

COOPER, A. W.

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File 65, item 4, pp. 119-27.

119 If the Byrne matter¹ had not been muddled there would have been no outbreak then. The police left Thornville junction early in the morning - about the 8th or 9th - and went through Richmond and Byrnetown. They went over 30 miles and only got there (Mjongo's) about dusk. I was then at Isipingo, but as I afterwards defended Mjongo I got to know all the facts. I also had many other opportunities. I got back to Richmond about 13th February.

120 If the police had gone from Thornville junction to Henry Hosking's farm, on which farm Mjongo was living, they would easily have arrived there (at Mjongo's) by the middle of the day. I very much question if the affair that took place would have happened at all. They went the wrong way - they were, I understand, told to go to Hosking's farm. They must have jumped to the conclusion that it was the Ethelbert Hosking of Byrne. I think it was a mistake. There was no outstation out at Byrne. Mjongo was not living on Gordon's farm.

I defended Mjongo before the Supreme Court. I was retained to defend Mjongo at the court martial. When it was decided that he was to be tried before the Supreme Court because of his bad health, he asked me to defend him before the Supreme Court. A couple of days before the trial came on before the Supreme Court, Miss Colenso retained Renaud of Durban on behalf of Mjongo with me.

121 Mjongo was charged with murder and rebellion. I was satisfied with the finding. He was found guilty of murder. In his evidence Mjongo said he could see only seven or eight yards as it was dusk. Later he said he saw a policeman thrown from his horse as the police were leaving his kraal, and when asked how near he was to the police he said he was a long way off. I believe this told heavily against him with the jury.

There had been no talk of the settlement of Ethiopians² on Henry Hosking's farm. (E.J.B. Hosking, intelligence officer, is no relation to Henry Hosking.)

122 Causes of the rebellion. Natives had a feeling of being coerced and forced. They would have preferred to live on the land without being practically forced to work. Their requirements were growing and they were getting poorer. Their rents were increasing. There was growing dissatisfaction owing to their not leading the life they used to. The young men were getting out of hand, fathers losing control, and they were losing control of the women. The in-

mates of kraals were getting out of hand.

123 There was no real outbreak in our district, only the Mjongo faction. More than three quarters of the farms were practically deserted by the Europeans, and native servants were left in charge, and I only heard of two cases of theft in the district during the whole time - one theft of cattle, and one store was broken into. I believe natives remained on the farms and carried on the work. Two old natives I had known many years came to me and asked me what was the meaning of all these troops being turned out, and asked if they were going to be 'eaten up'. Although the Europeans were in a dreadful funk, I believe the natives were the worst, and my own opinion is that most of the natives who did arm did so because they thought that they were going to be 'eaten up' or attacked, for they thought the operations were against the natives as a whole.

Proclamation of martial law. I believe the whole of this affair was brought about by the action of the Government. The whole thing was forced on. I don't know if there was a smouldering fire which might have broken out later. I am unaware of any.

124 At the Cape there have been occasional outbreaks, and we may have got to a similar stage in Natal when an outbreak was a natural sequence of events. In the light of the information which I understand the Government had, I think the proclamation of martial law was justified. If there is any reason to turn troops out in anticipation of resistance, then, in a country of this sort, it was advisable to proclaim martial law.

It is a mistake, at the same time, to try cases by court martial if they can reasonably be tried by the civil courts; i.e. if the latter are sitting, allow them to administer martial law.

125 There was a good deal of inexperience in the taking of depositions. There was a great deal of trying to pay off old scores on the part of old native servants of Europeans on other natives. Some of the cleverer natives became engaged by the militia as camp followers, informers etc., and there were many cases in which cases were trumped up. I do not think it was due entirely to malice, but so as to put themselves in a good position and be thought loyal in the hope of favours to come. There was much inexperience on the part of the militia in dealing with alleged offences and in bringing natives to make depositions.

126 A great deal of evil rose from having men who were supposed to know the natives being put in temporary authority which they did not know how to exercise. There was absolute want of any judicial mind. The civil authorities were more or less ignored in our district, because of G.'s³ supposed leaning towards the natives. G. is an absolutely fair-minded man.

I think Tilonko and Sikukuku⁴ were appointed chiefs while too young. Sikukuku was son of a daughter of Mbandeni's (Swaziland).⁵ These two men were unable to manage their tribes and were simply appointed because of their hereditary position, and suffered from swollen heads; old men do not care to give sound advice which they think won't be palatable.

127 I saw Mjongo brought in to Richmond. He was brought in a cart, and was lying on top of two dead natives. Mveli's⁶ people brought the cart in and were in charge of it. No European was with the cart. Ernest Hosking (son of Henry Hosking) was present when Mjongo was

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captured. Mjongo was only in a semi-conscious state. Mveli arrived with about 150 men. Mjongo was a member of Mveli's tribe. Mveli formerly had a case against Mjongo and party. He fined them for contempt of court. This was appealed to the magistrate, the Native High Court, and then the Supreme Court, ending in Mveli's decision being quashed.

Notes

¹The murder of Sub-Inspector Hunt and Trooper Armstrong on 7 February 1906, the most important of the initial acts of African defiance in the 1906 disturbances in Natal and Zululand.

See Marks, Reluctant Rebellion, pp. 174ff.

²For a brief account of the Ethiopian movement see Sundkler, Bantu Prophets in South Africa, pp. 38-43.

³Very probably J.Y. Gibson, magistrate at Richmond during the disturbances.

⁴Mbo chiefs living in the Richmond-Ixopo area.

⁵Mbandzeni, Swazi king, 1875-89.

⁶Chief of the Fuze.