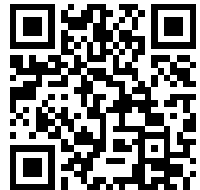
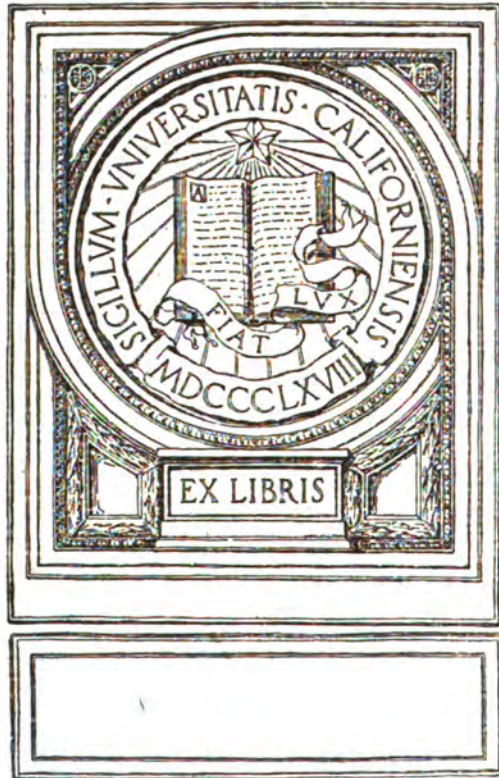

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THE RISE OF SOUTH AFRICA

VOLUME I.
FROM THE EARLIEST TIMES TO 1820.

With Map, Plans, and Illustrations. 15s.

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UNIV. OF
CALIFORNIA

TO VIND
ALBONIA



SETTLERS GOING ON SHORE AT ALGOA BAY IN 1820

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THE RISE OF SOUTH AFRICA

HISTORY OF THE ORIGIN OF SOUTH AFRICAN
COLONISATION AND OF ITS DEVELOPMENT
TOWARDS THE EAST FROM THE
EARLIEST TIMES TO 1857

BY

G. E. CORY, M.A.

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BRITISH COLONISATION OF THE CAPE

CHAPTER I.

BRITISH COLONISATION OF THE CAPE.

A NEW epoch, not only in the annals of the Eastern Province, but also in the wider history of South Africa, commenced with the year 1820. Until that date the population of Cape Colony was almost entirely Dutch, or perhaps more correctly, Afrikaner, consisting of an intermixture of Dutch proper, in large preponderance, with German, French, and a few of other continental nationalities. The national character thus forming had not been materially altered by the country coming under British rule in 1806. From that year until 1820 the British element consisted, for the most part, of those connected with the Government and military establishments, officials and soldiers who remained for a short time and then were replaced by others.¹

CHAP. I.

The more definite British occupation may be considered to date from 1820, when some 4,000 individuals left the shores of the United Kingdom and arrived at Algoa Bay with the intention of making South Africa their permanent home. A new phase in the social and political life of the country was commenced, and from that time British enterprise and activity became, more and more, a predominant feature in the growth of the Colony, giving impetus to its development and expansion.

This sudden and peaceable invasion of the African shores was part of a general emigration movement in England which, in consequence of the failure of other measures, had for its object, primarily, the solution of the difficult economical and

¹ At times, however, some soldiers and sailors took their discharges in the Colony and maintained themselves as artisans or labourers among the inhabitants of the Cape districts. On December 18th, 1817, Lord Charles Somerset said that within the past fifteen months, nearly 800 permanent passes had been issued by the Colonial Secretary to persons of that description.

CHAP. I. political problems which, at that time, taxed the Government's mind. Advantageous to South Africa as the scheme eventually proved to be, it cannot be said that the welfare of the distant land was the first consideration of those who initiated and promoted it. The ridding Britain of some of its superabundant and poverty-stricken population rather than the systematic colonisation of the distant parts of the Empire was the chief motive of the Ministers who so enthusiastically advocated emigration to the Cape. Previously, the establishment of Colonies had received but little support and sympathy from British statesmen; in fact, the *laissez-faire* policy of the period had even suggested that it would be wise to cut adrift the Colonies which had already been formed in America and to allow them to work out their own destiny unaided by the mother country.¹ A change in this attitude towards colonisation was necessitated by the widespread poverty and distress which had arisen from a variety of causes and had been on the increase during the previous fifty years. From 1770 to 1840 a great transformation, known as the Industrial Revolution, was passing over England; the country was changing from an agricultural to a manufacturing community, not, however, on account of the decadence of agriculture, but of an increase of manufactures which had been rendered possible by the triumphs of mechanical invention. Until 1770 the weaving and spinning industries were carried on by the poorer people, with the simplest appliances, in their own homes. As there was a ready market for the textile fabrics thus produced, and as perhaps all the members of a family could take a share in the work, many thousands of individuals subsisted by this occupation. With this, agriculture on a small scale went hand in hand.

The invention of the power loom by Arkwright and the application of steam power by Watt to the textile and other industries, together also with the capital which became available for further developments, began to revolutionise the industrial life of the country. Manufactured goods came to

¹ "The opinion was freely mooted that the founding of Colonies had been in itself a mistake, since the country got little or nothing out of them, either in the way of wealth or prestige, and was only burdened with the cost of administering and protecting them."—Cunningham, *Growth of English Industry and Commerce*, part ii., p. 850.

be produced in larger quantities and at cheaper rates, and further, skilled labour could be replaced by unskilled. All this tended to deprive the cottage weavers of their chief means of subsistence. "The introduction of machinery rendered it necessary to concentrate the labourers in factories where the machines were in operation; the new methods of work were incompatible with the continued existence of cottage industry. The man who worked in his own house, whether as wage-earner under the capitalist system or as an independent tradesman under the domestic system, was no longer required so soon as it was proved that machine production was economically better. In the same way the concentration of spinning in factories deprived the women of a by-employment in their cottages."¹ The development in the textile industries with the consequent rise of large manufacturing centres reacted on agricultural enterprise and increased the demand for food. The duties which were imposed upon the importation of foreign corn in order to protect the home grower served only to aggravate the distress which was daily becoming more acute. The increasing cost of living was not accompanied by a corresponding increase in wages, and thus, while the enhanced agricultural profits benefited the farmer and landowner, the labourer, in consequence of the competition for work, was placed more and more at a disadvantage. The widespread misery and suffering produced by this combination of causes necessitated the introduction of some measure for their alleviation. To this end there came into existence a system of poor laws, which, though good in intention, were found eventually, by the encouragement they gave to idleness and inefficiency, to accentuate the evils they were devised to remedy. In virtue of these, all who chose to apply to their respective parishes might be supported by indiscriminate doles of money, regardless as to whether they were idle or deserving, weak or able-bodied. Weekly allowances were made to families at certain fixed rates per head, and men whose weekly earnings did not amount to the sum which was considered adequate for the support of their families might receive the difference from the parish. In some cases the rents of the houses occupied by

¹ Cunningham, *Growth of English Industry*, part ii., p. 616.

CHAP. I. these people were chargeable to the poor rates. The demoralising effects of all this soon became apparent. Men finding they were sure of their pay, small as it was, whether they worked or not, ceased to trouble about finding or keeping their employment; farmers and other employers of labour, seeing that the parish could be trusted to make up any deficiency in wages, were encouraged to reduce still further their rates of pay; and as allowances to families were proportional to their sizes, undue encouragement was given to improvident marriages and rapid increase of pauper population.

The solution of the difficult economical problems which, by these means, came gradually into existence was not rendered any easier by the termination of the Napoleonic wars and the establishment of peace in 1815. Demands for many commodities, which had been necessitated by a state of war, ceased, producing a depression in trade and a further reinforcement of the ranks of the unemployed and discontented by artisans and others who had been concerned in their production. To these must be added the hundreds of soldiers and sailors who had to be discharged in consequence of the reduction of the army and navy to the strength which sufficed for a time of peace.

The increasing impoverishment and distress of the lower classes produced a reaction on the part of the sufferers. This was manifested either in the wreckage, and opposition to the further introduction, of machinery by those who found their labours superseded by it, or in rick-burning by the underpaid agricultural labourer. Public meetings throughout the country began to be held for the purpose of discussing the causes and remedies of the existing evils, and, as time went on, became more common and more numerous attended. Petitions for redress of grievances and for parliamentary reform poured in from all quarters. This agitation—the outcome of sheer destitution—became louder and more imperative during the dark period of storm and stress which succeeded the great war, but was as stoutly resisted by the Tory Government of the day. In 1816 the more violent section, which then for the first time became known as *Radicals*, talked of general insurrection and an overthrow of all established institutions, and further, covert preparations for an appeal to force seem to have been made. In December of that year the reform mob first came into col-

lision with the forces of the law. A large concourse of people met at Spa Fields, Bermondsey, for the purpose of being addressed by a prominent leader of the Radicals, known as "Orator Hunt". Without waiting for their leader, however, the disorderly crowd commenced looting and other outrages and then marched to the city—to the Royal Exchange—where the Lord Mayor with a small force attacked and soon succeeded in dispersing them. About the same time the "Blanketeers" of Manchester assembled in force with the intention of carrying a petition to the Prince Regent; these also were easily routed by a small body of police and soldiery. Of these conflicts between the clamorous mob and the properly constituted authority, that which occurred in Manchester in August, 1819, and known as the "Manchester Massacre," or *Battle of Peterloo*—Waterloo still being fresh in the public mind—is the most famous. Some 3,000 people assembled in St. Peter's Fields for the purpose of being addressed by Orator Hunt and other Radical speakers, when a body of police and hussars charged the crowd and attempted to arrest Hunt. A general scuffle ensued, during which some people were killed and many injured. This fomented still more violent indignation and excitement among the ruled and further repressive measures on the part of Government, leading to the "six acts" of Lord Sidmouth, dealing with seditious meetings and assemblies. The unhappy state of affairs and the general unrest compelled a change in the attitude towards colonisation on the part of those who had hitherto been averse to it, or, at most, feebly enthusiastic. Territorial expansion was seen to be not only a remedy for existing evils, but an advantage to the mother country in affording a wider field of enterprise for superabundant capital and labour. Other advantages to be derived by sending forth to a new country a large number of the surplus population as emigrants became apparent, namely, the increased food supply which the breaking up and cultivation of virgin soil would produce; the production of raw materials for manufactures, thus rendering the mother country independent of foreign supplies; and also the additional market which would be created for the manufactured articles.

Tardy as the Government of the time was in recognising all this, emigration was being encouraged by private enter-

CHAP. I. prise. As far back as 1803 Lord Selkirk initiated and successfully organised a scheme whereby a number of poverty-stricken and broken-spirited Highlanders were assisted to Prince Edward Island, and shortly afterwards a more ambitious movement was carried into effect in connection with the Hudson Bay Company for reclaiming and planting the territory along the Red River in Rupert's Land.

Lord Selkirk accomplished this, and gave publicity to his views by writing a small book in which he dealt with the origin and progress of poverty among the Highlanders and his suggestions for dealing with the distress. This volume came into the hands of Colonel Graham during his short residence in Scotland after his subjugation of the Zuurveld. Impressed with the success of these schemes he advocated the sparsely populated Zuurveld as a field likely to afford scope to the energies of the indigent Highlanders. His views are embodied in a long letter, dated May 21st, 1813, to H. Alexander, the Cape Colonial Secretary. Nothing then, however, came of these suggestions.

If we ignore the action of a Baron Van Hogendorp, who, in 1804, took to the Cape a number of artisans and others to work on his estate at Hout Bay, the first emigration movement to South Africa of any magnitude was that of Mr. Benjamin Moodie in 1817. That gentleman seems, however, to have acted more in the capacity of a labour agent than as a promoter of colonisation. He was aware of the demand for skilled labour there was in the Colony at that time, and conceived the idea of organising and financing the supply as a profitable speculation. In the more populous parts of the Western Province a mechanic could get Rds. 40 and an ordinary labourer Rds. 25 per month with board and lodging. In Scotland there was an over-abundance of those who needed employment and whose presence would be an advantage to the Cape; it but required some one capable of undertaking and managing an emigration scheme to benefit all concerned. This, Mr. Moodie undertook at his own risk and unaided by Government. He collected together, from Edinburgh and its vicinity, 200 young unmarried artisans who appeared likely to be those whose services were most in demand in the Colony. Each man had to pay £30 and to sign an agreement

to serve Mr. Moodie for three years; in return for which a free passage to the Cape was to be provided and maintenance until the contract period expired, unless, before that time, other arrangements were mutually agreed upon. In due course these emigrants left Leith and arrived safely in the district of Swellendam,¹ where a large grant of land had been made to Mr. Moodie, on which they worked until they were able to buy their freedom. This in most cases happened, for the greater number of them soon found it worth their while to pay any sum from £40 to £60 for the cancelling of the agreement, and thus to be enabled to take advantage of the comparatively high rates of pay which then prevailed. The passage money for each man cost Mr. Moodie £20. Although he did not reap the benefit from this movement which he anticipated, and met with some difficulty in consequence of desertions from his service, yet, on the whole, it was a decided success. Lord Charles Somerset, in order to encourage such enterprise as that undertaken by Mr. Moodie, endeavoured to prevent desertion and violation of contracts made out of the Colony by issuing, on June 26th, 1818, a proclamation² dealing with such cases. Heavy penalties were incurred, not only by those who absconded from their employers, but also by those who harboured servants indentured to others.

In 1818 two other Scotch gentlemen, Messrs. Peter Tait and James Gosling, similarly experimented, though on a smaller scale than that of Mr. Moodie. The general success of these ventures and the improved circumstances at the Cape of those who left their native land became known to others equally eligible, and thus the advantages of emigration to South Africa gradually came to be recognised. Applications for the same facilities to proceed to South Africa as were being granted to those desirous of emigrating to America poured into the office of Lord Bathurst, the Secretary of State for the Colonies, indicating thereby the expediency of considering in detail that which promised to be a matter of great responsibility and importance.

Lord Bathurst therefore communicated with the Governor, Lord Charles Somerset, asking for fuller information respect-

¹ At Grootvader's Bosch.

² An amplification of one issued on June 30th, 1803.

CHAP.
I.

ing the natural possibilities of, and the advisability of encouraging settlements at the Cape. The Governor, in reply, enthusiastically welcomed the project. He regarded the establishment of a dense white population in the frontier districts as eminently desirable, not only on account of the possible developments of those fertile regions, but also as a source of strength against the Kaffirs. This latter seems to have been the chief motive underlying his enthusiasm. "I am much swayed," he says, "in recommending the plan by a strong wish to be able to withdraw eventually the military detachments from that quarter."¹ He added significantly: "It is just that settlers should be made aware that their property will in some measure be exposed in the first instance to be plundered by their restless neighbours unless their own vigilance and courage shall considerably aid in protecting it". Apart from the disadvantages arising from proximity to the Kaffirs, he eulogised the country in its capability of producing abundantly the same kind of foodstuffs as were raised in Great Britain, and, in addition, the profitable cultivation of cotton and tobacco.

With the information conveyed by this despatch (Dec. 18th, 1817) Lord Bathurst felt justified in endeavouring to turn the tide of emigration to the Cape by discontinuing further assistance to those who looked to America as their future home. This does not seem to have had the desired effect, for applications for assisted passages to America continued to pour in for many months, some of which were on a large scale. In May, 1819, for instance, a petition signed by Finlay Matheson, on behalf of 800 inhabitants of the Isle of Skye, was received at the Colonial Office. Great distress occasioned by so many labourers and others having been turned out of their crofts and farms by the landlords determined these people to emigrate to America and to ask that facilities to that end might be afforded them. In answer they were told that Government could not send out emigrants to America, but were disposed to favour emigration to the Cape.

About the same time also the Mayor of Leeds appealed to the Colonial Office on behalf of a large number of people who

were in distress, stating that "in consequence of the introduction into this neighbourhood of machinery for finishing cloth, a great number of hands formerly engaged in dressing cloth by manual labour are now out of employment". Asking whether the facilities for emigration to Canada which had hitherto been available were still in operation, he was told that the Cape of Good Hope, from the superiority of the climate and the fertility of the soil, afforded greater facilities for the establishment of settlers. A similar answer was given to a Mr. Savage who asked to be allowed to emigrate to New Zealand with a number of people having capital ranging from £800 to £1,000.

Beyond this general recommendation the Government did not initiate any definite scheme of South African Colonisation. The large emigration movement of 1819 was originated by three private gentlemen, Messrs. Vernon, Harberd and Stracey, who, actuated by motives of pure philanthropy and influenced by no other considerations than the welfare of the poor and needy, were willing to devote their personal exertions as well as to incur pecuniary risk in carrying their views into effect. Early in 1819, following the example of Lord Selkirk, they caused to be published a pamphlet dealing with the general question of emigration to South Africa, a subject on which they had collected considerable information. Their views met with general approval and, receiving the approbation of the press, became more widely disseminated. The *London Times* of June 18th, 1819, thus took up the matter: "It has been frequently stated as a subject of regret in this journal that the stream of emigration from the United Kingdom has taken a westerly course. We have lamented it, because, according to the actual policy of England, the whole Western Continent must soon be lost to her Empire; and because, in the most favourable point of view, the natural advantages of North America are far from presenting to British emigrants the best resources within the dominions of their Sovereign. Southern Africa has been often pointed out as the most precious and magnificent object of our colonial policy, and the most fruitful field of adventure to our emigrant population. We are much pleased with a document which has been transmitted to us some days ago, and from which we shall subjoin certain extracts, because

CHAP. I. it proves that the spirit of many of our enlightened countrymen is alive to means of refuge for the indigent, which have never yet been resorted to. We shall at the same time advance our firm persuasion, that for colonisation to become an effectual source of relief to this country, it must be powerfully aided and supported by the State. Thousands and tens of thousands of our fellow-subjects must be provided for in some way or other, and cannot be so while they remain at home. Our noble station at the Cape of Good Hope has the finest soil and climate in the world; it is the centre of both hemispheres—it commands the commerce of the globe—it produces in unparalleled abundance all the necessaries and all the luxuries of life, whether civilised or savage. It is the natural key of India, the bridle of America, and is capable of superseding the whole of Europe in supplying this country with her accustomed articles of importation. The natives in the vicinity of our settlement are now in arms against us. The surface which we might people with hardy Englishmen is upwards of 100,000 square miles. Make the Cape a free port for the nations of *Europe*, and we banish North America from the Indian seas; carry out as settlers all the families who have not bread or labour here, and we lay for posterity another England, with which, by skilful government, the mother country will be joined in bands indissoluble."

The impetus which, by these means, was given to this South African emigration movement served to urge the question upon the serious consideration of both the Lords and the Commons; and so enthusiastic in this cause came all to be, that whatever differences of opinion there were on other political questions, all were united upon the expediency of this. It was with little difficulty, therefore, that on July 12th, 1819, the last business day of the session, the Rt. Hon. Nicholas Vansittart, Chancellor of the Exchequer, succeeded in persuading the House of Commons to grant a sum of £50,000 for the purpose of enabling the Government to assist persons who were disposed to settle at the Cape. One member, Mr. Hume, went so far as to suggest that, in the cases of able-bodied men who were out of employment and were unwilling to emigrate, it would be justifiable to transport them,

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EMIGRATION TO THE CAPE OF FORLORN HOPE, No. 1

Cartoon by Geo. Cruikshank, 1819

even in spite of their disinclination to leave their native land.¹ CHAP.
I.

The increasingly exaggerated statements concerning the fertility of the country, and the descriptions of the happy conditions of peace and plenty which were in store for all who removed thither, spread throughout the length and breadth of Great Britain and Ireland, and emigration to the Cape of Good Hope became the all-absorbing topic. There were not wanting, however, those who refused to be carried away by the infatuation of the time, and were disposed to regard the seductive pictures as overdrawn and exceeding the limits of probability. Mr. George Cruikshank, the famous caricaturist, reflected this aspect of the craze, if it may be so called, by two cartoons published towards the end of 1819, entitled "The Blessings of Emigration to the Cape of *Forlorn* Hope, recommended to the *serious* consideration of those about to emigrate". Of the facilities which the Government were able to offer many hundreds of individuals sought to avail themselves, and the Colonial Office was deluged with applications for further information.

In answer to these a printed circular was sent. It specified the conditions under which free passages to South Africa would be granted, and also the further steps intended to be adopted in order to establish the settlers upon the soil. It was as follows:—

"DOWNING STREET, LONDON, 1819.

"I have to acquaint you in reply to your Letter of the — that the following are the conditions under which it is proposed to give encouragement to emigration to the Cape of Good Hope.

"The sufferings to which many individuals have been exposed who have emigrated to His Majesty's Foreign Possessions, unconnected and unprovided with any capital, or even the means of support, having been very afflicting to themselves, and equally burdensome to the Colonies to which they have proceeded, the Government have determined to confine the application of the money recently voted by Address in the

¹ Vide Hansard's *Parliamentary Debates*, vol. from May 3rd to July 13th, p. 1549.

CHAP. House of Commons, to those persons who possessing the
 I. means will engage to carry out at the least ten able-bodied Individuals above Eighteen years of age, with or without Families, the Government always reserving to itself the right of selecting from the several offers made to them those who may prove, upon examination, to be most eligible.

“ In order to give some security to the Government that the Persons undertaking to make these Establishments, have the means of doing so, every Person engaging to take out the above-mentioned number of Persons or Families, shall deposit at the rate of Ten Pounds (to be repaid as hereinafter mentioned) for every Family so taken out, provided that the Family does not consist of more than one Man, one Woman and two Children under Fourteen years of age. All Children above the number of two will have to be paid for, in addition to the deposit above mentioned, in the proportion of Five Pounds for every two Children under Fourteen years of age, and Five Pounds for every Person between the ages of Fourteen and Eighteen.

“ In consideration of this deposit a Passage shall be provided at the expense of Government for the Settlers, who shall also be victualled from the time of their Embarkation until the time of their Landing in the Colony.

“ A Grant of Land, under the conditions hereafter specified, shall be made to him at the rate of One Hundred Acres for every such Person or Family whom he so takes out; one third of the sum advanced to Government on the outset, shall be repaid on landing, when the Victualling at the expense of Government shall cease. A further proportion of one third shall be repaid as soon as it shall be certified to the Governor of the Colony that the Settlers, under the direction of the Person taking them out, are actually located upon the Land assigned to them, and the remainder at the expiration of Three Months from the date of their location.

“ If any Parishes in which there may be a redundancy of Population shall unite in the selection of an intelligent Individual to proceed to the Cape, with Settlers under his direction, not less in number and of the description above mentioned, and shall advance money in the proportion above mentioned, the Government will grant Land to such an Individual at the



EMIGRATION TO THE CAPE OF FORLORN HOPE. No. 2

Cartoon by Geo. Cruikshank, 1819

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ASSOCIATO

rate of One Hundred Acres for every head of a Family, leaving the Parish at liberty to make such conditions with the Individual, or the Settlers, as may be calculated to prevent the Parish becoming again chargeable with the maintenance of such Settlers, in the event of their return to this country. CHAP.
I.

“But no offers of this kind will be accepted, unless it shall be clear that the Persons proposing to become Settlers have distinctly given their consent, and the head of each Family is not infirm or incapable of work.

“It is further proposed that in any case in which One Hundred Families proceed together and apply for leave to carry out with them a Minister of their own persuasion, Government will, upon their being actually located, assign a Salary to the Minister whom they may have selected to accompany them, if he shall be approved by the Secretary of State.

“The Lands will be granted at a quit rent to be fixed, which rent, however, will be remitted for the first Ten Years; and at the expiration of Three Years (during which the party and a number of Families, in the proportion of one for every Hundred Acres, must have resided on the estate), the land shall be measured at the expense of Government, and the holder shall obtain, without fee, his title thereto, on a perpetual quit rent, not exceeding in any case Two Pounds sterling for every One Hundred Acres; subject, however, to this clause beyond the usual reservations, that the land shall become forfeited to Government, in the case the party shall abandon the estate, or not bring it into cultivation within a given number of years.

“I am, etc.

“P.S. In order to ensure the arrival of the Settlers at the Cape at the beginning of the planting Season, the Transports will not leave this country until the month of November.

