave trading.

Thus, the aboriginal difficulties that had existed in British colonies since 1660 were revealed by missionaries, humanitarians, and liberals who were, incidentally, true imperialists. Their cry against abuses reached its crescendo between late 1834 and early 1835. As a result, the Parliamentary Select Committee on Aborigines in British Settlements, came into being. Members of that Committee, though mainly parliamentary backbenchers, were men of considerable status in both British politics and society. Many were religious zealots, political liberals and radicals, and to a large measure, from the upper middle class. They undertook their assignment seriously and gathered one of the most voluminous sets of evidence on a colonial subject ever assembled in British colonial affairs.

Suffice to say that the evidence confirmed the rumors and allegations that aboriginal tribes were diminishing and that cruel practices by European settlers, were responsible for the decline. On the other hand, the evidence proved that the aborigines, too, committed brutal crimes against settlers who were often forced to retaliate. The fact that much of the evidence was denunciatory could be attributed to the type of witnesses and also to the veracity of the facts. One thing

became clear, that the conditions described in the evidence and in the dispatches of colonial officials were accurate.

The accuracy of the evidence, the concern of the British Government officials, and the reaction of the British public to the report made it the most liberal report of its time on colonial matters. It still remains a remarkable document, even though some of its suggestions were only of a theoretical nature. The strengths of the report, which were important to the survival of a profitable colonial enterprise, outweighed the weaknesses.

The fact that the report was vindictive, especially concerning South African settlers, resulted in the continued growth of unsolved and strained racial relations there. As mentioned earlier, judging from the vigor and swiftness with which the Colonial Office moved to draft and implement a new policy, the report had a great impact on the British Government. Its impact would certainly have been greater had the Committee traveled to the colonies and personally gathered evidence from both the aborigines and the settlers rather than depending on the evidence from former colonists, the dispatches, missionaries, and a few hand-picked chiefs. However, the tyranny of distance and the hard facts of colonial life made it impossible for both the Committee, the British Government and Parliament to attempt travel to colonies. The same forces made it much more difficult for the government of the United Kingdom of Great Britain to enforce strictly and effectively her new measures. Little was accomplished, and aboriginal races continued to suffer. Their purported messiah remained far removed from them.

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APPENDIX A

ON ABORIGINES (BRITISH SETTLEMENTS)

Saxe Bannister, 31 August 1835

[The Witness was obliged to attend another Committee; and left the following heads of measures, which have appeared to him proper to be adopted in the particular Colonies specified, and also, other heads for all the Colonies.]

Paper delivered to Mr. Buxton the 19th August 1835.

For the Committee of the House of Commons, appointed to inquire into the State of The Aborigines of the Colonies.

1. Measures affecting all the Colonies.
2. Measures affecting the Canadas and all the North American Colonies.
3. Measures affecting New South Wales.
4. Measures affecting Van Diemen's Land.
5. Measures affecting Swan River and all new Australian Colonies.
6. Measures affecting New Zealand and the South Seas.
7. Measures affecting the Hottentots.
8. Measures affecting the Caffres.

State of certain Measures which appear to me to be indispensable towards ensuring Justice to the Aborigines of the Colonies, and which heads may be developed by such details as the Committee shall require.

1. Measures Affecting All the Colonies.

- (a) That appeal to the Privy Council be put upon a proper footing, and that appeals from the Aborigines be heard as of right before the Judicial Committee of the Council.
The necessity of a new system of Privy Council Appeals for the Aborigines of Colonies is proved by the fact, that the last occupied 70 years on the old system.

- (b) War not to be made without form. One tribe of Aborigines not to be set up to fight another tribe. All instructions which authorize Governors of Colonies to kill the Aborigines without form of law to be recalled.
- (c) Land to be given in the Colonies to Aborigines, and the rights of Aborigines to their own land to be respected. Maps and boundaries to be made.
- (d) Establish civil agencies upon the plan of the United States' Indian Code of 1834, but add surgeons to the establishment, or take the superintendents from the medical profession.
- (e) Grant sums of money to each of the existing Missionary Societies, in proportion to their present expenditure on the one hand, and to the wants of the Aborigines on the other.
- (f) Conferences to be periodically held with the Border Chief, and minute reports of the proceedings and speeches to be always printed in the Aboriginal and English languages.
- (g) Appoint an agent in London for the affairs of the Aborigines of all the Colonies, like an ordinary colonial agent. Let him be appointed by the Privy Council, not by the Secretary of State for the Colonies. Let him have authority to communicate direct with the Aborigines. Let him make annual reports to Parliament, as the Board of Trade did under William the Third and Queen Anne during 14 or 15 years.
- (h) Employ Aborigines as much as possible as public officers.

Many points of law specially affecting the Aborigines require attention in all the Colonies, but the details are too minute to be expressed in short heads.