“The usual reservations are the right of the Crown to Mines of Precious Stones, of Gold and Silver, and to make such Roads as may be necessary for the convenience of the Colony.”

This then was the plan on which it was proposed to establish an extensive agricultural settlement in the district of Albany. Nearly a century has elapsed since these visions of fertility and abundance held out to the starving multitudes of

CHAP. I. Britain the brilliant prospects of comfort and affluence in South Africa ; even to-day when, from accumulated experience, the nature and capabilities of the country are so well known, its wealth is derived only in small part from agriculture. It is, of course, impossible to foresee all the conditions under which a large number of people transported to a new country will live, and, therefore, it is more than probable that failure will attend even the best intentioned and preconceived plans. It is curious, however, in the present instance not only how little real information and knowledge concerning the Colony was possessed by those who talked so volubly about it, but how little attempt was made to seek such information from reliable sources. Lord Charles Somerset's letter of December 18th, 1817, to Earl Bathurst, which can scarcely be regarded as optimistic, was the only official statement concerning the country. There were, within the call of Government, those who had been resident in the Colony and were well informed on all matters connected with it. They would undoubtedly have indicated the difficulties with which new settlers would have to contend, and, further, have drawn attention to the fact that the simultaneous arrival of many hundreds of poor people in an almost uninhabited country could not but be productive of great distress. The more truthful but less pleasing aspect of the venture was kept from view by the haste and unthinking enthusiasm with which it was developed. The apparently easy conditions on which land was to be obtained, and the prospect of a profitable investment for capital, attracted others than those in whose interests the movement primarily was started. Men of good position and education, and possessing considerable means sought to become responsible heads of parties, as mentioned in the Government circular, and busied themselves in the formation of such parties, either by indenturing to themselves a number of persons as their servants and coming out as large estate proprietors, or by associating together for common action. Captain George Pigot, for instance, was one of those eminently fitted to be entrusted with such responsibility and, from his energy and enterprise, to encourage others in the task of development which was before them. Having retired from the army in which he had served many years, he spent fifteen years in farming in Berkshire and

Staffordshire. He possessed very considerable capital, which he brought to the Colony, and with which, with care and his own industry, he was enabled to become one of the very few who met with success in the early years of the settlement. CHAP. I.

On the other hand, some who became heads of parties were men who, on account of their limited education and former occupations and habits of life, were obviously incapable of exercising any control or influence over others. They seem to have had the distinction thrust upon them for no other reason than that they were the first in their respective districts to make the necessary application to the Colonial Office. It is conceivable that under a less haphazard method of selection than was adopted, they would not have been permitted to embark even in the subordinate character of ordinary settlers.

In London the most prominent and active agent was a Mr. John Bailie, formerly a lieutenant in the Navy, who, on his retirement, had obtained a position in the Foreign Office, but, becoming fired with the prevailing enthusiasm, decided to organise a party and settle at the Cape. Enlisting the co-operation of a few others, he urged on the scheme by holding public meetings in London and, disseminating the available information, invited others to join him. About 600 persons made application to him. From that number he selected 115 men, who, with their wives and families, made a total of 390 individuals and mustered between them a capital of £18,610. Some changes took place before the final arrangements were made, and then the party consisted of 90 men, 58 women and 108 children. In accordance with the Government regulations the deposit money paid was £1,240. Mr. Bailie, as in the case of all other heads of parties, was permitted to make whatever conditions or agreement he liked, or could, with the people under his direction, independently of any control or interference on the part of Government. This, perhaps, was fair in principle, for many of these heads or directors were put to considerable expense in organising their respective parties and making the necessary arrangements preparatory to sailing. In the articles of agreement signed by Mr. Bailie's people, it was stipulated that the individuals should bind themselves to indemnify him for all and every expense in connection with

CHAP. I. their maintenance, clothing and transport, and, having arrived at their destination, to assist each other in the construction of public works and in the promotion of all measures which tended to the common welfare—no spirituous liquors to be sold and no slave labour to be allowed in the intended settlement. "In consideration of the great trouble which he, John Bailie, hath been at in the formation of this Society . . . it is hereby agreed that the said John Bailie shall reserve to himself the sole direction of the intended settlement." Of the 100 acres which Government granted to each man, Mr. Bailie was willing to allot 50.

With reference to these grants of land, it should be noticed that it was not intended that each individual should necessarily receive 100 acres and, so to speak, form as many independent locations as there were recipients. The lands were supposed to be held in trust by the director for the whole community under his charge and, so much having been appropriated as was necessary for the establishment of public buildings and the laying out of a village, grants might then be made for agricultural and farming purposes, and title deeds issued free of all cost after three years' residence upon them. As will be seen, however, the conditions of life in the Colony necessitated very different arrangements.

Although no two agreements are alike, yet, roughly, they may be divided into two classes, according to whether the persons composing the party were servants of the director or co-partners with him. For a specimen agreement of the former class, see that of Thomas Mahony, and of the latter that of Thomas Rowles, in the Appendix to this chapter.

Besides Mr. Bailie's, London supplied two other large parties and several smaller ones. Of the two larger, one consisted of 344 individuals and was, in the first instance, under the direction of Mr. Thomas Colling. That gentleman, however, withdrew at the last moment and Mr. Hezekiah Sephton became head. This, the largest of all the parties, was that afterwards known as Sephton's or the Salem party.

The other large London party was that organised by Mr. Thomas Willson, "an architect and agent". The assured prosperity which emigration to the Cape was believed to entail drew into the scheme some who, though little inclined to

settle in the new country or to act in any manner consistent with the intentions of Government, saw the possibility of pecuniary gain or personal advancement. Of such was Mr. Thomas Willson. In a circular he had printed and distributed, he announced that he wished to find ten gentlemen with means, who would provide themselves with servants, implements, stores, seeds and all other necessaries, and then—as it could not be expected that he should devote his time and services to their interests without pecuniary reward—those, therefore, who participated in the advantages accruing from the grants of land would be expected to assist in indemnifying him for any expense he might incur as well as guarantee him adequate pecuniary support. It could not have been very clear what the advantages accruing from the grants of land were to be, for he further stipulated that they were to be distributed in a manner “consistent with my individual rights as Lord of the Manor”. Over and above the deposit of £10 which each man had to advance in accordance with the Government circular, Mr. Willson demanded a further £5 from each, which *he* held, very tightly, in trust for them. It is strange that he should have found a following on these terms, yet, all told, his party consisted of 307 persons.

In other parts of the United Kingdom, but more especially in England, the activity in the formation of parties proceeded. In Nottinghamshire, the Duke of Newcastle moved enthusiastically on behalf of the poor of that county. Associating with himself other noblemen and gentlemen, a committee was formed and contributions to the extent of £737 10s. were raised. With this sum a party consisting of sixty men, thirty-four women and seventy-three children was provided for and placed under the direction of Dr. Calton of North Collingham. In honour of the Duke this party was afterwards known as the Clumber or Nottingham party.

Eagerness to add to the increasing number of settlers for South Africa was manifested also in Lancashire, Yorkshire, Northampton, Norfolk, Berkshire, Surrey, Kent, Wiltshire and Hampshire, in all of which counties parties were formed.

In the earlier stages of this movement, almost all the applications for assistance to emigrate were from Scotland. As has already been mentioned, Finlay Matheson applied on

CHAP. I. behalf of 800 inhabitants of the Isle of Skye. Previously to this, 900 others in the Highlands had expressed themselves as anxious to leave their native land and had given up their crofts to that end. At a still later date, a Colonel Grant organised a body of 400 Highlanders who were to have occupied the lands about the Kat River, but when the emigration scheme became more matured and definite ways and means were more obvious, the enthusiasm in Scotland subsided. This was on account of the better treatment which the landed proprietors had been compelled to adopt towards their poor tenants in consequence of the odium which had been cast upon them in the public press. Colonel Grant had incurred considerable expense in making the necessary arrangements for his party, and had finally the mortification of writing to the Colonial Office saying that all those who were likely to be of any use to him in the new settlement had withdrawn and thus he was involved in considerable loss. Omitting for the present those who, at a slightly later date (Oct., 1820), sailed in the ill-fated *Abeona*, only one small party of eleven, under Mr. Thomas Pringle, left Scotland and joined in what may be called the rush for the Cape at the beginning of 1820. Even in the formation of this one the same disposition was manifest, for of the original members, five men, one woman and four children withdrew at the last moment. With some difficulty Mr. Pringle got others to take their place.

In Ireland four parties were formed; one of 220 (including women and children) under Mr. William Parker, one of 62 under Mr. Ingram, one of 28 under Captain Synnott, and one of 27 under Captain Butler. Mr. William Parker, an ex-Mayor of Cork, was an aggressive Irish Protestant who had brought himself before the notice of a number of titled and influential people, both in and out of Parliament, by his noisy declamation against Popery. The eminent services he imagined he was rendering to the Protestant cause seem to have imbued him with an immoderate estimate of his own importance and claims to consideration. When, therefore, he decided to confer upon South Africa the honour of removing his establishment thither and founding a flourishing town of "New Cork," he not only gave the Protestant Government an opportunity of recognising his distinguished merits, but

suggested the procedure which would be most consonant with his wishes and worth. In his application to Earl Bathurst, he asked, in virtue of the testimonials he could present from so many eminent personages, to be specially recommended to the notice and consideration of the Governor and other high officials, to be allowed to select whatever lands he liked at the Knysna, and to be invested with some pre-eminence and authority such as Landdrost of George, Superintendent of the Knysna, or Colonel of Militia. Earl Bathurst, probably not sharing Mr. Parker's views respecting the dangers of Popery, said, in reply, that he was willing to recommend Mr. Parker in terms consistent with the testimonials of his eminent respectability and compatible with the general interests of the Colony and the claims of other settlers; but he could not hold out any hopes or encourage any expectations that on his arrival in the Colony Mr. Parker would be placed upon any different footing from that of any other head of a party. We shall hear further of Mr. Parker.

Altogether fifty-seven parties of settlers were formed. For the complete list with the numbers of men, women and children composing them, see the Appendix at the end of this chapter.

The selection, if this term may be used, of the individuals composing these parties was left entirely to the discretion of the directors. Although the Government reserved to itself this right, it does not appear to have exercised it or to have taken any further interest in the matter than that of insisting upon the various and final lists being transmitted to the Colonial Office—not for the approval, but for the information, of Government. It cannot, therefore, be maintained, as has often been stated, that Government made a careful selection of those intended to build up the British Settlement in South Africa.¹

¹ The kind of procedure which was followed in collecting people for the purpose of forming parties, and the small share taken by the Government in "carefully selecting" the new colonists, is well illustrated by the case of Wait's party. A member of that party, a Mr. Jeremiah Goldswain, has left a voluminous diary of about 700 pages of closely written foolscap—now in the possession of the author. This valuable document deals, in considerable detail, with events in connection with the British settlers from October, 1819 to 1852. As there is much private matter which can be of no historical value and adds considerably

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I.

In addition to those persons who, as indentured servants or otherwise, were proceeding to the Cape under the condi-

to the length of many of the accounts, the extracts given in this volume are abridged and modified, though it is hoped that the whole truth and sense are maintained. Mr. Goldswain says: "I was born in the year 1802 in Great Marlow in Buckinghamshire, where I lived until I left England in 1819. In that year there was much talk about emigration to the Cape. In October we heard that a gentleman was coming from London to form a party in Marlow. We were told that all who were willing to join were to go to Mr. Brooks to put down their names and to receive sixpence as 'earnest money'. I put down my name. Shortly afterwards the gentleman, Mr. Wait, arrived, when all those who had signed were ordered to meet him at the Greyhound Inn. I went and was surprised to find the market room full of people. Among the crowd there were many who, especially in winter time, were dependent upon the parish for support. The overseers of the parish also were present. Mr. Wait addressed us and spoke in most glowing terms upon the scheme. He said that now was our opportunity, and that if we did not immediately make up our minds to go to the Cape, it would be our own faults if we did not make a small fortune in a short time. 'You have nothing to pay,' said he, 'we pay all deposits and expenses.' We were to go out as his servants and to be in his employ for six years. The terms were, to work for him from eight o'clock in the morning until four in the afternoon; for our services we were to receive half a bushel of wheat, or its equivalent, per diem, and to be allotted half an acre of land on which we might build a house and make a garden. Mr. Wait's persuasive words and alluring terms resulted in the formation of a party consisting of thirty-eight men, one woman and one child, prepared, under his protection, to brave the unknown. Shortly after, namely on Christmas Day, we received notice to be in readiness to leave Marlow on the following morning under the guidance of Mr. Adam Gilfillan who had arrived for the purpose of conducting us to the ship.

Sunday, December 26th. We left Great Marlow about 11 o'clock, just as the bells were ringing for church. There was a great crowd of spectators at the Greyhound Inn to see us start, some of whom went with us as far as Bissum (?), a village in Berkshire about a mile from Marlow. My father and mother were among them. I found it a great struggle to part from them, especially when my mother gave me her last blessing and reminded me of my promise to return at the expiration of the six years. I said I would if the wild beasts at the Cape had not torn me in pieces before then. Continuing our journey, we arrived at Maidenhead about 2 o'clock, where we again became objects of interest and curiosity. Five of us had lunch at the Inn under the Town Hall. The landlord seemed greatly concerned about us, he would not charge us for anything we ate but only for what we drank, and hoped that when we returned we would give him another call. We promised to do so provided the wild beasts permitted us. Pushing on towards London, we reached Hounslow Heath late in the afternoon and found we were not to proceed any further that day. Accommodation for the night was found at two Inns as each by itself had not sufficient room for so large a party. After our arrival we had to wait some time before the baggage waggons came up, as we had travelled faster than they had. During that time we were again surrounded by a crowd of people, all wanting to know who we were and where we were going. When we announced that the Cape of Good Hope was our destination, the general opinion was that our mothers would never see us again for the wild beasts of the field would be sure to devour us. At 6 o'clock the next morning we were again upon the road, and having travelled as far as Brentford, we found that

tions prescribed in the printed circular, there were others who made offers of settling in the Colony without any other encouragement than a grant of land proportional to their means of cultivation. They were willing to pay for their own passages as well as those of the servants they proposed to take. This met with the approval of Government, and thus the original scheme was augmented on this account. Major-General Campbell, Lieutenant W. Currie, R.N., Mr. Bishop Burnett and others whose names became prominent in one way or another emigrated on these conditions.

As soon as the number of persons, for whom application was made, was as large as the money voted by Parliament could provide for, a printed letter was issued to all further applicants stating that "the whole number of persons for whom it has been possible to prepare accommodation at the Cape of Good Hope, for the present, has been already com-

breakfast was prepared for us. There we were met by our Director, Mr. Wait, who, as we then discovered, was a wine merchant and had been carrying on business in that town. When we reached Hyde Park turnpike gate, on our further journey, we were informed that we were going to Deptford, where our ship was in readiness to receive us. We got there just as it was getting dark. Some of us had never seen a ship before and could not make out what sort of a place we had got into. We were ordered down between decks and then wondered where we were to sleep, for we could see no signs of beds or bedding. The steward and his wife were very kind to us, they gave us candles and pointed out the bunks or berths to us but there was no bedding of any kind. In reply to our questions, we were told that it would be served out in the morning. This was poor consolation, as being mid-winter, it was piercingly cold and we had nothing warm with us. We asked about supper and found that this also would be served out in the morning. This cold cheerless reception caused some of us to spend the night in reconsidering the wisdom of leaving our native land. The name of our ship was the *Zoroaster*. About 10 o'clock the next morning, bedding and provisions were given out. We were told to form ourselves into smaller parties or 'messes' of about six each. Each individual was then supplied with one mattress and one blanket. The rations were $\frac{2}{3}$ of a lb. of biscuit, some oatmeal, a little meat and a very little butter to each individual." In connection with this journey the following is taken from Mr. Wait's papers:—

	£	s.	d.
" To supper and beds for 38 men, 1 woman and 1 child	2	8	7
Dinner for the party	0	17	6
Paid Butcher for 40 $\frac{1}{2}$ lbs. of beef at 8 $\frac{1}{2}$ d.	1	8	8
Breakfast for party at Hounslow (? Brentford)	0	9	6
Expenses at the Red Lion at Deptford in getting the party on board	0	10	6
25 pints of beer for party	0	6	6
Boats to convey party on board <i>Zoroaster</i>	0	15	0
Waggon hire	14	0	0"

CHAP. I. pleted and that no encouragement can therefore be given to persons desirous of emigrating to that Colony". In consequence, however, of so many further applications from people who possessed capital and who, in other ways, seemed to be desirable as settlers, printed circulars were issued to such informing them that if they went out to the Cape at their own expense, grants of land proportionate to the means they had of cultivating them would be made.

While the various parties were in course of formation, the Navy Board was making the necessary preparations for their transportation. For this purpose a number of small vessels of about 500 tons were chartered and, for the greater convenience of the emigrants, were arranged to be at ports which were as near as possible to the parts of the country from which the greater numbers came. The chief port of embarkation was Deptford, where eight vessels, namely, the *Nautilus*, *Chapman*, *Aurora*, *Belle Alliance*, *Brilliant*, *Ocean*, *Zoroaster*, and *Sir George Osborn* received their respective parties. At Portsmouth the *Northampton*, *Weymouth* and *Amphitrite*; and at Liverpool, the *Stentor*, *John* and *Albury* awaited their passengers. The Irish parties joined their ships, the *Fanny* and *East Indian*, at Cork, while one vessel, the *Kennerley Castle*, was in readiness at Bristol. These ships brought the people who were assisted by the Parliamentary grant. There were, however, four other vessels, namely, the *Garland*, *Canada*, *Duke of Marlborough* and the *Dowson*; these carried those who were emigrating either at their own expense or assisted entirely by private munificence.

Beyond a vague intention of despatching these vessels in pairs with about a week or fortnight intervening between each departure—an arrangement which was thwarted by the state of the weather—there do not appear to have been any definite dates fixed for the sailing of any of them. This created considerable inconvenience and trouble to the emigrants. In some cases people arrived on board before provision had been made to receive them, and on account of the severity of the weather, experienced great discomfort. When Stanley's party, for instance, embarked on the *John* at Liverpool there was no bedding nor any blankets, and a week elapsed before these necessaries could be provided. During



Photo : G. O. Smith, Esq., Port Elizabeth

THE SETTLER SHIP "CHAPMAN"

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that time the men had to make themselves as comfortable as they could on the bare boards with the thermometer fourteen degrees below freezing-point, while the women and children (three of whom were ill) had to find shelter and food on shore at Mr. Stanley's expense.

There was much delay in despatching the vessels after all were on board and anxious to start. In some cases parties had to spend weeks on the anchored ship before the final preparations to sail were made. Mr. Howard, in his account of the voyage, tells us that his party went on board the *Ocean* at Deptford on November 24th and did not start until about December 18th. Great discontent and irritation among all, but more especially among the heads of parties, were the result of these delays, and complaints on that account were made to the Colonial Office. Captain Synnott, the head of one of the Irish parties on the *Fanny*, in a letter to Earl Bathurst, dated January 5th, 1820, said "the settlers under my care are extremely dissatisfied and difficult to be kept together, and a very large expense attends holding them in constant readiness for such a length of time". In the cases of the vessels moored in the Thames one cause of delay, for which the Navy Board could not be held responsible, was the cold and tempestuous state of the weather. The frost had been so severe that the thickness of the ice on the Thames greatly impeded the movements of the shipping.¹ The first move of the emigrant fleet was made by the *Nautilus*, which drifted slowly down the Thames on December 5th; she was followed by the *Chapman* on the 9th, and then, during the ensuing six weeks, the whole body of the British settlers was afloat and being steered to the shores of South Africa.

The vessels which started during December, 1819, and the

¹ The Navy Board in writing to Earl Bathurst, January 11th, 1820, in answer to a letter calling attention to the need of hastening the departure of the ships, said, "the detention of such emigrants as have not sailed has arisen solely from the state of the weather, the Thames being blocked with ice".

Mr. Goldswain in his diary says, "Our vessel, the *Zoroaster*, was almost ready to drop down the river when the Thames began to freeze. In a few days the ice was so thick that some of us ventured to walk upon it. We were frozen in about three weeks. . . . On Sunday morning about 9 o'clock, I saw a crowd of people on the ice and went across to see what was going on. They were standing round a man who was playing a fiddle and some people were dancing. . . . There was a booth where gin and ginger beer was being sold."

CHAP. early part of January, 1820, experienced very stormy weather
 1. in the wider reaches of the Thames and English Channel. Some, in fact, very nearly ended the voyage before they had properly begun it. The *Nautilus*, having surmounted the difficulties of the drifting ice, was mercilessly buffeted by the raging gale and blown on to the Goodwin Sands, where she grounded. The sea broke over her with great violence and threatened every moment to make a complete wreck of her. Lights at the heads of the masts and guns fired as signals of distress attracted notice in Ramsgate, from which place the lifeboat went to her assistance. Fortunately, however, its services were not required, for just as it arrived a still heavier sea lifted the *Nautilus* from the sand and floated her again. She had lain in that dangerous position about an hour and a half.

The *Northampton* also, on December 14th, very nearly ran foul of these dreaded sandbanks. Having come to anchor in their vicinity, the fury of the gale caused her to drag her anchors and to drift quickly towards danger. Her predicament was seen by the people on shore and a pilot was sent off to her assistance. He succeeded in placing her in a position of safety. While she was at the new anchorage (so says the writer of the diary),¹ three other vessels were seen to be driven by the wind on to the Goodwin Sands. Two of them succeeded in refloating themselves as the *Nautilus* had done, but the third was capsized. A lifeboat went to the disabled vessel, but no one was seen to be saved nor any bodies picked up. The *Sir George Osborn* went aground for a time in the Thames opposite the Greenwich Hospital and all the women and children were landed. She seems, however, to have been refloated and to have been none the worse.²

The vessels which started from Deptford did not take their final leave of England until they had anchored for a time at Portsmouth or Torbay, at which places such final arrangements as the taking in of ballast and water were made. They were, however, still within the reach of bad weather and disaster. At Portsmouth the force of the wind drove the

¹ A member of Pigot's party.

² Vide Rev. H. H. Dugmore's Lecture on *The Reminiscences of an Albany Settler*, p. 3.

Ocean from her moorings and caused her to collide with the *Northampton*. The damage which both sustained was small and was soon repaired. CHAP. I.

The ships steered their courses towards the Bay of Biscay. The English shores gradually faded from view and thoughts were turned to the new land with all its hopes and promises for the future. Mr. Howard, on the *Ocean*, mentions the deep and sorrowful impression which was made upon him and those with him, when being almost out of sight of land, the chief mate called out to those below, "any one wishing to take a last sight of England had better now come on deck".

As has been mentioned, the vessels were small, all being under 500 tons. The numbers of emigrants on some of them were large, and hence it would seem that those were unduly crowded. On the *Aurora*, for instance, there were 344 individuals not including the officers and crew, on the *Belle Alliance* there were 307, on the *Chapman* 271, and on the *Weymouth* 299. Apart from this there appears to have been little to complain of in the arrangements which were made, and the forethought which was exercised, in anticipating the discomfort inseparable from so long a voyage. The food, though of the rough kind usual in ships of that time, was plentiful and wholesome, "salt junk" and hard ship biscuit being prominent constituents. There was a liberal supply of such commodities as tea, sugar, coffee and cocoa, and each individual was allowed three quarts of fresh water daily. A doctor was appointed to every ship. Judging from the letters of appreciation which some of the emigrants considerably addressed to the Colonial Office at the end of the voyage, and from the diaries which some of them kept, no one can doubt that every reasonable provision was made for their happiness and comfort.

When the vessels had passed through the Bay of Biscay and more southern latitudes were reached, warmer and less stormy weather exercised a cheering influence. The voyagers, becoming accustomed to their surroundings and having their minds less engrossed with the effects of the rough seas, had, at length, the leisure to reflect upon the momentous step they were taking, uninfluenced by the extravagant enthusiasm in which it originated. Under these circumstances there arose a disposition in many to consider that they had been taken advant-

CHAP. I. age of by those who were leading them, and that they had been induced to sign agreements which were against their interests. Matters were not improved by the dictatorial bearing assumed by some of the heads of parties, not only towards their dependants, but also towards those who only nominally belonged to the party, and who were socially and intellectually their equals. Apart from this, the heterogeneous nature of the imprisoned crowd soon gave rise to the discord which might be expected under such circumstances. As, therefore, the turmoil outside the ships lulled that on board began, and, in some cases, continued intermittently throughout the voyage.

On board the *Chapman* discontent soon made its appearance among the members of the large party under Mr. Bailie. Whatever influence that gentleman had had over his people on land, it very quickly waned at sea, when deference and respect were replaced by resentment and a determination to acknowledge him no longer as the head of the party. Meetings were held for the purpose of considering the situation, the final result of which was to draw up a petition to the Governor of the Colony, to be presented as soon as they arrived in Cape Town, asking permission to subdivide under leaders of their own choosing. In other parties similar disunion and procedure took place, particularly in Crause's party on the *Nautilus*. In Parker's party, on the *East Indian*, the dissension took a more virulent form. The Rev. F. McClelland, Captain Seton and others of the party were not disposed to render to Mr. Parker that deference and submission which, on account of his eminent respectability and aristocratic acquaintances, he considered his due. On the other hand, they thought that Mr. Parker had forfeited all respect in consequence of certain money transactions in Ireland and thought proper to tell him so. Recriminations ensued. Mr. Parker prepared criminal charges against Mr. McClelland and Captain Seton, "a dark incendiary," which were to be brought before the Governor in Cape Town, while they in return were ready with counter charges.

The monotony of the voyage of the *Northampton* was relieved by the continued misbehaviour and disorder of the small Irish party under Mr. Mahony. Almost before the Bay of Biscay was passed, namely on January 11th, trouble began with these people when Mr. Mahony refused to draw the fresh

water for his party. The captain, on having the matter reported to him, insisted upon Mr. Mahony doing his duty. He again refused and became very insolent; whereupon the captain attempted to seize him and a scuffle ensued. One of the party went to Mr. Mahony's assistance and some of the ship's officers to the captain's. In the end the two Irishmen were seized and put in irons for two days. This party became such a nuisance and at times seemed so dangerous that a committee of safety was formed from among the other settlers.¹

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The cases of discord enumerated were not, however, characteristic of the emigrant fleet as a whole. In the greater number of ships peace and good order prevailed, and the lives of the people were as happy as the monotony of long confinement in close quarters would permit. The chief element of happiness on shipboard, namely the weather, was in their favour. With the exception of the stormy start and an occasional, though not very severe, thunderstorm, there was a continuance of sunshine and calm throughout the voyage. So calm was it at times that scarcely any progress was made for days. On such occasions the boats were lowered and superabundant energy found scope in rowing round about the ship. "Neptune" made his appearance in due course and the ceremonies proper to the occasion were observed.² Of other incidents of the voyage there are two which, perhaps, are worth recording. The "pea-soup and tea riot" convulsed the *Zoroaster* from stem to stern. It came about in this way. The water for making tea was boiled in the common copper

¹ From the diary of Miss P—— on the *Northampton* :—

"Tuesday, Jan. 11. Two men handcuffed for striking the Captain.

"Thurs., 20th. A meeting of the gentlemen below, sad disturbance with these Irish people.

"Sat. Feb. 12. Great disturbance with the Irish people, sharpening both sides of their knives. They (the Committee of Safety) threaten to put sentinels over Mr. Mahony's cabin door.

"Friday, Mar. 3. Further trouble with Mr. M.'s party.

"Monday, Mar. 6. Hold consultation about Mr. Mahony, a number of people ill after drinking in his cabin."

² From Miss P——'s diary :—

"Wednesday, Feb. 16. Ash Wednesday. Crossed the line. Neptune came on board, all were shaved."

"The shaving operations of old Father Neptune, the lather of whose brush, and edge of whose razor stuck, the one to the chin and the other to the memory."

—The Rev. H. H. Dugmore, on the *Sir George Osborne*.

CHAP. I. in the cook's galley, from which, at breakfast time, each individual had to draw off his share into the family tea-pot. On one particular morning, after everyone had been served with boiling water and breakfast had commenced, there gradually arose a howl from end to end of the ship—someone had put a lot of vinegar into the copper and all the tea was sour! There was a rush of angry, breakfastless individuals to the cook's galley and demands, with maledictions on the practical joker, were made for a fresh supply of water to be boiled. But by this time the copper was being used for another purpose, namely, that of boiling the pea-soup in preparation for dinner. At first there was a unanimous desire to turn out the pea-soup, but some, on further reflection, argued that in that case they might lose their dinner as well. Hence the people became divided into two very determined and noisy camps, and not until the captain had read the Mutiny Act and some of the "tea party" were removed to the ship's prison did the storm abate, and the pea-soup again simmer in quietness.

An excitement of a very different character was the lot of the emigrants on the *Ocean* shortly after she came to anchor at Porta Praya in St. Jago, one of the Cape Verde Islands. According to the account of Mr. Howard, the *Ocean* arrived at that place about three o'clock one afternoon. The inhabitants of the island, who were Portuguese, seemed perfectly friendly and willingly supplied them with vegetables, fruit and other provisions. That night, however, between twelve and one o'clock, all on board were suddenly awakened and terrified by hearing the firing of one of the cannons on the shore and a large ball passing over the ship between the masts. Shortly after another report was heard, and this time the ball, weighing nine pounds, struck the ship on the side, went through and fell into the store-room. The greatest consternation and panic possessed all. In about three-quarters of an hour a third ball was fired, but this one fell short and was heard to drop into the water with a hissing sound as if it were red-hot. As soon as it was daylight, some of those in authority, Mr. Howard among them, went on to the shore to learn the reason of this unaccountably hostile behaviour. It then transpired that about three weeks previously, a vessel of eighteen guns

approached the island and refused to fly her national colours or to give any information concerning herself. When near the land she fired upon the town and then sailed away. Now when the *Ocean* was making for that port, a vessel very like the hostile visitor—if not the same—was seen also to be standing in for *Porta Praya*. During the night the officer commanding the fort mistook the *Ocean* for the suspected vessel, and gave orders for the cannonade which very nearly cut short her voyage. Fortunately the hole made in the side of the ship was well above the water line and, though the writer of the account does not give any further details, must have admitted of complete repair as the *Ocean* arrived safely at her destination without any further mishap.

There was a considerable amount of sickness on most of the transports. Measles and whooping-cough were prevalent in most, but far worse, on the *Belle Alliance*¹ and *Northampton*, small-pox broke out badly. In the latter vessel there were three deaths on that account. It is surprising there were not more considering the crowded state of that ship. Very shortly after leaving England the first death, that of a child, due to this disease occurred. On January 20th another was carried off, and on the 28th a woman servant in Major Pigot's party died. On both these vessels health committees were formed and stringent regulations drawn up in order to prevent the further spread of the disease. Everything which was likely to have been contaminated by sufferers was thrown overboard and considerable inconvenience, not to say irritation, was caused by the thorough and frequent fumigations by "nitrous fumes". The burials of these people were conducted with all due solemnity and a subduing effect was exercised on all, not excepting the turbulent Irish party. They were thus conducted: the coffin with two heavy iron cannon balls was sewn up in sacking and placed towards the end of a plank which projected over the side of the ship. The whole ship's company, both crew and passengers, being assembled, the captain reverently read the burial service. When he came to the words "we commit his or her body to the deep" a sailor lifted one end of the plank, and the coffin with its iron weights

¹ Thomas Cock, the surgeon of the *Belle Alliance*, lost his wife and three children on the voyage.

CHAP. I. slid off into the sea, the ship's bell tolling during the ceremony.

The South African port to which the emigrant vessels steered was Simon's Town, though one or two anchored for a short time in Table Bay. The first two vessels to arrive were the *Nautilus* and *Chapman*, both of which sailed into Table Bay on March 10th and into Simon's Bay on the 17th. From that date until June 18th all the others, at irregular intervals, came to anchor in Simon's Bay for the purpose of making preparations for the further voyage to Algoa Bay.¹

The prospect of soon treading upon dry land again and escaping, for a time at least, from the wearisome monotony and the prison-like conditions on board ship instilled new life and buoyancy into all. Though the first view of the bleak hills and desolate stretches of sand which bound Simon's Bay somewhat dispelled the pleasant visions of South Africa which had existed in the minds of many, yet the new-comers were impatient to land and to make, thus early, a closer acquaintance with the country of their adoption. Great and bitter, therefore, was the disappointment when orders were issued that no settlers, except heads of parties, were to be allowed to go on shore. This, though seemingly unkind and inconsiderate, was undoubtedly a very prudent measure, for had all of these many hundreds of individuals been permitted to disperse themselves on land, there would have been but little probability of ever collecting them on the ships again; and thus the chief object the British Government had in view, namely that of settling a denser white population in the Frontier districts, would have been frustrated.

¹ Dates of arrival of the vessels in Simon's Bay:—

<i>Nautilus</i>	March 17th.	<i>Zoroaster</i>	April	30th.
<i>Chapman</i>	" "	<i>East Indian</i>	"	"
<i>Garland</i>	" 22nd.	<i>Fanny</i>	May	1st.
<i>Northampton</i>	" 26th.	<i>Albury</i>	"	"
<i>Kennerley Castle</i>	" 29th.	<i>Aurora</i>	"	"
<i>Ocean</i>	" "	<i>Belle Alliance</i>	"	2nd.
<i>Amphitrite</i>	" "	<i>Medusa</i>	June	17th.
<i>John</i>	April 19th.	<i>Sir George Osborn</i>	"	18th.
<i>Stentor</i>	" "	<i>Duke of Marlborough</i>	"	"
<i>Weymouth</i>	" 26th.	<i>Cambrian</i>	Aug.	10th.
<i>Canada</i>	" "	<i>Skelton</i>	Sept.	26th.
<i>Brilliant</i>	" 30th.	<i>Dowson</i>	Oct.	15th.

During the stay at Simon's Town, the vessels were furnished with further supplies of provisions and fresh water and other matters connected with the voyage were attended to, among which was the withdrawal of the *Zoroaster* from this service. The contract time of that vessel expired on her arrival, all the emigrants and baggage were therefore transhipped to the *Albury*, which thus became greatly overcrowded.¹ The heads of parties, in the meantime, were in Cape Town attending to their various interests. Some waited upon the Acting-Governor, Sir Rufane Donkin, and the Colonial Secretary, giving those officials a foretaste of the troubles and perplexities which characterised the further development of this movement. The petition of Mr. Bailie and his party, asking to subdivide, was presented; Mr. Parker brought forward his "criminal charges" against members of his party and was not best pleased to hear that the jurisdiction of the Cape Government did not extend indefinitely over the Atlantic Ocean; and Mr. Willson had depressing accounts to relate of the ingratitude shown him by his party. In connection with this gentleman, it may be here stated that the members of his party at this time came to discover that they were the only people who had been called upon to pay anything to the director of the party. They considered that Mr. Willson had not acted fairly towards them in making them pay the extra £5 each, hence the want of gratitude and "fear for his life," of which Mr. Willson complained, are accounted for. The mercantile spirit of some other "heads" manifested

¹ From Mr. Goldswain's diary. "As we neared Simon's Bay, it fell a dead calm and the vessel had to be towed up to the anchorage. By the time we arrived it was dark. The next morning we were up on deck early to see what sort of a place we had come to and particularly to look for some of the Cape sheep we had heard of. We had been told by some old soldiers and sailors that the sheep at the Cape had very fat tails. The great size was due, so they said, to the fact that the sheep grazed on the slopes of Table Mountain with their heads always towards the top of the mountain, the fat therefore naturally slipped down to their tails! A few days after reaching Simon's Bay, we had orders to leave our fine vessel (the *Zoroaster*) and go on to the *Albury*, which was at anchor at no great distance from us. We were all sorry to leave the *Zoroaster*. It took several days to effect the change. We were disappointed with the *Albury*—she was so dirty and we could hardly stand up between decks. We were very crowded, the men had to sleep anywhere they could on the deck."

The *Stentor* was also withdrawn from this service while at Simon's Bay, and all the emigrants transhipped into the *Weymouth*.

CHAP. I. itself in procuring goods in Cape Town and selling them at exorbitant prices to their less fortunate fellows on the ships. On the whole, therefore, the stay at Simon's Bay did not diminish the spirit of dissatisfaction which had manifested itself during the voyage.

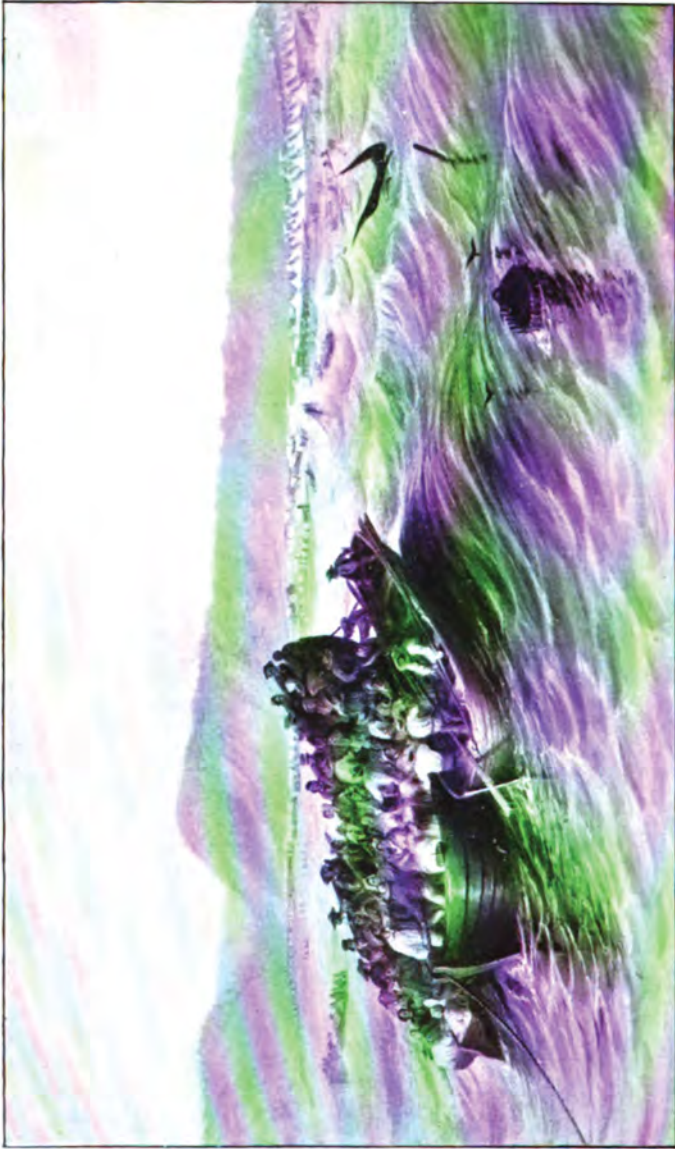
The further passage to Algoa Bay was made in times varying from five days to a month. The *Brilliant*, for instance, left Simon's Bay on May 10th and, having most favourable winds, arrived in Algoa Bay on the 15th. The *Northampton*, on the other hand, set sail on April 2nd, and in consequence of both contrary winds and calms did not reach her final destination until May 2nd.¹ The first British settler vessel to arrive in Algoa Bay was the *Chapman*. She dropped her anchors on the evening of April 10th and had the roadstead to herself until the 14th, when the *Nautilus* sailed into the Bay. Then at irregular intervals the others arrived, and remaining for some time, nearly the whole fleet was at anchor at one time, and presented a scene of shipping activity which never before had been witnessed from the sandy stretches of Algoa Bay. The *Fanny* and *East Indian*, for reasons yet to be detailed, did not go to Algoa Bay, but to Saldanha Bay.

The prospect presented by the first view of the shores of Algoa Bay was even more depressing and inhospitable than that of Simon's Bay. The hearts of many sank within them when they gazed on the distant sandhills and the very few cottages or huts which then constituted the embryo Port Elizabeth. "Can this," they said, "be the fine country, the land of promise, to which we have been allured by highly coloured description and by the pictures drawn in our imaginations? We are deceived and ruined," was the hasty conclusion of many.² Mr. J. C. Chase, of Bailie's party, says: "Our first impressions of the country at which we had at length arrived were anything but cheery. From the deck of our vessel we descried a coast lashed by a broad belt of angry breakers,

¹ Compare this with the passage at the present day. The Union-Castle Liners leave Cape Town at four o'clock on Wednesday afternoon and get to Port Elizabeth at six on the following Friday morning.

² Address by Rev. Shaw at the commemoration of the settler movement, in St. George's Church, Grahamstown, in 1844.

UNIV. OF
CALIFORNIA



THE SETTLERS GOING ON SHORE AT ALGOA BAY, 1820

By permission of Miss Ayliff

threatening, we feared, death to a large proportion of our numbers. The shore was girt with an array of barren sand-hills, behind and close to which appeared a series of rugged and stony acclivities and, in the distance behind these, the dark and gloomy range of the Winterhoek mountains frowned upon us.”¹ CHAP.
I.

Now that the anchorage was reached, there remained the task of getting so large a number of individuals ashore and despatching them to the lands assigned to them. As the vessels had to remain some distance out at sea, and as there was no jetty or other convenience for getting through the surf, the landing had to be effected partly by flat-bottomed surf-boats and, when the shallower water was reached, partly by men carrying the emigrants to the beach. Fortunately the weather, when these transports arrived, was most favourable to these operations. More often than not the surf is so violent as to prevent any communication between ships and the land by this primitive method. The arrangements which had been made on shore for the reception of the new-comers were the pitching of a large number of tents for their shelter, a large supply of provisions, and the collection of all the available ox-waggons in the country for their conveyance to their locations. The management of the surf-boats was in the hands of the seamen of H.M.S. *Menai*, a man-of-war, which, under the command of Captain Moresby, went from Simon's Bay in order to render all assistance possible. The work of removing the people from the surf-boats to dry land devolved upon Captain Evatt of the 21st Light Dragoons, and a company of the 72nd Regiment, which was then stationed at Fort Frederick. All this was a long and tedious process. In many cases ships had to swing at anchor for nearly a fortnight before the emigrants could commence to land. In the case of Pringle's party on the *Brilliant*, after having waited ten days, they were landed, but out of their turn; in order to avoid all suspicion of partiality or favour, therefore, they had to be taken back to the ship and had to remain a few days longer in their confined quarters. The reason of all this was the insufficient number of ox-waggons, and the limited supply of tents. Until these had

¹ Speech at the commemoration dinner in 1844, in Grahamstown.
VOL. II.

CHAP.
I.

been vacated by parties going inland, others could not be brought from the transports. The *Chapman* was fortunate in arriving so early, for the disembarkation commenced next morning, and by the 15th (just after the arrival of the *Nautilus*) all were on land, and having packed their ox-waggon were soon upon the road to the Fish River mouth. When the other vessels arrived, in some cases two or more in one day, the accommodation on the beach became taxed to its utmost and a lively scene was presented. Besides the rows of tents forming what was called "Settlers' Town," there were vast piles of stores and baggage, temporary depots of agricultural implements, huge structures of packing cases and large mounds of goods under canvas and tarpaulins, and withal the noise, confusion and bustle which might be expected from so many people congregated together in such novel circumstances. The slow pace of the lumbering ox-waggon was responsible for the various parties having to spend from six weeks to two months on the shores of Algoa Bay. The total number of waggons collected from all parts, even including the distant Graaff Reinet, was something under two hundred. Bailie's party alone required ninety-one of these to convey them to their location. In all this great work of disembarkation, there was not the slightest mishap of any kind. It is true that three deaths occurred during this time, but they were not in any way connected with the circumstances of the voyage or landing. Dr. Calton, the head of the Nottingham party, died in his tent on the shore. According to the articles of agreement the party met to elect another head, and W. Draper was chosen. Dr. Caldecott, attached to Pringle's party, though not a member of it, also died in his tent, leaving a wife and six children. Lastly, an emigrant on the *Brilliant* died on the vessel while she was waiting her turn to discharge her people.

The scene along the shore during this busy time is thus described by Mr. Pringle, an eye-witness of it. "I then strolled along the beach to survey more closely the camp of the settlers, which had looked so picturesque from the sea. On my way I passed two or three marquees, pitched apart, among the evergreen bushes which were scattered between the sandhills and the heights behind. These were the encamp-



THE SETTLERS ON SHORE AT ALGOA BAY, 1820

By permission of Miss Aytiff

ments of some of the higher-class settlers, and evinced the taste of the occupants by the pleasant situations in which they were placed, and by the neatness and order of everything about them. . . . A little way beyond, I entered the Settlers' Camp. It consisted of several hundred tents, pitched in parallel rows or streets, and occupied by the middling and lower classes of emigrants. These consisted of various descriptions of people; and the air, aspect, and array of their persons and temporary residences were equally various. There were respectable tradesmen and jolly farmers, with every appearance of substance and snug English comfort about them. There were watermen, fishermen, and sailors, from the Thames and English seaports, with the reckless and weather-beaten look usual in persons of their perilous and precarious professions. There were numerous groups of pale-visaged artisans and operative manufacturers, from London and other large towns, of whom doubtless a certain proportion were persons of highly reputable character and steady habits, but a far larger portion were squalid in their aspect, slovenly in their attire and domestic arrangements, and discontented and discourteous in their demeanour. Lastly, there were parties of pauper agricultural labourers, sent out by the aid of their respective parishes, healthier perhaps than the class just mentioned, but not apparently happier in mind, nor less generally demoralised by the untoward influence of their former social condition. On the whole, they formed a motley and rather unprepossessing collection of people. Guessing vaguely from my observations on this occasion, and on subsequent rambles through their locations, I should say that probably about a third part were persons of real respectability of character, and possessed of some worldly substance; but that the remaining two-thirds were for the most part composed of individuals of a very unpromising description—persons who had hung loose upon society—low in morals or desperate in circumstances."

For the present we must leave the settlers upon the beach and turn our attention to the affairs of the Colony, and particularly to the procedure on the part of the Government which this invasion necessitated.

Note.—The expense, per head, of conveying these people from England to Algoa Bay was £24 10s. 3d.

APPENDIX A.

LIST OF PARTIES OF SETTLERS.

CHAP.
I.

Head of Party.	Ship.	No. of Men.	No. of Women.	No. of Children.	Total.	Deposit Money.	
						£	s.
Baillie, J.	Chapman	90	58	108	256	1240	0
Biggar, A.	Weymouth	13	15	27	55	195	0
Bowker, M.	Weymouth	9	2	12	23	112	10
Bradshaw	Kennersley Castle	15	13	36	64	192	10
Butler, Capt.	Fanny	12	6	9	27	122	10
Calton, Dr.	Albury	60	34	73	167	737	10
Campbell, D.		13	8	7	28	142	10
Carlisle, F.	Chapman	11	0	4	15	120	0
Clarke	Northampton	31	17	40	88	362	10
Cock		40	18	33	91	427	10
Crause, Lt.		12	8	21	41	145	0
Dalgairns	Northampton	11	8	14	33	115	0
Damant	Ocean	25	7	25	57	282	10
Dixon	Ocean	11	11	27	49	130	0
Dyason, G.	Zoroaster	20	15	32	67	252	10
Erith, J. T.	Brilliant	10	3	8	21	105	0
Ford	Weymouth	10	9	23	42	132	10
Gardner	Sir Geo. Osborn	9	5	10	24	100	0
Greathead, J. H.	Kennersley Castle	11	4	5	20	115	0
Griffith, Lt.	Stentor	22	9	10	41	250	0
Gurney	Weymouth	13	3	8	24	135	0
Hayhurst	John	34	23	50	107	452	10
Holder	Kennersley Castle	11	9	19	39	140	0
Howard, W.	Ocean	15	11	34	60	200	0
Hyman, C.	Weymouth	11	11	20	42	150	0
Ingram	Fanny	27	13	22	62	285	0
James		12	11	37	60	162	10
Liversage	John	11	8	29	48	137	10
Mahony, T.	Northampton	16	10	16	42	190	0
Mandy	Nautilus	11	10	23	44	132	10
Menezes	Weymouth	12	10	29	51	165	0
Morgan	Ocean	12	12	17	41	130	0
Mouncey	John	12	11	18	41	120	0
Mills	Sir Geo. Osborn	10	6	14	30	127	10
Neave	Stentor	12	4	3	19	120	0
Osler	Nautilus	11	10	11	32	117	10
Owen	Nautilus	11	11	30	52	200	0
Parker, W.	East Indian	75	50	95	220	882	10
Parkin	Weymouth	11	8	11	30	125	0
Philips	Kennersley Castle	20	6	10	36	247	0
Pigot, Capt. G.	Northampton	20	11	23	54	225	0
Pringle, T.	Brilliant	12	5	7	24	150	0
Richardson	Stentor	11	8	17	36	127	10
Rowles, T.	Nautilus	10	5	12	27	110	0
Scott	Nautilus	14	9	14	37	167	10
Sephton, H.	Aurora	101	82	161	344	1247	10
Smith, W.	Northampton	11	7	22	40	162	10
Smith, G.	Stentor	21	15	35	71	247	10
Southey	Kennersley Castle	14	7	28	49	215	0
Stanley	John	11	6	15	32	122	10
Synnot	Fanny	11	2	12	25	137	10
Turvey	Sir Geo. Osborn	13	10	38	61	185	0
Wainwright	John	11	4	9	24	137	10
Wait	Zoroaster	38	1	1	40		
White	Stentor	12	4	11	27	142	10
Willson	Bells Alliance	102	72	133	307	1177	10
Totals		1194	735	1558	3487	£14054	10

APPENDIX B.