2. Measures Affecting the Canadas and All the North American Colonies

- (a) Reform the Indian department as proposed in 1822-3, and as begun in 1828.
- (b) Print the plan of the Reform presented to the Secretary of State for the Colonies in 1823, and approved by the Hon. Dr. Stuart, since Bishop of Quebec.
- (c) Print the case of the Mowhawk lands appealed upon in 1822.
- (d) Print an abstract of the plans of Dr. Morse and the American Indian Society, founded by Dr. Morse in 1822.
- (e) Print the Indian Code of Congress of 1834.

3. Measures Affecting New South Wales
 - (a) Gradually abolish the transportation.
 - (b) Print the plans of the Church Corporations begun in 1826, and their result.

4. Measures Affecting Van Diemen's Land
 - (a) Abolish gradually transportation.
 - (b) Print all the recent dispatches on Colonel Arthur's system for the Aborigines, and the objections made to it.

5. Measures Affecting the Swan River and other new Australian Colonies
 - (a) Make treaties with the natives before proceeding farther.

6. Measures Affecting New Zealand and the South Sea Islands
 - (a) Print all the dispatches and plans concerning the Aborigines of these countries received by the Government in the last ten years, and especially the details upon the late attack upon the settlement in New Zealand.
 - (b) Print periodically such parts of the logs of all ships as sail in the South Seas, and as concern affrays with the Aborigines.
 - (c) Invite New Zealand chiefs to come to Sydney periodically to confer with the Governor and Council.

7. Measures Affecting the Hottentots of the Different Races
 - (a) Grant them lands in the Cape Colony.
 - (b) Invite the chiefs of the Griquas to hold periodical conferences at Cape Town with the Governor and Council.

8. Measures Affecting the Caffres
 - (a) Compensate them for the injuries they have sustained since 1820, and especially do justice to Macomo.
 - (b) Hold conferences with all the chiefs to settle their compensation, and to arrange a new border system.

- (c) Annul the proclamation and orders of Governor Sir B. D'Urban of the 10th of May 1835 respecting Caffreland.
- (d) Establish civil agencies amongst the tribes to Natal.
- (e) Invite the chiefs as in N^o 7 (b).
- (f) Establish the colony of Natal upon the principles proposed to the Government in 1829.

APPENDIX B

DISPATCH OF LORD GLENELG TO

SIR BENJAMIN D'URBAN

The following is a statement of the principal rules which it is intended to prescribe to the lieutenant-governor and civil commissioner, for the guidance of their conduct.

1. A treaty, fixing the boundaries of the colony, must be made in writing, in English and in the Caffre language, and being explained to each border chief, must be signed or attested by each. Copies of this treaty must be delivered to each of the contracting chiefs.

2. A separate treaty must be made, in the English and in the native languages, with the chief of every tribe to which a portion of territory is assigned within the British dominions; defining the limits of his allocation, the degree of his responsibility, and the nature of his relations with the British Government, and all other particulars admitting of specification. A copy of this treaty in the native tongue must be preserved by the chief.

3. A separate treaty must be made in the native and English languages with the chief of every tribe in alliance with us, or in any degree under our protection; defining also in each case all that can be specified in such an instrument. A copy of the treaty must be preserved by each chief.

4. The rules of mutual restitution, and those which relate to the prevention of inroads, and the redress of the injury occasioned by them, must be particularized in each of the above treaties.

5. The responsibility of particular kraals, or villages, for the acts of individual Caffres, must no longer be enforced. But

6. The chiefs must be called upon to bind themselves to make restitution for plundered cattle, on sufficient proof of the reality of the theft. They must be left to detect the offenders, or to indemnify themselves at the expense of the tribe collectively for such losses as they may sustain by being required to make these compensations. In other words, we must look to the chiefs, and to them alone, and must no longer take upon ourselves to make reprisals upon the people. The chiefs to enter into securities, or pledges, or such a nature as may be deemed sufficient, and not inconvenient for the due fulfillment of these stipulations.

7. Fairs for the interchange of commodities should be re-established at convenient places on the frontier.

8. The wounding or killing a Caffre, or otherwise injuring his person or property, will be made liable to the same punishment as if the sufferer were one of His Majesty's subjects. This of course would not apply to times of actual war, nor prevent the compulsory removal back into their own territory of any Caffres who might reappear within the boundaries with purposes apparently hostile or fraudulent, or in opposition to any existing laws. No violence must, however, be used in effecting their removal, which is not strictly required by the necessity of the case, and for the effective execution of the service.

9. No European or Hottentot, or any others but Caffres, to be located or allowed to settle east of the Great Fish River. Those Hottentots who were placed in the Ceded Territory prior to the late war, and all Christian teachers, are exempted from this rule. I may observe here, that in the above rules, under the general name of Caffres, I include the Fingoes.

In aid of these general rules, it is proposed to submit, for the approbation of Parliament, a law to enable our colonial tribunals to take cognizance of and to punish offenses committed by British subjects within the Caffre territory, in the same manner as if they had been perpetrated within the limits of the colony itself.

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