TYPICAL AGREEMENT OF PEOPLE EMIGRATING IN PARTNERSHIP.

Articles of Agreement made this twenty-seventh day of October, one thousand eight hundred and nineteen, by the undersigned party of settlers, emigrating to the Cape of Good Hope, under direction of Mr. Thomas Rowles of Hackney Road, London. CHAP.
I.

WE, the undersigned, emigrating to the Colony above named, do hereby, for our mutual advantage and comfort, agree to abide by the following rules and regulations made and executed the day and year above written.

Imprimis. That whereas a grant of land having been made to us by the British Government, consisting of one hundred acres to each individual of us, through the medium of Thomas Rowles, our director, according to the Regulations of the British Government, specified in a printed circular, and issued by Earl Bathurst, Secretary of State for the Colonial Department for the instruction and direction of those persons who may become settlers under the auspices of the said regulations: It is hereby firmly agreed, fixed and determined, both by the aforesaid Thomas Rowles, our appointed director, as well as by each and every of us, that possession of the whole grant of one thousand acres of land (or one hundred acres to each individual of us) being taken in the form and manner prescribed by the British Government, shall, without exception or reserve, be for the mutual benefit of the party collectively.

That, to give efficacy to our designs respecting the settlement intended to be established by us in the Colony aforesaid, we hereby mutually and solemnly pledge ourselves to unite ourselves and our utmost efforts for the mutual advantage and support of each other in sickness and health, until the said settlement be so far established, and the land brought into a general state of cultivation, so that a distribution thereof may be made without any material disparagement in the respective shares, on which the majority of the party shall decide.

That there shall be regular stock, supported by equal contribution of the party, for the purpose of meeting the common exigencies and general necessities of the party. The said stock to be under the care and superintendence of our director and one or more of the party, whom a majority may from time to time appoint. But no part of the said stock shall at any time be applied to any other than absolutely necessary uses, unless otherwise directed by a majority of the party.

That proper books of accounts, records and so forth, be provided at

CHAP. I. the expense of the party; which books shall be under the same superintendence as the general stock, and at all times open to the inspection of any and every individual of the party, and that all receipts, disbursements, and every other incident and item affecting, or in any wise known to be connected with the general interests of the party, be regularly entered in the aforesaid books of accounts, records, etc., or the superintending parties to be responsible for such neglect.

That if it be practicable for each individual to make an equal contribution to the general stock, the distribution of the profits of the settlement, which will take place in account as hereafter shall be agreed, shall be regulated by the arithmetical rules of proportion, according to each individual's contribution to the general stock. The stock to be taken as often as a majority shall determine, not exceeding four times a year, at which seasons it is recommended that the respective members of the party do equalise, as soon as convenient, their particular interests in the general stock.

That should any individual abandon the settlement before a general distribution of the land has taken place, all that such individual may have contributed to the general stock shall be at the disposal of the majority of the party. And, likewise, if any unmarried individual die intestate, his effects shall become the property of the surviving party collectively. If a married man die, leaving a wife or children, his share of the general stock shall be continued good to the survivors of his family, at the expense of the whole party, allowing any compromise to be valid which shall be unanimously agreed to by the respective parties.

That whereas, as aforesaid, our intention is constantly to study and promote the mutual welfare of each other, we do further agree to allow every indulgence to each other consistent therewith. Therefore, it is hereby determined that a reasonable time shall be allowed to any individual of the party, who shall have occasion to require it, to traffic, trade, barter, and so forth, for his own private benefit, provided he obtains leave for so doing from an authority constituted for that purpose by a majority of the party.

That on landing in the Colony, the repayment of the deposit shall be equally made to each individual respectively, according to his respective share thereof, and to prevent his becoming burthensome to the rest of the party, he shall not dispose of his money, otherwise than for absolute necessities, without the consent of the majority, otherwise, the said majority shall be and are hereby empowered to lay such restriction on such individuals as to them shall appear just and prudent.

That it shall hereafter be deemed necessary, for the better regu-

lating our affairs more immediately connected with the cultivation and management of the settlement, a book of bye-laws shall be kept for that purpose, and any article or articles, regulations and so forth, made and entered therein and signed by two-thirds of the party shall be valid, and any one of the party offending against such article or articles, shall be liable to the restriction that these articles of agreement empower the majority of the party to make use of. CHAP.
I.

Finally. As the foregoing rules are, according to our judgment, calculated to secure and promote good order amongst us, and the general welfare of each individual of our party, we do firmly hereby, in the presence of each other, agree to abide by the same, or will be subject to all and every restriction and penalty therein contained. In testimony whereof, we hereunto subscribe our names :—

THOMAS ROWLES.	JOHN WILSON.
FRANCIS BLACKBEARD.	W. H. SURMON.
THOMAS WHITEING.	JOHN CHIPPERFIELD.
JOHN CRANE.	FREDERICK HAWKES.
JOHN SMITH.	JOHN HARGRAVES HOOPER.

TYPICAL AGREEMENT WITH PEOPLE EMIGRATING AS IN-
DENTURED SERVANTS.

Articles of Agreement made, agreed and concluded between us whose names are hereunto subscribed as well on behalf of ourselves as on behalf of those our families do agree and engage to (illegible) with Thomas Mahony of London, gentleman, his heirs, exors., admins. and assigns to give all our services in every respect which he may require of us in all matters to employ us in and to be faithful, sober and diligent in each of our occupations as directed by him, his heirs, exors., admins. and assigns, for the full term of three years, to be fully completed and ended, to commence from the time of our being located on the ground agreeable to the certificate of the Governor or any of his authorities, now granted by Government to him the said Thomas Mahony, near (?) the Cape of Good Hope, together with the service of our families and also agree to attend to his the said Thomas Mahony's instructions, and conform to the laws and rules to be stipulated by our Government, for the general benefit of our Establishments, and of the Colony. The said Thomas Mahony agreeing to feed us with regular food as generally used by the Settlers in the Colony for the aforesaid period of three years, and to clothe us after the first six months, unless he the said Thomas Mahony shall think proper to release us, or any of us from this our agreement, with two suits of clothes for each year in the manner following, that is to say with light trousers, strong pair of shoes, linen and cotton mixed shirts,

CHAP.

I.

hats as used in the Colony, light jackets and waistcoats, all of which is to be taken strict care of, and to be kept in good order and repair, the said Thomas Mahony agrees to give the parties one hundred and forty acres of ground between every four families, as hereunto subscribed, and to cultivate for them after the above period of three years, five acres ground part of the above farms, for each family, and build a residence of two rooms for each as hereunto subscribed and also to give each man, labouring farmer, seven pounds a year and each tradesman ten pounds, during the said period as before stated, in the currency of that country, and any advancements, goods or otherwise made to us here, or previous to the above stipulated period of six months, same to be deducted allowing the regular exchange, from such sums or salary as before stated which is to be paid at the end of each year after the period herein agreed commencing six months after location, and as the said Thomas Mahony is desirous of adding to the comforts of his men and their families, will build their houses and improve their respective farms, within the stipulated term of three years, by each man hereby agreeing to refund and allow to him the said Thomas Mahony all such time and expenses as he may have occupied and expended in all such improvements in cultivation and building, so as to make out to him the stipulated time and services of three years clear of all deductions whatsoever, or refund in currency of that country, such expenses as attend their improvement, and each person whose name is hereunto annexed do as well for themselves as for their families bind themselves, should they not within ten years, to cultivate this ground as Government requires, to forfeit all such claim to such their respective farms and lastly, we whose names are hereunto subscribed to bind ourselves, our exors., and assigns with penalty of £100 forfeiture for a breach of the performance of any part of this agreement and also to forfeit any claim or advantage to be derived herefrom, and do also bind ourselves under the same restrictions and penalties not to do any unjust act to or against one another, which shall be left to the decision of the said Thomas Mahony, who is to act at all times as our sole director, and further agree to embody ourselves into a militia corps under his command if he should deem it requisite for our safety, and if the said Thomas Mahony agrees to give them their liberty at any period within the stipulated period of three years, by a written notice, should he find himself enabled to comply with his arrangements without their aid. When after such written notice with such of his party as he serves same on, this agreement with those becomes void and ceases in full force and (illegible), it being regularly understood the other parties not served with such notice, remains in full force, as stipulated in

this agreement, and it is further agreed upon to execute any other Instrument, the said Thomas Mahony may deem requisite to found on the terms of this agreement, and it is further agreed when the men whose names are hereunto subscribed have fulfilled the stipulations of this agreement they are to get from the said Thomas Mahony, his exors., or assigns, a regular lease or Title to each respective farm. The expense of the said deeds to be paid for by each respective party, with a rent of 20s. a year for each farm if (illegible) to be paid unto the said Thomas Mahony his heirs, exors., admins. or assigns.

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Given under our hands this 24th day of December, 1819.

Signed in the Downs off Deal.	In witness of us
WILLIAM CLARKE, Surgeon.	JOHN HOLLAND.
ANDREW CONWAY.	WILL ^{his} X JASON.
SAM JEFFRIES.	GEO. TOMLINSON.
DENNIS HOLLAND (senr.).	THOS. ALDER.
RICHARD FREEMANTLE (senr.).	DENNIS HOLLAND (junr.).
EDWARD ^{his} X SHEAREN.	JERRY. BATEMAN.
RICH. FREEMANTLE (junr.).	JOHN SHEERUN (?).
SAMUEL FREEMANTLE.	DENNIS ^{his} X SULLIVAN.
	mark

CHAPTER II.

THE FIRST YEAR OF THE SETTLEMENT.

CHAP. II. WHEN the scheme of emigration to South Africa had well seized the public mind in England, and when also the Government had become so deeply impressed with the wisdom of the movement as to vote £50,000 towards carrying it out, the increasing enthusiasm knew no bounds. Intending emigrants had no ambition but to reach the supposed El Dorado as soon as possible ; while the Government, on the other hand, were no less desirous of ridding the country of some of the superabundant population. The hurry and excitement of the time were not conducive to that calm and detailed consideration which so serious a step necessitated. No thought seems to have been given to such questions as whether the country, to which it was proposed to send so large a number of people, was, in its undeveloped state, capable of responding to such a sudden and extensive call upon its resources, or whether the classes of people who were being allowed to proceed were those likely to succeed in the novel circumstances. Beyond the general knowledge that it was desirable to establish a British population in the district of Albany, no detailed information or advice had been sought from those in the Colony. It may be that the rate at which the scheme had developed, together with the difficulty of communication with South Africa, had precluded the possibility of any such co-operation. In any case, the first ships were well upon the voyage before the authorities at the Cape had any idea that the individuals who were soon to be thrust upon its slender means of subsistence were to be numbered in thousands. In November (1819) the Governor received the following despatch, containing the first definite information and instructions ; as its date shows, it was written about a week after Parliament had voted the money.

"LONDON, *July 20th*, 1819.CHAP.
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"MY LORD,—I have the honour of enclosing a Copy of the Letter which I have directed to be addressed to all persons applying to this Department for permission to proceed as Settlers to the Cape of Good Hope, specifying the conditions upon which alone the Government will give to them either encouragement or assistance.

"Your Lordship will observe that individuals under whose direction the Settlers proceed are respectively responsible for the whole charge of their maintenance, from the time of their landing at the Cape; and in order to obtain some security that these individuals will be able to maintain them, the deposits which they shall have previously made in this country, will begin, from that time, to be repaid to them by your Lordship under the conditions therein specified.

"There is reason, however, to apprehend that the sums which they may thus receive, may not in all cases be sufficient for the maintenance of the Settlers, until the land on which they shall be located will be sufficiently cultivated to support them. It is, therefore, very desirable that such arrangements should be made previously to their arrival, as will give the individuals who undertake the direction of the Settlers every facility in maintaining them, and in conveying them as speedily as possible to the place of their location.

"It is obvious that every delay in assigning lands to the several parties as they arrive must materially waste their means of support, and more or less influence their ultimate success. I have, therefore, most earnestly to recommend to your Lordship, in the first instance, an immediate Survey of an adequate portion of the district in which it is proposed to make the first establishment, and such a previous division of the lands into lots as may enable you at once to point out to the several parties, on their arrival, not only the district to which they are to proceed, but the particular lots of which they are to acquire possession; and it would be further extremely desirable, with a view to the subsistence of the Settlers, that the best fishing grounds on the Coast in the neighbourhood of the new Settlements should be forthwith ascertained by actual experiment.

"Your Lordship will further make arrangements for a

CHAP. II. certain quantity of rations being prepared for them on their arrival at or as near the place on which it is proposed to locate them as circumstances will permit, and these may, if necessary, be made over to the individuals in lieu of the instalments which they are entitled to receive, so far as these instalments will cover the original cost of the rations so provided, and you will also consider yourself at liberty to sell an additional quantity at prime cost, during the first six months after their location, always making it clear to them that they are not under any necessity of purchasing what the Government may have provided, if they imagine that they can procure provisions at a cheaper rate, or in a more convenient manner.

“ The vessels in which the Settlers embark will be engaged after touching at Cape Town or Simon’s Bay, to proceed to any other part of the Colony which your Lordship may direct, in order to put it in your power to avail yourself of them for the purpose of conveying the Settlers at once to the spot nearest the spot of their final location. Should any circumstances, however, render it more advisable to employ smaller vessels on this service, the expense of such vessels will be defrayed by the Government, and will therefore need to be watched by you with the closest attention.

“ After the Settlers shall be landed as near the place of location as circumstances will permit, you will afford them every reasonable assistance in procuring means of transport for themselves, their families and baggage to the lands allotted to them, and in forming their establishments in the manner most conducive to the early cultivation of the soil and to their substantial comfort. With a view to this latter purpose, your Lordship will direct the particular attention of the Landdrost of each district to the Settlers who may be placed within it, in order that they may have, from time to time, the benefit of his experience and advice and may not be involved in difficulties from ignorance of the habits of the country, or of the mode in which the industry may, in the first instance, be most beneficially employed.

“ A supply of agricultural implements will be sent out in the first ships engaged for the conveyance of Settlers with a view to your Lordship’s disposing of them to such Settlers as may require them at prime cost, or on credit, accepting

security for future payment either in money or produce as may be least burthensome to the respective purchasers. Your Lordship will also consider yourself at liberty to supply seed corn (in cases where it may appear to you necessary) upon terms equally favourable. It appears to me further that it would add greatly to the comfort of the Settlers and would discourage the attempts which may at first be made to impose upon them, if in addition to rations, your Lordship should be prepared to furnish them at prime cost and on the same terms, with other articles of the first necessity, so far always as not to interfere with the fair retail trade of the country; and generally it is my duty to convey to you the anxious wish and injunctions of the Prince Regent that in confiding these Settlers to your Lordship's care, they will not find that they have lost the protection of His Majesty's Paternal Government.

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“At the same time, however, that I have thus given to your Lordship a discretionary authority to afford assistance in every practicable manner to the Settlers who may arrive in the Colony, and who may on their arrival be unable from deficiency of means to carry their ultimate objects into effect, I deem it necessary to guard you against an impression that it is the intention of His Majesty's Government generally to take upon themselves any further expense on account of these persons than what may be incurred in their removal from this country and in their maintenance until landed in the Colony. Experience has shown that the settlement and cultivation of waste land is best achieved by the active application of the means which the Settlers on it may themselves possess; and your Lordship will not be disposed to give this further assistance except in cases where it may be essentially necessary to prevent the industrious Settler from being overwhelmed by the pressure of unavoidable difficulties.

“You will observe also that the Government have entered into no engagement with any but the individuals under whose direction the Settlers proceed to the Colony, and although it is by no means the wish of His Royal Highness the Prince Regent that assistance should be withheld from the Settlers themselves if actually distressed, yet it appears upon the whole more convenient and advantageous that you should in general afford it them only through the medium of the in-

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dividuals under whose direction they have voluntarily placed themselves; your Lordship, however, will not consider this instruction as extending to prevent your immediate interference in any case in which the Settlers may prefer complaints against the person under whose direction they are placed; but will on all such occasions use your utmost endeavours to secure the due fulfilment of the conditions into which they may have entered with their principal and that attention incident to their dependent State to which, without any stipulation, they may be considered as having a claim.

“As some of the Settlers may be artificers, who may be more beneficially employed at the Cape than at the place of their location, your Lordship will consider yourself at liberty to allow these persons to be established in any part of the Colony, provided this is done with their own consent, and with that of the individual under whose direction they may have arrived. But as the number of those who can be so advantageously employed in the Colony must be limited, I should prefer this indulgence being given to those emigrants who go out singly, at their own risk and expense, rather than to those who have received the assistance of Government.

“Your Lordship will receive Bibles and Common Prayer Books which you will distribute to those of the Settlers who may apply to receive them, and you will signify to me if more should be wanted, although after the first Settlement I do not think it would be advisable that the distribution should be gratuitous.

“I have, etc.,

“(Signed) BATHURST.”

In another despatch of a slightly later date, it was suggested that the larger parties should form villages near which the smaller ones should be located, in order that the latter might receive the benefit of the services of the ministers of religion and medical practitioners of the former as well as the better to combine for common defence. And with due regard to the susceptibilities of all, it was further suggested that “the parties arriving from the three parts of the United Kingdom should be located separately to guard against all interference and dispute on the part of others whose habits, tastes and manners

are extremely different". In connection with the larger parties the selection of a clergyman of the prevailing persuasion was permitted, and for his decent support an annual allowance and grant of glebe land were authorised.

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With this outline of the proposed scheme, Lord Charles Somerset lost no time in communicating with Colonel Cuyler in order to give it effect. From his general knowledge of the Zuurveld the Governor was able to map out the course to be followed in locating the various parties, though this could be done only roughly and tentatively as there was so little information as to the number of people to be expected. In accordance with his view of the utility of peopling the Zuurveld which he had expressed in 1817, *vis.*, that of forming a barrier against the Kaffirs, he advocated making the grants of land as small as possible, thereby, so he thought, encouraging the colonists in agricultural pursuits rather than in the maintenance of large herds of cattle. In parcelling out the country Grahamstown was to be regarded as the starting point and, on account of the protection which could be afforded, the abandoned farms nearest that military centre were to be first occupied. Locations were then to be formed along "the old line of military posts now given up between Grahamstown and the mouth of the Great Fish River, a country of great fertility and promise and capable of maintaining with industry a large population". Those parts being fully occupied, attention might then be turned to the country situated to the immediate south and south-west of Grahamstown as far as the Bushman's River, namely all that watered by the Kowie, Kasouga and Kareiga Rivers.

Mr. Knobel, the Government land surveyor, was instructed to survey these regions and to report on the quantities of arable and garden lands, as well as to describe accurately the different springs or other water which such places might contain or command. All this was accomplished and the plans received in Cape Town before the first ship arrived there.

On January 12th, 1820, Lord Charles Somerset, having received permission to return to England on private business, handed over temporarily the Government of the Colony to Sir Rufane Shawe Donkin, who had shortly before arrived from India. The Acting-Governor immediately entered, with

CHAP. II. all enthusiasm, into the preparations for the reception of the Settlers. He expressed to Earl Bathurst, on his first day of office, his intention of proceeding "to the Interior" in order to be upon the spot at the time of their arrival, and by his presence and encouragement to dispel the despondency likely to be experienced under the circumstances. He had ample time in which to grasp the situation before the settlers arrived, and with the advice and superior knowledge of Colonel Bird, the Colonial Secretary, he had the means of dealing with it in all its details. He was, however, no better informed of the extent of the movement than Lord Charles Somerset had been. Ship after ship arrived in Table Bay but no communication was received from the Colonial Office. The Colonial Secretary in writing to Colonel Cuyler on February 25th, 1820, says, "His Excellency has no further official account of the intended departure, yet it appears from the public papers that nine transports have been taken for the purpose of giving conveyance to emigrants to this place". In order, however, to be prepared for numbers which were thought to be beyond those on the way to the Cape, camp equipage for 1,500 persons was sent to Algoa Bay and the Commissariat Department was instructed to have in readiness rations sufficient for 2,000 persons for one month.

And in order that there should be the least possible delay in removing the settlers to their locations, the field-cornets of the districts of Uitenhage and Graaff Reinet were busied in travelling from farm to farm so as to get every available waggon to be in Algoa Bay when the ships arrived. In short, every endeavour was made to comply with the wishes and instructions of Earl Bathurst.

The arrival of the first transport, the *Chapman*, on April 10th was the signal for the commencement of the various activities. The surf-boats began their work on the 11th, the provisions were in readiness for immediate issue, the waggons were drawn up on the beach waiting for their loads, and Colonel Cuyler, Captain Evatt, the soldiers and others were upon the spot eager to render the first assistance. On April 29th, H. Ellis, Esq., the Deputy Colonial Secretary, arrived in the *Menai* man-of-war to act as the representative of the Colonial Government until the arrival of the Acting-Governor.

His chief mission seems to have been the prevention of any misunderstanding with the settlers concerning the relations in which they stood with the Government. He had a number of circulars printed¹ which were distributed to all who had not already left for the locations. It was made clear that, from the moment of landing, all further gratuitous supplies ceased, that the hire of the waggons for the transport of themselves and baggage to the locations was to be paid for, and generally, that from henceforth, the settlers were dependent upon themselves. And, perhaps in view of the discontented and quarrelsome state of many of the parties which had come to the Acting-Governor's knowledge in Cape Town, the circular continued: "In the different parties, obedience to their respective heads is obviously necessary to that unity of exertion which is best calculated to encounter and overcome difficulties as they arise. It is to be presumed that the mere fact of a certain number of persons having placed themselves under the guidance of an individual is a sufficient proof that the confidence reposed is deserved, and upon this principle His Majesty's Government and in conformity thereto the Colonial Government have determined to communicate only with heads of parties, thus what was naturally to be anticipated becomes imperative upon the settlers."

In accordance with the agreement made in England, the first instalment of the deposit money was paid to the heads of parties before they left Algoa Bay. Against the second and third instalments were debited the provisions, stores and agricultural implements with which the individuals were supplied. Gunpowder, of which a large quantity had been brought on the transports, was stored in the magazine at Fort Frederick and not allowed, in the first instance, to be taken to the locations.

The arrival of the *Chapman* a few days before any of the other transports gave the parties on that vessel the first opportunity of making use of the waggons which had assembled at the Bay. In spite of the pressure which had been brought to bear upon both the field-cornets and farmers the total number obtained was scarcely sufficient for the removal, at the

¹ Dated Algoa Bay, May 1st, 1820.

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same time, of those who arrived by the *Chapman* and *Nautilus*. Mr. Baillie's large party alone required ninety-one. Hence, as these lumbering conveyances took so long to travel to the distant locations and to return while the transports followed one another so closely up to the anchorage, the crowds of people upon the beach became denser and denser. It was not until July 31st that Colonel Cuyler could report that the last party had left for its location.

The inland journey was full of novel experiences for the strangers. The comfortless waggons with their long spans of twelve or fourteen oxen; the foreign-looking Dutch drivers spurring on the animals to still greater efforts by their almost alarming ejaculations, consisting of a combination of shout and scream, the loud cracking of the tremendous whips, and the dusky and almost naked Hottentot leader of the front oxen, were more than sufficient to excite curiosity and wonder. And no less novel was the country through which they had to pass. The roads for the most part were little better than the tracks of former waggons, passing now over the open veld—where, perhaps, the noise of the procession startled the antelope and sent him bounding over the plain—and then over steep and dangerous hills and along bushy paths where the tents of the waggons had to push aside the branches of the trees in order to pass through. Arriving on higher ground views were obtained of vast stretches of desolate country bounded in the far distance by mysterious mountains and perhaps covered by impenetrable bush, scenery which cannot but have impressed—it might almost be said oppressed—the least susceptible with a sense of loneliness and helplessness.

The main road from Algoa Bay to Grahamstown and the East passed, at that time, through Uitenhage. In consequence, however, of whooping-cough and other infections which had existed on the transports, the settlers were not allowed to travel through that village but were directed to take a more southerly route. In the first stage of the journey the road was in a direction parallel with the coast, and thus they had a view of the sea upon their right until, nearing the drift through the Zwartkops River, they took a last look at the distant ships which had been their homes for so many weeks. Having got the waggons safely through the river the

first outspan was reached; the oxen were freed, the tents pitched, the camp fires lighted, the food cooked and preparations made for the night. Considering that these encampments consisted, in some cases, of the occupants of about 150 waggons, the scenes must have been of some animation. The collecting together of the oxen after this and other outspans was no small business; in many instances waggons were detained for four or five days on account of the animals having wandered so far away and being perhaps lost in distant thickets. From the Zwartkops the route lay over flat and easy country to the drift of the Sunday's River, and thence to the bushy and steep roads leading up the Addo Heights. Having scaled these and passed over the Quagga's Flats, the main road was struck and thus Rautenbach's Drift on the Bushman's River was easily reached. Continuing along this road as far as Assegai Bush the long processions of waggons arrived at the spot where the parties separated, those destined for locations situated near the coast took the lower road while those going in the direction of Grahamstown kept the main road. The time taken on the journey from the landing place to the locations varied from eight to twelve days. Each collection of parties was accompanied by a field-cornet or some other official who knew the country and could initiate the strangers into the methods of primitive African travel. Colonel Cuyler himself went with Mr. Baillie's party, and located them upon the lands measured out for them at the mouth of the Great Fish River. Having accomplished that he remained in these parts until the waggons with the *Nautilus* parties arrived, and then established them upon the lands at the Upper Kaffir Drift and Kap River. As all these people were situated so near the Fish River and therefore in such dangerous proximity to the Kaffirs, a body of soldiers was stationed among them.

As each party arrived on the land assigned to it, the waggons were promptly unloaded and returned to Algoa Bay. The individuals thus found themselves and their baggage dumped down, as it were, in the wilderness and under no other shelter than that of the open sky. Left to their own resources, and apparently cut off from all assistance and protection but that which they could afford one another, despondency and a sense of their helplessness for a time overcame

CHAP. many.¹ "Our roughly kind carriers seemed, as they wished
II. us *Goeden Dag*, to wonder what would become of us."²

The tents which had been lent by the Government having been pitched, and the property, both common and personal, having been sorted out and placed in safety, the settlers' life was begun.

The appearance of the country in which their new homes were to be established was, apart from the loneliness, not altogether uninviting, but rather calculated to arouse in enthusiastic agricultural settlers the desire to commence cultivation forthwith. Unlike the flat, arid and inhospitable Karoo, the ground was covered with grass; interspersed mimosa trees graced the landscape and gave to most of the country a park-like appearance. In the more rugged regions, hills and wooded kloofs or valleys enhanced the beauty of the scene, though the latter undoubtedly were the haunts of the "wild beasts of the field" of which many of the strangers left their native land in such dread. The general appearance of Albany was then, as now, one of fertility, needing only industry and determination to make it yield wealth and support a large community.³

¹ Mrs. Cawood, daughter of Mr. William Pike of the Nottingham Party, in an interview with the author, said: "Though I was only a child at the time, I quite well remember our arrival on the location. I remember that while the waggons were being unloaded, prompted by curiosity, I ran down to look at the small river which was near and on my return I found my mother sitting on a large box and crying. On asking her what was the matter she said she was afraid, she thought the tigers and wolves would come that night and eat us up."

Mr. Goldswain in his diary says: "On reaching our destination (near Jager's Drift) we found on the spot where we had been put down many of the posts of a cattle kraal which had formerly stood there and also the ruins of a dwelling house. All of these things were more or less burnt. At that time we did not know what this meant, but subsequently we learnt that the farmer and his family who had resided there had been murdered by the Kaffirs, and that all his cattle had been carried off. . . . The morning after our arrival we commenced searching for a place to build on and also for land which might be cultivated."

² Dugmore's *Lecture*, p. 9.

³ A striking object lesson on the wealth which the Albany lands are capable of producing in return for energy and enterprise was the exhibit at a recent Agricultural Show at Grahamstown (1910) of C. Gardner, Esq., of "Harvest Vale" on the Bushman's River—a farm adjoining one of the locations of the 1820 settlers. Altogether, the exhibit consisted of about 240 different products from this farm, comprising wool, ostrich feathers, varieties of game, 72 different grasses and fodder plants, cotton, flax, chicory, linseed; besides the ordinary fruits, grapes, pineapples, oranges and naartjies, many varieties of vegetables, beans (dry), pumpkins, maize, and also the commodities made from these raw products, *vis.*, bacon, biltong, preserves, jams, pickles, liqueurs, cider and vinegar.



Photo: W. White Cooper, Esq., M.A.

CLUMBER, LOCATION OF THE NOTTINGHAM PARTY

Note.—The party was put down where the tennis court is shown

As soon as sentiment and reflection in some and, perhaps, the excitement arising from the novelty of the situation in others gave place to the sober realisation of their circumstances, attention was turned to the selection of sites for homesteads and the preparation of material for erecting more permanent and substantial dwellings than the Government tents. In order that every facility might be afforded the settlers in this respect, circular letters were issued on May 24th, 1820, giving them permission, during the ensuing twelve months, to cut any wood and thatch for building purposes. Hence, before long, the hatchet and adze were busy in fashioning poles and rafters, while rushes and reeds were collected for thatching. Speaking generally, the first huts or cottages were of wattle and daub, and consisted of two rooms of about ten feet by twelve feet each. Doors and windows had to be of the most primitive type; there being no planks for constructing the former, the entrances were closed by something of the nature of a mat or rug, while in the case of the windows a piece of calico nailed over the opening formed a substitute for glass. These were, so to speak, the more aristocratic residences; there were, however, some of a more lowly type, prepared "by digging out holes and burrowing in the ground and placing a slight covering over their excavation, while others again filled up interstices between perpendicular rocks".¹ These were probably the habitations of those who had no intention of remaining upon the locations longer than they could possibly help.

The means of obtaining their food were as primitive as their habitations. Though they had not to hunt and catch their meat, yet the difficulties they encountered in conveying to their locations what was provided by Government were scarcely less arduous and uncertain than those experienced by adventurers first entering an uninhabited country. The rations of meat were served out in the form of live sheep. As the distances over which the animals had to be driven were, in many cases, of several miles and, in places, through rugged and bushy country, and as many of the "agriculturists" knew as little about driving sheep as they did about agricul-

¹ William Shaw, *Story of my Mission*, p. 42.

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ture, the sheep caused wide deviations from the main path and great trials of temper; even then the drivers often arrived home with but a small proportion of the animals with which they started. The flour for bread had, in most cases, to be carried either on the backs of the men themselves or, at greater risk, on the backs of oxen. In both cases instances are on record of the valuable load becoming damaged in consequence of falling into the water while wading through the rivers. Besides bread and meat, such commodities as tea, coffee, sugar, candles and soap were also supplied from the central depots, the cost of all these issues being debited against the second and third instalments of the deposit money still in the hands of the Government.

The cultivation of vegetables became the next concern after the habitations were completed, and before long a fairly plentiful supply was obtained. The proceedings of some, in this connection, were quaint and indicated originality. One individual, in the hope of raising a crop of carrots, placed the seed at the bottom of a trench about two feet deep. A friend, more knowing, who happened to pass just as the burial was completed, remarked that those carrots would sprout out in England before they did in this country!

"In another case, a man wishing to get some mealies for seed, applied to his neighbour who had obtained a supply just before, but found he had planted the whole without knocking it off the cobs! A third person planted out a lot of young onions, root upwards. The results of these blunders rather disgusted some of the *Cockney gardeners* as the wags called them."¹

From such indications as these, as well as many others, it very soon became clear that a large proportion of the newcomers were not in the least likely to carry into effect the views of those whose main object was the settlement of a dense agricultural population in the Zuurveld. Regarded from this point of view the movement was a decided failure. There were, however, other ways in which the Colony might be, and eventually was, benefited by the enterprise of the pioneers of 1820. Mr. Moodie, in his endeavours of 1817, had not by

¹ Dugmore's *Settlers' Jubilee Lecture*, p. 16.

any means overstocked the labour market, nor had he materially diminished the demand there was in the country for artisans and skilled workmen. Many of the settlers who described themselves as agriculturists in England while endeavouring to join in the emigration rush, found, when they arrived at the settlement and saw the circumstances under which they were to live, that they were goldsmiths, jewellers and even painters on porcelain, engravers of armorial bearings and of other "ornamental trades". The impossibility of such being employed upon the locations with any advantage either to themselves or to the settlement contributed in no small measure to the breaking up of many of the parties which so soon took place. Advantageous to the Colony as the true agriculturists and skilled workmen were, there were yet others who, though the time was scarcely ripe for the exercise of their special abilities, were eminently the kind of men needed by a country in the earlier stages of its development. Men of gentle birth and good education might perhaps be of small use upon the soil or in the workshop, but in the fulness of time they were sure to be invaluable to the country in the Legislature and the more intellectual walks of life.¹

¹In Bailie's party, for instance, there were some who soon devoted themselves to the public service of the Colony, both officially and unofficially, and eventually rose to honourable distinction. Although the consideration of their public lives belongs to a slightly later period, it may not be out of place to make mention of them here. Mr. (afterwards the Honourable) Robert Godlonton, Member of the Legislative Council, fought with his pen bravely, and for so many years, the battles of the early Eastern Province. Mr. (afterwards the Honourable) John Centlivres Chase, Member of the Legislative Council, sometimes known as "the father of the Eastern Province," besides serving the country in such official positions as Civil Commissioner and Resident Magistrate first at Aliwal North, which town he founded, and then at Uitenhage, did a vast deal to develop the trade in the East. Mr. Thomas Stringfellow became C.C. and R.M. of Fort Beaufort, and Mr. Thomas Price Adams devoted a valuable life to the public good. But of all the valuable acquisitions which accrued to the Colony from this "settlers" movement, the BOWKER family stands out pre-eminently. Mr. Miles Bowker was the head of a small party consisting of his eight grown-up sons, one daughter and eight servants. He was a gentleman of good birth and education and had possessed considerable wealth. It is of interest to note that he was a direct descendant on the male side of John Bouchier, one of the regicide judges, who signed the death warrant of Charles I., and whose daughter, Elizabeth Bouchier, married Oliver Cromwell. The next generation, disapproving of these actions, changed the name to *Bowker*. The silver seal with which John Bouchier attached the family coat of arms to the death warrant is now in possession of Duncan Bowker of Cape Colony, the grandson of Miles Bowker. At the age of fifty-six Miles Bowker decided to emigrate to the Cape. Lord Falmouth, in intro-

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That all these people would not settle down in the well-ordered arrangement which had been preordained was most evident from their first landing. The want of unanimity which had manifested itself at sea became more accentuated on shore. The desolate appearance of the country, the concern and disappointment which were created when it was discovered that a long inland journey at their own expense¹ was to be undertaken, and the grievances which many considered they had against their respective "heads," all tended to demoralise a crowd already predisposed to disunion.

Colonel Cuyler, in writing to the Colonial Secretary on

ducing him to Lord Charles Somerset, said: "Mr. Miles Bowker is of a very respectable Northumberland family, his inducement to emigrate at an advanced age is the laudable one of sacrificing the comforts of this country to make some provision in life for his eight sons". The party arrived by the *Weymouth* and were located near the coast, about half way between the Kowie and Fish River mouths. Lord Falmouth's letter was productive of the following instructions to Captain Somerset at Grahamstown: "Algoa Bay, June 8th, 1820. Sir,—In locating Mr. Bowker's party which leaves this day, I have His Excellency the Acting-Governor's directions to request that you will be pleased to have an additional 100 acres of land measured to this grant in consequence of the great respectability of that gentleman. Signed, A. S. Cloete." It is not possible, in this place, to give even a list of the acts of bravery, political distinctions and the losses and sufferings—the usual reward of self-sacrificing devotion to the welfare of the East—which are associated with the names of the sons of Miles Bowker. Suffice it, at present, to say that they fought for their country in all the Kaffir wars, not merely in the rank and file, but as leaders and commandants of burghers. We find Bowkers as diplomatic agents with Kaffir tribes, in the House of Assembly, in the Legislative Council, as Resident Magistrates, in short, in all situations of delicacy and responsibility. Their sterling worth and the value of their services were, for the most part, appreciated and recognised by a grateful country—after they were dead.

The daughter, Mary Elizabeth (afterwards Mrs. Barber), merits more than passing notice. She was remarkable for her vast and accurate knowledge of the plant and insect life of South Africa. Charles Darwin owed much to her for the information she gave him in these matters in connection with the famous "Origin of Species". Her numerous, beautiful and accurate water-colour paintings of insects and flowers now adorn the walls of one of the rooms of the Albany Museum in Grahamstown and are justly prized as one of the most valuable treasures of that Institution.

¹This item for waggon hire was no small consideration. Although the farmers were not to charge the settlers at a higher rate than that allowed them by Government for military transport, yet, in consequence of the number of waggons required, and the distances to be traversed, the sums which became due by the heads of parties on this account were about two-thirds of the *whole* of the deposit money. In Mr. Baillie's party, for instance, the waggon hire amounted to 7,142 Rds., the whole deposit money, in Cape currency, being 13,000 Rds. Again, in Mandy's case, 841 Rds. out of a total of 1,400 Rds. became due. All these sums, however, were eventually remitted by the Government.

April 29th, 1820, reporting his procedure in accompanying and locating Bailie's party, said: "I am sorry to say that I observed the greatest dissatisfaction and want of unity among them, few of the settlers confiding in Mr. Bailie and many wishing to form separate settlements, indeed, several wished not to remain on the lands assigned. Unfortunately these people are almost to a man Londoners and several of them are first-rate tradesmen in their line, and the location allotted to them is not, to first appearance, so inviting as many spots they passed through in their route. If permitted I doubt not but many of them would remove to one or other of the Drost-dies to set up in their respective trades, several of them have, in fact, made this application to me." Again, writing from Thorn Ridge, while waiting for the parties from the *Nautilus* to arrive, he said, "I hope the succeeding parties are of a very different stamp from Mr. Bailie's. I doubt if the half of them will be on the location this day month."

With a view to suppressing the disunion, which had become so evident from the petitions which were presented in Cape Town and, presumably, to prevent the disintegration of parties in general, the Acting-Governor caused the following circular to be distributed among Mr. Bailie's people: "Much disunion and discontent appearing to exist among you, you are hereby informed that no permission will be given to any individual whosoever to separate from the party, until satisfactory proof can be adduced that such separation does not interfere with the general design of His Majesty's Government in providing a gratuitous passage. You are further informed that as the deposits stand to the credit of Mr. John Bailie, the same will be repaid into his hands for distribution to the respective owners. The grant of land will also be made out in his name for subdivision according to mutual agreement. No credit for rations or agricultural implements will be given by Government except to the individual in whose name the deposit has been, or may be credited. At the same time the issue of rations received from the Commissary is not optional, but peremptory with the person who may draw them in the name of the party, the sole reason for his obtaining the same being the wants of the individuals on the location. Continuance of disunion must be attended with inevitable distress to

CHAP. II. yourselves and families, and upon yourselves will rest the dreadful responsibility of the misery that must ensue, for no exertion has been wanting on the part of the Government at home, and on the spot, to place at your disposal the means of success. Heads of parties independently constituted can only obtain confidence by zealous attention to the wants of the persons under their direction, and the latter are bound to repay exertion by cordiality and friendly deference.

"You are also further to recollect that the display of such unsocial feeling is highly discreditable to your national character as Englishmen, and must necessarily lower you, from whom superior conduct and knowledge might have been expected, in the estimation of the resident colonists.

"This will be delivered to you by the District Messenger who will wait to receive a report of your late meeting, and it is confidently hoped that the same will enable His Excellency the Acting-Governor to view you as persons still deserving the paternal protection and assistance of His Majesty's Government.—H. ELLIS, *Dep. Colonial Secretary.*"

Government persuasion and reprimand, however, could neither consolidate the irreconcilable elements of Mr. Bailie's party nor create among the London mechanics and artificers a desire for farming pursuits. There was therefore nothing to be done but to comply with the requests to subdivide and reform under other heads. This was sanctioned on May 19th—within a month of their arrival on the location. On the 24th, that is, before all the transports had arrived in Algoa Bay, the first step towards the dispersion of settlers took the form of a private and confidential communication to the Landdrost of Albany, authorising him to use his discretion in giving permission to those pursuing "ornamental trades" to leave the locations for the period of one month; though no such indulgence was to be accorded to those whose occupations were of first importance to the settlement, such as smiths, masons, house carpenters and wheelwrights.

During the months of May and June, the work of allotting the country to the various parties, as they arrived in the long trains of waggons, continued briskly. In accordance with Lord Charles Somerset's view of the means of frontier protection which this acquisition of population was to afford, the

locations first assigned formed a rough line, first line of frontier defence as it might be called, extending from the mouth of the Fish River to Grahamstown. The country between the Kleinmonde and Kowie Rivers was then more or less filled up, and finally, as still more land was required—especially on the arrival of certain parties from Saldanha Bay, for a reason yet to be explained—lands along the Kareiga and Bushman's Rivers and their tributaries were utilised.¹

Considering the few officials, namely, Colonel Cuyler, Captain H. Somerset, the acting Landdrost of Grahamstown and the land surveyor, Mr. J. Knobel, on whom fell the onerous labours of disposing of the large numbers of strangers, and considering also the wide extent of the country over which they were to be dispersed, it is not surprising that mistakes were made, and that unforeseen circumstances necessitated deviations from preconceived plans in locating the parties. In some cases, this led, unfortunately, to the removal of a party from one place where considerable enthusiasm and industry had partly raised habitations and prepared gardens to another where all had to be recommenced. This happened with the large party under Mr. Sephton, which was, in the first instance,

¹ Commencing from the Fish River, the following are the locations which formed the line above mentioned: Bailie's (called Cuylerville in honour of Colonel Cuyler), Mouncey's, Wainwright's, Hayhurst's, Bradshaw's, Phillips', Greathead's, Erith's, Dixon's, Dalgairn's, Pigot's, Stanley's, Howard's, Morgan's, Carlisle's, Mr. Bishop Burnett's (hired ground), then Grahamstown was reached. In front of this first line and in the positions of greatest danger were Scott's, Rowles', and Mandy's locations on the lower portion of the Kap River; on this same river more to the north were Smith's, Turvey's and Mahony's. The Clay Pits, the most easterly location, from its capability of affording the supplies of the red clay which was so prized by the Kaffirs for ornamental purposes, was that most likely to be visited by the natives and was, in fact, the first to be attacked. The whole of this line was in occupation by May 16th, 1820. Between the Kleinmonde and Kowie Rivers, towards the south, were Bowker's, George Smith's, W. Cock's, Thornhill's (at the mouth of the Kowie), Osler's, Ford's, Hyman's and James's parties. Adjoining these on the north were the extensive lands assigned to the Nottingham party (Clumber) and Wilson's party. To the west, either in more isolated positions or in contiguity with the Dutch farmers, the large party under Hezekiah Sephton (the Salem party), Biggar's, Menezes' and Parkin's parties were situated. Wait's location was on the Bushman's River near Jager's Drift. A small party of thirteen men, three women and eight children under Mr. C. Gurney did not go to the Zuurveld, but took up a position at the mouth of the Zwartkops River, which they called Deal, in memory of the Deal in Kent from which they came. They were all fisher-people, and endeavoured to establish a fishing industry in that part.

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located at Riet Fontein, near the Kowie, and then was removed to the position now known as Salem. It is but fair to state that this, the "Salem party," seem to have submitted to all this trouble with little murmur.¹ It may be further stated that although one of the largest of the parties, they stood out conspicuously in the determination shown to make the best of the circumstances, to work harmoniously together and, as they were, for the most part, a religious community, to act up to high ideals of duty.

The small scale on which the grants of land were made to the settlers was, in a very large measure, responsible for the

¹ Mrs. Gravett, a nonagenarian and former member of Sephton's party, in relating her early experiences to the author, said: "We went in the waggons to our location at Reed River Fountain. When we had been there about a year and had built houses and planted gardens, we were turned off the lands. We were told that the place had been promised to Major-General Campbell and his party and that the General was coming to occupy it. We greatly resented this, but we had to put up with it. On our removal we were located at Salem, and when we had been there about four years, many of our people began to leave as there was no work for them and they feared starvation." At their first location they had been kept in suspense for some time, for on August 23rd, the Acting-Governor received a memorial from the party asking to be relocated on their own lands as soon as possible. The only answer it was found possible to send them was, that though the Acting-Governor regretted the inconvenience the party was suffering, he was unable to relieve it. The truth of the matter probably was that these poor people were being victimised to suit the convenience and arrangements of a Major-General Campbell who had, for some months, been expected to arrive in the settlement. He was a soldier of some distinction, having been Commander of the Forces in Newfoundland. Retiring from the Army and possessing considerable capital he decided to avail himself of Lord Bathurst's offer of a grant of land at the Cape to all who would, at their own expense, take out a number of settlers as servants. On the understanding that his party was to consist of one hundred, he was granted that fine tract of land around what was then known as Lynch's old post and which the General afterwards named Barville Park—the name it still bears. He himself did not arrive in the Colony until December, 1820. In order to reserve his land he sent out a small party of twelve in the first instance and others afterwards. The total number, however, only amounted to twenty-seven, and eventually the grant of land was cut down accordingly. He did not reside long upon his estate, for he died on May 9th, 1822, from the effects of a fall from his horse while riding from Grahamstown to Barville Park. His grave is now in the Botanical Gardens in Grahamstown.

Among other parties which were ousted from their original places, mention may be made of that of Hyman. That party was located on two different spots before the third was finally settled upon. Ford's party in like manner was shifted from place to place. In a petition which Ford sent to Government in May, 1822, he says: "We have been twice removed from one location to another, and four of us three times in November last in consequence of the Surveyor giving the land we then occupied to the adjoining party (Hyman's), thereby depriving us of a crop of vegetables".

confusion and trouble which ensued. A grant of 1,200 acres or 600 morgen, for instance, to which a party of twelve men with their families was entitled, sounded, to ears in England, a fine estate. The quality of the land and the subsistence which could be got from it were strangely overrated. The Home authorities seem to have been ignorant of the fact that a Boer farm was usually of 6,000 acres (3,000 morgen), that is, as large as the extent of land on which it was proposed to establish sixty Englishmen. The land-surveyor himself was well aware of the mistakes which were being made, for in locating some of the parties he advised them not to erect beacons, as enlargements of the grants would, in all probability, soon have to be effected.

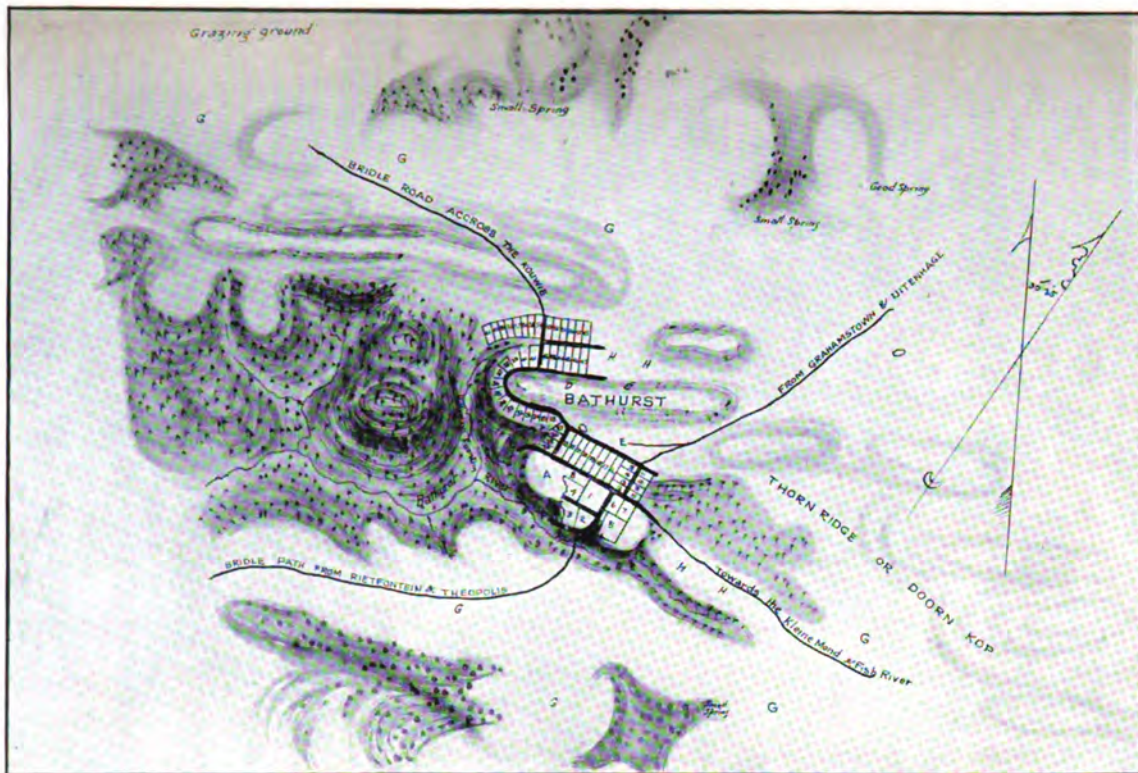
In all these concerns of the settlers, the Acting-Governor, Sir Rufane Shawe Donkin, took the utmost interest and spared himself no fatigue or inconvenience in caring for them in their homeless condition. As soon as his duties permitted him to leave Cape Town, he went to the East and arrived in Algoa Bay during the busiest period of disembarkation. By the warm welcome and kindly words which he had for each boat-load of strangers as they arrived from the transports; by his moving about the country among the locations, giving advice here and encouragement there, he caused these people to realise that though thousands of miles from their native land they were yet under the paternal care of the British Government. As the greater number of people were located at distances of many miles from Grahamstown, and as there had not been wanting indications of the necessity of some ruling hand among them, he decided to select some spot within easier access and upon it to establish a township and administrative centre. The place chosen was a beautiful and fertile tract of gently undulating country, situated about four miles to the east of the Kowie River and about eight miles from the sea in a straight line. It was, as it were, just behind the first line of defence, and from it, as a military station, it seemed possible to act promptly and effectively in protecting the line of locations. A small river, a tributary of the Kowie, passes through it and in the vicinity there is abundance of timber and limestone; a more eligible spot therefore could hardly have been selected. In honour of the Secretary

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II. BATHURST. This was early in May, 1820.

On the 23rd of that month the Acting-Governor appointed a Captain Charles Trappes, of the 72nd Regiment, to take up his residence—a marquee—at Bathurst and to act in a somewhat indefinite manner as magistrate. The chief object of the appointment was the maintenance of peace and order among the people who were considered to require merely advice and admonition rather than the enforcement of law. He was made acquainted with the conditions under which the people came to the country and held the lands and was to do all he could, without being enabled to inflict any penalties, to enforce fulfilment of reciprocal contracts between masters and servants, and, generally, to manage the settlement. After a few months, however (*viz.*, September 15th, 1820), it was found necessary to augment his power and to create him a Provisional Magistrate. All the locations enclosed by a line drawn from the Fish River at Mahony's location to Jager's Drift on the Bushman's River and the sea were defined as being within his jurisdiction. In order further to deal with cases in which the settlers were concerned, and which had to go before the ordinary Court of Landdrost and Heemraden, most of whom were Dutch, special Heemraden were appointed from among the settlers themselves. At this date, Captain D. Campbell and Major George Pigot were authorised to act for Grahamstown and Mr. Thomas Phillips for Bathurst, to whom special warrants were issued.

The site of the township of Bathurst having been decided upon, the land surveyor was soon busy in dividing up the land into plots for public and private occupation. On September 9th, the plan was approved of and, in order to encourage a start in the erection of dwellings, the Acting-Governor authorised eight building plots or erven to be given gratis to those who were willing to commence to make Bathurst a reality.¹ Plans were also drawn out for a Drostdy House on a somewhat extensive scale, that is, extensive considering the small

¹The following were the recipients of the plots (*vide* letter to Captain Trappes, August 18th): Major Holloway, No. 36. Mr. Thornhill, No. 41. Mr. Burnett, No. 38. Mr. Biddulph, No. 39. Captain Campbell, No. 43. Major Pigot, No. 40. Mr. Phillips, No. 42. Captain Trappes to choose any two.



TOWNSHIP OF BATHURST

- | | | |
|---------------------------------------|-------------------------|-------------------|
| A Site for Drostdy | B Site for Offices | C Site for Church |
| D Site for Prison | E Site for Market Place | GG Arable Land |
| HH Land adapted for Extension of Town | Surveyed Aug., 1820 | |



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way in which the Eastern public buildings were sanctioned at that time. The cost was estimated at 12,000 Rds. (the sum which was considered sufficient for the *whole* of the public buildings in Grahamstown, a few years earlier). This was approved of and very shortly the building was commenced. Sir Rufane Donkin visioned great things for Bathurst. Not only was it to be the chief administrative centre for the country occupied by the settlers, but it was to take precedence of Grahamstown and to become the official head-quarters of a new district which he proceeded to create. By the Proclamation of Sir John Cradock on January 7th, 1814, the district of Albany was somewhat indefinitely described as "that part of the district of Uitenhage, formerly called the Zuurveld". Sir R. Donkin re-determined the limits of Albany by a proclamation issued on October 13th, 1820, in which he said: "I do, therefore, hereby give notice that the Province of Uitenhage shall henceforward be limited and bounded on the East by the Bosjesman's River and consequently that the country to the Eastward thereof, with the newly acquired territory between the Great Fish River and the Keiskamma, and including the Field Cornetcies of Upper and Under Bosjesman's River, of Brintjes Hooghte, and of Albany Proper, shall form the Province of Albany, whose chief place and seat of Magistracy shall be the Town of Bathurst," and further, "I have named as Landdrost, Colonel Graham".

Though the Acting-Governor, in all these developmental schemes, was influenced by no other motive than that of giving the greatest effect to the intentions of the British Government and of promoting the happiness of the settlers, yet he seems to have been rather precipitate in many of his actions, and not to have been fully alive to the dangers of living so near to the frontier or to the steps which had been taken to avert them. Otherwise it is difficult to conceive how he could have made such a mistake as to include the Neutral Territory in the "Province of Albany," thereby causing the violation of the agreement which Lord Charles Somerset had made with Gaika, relative to that territory being occupied by neither whites nor blacks. It must be borne in mind, however, that Sir Rufane Donkin was called upon to act, as it were, in an emergency. With practically no experience in South African matters, he

CHAP. II. arrived in the Colony from India on sick leave and, in this large emigration scheme, found himself immediately face to face with one of the largest problems with which any Governor has had to deal. Mistakes under such circumstances were inevitable. Many of his actions were, at a later date, called in question and, when dealt with, he received but scant justice from the Home Government. His foundation of Bathurst and the establishment there of a magistracy were undoubtedly wise steps, but, as will be seen later, the latter measure was soon reversed and the former thereby rendered almost of no effect.

Complaints, reports of misconduct and violations of agreements between heads of parties and their followers poured in upon Captain Trappes from the moment he took up his position in the new township. In some cases, heads of parties acted unfairly in the repayment of the first instalment of the deposit money which had been placed in their hands; in others, they refused to draw rations for their followers, or, having done so, behaved improperly in their distribution. Masters did not, in many cases could not, pay the servants they had indentured to themselves, while, on the other hand, servants even when well treated deserted or refused to work. There seemed to be little else than discontent and chaos throughout the settlement.¹

¹ The following abridged extracts from the correspondence between Captain Trappes and the settlers will illustrate all this, as well as throw interesting sidelights upon the actual life of those people in the earliest days.

On May 25th, 1820, the party under Thomas Rowles complained that he (Rowles) had refused to be answerable for any more rations supplied by the Government, notwithstanding they were daily toiling to erect small huts to protect themselves from the inclemency of the weather. It might be stated here that during the first few months after landing rainy weather prevailed; scarcely a week passed without heavy downpours accompanied by high winds. They felt aggrieved that Rowles had a comfortable marquee, while nine of them with their families had only three small Flanders tents. As T. Rowles "is not a man of high probity" they ask to have someone more competent placed over them. In answer to the charges against him, Rowles stated that he had incurred the displeasure of his party in obeying the Government instructions with reference to the distribution of the brandy and groceries. When the stores arrived at the marquee, the men demanded instant issue of the whole of the brandy which was to have been given to them in small portions from time to time. Being refused, Francis Blackbeard and John Wilson forcibly carried off the whole barrel as well as the tea, sugar and other provisions and then placed Rowles himself upon short allowance. The ill-feeling in this party seems to have commenced as it did in many others, with the sense of injustice which was created in the minds of the subordinate settlers by the director having procured goods during the

Looking upon these matters at this distance of time, when it is possible to take a comprehensive view of all the circum-

privileged visit to Cape Town and selling them at exorbitant prices to the less fortunate on board the ships.

Mr. George Dyason fell foul of his party in that, in violation of his agreement with his people, he had not supplied them with sufficient food and clothing; "no cooking utensils, no soap or candles". Mr. Dyason acknowledged that there was some justice in the complaint, though there was something to be said on his side. He had endeavoured to procure supplies in Cape Town but had been unsuccessful. Thinking to find a town at Algoa Bay, he was again disappointed and so was then waiting until the resources of Grahamstown would set matters right. He had, however, supplied some stores which had been lost or spoilt by the neglect of some and the drunkenness of others.

James Ford, a sub-head of Bailie's party, would recognise only 10 rix-dollars to the £1 instead of 13½, the proper rate of exchange, in the repayment of the first instalment of the deposit money. This, together with allegations concerning the improper use of the party's rations, led to mutual recriminations and want of confidence in Ford.

Mahony's party at Clay Pits (Martindale) was the scene of much disorder. Captain Trappes, writing to Captain Somerset at Grahamstown on July 20th, said: "Eleven of Mahony's men having deserted, I have taken the liberty to order them to appear before you at Grahamstown, and should they not be able to give a satisfactory account of themselves, may I beg of you to have the goodness to commit them to the tronk". A general mutiny broke out among this party. Every effort was made by the authorities to conciliate the discontented but of no avail. On October 2nd the Court of Landdrost and Heemraden came to the conclusion: "That it is absolutely necessary that the whole and every one of Mr. Mahony's people be released from their agreement with said Mahony and the party be dissolved" . . . "till His Excellency's opinion be known the whole party is detained at Grahamstown on the public works".

Thomas Owen (according to the complaints against him) refused to issue corn and meat to his people who were actually starving. Repeated application to him was unavailing. He said his people were dissatisfied (perhaps not unnaturally) with him and that therefore he refused to have anything more to do with them. The matter was brought before the Colonial Secretary. H. Ellis, writing to Trappes, June 9th, 1820, said: "Mr. Owen's resistance must be met by a threat of removal from the Colony, and a severe reprimand for his inhumanity in refusing to procure articles required by his party, this proceeds upon the supposition of the facts being such as are stated in the enclosed letter". And so on through a voluminous official correspondence.

The following from a private source, namely Mr. Goldswain's diary, already quoted, may further be adduced. Immediately after the arrival of the party at the location and the selection of a site for their master's residence, the men were set to work at felling timber and cutting it up for "quarterings for doors and windows" and other purposes; at collecting thatch for the roof and, in short, doing all that could minister to the welfare and comfort of Mr. Wait. Their labours in this connection continued for several weeks, during which time they lived in the tents lent by the Government and, as food, received daily "three quarters of a pound of meal (corn ground but not sifted) and two pounds of very poor meat, it had no fat to fry it in". When, through the exertions of his servants, Mr. Wait was comfortably settled, he was asked by them for the pay which was then due. They received as answer that he could not pay them nor could

CHAP. stances, it is scarcely surprising that it was so. A large
II. number of people of different dispositions, social conditions

he comply with their request to give them more and better food. They then asked to be liberated from the agreement they had made with him, and to be allowed to seek a more profitable sphere for their labours; this also was refused and thus trouble arose. According to Mr. Wait, the party mutinied in September. One man threatened to shoot him, another endeavoured to seize the house which his unrequited labours had contributed to erect and all refused to do any further work. Some of them deserted and succeeded in escaping entirely from the settlement. The writer of the diary with six others walked to Grahamstown, a distance of twenty-eight miles, and brought the matter before the notice of the landdrost. Mr. Wait appeared and amicable relations were established for a time—*vis. a. fortnight*—when it became clear that it was impossible for the party to hold together. This time six women walked to Grahamstown with accounts of Mr. Wait's ill-treatment of his party. A constable having been sent to arrest Wait and to summon the remainder of the party to appear before the Board of Landdrost and Heemraden, all appeared in Grahamstown and as there was no other accommodation, they were lodged in the tronk for four days. Under the mistaken impression that Wait's location was in the district of Uitenhage, these people were made to walk a distance of about a hundred miles to that town and to appear before Colonel Cuyler. Having been lodged in the tronk there for four days, it was decided that the matter came within the jurisdiction of Grahamstown. They had therefore to return, but this time they were provided with waggons. On the road they were joined by some of Mahony's party under escort. Captain Somerset in deciding the case, gave Mr. Wait some advice in language more forcible than polite and granted to each servant his discharge from the agreement made in England. They obtained their Colonial passes and scattered to different parts of the country in search of work. Thus this party was broken up, and in much the same manner others came to an end before the close of 1820.

The behaviour of Mr. Thomas Willson, the architect and agent, in his relation both to his party and to the Government at the Cape as well as his conduct in England, calls for passing notice. As has been stated, unanimous dissatisfaction against him was manifested on the *Belle Alliance* at Simon's Town when his followers discovered that they had been defrauded in being called upon to pay the extra £5 deposit money. The ill-feeling was aggravated by Mr. Willson's attempt to obtain each individual's signature to a document in which he claimed certain unfair privileges and recognition of what he termed his manorial rights on the lands which were to be allotted to the party. When he arrived at Cape Town, presuming upon a letter of recommendation from Lord Bathurst, couched as most of that nobleman's letters were, in cautious and non-committal language, he assumed a lofty and somewhat insolent demeanour towards the Colonial authorities and seems to have expected to be permitted to settle in the Colony wherever he chose. When told that he was to go to the Zuurveld, he was well-nigh overcome with horror and expressed his conviction that his people on hearing this would mutiny and "assassinate him upon the altar of duty". He suggested that such a calamity might be averted by making him a "magistrate in the interior," a surveyor of Crown lands, a vendue master "or any other situation which is calculated to excite respect and assist me in my responsibility". He realised in the end, as many others have done since, that a truly great and worthy man is respected as much in South Africa as he is in England, but an upstart, with no other qualification or recommendation than that of origin in, and

and occupations was dumped down and restricted to a limited area in a new and practically untried country, and all were

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inability to rise from obscurity in Great Britain, will not suddenly burst into eminence and importance as soon as he lands in this country.

When the party arrived at Algoa Bay, stores, implements and other necessaries were served to them, which, according to Mr. Willson's arrangements, were to be regarded as the equivalent of the extra money. But, as with other settlers, these were debited against the second and third instalments of the ordinary deposit of ten pounds. The people therefore demanded a refund of the sums which they felt had been obtained by unfair means. Mr. Willson refused. Captain Evatt, being made acquainted with the state of affairs, endeavoured to act on behalf of the aggrieved, but without success; he therefore took it upon himself to refuse to supply, without prompt payment, any provisions to Mr. Willson and his family.

In due course this party, in sixty-nine waggons, left Algoa Bay for the lands assigned to them, about five miles from Bathurst. They arrived in the afternoon. The next morning Mr. Willson gave some vague instructions, relative to the location of the individuals, to the Rev. W. Boardman, an English Church clergyman who accompanied the party, and then returned to Algoa Bay and never again visited the location. As the party was without a head and therefore, according to the regulations, incapable of communicating with the Government or drawing rations, steps were taken to compel Mr. Willson to do his duty. Both Captain Trappes and Colonel Cuyler brought pressure to bear upon him, but with no further result than that he expressed fear for his life should he return, and concern for Mrs. Willson who, in consequence of the disappointment of having to journey "into the interior," was suffering from an inflammation which threatened to turn to gangrene! "I have wholly discharged my public duty to the party," said he, "and lament the time and toil I have hitherto so imprudently wasted in my late unthankful and arduous undertaking." Unabashed by anything of this, he made application for a grant of 1,000 acres for himself. In conveying the Acting-Governor's refusal, the Deputy Colonial Secretary said: "I have to express to you the dissatisfaction with which His Excellency has learned that you have thought fit, from motives of private inconvenience, to abandon your party at the very moment when it might have been expected that you would specially devote your personal exertions to their location". In the meantime Mr. Boardman became head of the party. In December, 1820, Mr. Willson returned to Cape Town and seems to have found little else to do than to bombard continually the Colonial Secretary with long and tedious descriptions of his "arduous," "painful," "self-sacrificing" and "excessive trials" on behalf of his "brutal party," and persistent requests for "an estate". After a time he became greatly reduced in circumstances—almost bordering on actual starvation. He was, out of pity, allowed free quarters in the barracks at Simon's Town until October, 1822, when Lord Charles Somerset procured for him a passage back to England on the *Leander*. This, however, was not the end of Mr. Willson as a public character. Arriving in England, he conferred the favour of his voluminous correspondence upon the Colonial Office direct. In the earlier stages, the attitude he adopted was that of assurance of receiving sympathy and "estates" by the mere recital of his grievances and the services he had rendered the Colony; in consideration of which there had been a disposition, so he said, on the part of the Colonial authorities to create him a magistrate. Finding, however, that Lord Bathurst also considered that he (Willson) had forfeited all the advantages of the emigration scheme by his conduct, he became more stern

CHAP. II. expected to live by their labours connected with agriculture, directly or indirectly. A large proportion of them knew little or nothing of agriculture, and those who did found the conditions in South Africa very different to what they had been accustomed in Britain. The circumstances under which the heterogeneous multitude was placed necessitated the means of subsistence being of a very artificial and unstable character, namely, everyone being fed by the Government, whether industrious or idle. It was scarcely in the nature of things that under these circumstances the settlement should have held together, in the manner contemplated by the British Government. Its disintegration was almost predetermined by the peculiar social relations which were produced by the haphazard method of selecting the individuals and organising the parties. As has been stated, some of those accidentally appointed to be leaders of others were men quite lacking in those qualities which command respect and obedience; while others in subordinate positions, either as servants or mere followers, were, from their education, character and previous associations, well fitted to occupy honourable positions and to benefit the country in other ways than by working upon the locations. A kind of moral sifting process seemed to be in operation where adversity and temptation tried all and proved that the only means to success and pre-eminence were genuine worth and usefulness. Disappointment and depression formed, as it were, the first trials in the disciplinary career which was in store for the new-comers. Everything was so different to what had been expected. The following letter from a settler to his former employer, written shortly after being placed upon his

and threatening. "It cannot be," he argued, "your Lordship's purpose to imply that my personal residence upon the lands for three years is essential to give me title to those lands." His claims to the land in Albany or to compensation for his alleged losses became the subject of a special Government Inquiry in 1824, when it appeared that, not only had he forfeited all right to them by abandoning his party, but was actually indebted to the Government to the extent of about 17,000 Rds. In spite of this he persisted, month after month, in his demands on Lord Bathurst, asking at one time for a farm in England and at another for land to be given him and to be created a consul in the Ionian Islands; until, receiving no satisfaction, he at length brought his case before the King. In reply, in January, 1827, he was told that his petition contained nothing which could warrant an alteration in the decision which had already been made in his case. That is the last we hear of Mr. Willson.

location, reflects the general sentiments of many in similar circumstances :—

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" May 4th, 1820.

" DEAR SIR,—You told me true when you said I might as well blow out my brains as come upon this expedition ; indeed I have totally ruined myself. Government is not to blame ; they have done everything for us that we can possibly expect. But Mr. Bailie, the man who conducted us out, has grossly deceived us both, in London, respecting this place ; he has now got 4,000 acres for bringing us to this cursed place, and has left us altogether to shift for ourselves. We were nearly five months on shipboard ; during the time many quarrels ensued, and the people, or ship's crew, robbed the trunks and boxes ; my boxes were opened, and robbed of many things. Our leader never troubled himself about it or anything, and the result was that many respectable families left us the moment we landed. On March 17th, when we got into Table Bay, not one of us was suffered to land at Cape Town except our leader, who gave us all an infamous character. We were immediately ordered away to Algoa Bay, and there landed and sent 150 miles, in waggons, to the banks of the Great Fish River, where, after measuring one acre of land for each person to build his house on, they shot us down like so much rubbish. The horror I then felt I cannot describe ; I felt that I had used you ill in leaving, and for what? *A bubble.* I am trying to get back to Cape Town, if possible, but have little hope of success.

" Lord Charles Somerset is in London, I understand, or I should petition him to give me a passage home. Although I have no hope of ever seeing you again, yet, could I ever return, and you would receive me, I would never leave you.

" Yours ever,

" (Signed) BARTHW. GUNNING."

An interesting and independent opinion of a resident colonist on the settler movement is that contained in a private letter written by Mr. H. O. Lange, clerk to Colonel Cuyler, at Uitenhage to his friend Mr. Coolhaus at Swellendam, dated June 14th, 1820. After referring to twelve or thirteen hundred families which have just been settled along the banks of the Fish River, he says that he does not see much good in

CHAP. II. the movement and fears for these poor people on account of the insufficiency of water. "These poor people," he continues, "are perfectly disappointed in their expectations. They imagined and had been told that you could take the fruit from the trees along the road, and that the country was so fertile that with little difficulty and cultivation it produced anything."

As has been stated, all the emigrants did not, in the first instance, go to Algoa Bay for settlement in the Zuurveld. Acting upon the advice and information of the local authorities, Sir Rufane Donkin viewed with concern the confusion and difficulties in connection with subsistence which were likely to arise from pouring, so suddenly, such a multitude of people into that undeveloped portion of the country. Partly on this account and partly in consequence of Earl Bathurst's instructions with reference to locating separately, as far as possible, the people who came from the different parts of the United Kingdom, the Acting-Governor decided to send some of the new-comers to the lands at Clanwilliam, situated to the north of the Cape district, and some to a region along the Zonder End River—a tributary of the Breede—about seventy miles to the east of Cape Town in the direction of Swellendam. The Irish parties under the directors, William Parker, J. Ingram, Captain Butler and Captain Walter Synnot, arriving in the *Fanny* and *East Indian* were destined for the former; while those under Major T. C. White, Lt. Griffiths (from Wales), Captain Campbell and Mr. Neave were to occupy the latter.

In neither of these cases did the authorities seem to have known anything about the suitability or adequacy of the lands for supporting the numbers of people who were to be located upon them. Mr. Parker on his arrival in Cape Town received from Colonel Bird, the Colonial Secretary, most assuring accounts of Clanwilliam, while from others in less official capacity, very different and discouraging descriptions were obtained. In order therefore to decide between the conflicting statements, he determined, with a Mr. D. P. Francis, one of his party, to travel overland to the district and to learn the truth for himself before the main body of settlers arrived. The journey took five days. From inquiries made at the isolated homesteads along the route, he received confirmation of the adverse opinions. Arriving at the place itself, conversations

with the landdrost, Mr. Berg, and the surveyor, Mr. Tulleken, as well as riding about over the country, made it abundantly clear that utter ruin and starvation could not but attend the location there of the intended number of people.

The settlement was to have been in the Jan Dissel's valley, "under a vast chain of mountains as wild and rugged as nature could form them". Water was scarce; the springs, which were small, were few and far between, and on each there was already a habitation and demand for all the water which flowed. The ground, for the most part, was rocky and sandy, dotted here and there with small shrubs or bushes, which from their stunted growth and dried-up appearance bore witness to the hardships under which they, as well as all other living things, prolonged existence in that arid vale. Provisions from outside would be obtainable only with difficulty and at considerable expense, for, on account of the long sandy stretches the distance to Cape Town by waggon was seven days and to Saldanha Bay five. According to the land-surveyor there were only about 1,200 acres (600 morgen) of land which could be cultivated, that is, a quantity just sufficient, according to the agreement made in England, for twelve men, and yet the total number of men in the four parties which were on their way to this paradise was 126, who, with their families, made up 349 individuals.

After his investigations at Clanwilliam, Mr. Parker went to Saldanha Bay to meet the settlers arriving by the *Fanny* and *East Indian*. Then commenced his long and voluminous correspondence with the Colonial and Home Governments. On the arrival of the ships the people received the unpropitious reports concerning their destination, when much confusion and hesitation as to their immediate movements ensued. Some determined to return to the Cape, while others, eager under any circumstances to be freed from the imprisonment of ship life, were willing to go to Clanwilliam or anywhere else on land.

As the Acting-Governor was on the frontier, Colonel Bird, in reply to Mr. Parker's letters and anxious to avoid expense in delaying the ships at Saldanha Bay, could only recommend that the people should go to Clanwilliam and await the readjustment which would be made on Sir Rufane Donkin's return.

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As might be expected, failure and distress attended this movement from the commencement. Mr. Parker himself greatly aggravated the trouble by his selfish and shameful behaviour to those who, relying upon his supposed integrity and humanity, had left their native land under his guidance. He refused to return to Clanwilliam, and though he certainly was for some weeks at considerable expense in maintaining 222 individuals, he practically abandoned them from the first. He remained for some time at Saldanha Bay, endeavouring, in furtherance of a visionary project of creating a great fishery industry and of establishing a flourishing city of "New Cork," to possess himself, not only of land already in occupation, but also of the Government buildings and some small islands along the coast. Finding the Colonial Government unwilling to listen to his impossible schemes or to comply with his extravagant demands, though he received far more consideration and concession than were his due, he soon commenced to menace those in authority with the consequences which would ensue if he felt constrained to bring them before the notice of his powerful friends and, what was much the same thing, before the House of Commons.

On his return to Cape Town from the Zuurveld, Sir Rufane Donkin became fully aware of the mistake which had been made in sending these people to Clanwilliam. In order therefore to rectify matters and to compensate the sufferers, he issued, on July 25th, a notice offering them conveyance to Albany by sea and land at Government expense and, in consideration of the loss of time and the advance of the ploughing season, free supply of rations until they were in a position to provide for themselves. Some preferred to seek work in Cape Town, but the greater number accepted the offer and reformed themselves into parties under Messrs. Scanlen, Francis, Latham and Captain Butler. The four parties at the Zonder End River, though they had not the same complaints with reference to the quality of the land, found the quantity inadequate for the number located, and as this could not be increased without either encroaching upon or purchasing contiguous farms, the offer of relocation in Albany upon the same terms was made also to these people. With few exceptions it was accepted, and thus by October, 1820, practically

all those who had been assisted by the Parliamentary grant were upon the Eastern frontier. CHAP.
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The difficulties, it might almost be said impossibilities, attending the efforts to retain the settlers upon the Zuurveld soil necessitated placing them, as far as their freedom of movement was concerned, upon the same footing as the Hottentots. They were not permitted to leave the location without a written pass from the head of the party, and in the event of temporary absence from the district, a pass signed by either Captain Trappes or the Landdrost of Grahamstown. Any settler moving to a distance was liable to be called upon to show his pass and, in the event of not possessing one, to be arrested and punished. The following circular, issued from Grahamstown on May 24th, 1820, must have been something of a shock to the freedom-loving Britisher and caused him to envy the more fortunate Boer, who could roam where he would, even beyond the Orange River, if he chose.

“His Excellency the Acting-Governor having observed the capricious manner in which permission to quit the respective parties and to proceed to Grahamstown has been given to individuals, by which the peace of that town and military cantonment is endangered and the practice of vagabondising, in direct violation of the Colonial law, much encouraged, has been pleased to direct, that hereafter, in the event of any individual proceeding to Grahamstown for any reasonable occasion, he must immediately, if not a head of a party, produce a permission to quit the party before the Magistrate, who will exercise his discretion as to allowing him to remain. The only difference with respect to a head of party is that he requires no pass for quitting the location, but he also must obtain a town pass. His Excellency has been further pleased to direct that applications for permission permanently to quit a party must, in the first instance, be signed by the head of the party, then transmitted to the Provisional Magistrate by whom the same will be forwarded to the Colonial Office, from whence the permanent position either for residence in the district or the Colony generally as the case may be, will be issued.”¹

¹ Specimen of one of these permanent passes:—

No. 3798. COLONIAL SECRETARY'S OFFICE, CAPE OF GOOD HOPE,
Oct. 17th, 1822.

The Bearer, Edward Chearky of Mr. Clark's party, has Permission from His

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Before the close of 1820, it was found necessary to relax these stringent regulations. The large number of applications for permission to work in the towns from those pursuing "ornamental trades" made it clear that it was useless to detain them longer upon the locations. On December 20th, therefore, the Acting-Governor authorised Captain Trappes to issue, with due caution and investigation, permanent Colonial passes to those who would thus be more beneficially employed. Individuals, before receiving such passes, had to produce a certificate showing that they were not indebted either to the head of the party or to the Government for rations or stores.

In September, 1820, some further understanding between the settlers and the Colonial Government in connection with the continued issue of rations became necessary, as, in that month, the value of the various stores which had been supplied to them became equal to the balance of the deposit money then in the hands of the Government. The large sum due for waggon hire was still unpaid, hence, at this date, they were in debt to the Colonial Government.¹ In order, therefore, that the Public Treasury should not suffer in consequence of the impossibility of withholding further supplies, Captain Trappes was instructed to apprise each head of a party that he would be debited with what might be required until the next harvest was reaped, and that his lands and property would be mortgaged for the amount.

The calamities which were in store for the settlement were then unsuspected, though but a few weeks elapsed before the first indication of coming distress manifested itself. And then considerations of payment for the barest necessaries of life had to become very secondary to the more urgent ones of salvation from death by starvation.

Excellency the Governor and Commander-in-Chief to remain in this settlement, whilst he conducts himself in a quiet and orderly manner, and pays due attention to the Orders and Regulations issued by His Britannic Majesty's Government.

By Command of His Excellency the Governor,

C. BIRD.

Registered in the Colonial Office, C. M. ZASTRON.

Registered in the Fiscal's Office, W. F. BORCHERDS.

¹ In December, however, Sir Rufane Donkin was authorised to excuse the repayment of the sums due on this account. *Vide* Earl Bathurst's despatch to Donkin, December 2nd, 1820.

Unsatisfactory in character and industry as many individuals were, yet taken as a whole the 1820 settlers accomplished as much during the first few months as could well be expected. The extent of the virgin soil which had been broken was as great as the limited number of ploughs could contend with and all the available seed corn had been sown; hence, in due season, a fair return for their labour might reasonably have been anticipated. The crops appeared above the ground and gave, for a time, promise of abundant harvest, but, about November, the fatal rust made its appearance throughout, not only the Zuurveld, but the whole of the Colony. As the year progressed the disease grew worse, until at the time of reaping there was scarcely the quantity of seed which had been sown.

After all the labour and the expenditure of substance which should have been rewarded by the fruition of this time; after hanging upon hope and looking forward to the real start and independence in the new country which this harvest was to have brought about, the unfortunate settlers saw in this calamity the last of the magnificent pictures and prospects which had been formed in England, but which the few months' residence in South Africa had been gradually dispelling. The state of affairs was all the more alarming in that, the blight being general, the resources of the Colony could not but be strained in attempting to provide for such a large and sudden increase in the population. Great difficulties were thus created for the Government. It had been intended at this time to stop the issue of rations and to close accounts with the settlers, but in order to avert the consequences which the withdrawal of the Government supplies under such circumstances would occasion, this had to remain a prospective measure. Steps were taken to ascertain what means the people had of supporting themselves independently of the Commissariat and, with due precaution against the abuse to which gratuitous support was liable, it was decided to allow to each man a soldier's ration, to a woman two-thirds of this, and to a child one-half.

The difficulties of this time were not lessened by the enterprise and action of Pieter Retief, the famous voortrekker of 1838. In opposition, probably, to the Government Farm

CHAP. II. at Somerset, the existence of which had always been a sore point with the Dutch farmers, he managed to buy up on his own account, and create a private monopoly in, most of the available corn. During December, 1820, and January, 1821, he purchased all that was being taken to the market, intercepting it on its way to Grahamstown. In this way he became possessed of 222 muids of flour and 84 muids of wheat, paying on an average Rds. 16 per muid and selling to those settlers who could afford to pay for it, at Rds. 30 per muid. Captain Somerset brought the matter before the notice of the Government, but nothing could be done as the transactions were perfectly legitimate.

By the end of 1820 the difficulties and disappointments inseparable from settlement in a new country had completely impressed themselves upon the minds of the new colonists. There was little reward for the labours of the previous months, and all the visions of easily acquired prosperity and plenty were replaced by uncertainty and anxiety for the future. There was now, however, no turning back. It was well for them that they had not been endowed with the gifts of foresight and prophecy, and that their eyes had been mercifully closed to the significance of the burnt houses which, here and there, were met with in the district. Their possession, during this early period, of so few cattle rendered them objects of small concern and interest to the Kaffirs, hence trouble from that quarter did not obtrude itself until well into the following year. In spite of the rude awakening and undaunted by the unpropitious beginning, there was, on the whole, a determination to fight adverse circumstances and to turn every small advantage to best account. Defeat and failure, however, were for the most part the results of all their struggles. But out of these failures arose the success of the subsequent generations, and now, nearly a century after the arrival of the transports in Algoa Bay, we enjoy the peace and prosperity the foundations of which were laid by the 1820 pioneers.

"Sweet are the uses of adversity." To adversity South Africa is indebted for two momentous events, which, though happening at some distance of intervening time, have, more than any others, done so much towards the development of the country. The discovery, through repeated failures, of the

capabilities of the soil and climate, the exploration of the unknown interior and the gradual expansion of the habitable and civilised country from a mere settlement in the Cape Peninsula to nearly half the Continent of Africa have their origin, primarily, in the adversity which drove the Huguenots to this country in 1688 and the British settlers in 1820.

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CHAPTER III.

DEVELOPMENTS, DIFFICULTIES AND DISCOURAGEMENTS.

CHAP. THE year 1821 dawned upon the new settlement with no very
III. encouraging prospects. The failure of the long-looked-for harvest damped the enthusiasm of those who honestly endeavoured to turn the soil to account, and tended further to drive from the lands those whose callings were in other directions. For the Colonial Government, in view of the slender financial conditions, the calamity meant considerable anxiety and embarrassment in devising ways and means for saving these thousands of people from starvation. The bright sunshine and blue skies of South Africa, however, and, in this connection one may add, the beautiful appearance of Albany at all times, are not conducive to despondency. Hope soon revived, and the late disappointment acted as stimulus to further and more determined action. Major Pigot of Blue Krantz, writing to the Secretary of State on January 1st, 1821, that is, when the loss of the harvest was being most keenly felt, said, "From everything I have seen within twenty miles' ride, there cannot be a doubt but that the new settlement will succeed, notwithstanding the failure of the wheat crop," and on May 6th, 1821, "I continue to be as much pleased with the country as ever". Similar optimistic testimony was expressed by Thomas Pringle in the Baviaan's River, T. Price Adams and Miles Bowker. Lands were again ploughed and sown and new hopes entertained for a prosperous harvest. It was felt, however, that these hopes would have been more certain of realisation had the wheat sown been freshly imported and not, as was the case, that which had been grown in the Colony and brought from Cape Town, for the late rust had prevailed throughout the country.

Any anxiety or concern for the immediate future was soon

allayed by a general intimation that the supplies of rations were to be continued. On December 21st, 1820, a circular letter was issued to heads of parties, informing them that their respective accounts with the Government had been closed, and that from about that date, so it was hoped, they would be in a position to provide for themselves. The recent losses of the fruit of all their labour, however, rendered a total withdrawal of support impossible and necessitated some new arrangements. The second and third instalments of the deposit money had not only been exhausted but the settlers were in debt to the Government for the additional supplies; the greater number of people were without means and possessed little or nothing which could be taken as security for further advances, yet further expenditure on their account was absolutely necessary. It was clear, therefore, that the burden of this misfortune would have to fall primarily upon the Public Treasury. In order to render this as light as possible, the authorities upon the spot were instructed to exercise the utmost discretion in rendering assistance. Only those actually on the locations and responsible to the head of a party were to be permitted to draw rations, and then at the rate of a soldier's ration (value 7d.) for a man, two-thirds for a woman and one-half for a child, on the understanding that payment would have to be made for these as soon as circumstances permitted. Receipts in all cases had to be given, and the amounts so accumulated had to stand as mortgages on the buildings and lands which were to become the properties of the settlers after three years' residence. The total expenditure or advance by Government on this account up to the end of 1821, was Rds. 210,470 1sk. 3st. (about £15,364). This limited food supply and the convict-like existence on the locations, together with increasing acquaintance with the conditions of life and rates of pay in other parts of the Colony, led, in spite of proclamations and threats of arrest, to increased numbers leaving the district. As the employment of slave labour by the settlers was strictly prohibited and none other could be afforded, or indeed was procurable, many heads of parties, who had embarked considerable capital in the enterprise, foresaw, in consequence of these desertions, the ruin which eventually overtook them. It is conceivable that in a more carefully planned system of colonisation, the

CHAP. impolicy of attempting to retain the services of competent
 III. workmen who saw, in other parts of the same country, more advantageous fields for their labour, would have been apparent.

Less than a year's residence upon the locations forcibly impressed the new-comers with that which was only too obvious to the older inhabitants of the Colony, namely, that the allotted lands were miserably inadequate for the support of the numbers which were placed upon them. It was with no great surprise, therefore, that the Colonial Secretary in Cape Town received the numerous petitions and memorials for increased grants which poured into his office during 1821. The experience and knowledge which the Acting-Governor had acquired in his travels and observations in the district enabled him, with no great difficulty, to accede to these and, with outlined general instructions, to leave further adjustments to the land-surveyor, Mr. Knobel.¹ All grants of land, before the issue of title deeds, had, of course, to be approved by the Governor for the time being. Besides the further occupation of Albany in this manner, additional land was required in 1821 for the location of settlers who arrived in that year. Some of these were people who took the place of those who were to have come out with the Highland party under Captain Grant, while others had been induced to emigrate to South Africa on the offer of the British Government to grant to those defraying the expenses of the voyage, and possessing capital, quantities of land proportionate to their means of cultivating them.

A terrible calamity overtook one of the vessels, the *Abeona*, engaged in this service. By some mischance a quantity of spirit caught fire below and ignited other combustible material. In a very short time the ship was in a blaze and all possibility of extinguishing the fire vanished. She burned for fifteen hours and then, at three o'clock in the morning, sank with 114 souls. In attempting to lower the boats, the long-boat was damaged and rendered useless. There were left three

¹ Example of these instructions: "Almost all the locations, when the parties have really settled and are employed, will want extension. Consequently in any arrangements made in future for new settlers, or otherwise, care must be taken not to measure or grant lands lying between any two locations which are near each other, for such land may and probably will be wanted for one or the other of them." (May 31st, 1821.)

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ALABASTRA



Photo ; Dr. Greenlees

THE KOWIE RIVER



Photo : Dr. Greenlees

SETTLERS' CHURCH AT PORT FRANCES

small-boats into which fifty-two persons with a scanty supply of provisions crowded. These, most fortunately, one might almost say miraculously, were picked up, after being only about two hours on the sea, by a Portuguese merchantman and taken on to Lisbon.¹

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Some few miles to the west of the general line of the greater number of the locations, and running roughly parallel with it, is the Kowie River—a prominent feature of Albany. Where this river enters the sea there is a plain about half a mile wide bounded on either side by high steep hills which at that date were covered entirely with thick impenetrable bush. The mouth of the river was at the foot of the hill which formed its left bank² and, like all South African rivers, was partly closed by a bar of silted-up sand on which, speaking generally, there might be, at low tide, only a few inches of water or none at all, while at high tide the waves break with such fury as to render any approach from the sea a matter of great difficulty and danger. Following the course of the river inland, it very shortly widened and then bifurcated, forming two very wide streams which, after a course of about a mile, united and reformed a river of considerable width and depth. This part of the Kowie was greatly altered in subsequent years when attempts were made to render it navigable by vessels of moderate size.

For about sixteen miles—up to what is known as “the ebb and flow”—the river is tidal and of considerable magnitude. Beyond that point it continues, in ordinary seasons at all events, as a large stream for a distance of about twenty-one miles from the mouth when it divides into two smaller ones. One, still called the Kowie, bends in a north-westerly direction towards a range of hills on the south of Grahamstown, where it takes its rise. The other branch, known as the Blaauwkrantz River, turns due east, then sweeping round to the north-west, drains the basin in which Grahamstown lies.

The general appearance of the mouth and lower reaches of the Kowie soon created in the minds of some of the more

¹ For the details of this terrible affair see the Appendix to this chapter. The account is that of Lt. Mudge, the Admiralty agent, who was one of those saved.

² Not on the right as at present.

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enterprising settlers visions of a busy port and harbour. There seemed to be not only the possibility of an excellent and immediate outlet for the produce of Albany, but also the probability of the development of an extensive shipping industry, of an export and import trade with all parts of the world and, as the result of all this activity, the rise of a prosperous town.

If we ignore the first crossing of the bar, in 1820, by some fishermen settlers who found a small-boat on the shore, the first serious attention given to the capabilities of the Kowie was that of Mr. Henry Nourse.¹ In conjunction with Mr. B. Moodie, he made, in 1820, a tour of exploration along the south coast from Cape Town to the Kowie with a view to investigating the possibilities of the bays and rivers for commercial purposes. On his arrival at the Kowie, a preliminary examination of the depths of the river and the passage over the bar were made. The result was so far satisfactory that Mr. Nourse decided to set up an establishment for curing beef and pork for the Navy and shipping generally and, to this end, petitioned for a grant of land on the west bank. Independently of Mr. Nourse's action, Major Pigot of Blaauwkrantz, Miles Bowker of Oliveburn and Joseph Dyason also moved in this matter. The last-named gentleman had formerly been employed on marine surveys in the West Indies, and besides having had eighteen years' experience in the Navy, he had also been captain of a merchantman; his association with the enterprise was therefore particularly fortunate. With the small-boat and the primitive appliances which the circumstances afforded, he made soundings and a rough survey of the river. His report, together with the

¹Mr. Henry Nourse was a well-to-do London merchant who took an active part in promoting the 1820 emigration scheme. He appeared before a Committee of the House of Commons and gave evidence and advice in connection with the parliamentary grant of £50,000. Just after the capture of the Cape in 1806 he extended his business operations to Cape Town by sending out a cargo of merchandise in charge of a Mr. Duncan, who remained to look after Mr. Nourse's interests in Africa. Large warehouses were built and business succeeded until 1815, when Mr. Duncan died. As it was not clear that he had been merely the agent for another, affairs became involved in dispute, lengthy litigation and loss. After a time the firm was re-established as Nourse, Christian & Co. Mr. Nourse himself came to the Colony in 1820, though in no way connected with the settler movement.

representations of others, Captain Trappes forwarded to Sir Rufane Donkin on December 11th, 1820, and at the same time asked that adequate means might be placed at the service of Mr. Dyason for making more accurate observations. The Acting-Governor, in his enthusiasm for anything which tended to the welfare of the settlers, took up the matter with almost greater keenness than did those upon the spot. Mr. Dyason was granted the facilities he asked for and then commenced the work, on which he was engaged for several months. In June, 1821, Sir Rufane Donkin again visited Bathurst and took that opportunity of inspecting the Kowie for himself, crossing and re-crossing the bar in the small-boat. The result of his own observations as well as Mr. Dyason's unfinished report decided him to give the Kowie a fair trial. Mr. Dyason had stated that the depth of water on the bar at the extremes of tides varied from two feet eight inches to nine feet eight inches, that the passage over the bar was smooth and that vessels of light draft could easily enter. He suggested that an improvement to the river would be the stopping up of the western channel—that is, one of the branches into which the river soon bifurcated—thereby throwing the whole of the water into the eastern channel, thus scouring that one and clearing the bar. Sir Rufane thought he saw the opportunity of witnessing the first vessel enter the river. A small schooner, the *Locust*, happened at that time to be at Algoa Bay, he therefore sent off hurriedly two messengers with instructions to the captain to take the vessel round to the Kowie and to make an attempt to cross the bar. Nothing came of this, however, for the weather becoming tempestuous, the attempt could not be made before he had to return to Cape Town.

In pursuance of his avowed intention to give the Kowie a fair trial, he issued orders, on his arrival in Cape Town, for the building of a schooner of light draft, which should ply between Algoa Bay and the Kowie and be capable of entering the river. Further, as a commencement of a port establishment, he sent instructions to Captain Trappes to the effect that "In the meantime it appears to be fair that Mr. Dyason should be remunerated for his services, and you may therefore hold out to him a salary of Rds. 600 (£45) per annum as

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pilot for the Kowie, and you may undertake to build for him a small house, at Government charge, in such a situation as you shall think most eligible, which house will in future be appropriated to the person who shall fill the situation". A flagstaff, for the purpose of communicating with ships at sea, was to be, and eventually was, erected on the high hill on the left bank of the river and facing the sea. A boat's crew of men hired at 30 Rds. per month and a soldier's ration, completed the infant establishment of PORT KOWIE. No time was lost in the building of the schooner, for in September (1821) she was finished and launched and, perhaps in honour of the memory of his late wife, named by Sir Rufane Donkin the *Elizabeth*. She made a safe voyage round the coast from Cape Town to Algoa Bay and then on October 11th set sail from that place for the Kowie. A Mr. Robert Hughes, the pilot at Algoa Bay, was in charge of her. At 4 P.M. on the 13th she arrived at a point about six miles from the mouth of the river, when signals were hoisted on the new flagstaff intimating that the bar was practicable, and that the *Elizabeth* might enter at high water a little later. Having stood out to sea for about half an hour, a series of tackings for the river mouth was commenced, but after each one she got three miles farther away. On the 14th at 2 A.M. it fell calm and remained so until noon, when a fine breeze sprang up from the south-east. All sail being set, the *Elizabeth* got near the Fountain rocks about 6 P.M., but could not approach nearer to the river as it was signalled that the bar was dangerous. She then commenced to drift away and next morning was far to the east. In attempting to return, she seems to have got farther out to sea and to have lost her way, for after several days of useless tacking and much tossing about she eventually got back to Algoa Bay with provisions exhausted and sails blown to pieces. Thus ended the first attempt to enter the Kowie River. Undaunted by this failure, another attempt was made as soon as the *Elizabeth* was again ready for sea. This time the endeavours and hopes of all were crowned with success. The vessel arrived off the mouth of the river on the evening of November 8th and, though it was blowing hard, she rode at anchor safely through the night. In the morning the bar was crossed in fine style at half tide, and thus the first ship entered

the Kowie. On the 25th she re-crossed the bar on the outward voyage, but not without some danger; the water not being deep enough, the vessel grounded for a short time on the bar, but soon got afloat again and continued her voyage. The report of this gave the greatest satisfaction to the Acting-Governor and all in Albany, and, for a time at least, raised the brightest hopes of prosperous Kowie navigation. The success of the *Elizabeth*, however, was not long-lived, for on her third voyage out she went on the rocks at Cape Receife and was totally lost. This wreck of the *Elizabeth* took place shortly after the return of Lord Charles Somerset to the Colony. Fortunately the enterprise at the Kowie not only met with his approval, but became a matter of great interest to him from the first. To prevent it from coming to a standstill, he caused the *Elizabeth* to be replaced by a Government sloop, the *Winifred*, which left Cape Town in company with another coasting vessel, the *Locust*, in February, 1822. On her arrival at Algoa Bay, or Port Elizabeth, as the landing-place had by this time become known, Mr. Robert Hughes was placed in command of her. In a very short time, namely, in March, the *Winifred* made her first attempt to enter the Kowie. Whether success and prosperity in connection with that river, regardless of the untiring energy and capital which may be spent upon it, has been forbidden by some over-ruling destiny, or whether it has been the misfortune of the Kowie always to have had its development undertaken by those who were incompetent for the task, it is difficult to decide. But certain it is that from the time of these early efforts up to the present, the history of this river has been one of failure. The bad record which was commenced with the *Elizabeth* was maintained by the *Winifred*. After taking seven days to sail as far as the Bird Islands, thirty-seven miles from Port Elizabeth, she arrived within signalling distance from the mouth of the Kowie. The bar was reported safe, but Mr. Hughes delayed so long that the flag, indicating a dangerous bar, had to be hoisted. Mr. Hughes' explanation afterwards was that he waited, in vain, for the assistance of the boat which ought to have been sent out to him and which, with its crew, was maintained at the Kowie for that purpose. On leaving the Kowie, in order to return to Port Elizabeth, the *Winifred* got into a western current and

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was carried as far as Plettenberg Bay. After some days she managed to steer an easterly course and again tried for the Kowie. The elements, however, were against allowing her to be detained for any purpose so trivial, and so took her on to some distance beyond the Buffalo. Floundering about in this way for many days, she seems to have arrived at Port Elizabeth, more by accident than design or seamanship, with all the beef and firewood exhausted and all on board limited to half a pint of water per diem. It is scarcely surprising that, about this time, Mr. Hughes' competency to navigate a vessel, in these or any other waters, was called in question.

On May 8th, 1822, the *Winifred* got in for the first time though not without sustaining some damage to the rudder. Mr. Hughes' complaint of the neglect of the people on shore was not without reason. The purpose for which the boat and crew were maintained was that of going out on the arrival of one of the small vessels and towing her in through the safest place on the bar; without this help, there was nothing to prevent the vessel from drifting on to the sand on one or other side of the channel. Now the crew on whose exertions all this depended were not only very poorly paid but experienced much difficulty in getting their money when it was due. The landdrost of Grahamstown at that time was Mr. Harry Rivers, a gentleman who, by the manner in which he performed his duties, caused much trouble, and who had eventually to be removed from the district and suspended from the Service. Mr. Rivers paid but scant attention to Mr. Dyason's letters and the representations of the men; the result was that they either deserted or refused to move a hand when called upon to assist. In July, 1822, matters came to a crisis when Mr. Dyason himself struck. Ill-feeling between himself and Mr. Hughes had been brewing for some time; each had darkly hinted at the questionable qualifications of the other, hence but little was necessary to fan the smouldering embers into flame. A quarrel seems to have taken place on the *Winifred* as she was being got out of the river. On crossing the bar she grounded and lunched slightly over to one side. Mr. Hughes in great anxiety and excitement rushed here and there shouting orders, while the crew, disposed to mutiny, either could not or would not obey. Amid the bustle and

angry words Mr. Dyason calmly and philosophically walked the deck with his hands in his pockets "just like a passenger," so Mr. Hughes reported. He (Dyason) was of opinion that there was not sufficient breeze and suggested that this defect might be remedied by getting the blacksmiths to come from Grahamstown in order "to raise the wind" with their bellows. He added that if the landdrost was in such a d—d hurry to get the vessel out, he had better come and do it himself. The records do not show what eventually happened to the *Winfred* in this case. She outlived the storm, however, for we find her name in documents of later dates. Mr. Dyason, in angry disgust with both the landdrost and Mr. Hughes, resigned his post, and sought permission to return to England at Government expense, but received the answer which was sent to so many others making similar requests at this time, namely, "Applicant to be informed that he has permission to return to England at his own expense".

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In order to land cargo from vessels which could not enter the Kowie, the Governor caused to be built a sailing vessel of small draught which should be capable of being used in this service as well as of plying between the Kowie and Port Elizabeth. She was named the *Bridekirk*. Having made a successful voyage from Cape Town to Algoa Bay with a cargo of 234 bags of barley, in September, 1823, she commenced her Kowie career. This was short and stormy. On two occasions she was driven on to the rocks and nearly came to grief, while in September, 1825, she left the Kowie with a cargo for Port Elizabeth and must have gone down with all on board, for she was never heard of again.

As the Kowie does not figure prominently in Eastern Province history for the next few years, it may be well to continue here, briefly, and finish the account of its further progress until the end and failure of this first attempt to develop it. Until 1823 there had been no attempt to erect buildings of a more permanent character. The accommodation for Mr. Dyason, the boatmen and others were tents or the most makeshift shelter among the thick bush. Further, there was no protection from the weather, sea—and thieves—for the goods which were landed upon the beach. For days perishable produce used to remain upon the sand until conveyances

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could take it away—and as Mr. Schutte, the builder, tells us, was at the mercy of thieves who lurked in the bush and seized their opportunities to walk off with cases of tea, open pockets of sugar and tap casks of spirits. In that year Lord Charles Somerset instructed the Government land-surveyor, Mr. Hope, to examine both banks of the Kowie with a view to selecting spots for the erection of suitable residences for the harbour-master, officer of Customs, and other necessary buildings. On April 18th, 1823, Mr. Hope made his report and decided upon the east bank. Plans for two similar houses, each consisting of five rooms and a kitchen, were drawn out and tenders for their construction called for. The work was undertaken by Messrs. Roberts and Tainton for Rds. 6,700 and in due course was finished.¹ By this time the Kowie appeared to be fulfilling the hopes which were entertained in connection with it. Ships anchored near the mouth were unloaded, and cargo safely landed by the lighters which had been constructed for that service, and in leaving took away the produce of the district.² People commenced to look upon the place as a residential spot and as one likely to afford employment. The question of a civil establishment and a properly regulated town then arose. This meeting with the Governor's approval, Mr. D. Moodie was appointed Civil Commissioner and Resident Magistrate at a salary of Rds. 1,200, and with him a Secretary at Rds. 600 and a messenger to the Court at Rds. 300 were also appointed. Further, a sum of Rds. 7,820 (£560) was authorised for the erection of Government buildings.

The township which was thus coming into existence was situated on the level and less bushy land on top of the hill which formed the left bank of the river and near the sea. To-day little more than a trace of it remains. In February, 1825, the Governor visited the place, and in response to a memorial of the inhabitants, allowed it to be named PORT FRANCES, in honour of the wife of his son, Colonel H. Somerset, the Commandant of the Frontier.

¹ Miles Bowker offered to become surety for John Mitford Bowker and John Mandy for Rds. 6,850 for this work.

² On December 14th, 1823, the harbour-master, Mr. MacKay, reported that the *Good Intent* had sailed for Table Bay with a full cargo of sundry produce, hides, fat and butter, purchased principally from the settlers.



Photo: Dr. Greenlee

RUINS OF CUSTOM HOUSE, PORT FRANCES



HARBOUR MASTER'S HOUSE AND CUSTOM HOUSE, PORT FRANCES

to my
AMERICA

The township thus named began to assume a more definite form by the plotting out of the land into building lots and the sale, on the usual condition of commencing to build forthwith, of thirty-five of these by public auction on August 16th. In this same year the vitality and enterprise of Port Frances further obtruded itself upon public notice by the projected formation of the "Albany Shipping Company," the object of which was to procure small coasting vessels and to employ them "in carrying freights to and from such ports as may be determined upon by the committee of the proprietors". Lord Charles Somerset encouraged the scheme and allowed himself to appear as the "Patron" of the Company. The first meeting was held in the new Court House on August 11th with Mr. Moodie in the chair; thirty-seven others were present, including Major Dundas, the Landdrost of Grahamstown, Messrs. Miles Bowker, Bailie, Thornhill, Dyason (George), Phillips and other prominent settlers. Like everything else at Port Frances, however, influences from without operated against it and crushed it almost at its inception.

The need of the increasing population for a place of worship led to a petition to the Lieutenant-Governor, Major-General Bourke, who succeeded Lord Charles Somerset in the government of the Colony, for a plot of land on which to build a Wesleyan Chapel. This was granted on December 5th, 1826. Then with the subscriptions which could be afforded by some and the gratuitous time and labour of others a building suitable for a chapel and Sunday school was erected. This, in a slightly modified form, is standing to-day, and is almost the only indication of the site of the old Port Frances.¹

¹ PORT ALFRED was a later creation than Port Frances, and was a second attempt to utilise the natural advantages of the Kowie as a port and harbour. The great enterprise and indomitable perseverance of WILLIAM COCK, one of the 1820 settlers, and the expenditure of very large capital resulted in shifting the mouth of the river to the west bank, the construction of huge concrete breakwaters and river walls, wharves with all the necessary machinery, railroads and large warehouses, together with all else to complete the equipment of a prosperous port. In honour of the visit of Prince Alfred in 1860 the place became known as PORT ALFRED. Nothing was wanting but proper encouragement and fair treatment to make the Kowie as fine a port as could be formed anywhere along the South African coast. Like the old Port Frances, however, circumstances conspired against it, and now scrap-heap machinery, buildings either falling to decay or used for purposes totally disconnected with shipping, are all

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Education made a commencement in the rising village in 1827, when the Lieutenant-Governor approved of a grant of £50 per annum and £20 in lieu of a house to a Mr. J. Turpin, who opened a school in that year.

The pleasant and encouraging prospects which this hitherto healthy development created were soon doomed to disappointment. In December, 1827, Mr. Moodie was informed by the Colonial Secretary that "Your situation of Government Resident at Port Frances, together with the establishment connected therewith, will be abolished from and after the 1st of January next" (1828). No reason was given for this sudden change of policy and determination to undo all that had been accomplished. It may have been in connection with a great and revolutionary change in the administration of the districts throughout the Colony which took place in 1828, namely, the abolition of the old Boards of Landdrost and Heemraden, and their substitution by individuals who were to combine the offices of Civil Commissioner and Resident Magistrate and to act without the assistance of Heemraden. Under these circumstances, Port Frances came under the jurisdiction of Grahamstown. This, however, could not account for the further and complete work of demolition of which it was the beginning. In 1831 the office of harbour-master was abolished, and in the next year instructions were received from the Secretary of State for the immediate and entire abolition of the Customs department, and the sale of the Custom house and harbour-master's house.¹ In 1833 the destruction of Port Frances was practically completed by the withdrawal of the schoolmaster's salary and the closing of the school, the dismissal of the postmaster and the cancelling of the post contract from Port Frances to Bathurst and Grahamstown.

Interesting and hopeful to the settlers in the earliest days as the somewhat indefinite project connected with the Kowie was, it was secondary to the prospect of having, at no distant

that remain of a former port and short-lived harbour industry. To-day Port Alfred, on account of the beautiful river, the sea, golf links and other attractions, is chiefly a holiday and pleasure resort.

¹ The former with nearly four morgen (eight acres) of land was sold for £215, the latter with nearly three morgen for £36. Mr. Henry Nourse bought both on November 5th, 1832.



Photo: W. White Cooper, Esq., M.A.

RUINS OF DROSTDY HOUSE, BATHURST



BATHURST CHURCH

date, what might be called their own capital town and Government officials whose chief business was to be their particular concerns. The selection of a site for the township of Bathurst, together with the grant of money for the erection of a magistrate's house, gave the greatest satisfaction, and the laying of the foundation stone of this building on November 9th, 1820, was a real and tangible beginning of the great things which, it was hoped, the future had in store for the settlement. This event, perhaps the birth of a Settlers' City, was therefore one of no small importance, and was honoured with all the ceremony and enthusiasm the circumstances of time and conditions of travel permitted. Settlers from distant locations found their way through the intricate and bushy country and assembled at Bathurst to witness the function and, with mutual congratulations, to make a day of rejoicing. The stone was laid by the wife of Colonel H. Somerset, the Commandant of the Frontier.¹

If the comparative importance of the new town was to be gauged by the scale on which this official residence was constructed, Bathurst was to rank second to none in the Eastern Province. Including a spacious entrance hall or *voorkamer*, the house consisted of fourteen rooms of comfortable dimensions, arranged on three sides of a square. All these were for the private use of the magistrate, none of them, apparently, being intended for the transaction of public affairs. There was nothing so magnificent in Grahamstown at that date; it is even doubtful whether the fortunate parson of Graaff Reinet

¹ The following is an account given by an eye-witness. "The sight was indeed truly gratifying to every Englishman. The laying of the foundation stone of a town destined to form the happy home of so many of his countrymen must ever be a sight interesting to a Britisher's feelings. The stone prepared had an inscription with the name 'Frances Somerset' and the day and date of the year, November 9th, 1820. A very numerous assemblage was waiting to view the ceremony which took place soon after twelve o'clock. The stone was suspended by means of a triangle over the foundation. Mrs. Somerset conducted the ceremony of laying it with admirable dexterity, surrounded by many of her countrywomen and attended by the provisional Magistrate, Captain Trappes, the Hon. Colonel Somerset, Mr. Phillips, the principal heemraden, with a number of other gentlemen and a great many of the surrounding settlers. On the stone being lowered, three cheers were given by the whole assembly. Captain Trappes, with true English hospitality, gave a sumptuous and elegant dinner to a select party in the marquee and also regaled the whole of the workmen with good old English fare, roast beef and plum pudding, and plenty of wine to drink the King's health."

CHAP. III. or the landdrost of Uitenhage were so well cared for. The building operations were undertaken by Mr. John Mandy, one of the heads of parties.

Whether, in sanctioning the plans, the decision on the amount of money, Rds. 12,000, which had been authorised, had been lost sight of, or whether it was that none of those concerned knew the building power of a rix-dollar, it is not clear, but certain it is that before the roof was commenced, Mr. Mandy had spent or incurred liabilities to the extent of Rds. 12,946. Great dissatisfaction with his work was expressed, but it seems to have been on the ground of delay rather than of excessive expenditure.

On April 12th, 1821, the work was taken from him and the contract was given to Mr. T. Mahony, who undertook "to finish and complete the Magistrate's house at Bathurst in a respectable manner, for the sum of Rds. 10,000". As has already been indicated, building operations in the East during the early years were greatly hampered by the difficulty of procuring labour and skilled workmen. And though it might have been expected that the arrival of so many artisan settlers would, in a measure, have remedied this, it was not so, partly through the desertion of some to more profitable regions and partly through new features in the settler life necessitating others remaining on their locations to protect their families and property. Mr. Mahony probably had not taken this into account; but apart from this it is doubtful how far he himself was fit and competent for the work. The reasons for dissatisfaction with Mr. Mandy were increased tenfold with him. The work lingered on for over three and a half years, during which time some parts already built fell into a bad state of disrepair and decay for want of completion and protection. Mr. Schutte, who inspected the unfinished work on behalf of the Government early in 1824, stated that the expenditure of a further sum of Rds. 8,723 was necessary on this account. Threats of prosecution and other calamities failed to disturb Mr. Mahony or hurry on the work; he always seems to have been ready with the report that "he was getting on nicely and the house would soon be ready for occupation". But "the end crowns the work," and the Bathurst Drostdy House being finished, the keys were handed over to the proper authorities in

December, 1824. During the long period of construction, circumstances had changed. At the beginning of the operations there was a landdrost (provisional) but no Drostdy House, now there was a Drostdy House but no landdrost, for in the meantime, for reasons yet to be detailed, the office was abolished. In August, 1825, the Rev. W. Boardman, of Willson's party, was permitted to occupy it and to conduct a grammar school. About a month afterwards he died and then it became the residence of the Government chaplain. It gradually fell into a very dilapidated state and, as Government was not willing to spend anything further upon it, it was, like the Government buildings at Port Frances, metaphorically speaking, consigned to the scrap heap and allowed to be sold for whatever it would fetch.¹

Besides the building of the Drostdy House, the incipient life of Bathurst in 1821 was further manifested by the demand there was for building plots and the erection of small cottages thereon. In June of that year a number of erven were put up to public auction and realised on an average £50 *per acre*.² And as further unmistakable evidence of progress, steps were taken for the establishment of the important tronk or prison, Mr. Mahony contracting for an adequate and commodious building for Rds. 10,000.

That the settlers regarded the development of Bathurst as the future hub of their universe and were prepared to resist any measure which tended to defeat that end was rendered evident by the howl of indignation which arose when the inhabitants of Grahamstown petitioned for the Circuit Court of Justice to sit in that town instead of Bathurst. A counter petition was immediately drawn up by the settlers and signed by 174 heads of parties and other leading men among them, protesting against the move "as tending to obstruct the prosperity of Bathurst".

By June, 1821, there were twenty houses finished and in occupation, while others were in course of construction. A commencement was made with barrack buildings and also, as has been stated, with the Drostdy House. A church and

¹ It was bought by Mr. T. J. Biddulph in September, 1833, together with eleven acres of land for £255.

² *Vide* letter from Sir R. S. Donkin to Earl Bathurst, dated from Bathurst, June 5th, 1821.

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school were thought of, and commercial enterprise was indicated by the proposal to hold an annual fair for the purpose of opening up trade with the "interior" (Kaffirland). All this Sir Rufane Shawe Donkin viewed with the utmost satisfaction when he visited the frontier at that time preparatory to leaving the Colony.

In addition to the creation of Bathurst, and perhaps shortly before, the Acting-Governor took the preliminary steps towards the establishment of another town. The possibility of the formation of centres of activity which might be expected to be the result of the arrival of so many settlers suggested the project of establishing one such upon the shores of Algoa Bay itself. There were, at that date, only Fort Frederick and the few buildings connected directly or indirectly with the military occupation. Sir John Cradock, as early as 1813, attempted to induce people to settle there and thus to make a beginning of a town by offering plots of land, to those who would build upon them, for the small sum of Rds. 30 and an annual quit rent of Rds. 2. Nothing came of this, however; the circumstances of the time were against it. In the first place, the surrounding country was very thinly populated, and in the second, there was then no prospect of a coasting traffic or any other advantage which could warrant the congregation of people on so inhospitable a spot. Hence during the ensuing seven years not one application for land was made.

The arrival of population, enterprise and some capital in 1820 altered this and enabled Sir Rufane Donkin to succeed where Sir John Cradock had failed. A limited number of building plots was offered on the original terms.¹ These were quickly taken up and buildings upon them forthwith commenced. As was the Acting-Governor's hope and intention, this created a demand for further erven, which, when the time was ripe, were put up to public auction and realised satisfactory prices, far in advance of those paid by the first grantees. A name was required by the embryo town. It

¹ One of these first plots was given gratis to Captain Moresby of H.M.S. *Menai* in recognition of the service he had rendered in the landing of the settlers. A house, probably the first in Port Elizabeth proper, was soon built upon it. This, shortly afterwards, became "a comfortable Inn".

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DONKIN MONUMENT, PORT ELIZABETH

might have been expected that in consequence of the long establishment of the military station it would have been called Port Frederick. Sir Rufane Donkin, however, in honour of the memory of his wife, called the place PORT ELIZABETH, and, perhaps further to emphasise this and, so to speak, render the name indelible, caused to be erected on the high hill, overlooking the site of the town, a large stone pyramid¹ bearing the following inscription:—

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(On the side facing the sea)

TO THE MEMORY

of

One of the most perfect of human beings
Who has given her name
To the Town below.

(On the opposite side)

ELIZABETH FRANCES LADY DONKIN
Eldest daughter of Dr George Markham
Dean of York

Died at Mirat in Upper Hindoostan
of a fever after seven days' illness
on the 21st of August 1818

Aged not quite 28 years

She left an infant son in his
seventh month, too young to know
the irreparable loss he had sustained
and a husband whose heart is still
wring by undiminished grief.

He erected this Pyramid
August 1820

While the enthusiasm in connection with the navigation of the Kowie prevailed, it was an open question whether that river or the exposed roadside of Algoa Bay would form the better rendezvous for shipping and become the port of the East. The landing of the settlers and, on former occasions,

¹In the diary of Mr. Barker, the missionary at Bethelsdorp, under date February 13th, 1821, is written, "I rode to Port Elizabeth and saw the top stone of the pyramid put in its place".

In a private letter written by Mr. J. H. Lange of Uitenhage to his friend Mr. Coolhaus under date June 14th, 1820, he says: "Algoa has at the same time been named Port Elizabeth—it will probably become a great dorp. Many erven have been given away to the new colonists on the condition that they must be built upon immediately, so that before long we may have a not insignificantly small dorp." Mr. Lange was quite right, Port Elizabeth to-day is a "dorp" of some 34,000 inhabitants.

CHAP. III. of troops and stores, gave some reason to expect that Port Elizabeth would gain that distinction; the more so when, in 1824, a contract was made with Mr. Schutte for the erection of a Custom house and other buildings at a cost of Rds. 34,500. Port Elizabeth, however, was eclipsed for a time by the Kowie; and in all probability would have continued to be so, had not local jealousies and want of proper organisation of the country from without overcome claims founded on superior natural advantages. While Mr. Schutte was preparing to commence the Government buildings, he received instructions to abandon the site of Port Elizabeth and to erect them at the Kowie; thus the Custom house, which has already been referred to, was built. Captain Evatt at this time complained that he had no store or any other place in which to protect the cargoes brought by the *Locust*. A rivalry between the two ports commenced, and the disasters at the Kowie probably produced no great grief at Port Elizabeth. The field-cornet of Bathurst, Walter Currie, in writing to the Landdrost of Grahamstown on July 10th, 1824, in reference to the failure of the *Bridekirk* in entering the river, said, "This will be glorious news for the people at Algoa Bay, and being the second failure will go a great way towards dooming the Kowie". After the disestablishment of Port Frances, Port Elizabeth had everything its own way, and made the strides which led to the development of the extensive harbour works and great town which we see to-day.

It may be well now to consider the general social conditions of the settlers, more especially with reference to affairs connected with religion and education, during the first two years of the settlement. The offer which the British Government made while the emigration scheme was being organised in 1820—that where a hundred families could combine and select a minister, a stipend would be provided for him at the public expense—was taken advantage of in only one instance. The Wesleyan community took up this matter with much enthusiasm and promptness, and no less by those of that persuasion who were remaining in England than by those who were intending to leave for South Africa. After much careful consideration the choice fell upon a young and newly ordained minister, the Rev. William Shaw. That gentleman

accepted the responsibility and sailed in the *Aurora* with Mr. Sephton's, the Salem, party. Two Church of England clergymen, certainly, came with the settlers, but they do not appear to have done so by the invitation of those they accompanied, consequently they did not receive, from the commencement at all events, the Government support which was accorded Mr. Shaw. The Rev. Francis McClelland was with the Irish party at Clanwilliam, while the Rev. W. Boardman was with Willson's party, and became, as has already been pointed out, the head of the party on its abandonment by Mr. Willson.

As soon as Sephton's party, after the unceremonious ousting from its first location, was settled at Salem, Mr. Shaw commenced that organisation of the religious affairs of the country which, since those days, has been such a lasting monument to his memory. Although he might, without incurring any just charge of dereliction of duty, have confined his labours to the small community which was circumscribed by the hills of Salem, yet the less fortunate condition of the rest of the settlement appealed to his high sense of duty and induced him to include the whole of the settlers within his cure or "circuit". No chaplain had at that time been appointed to the military establishment in Grahamstown, though on June 30th, 1820, the Society for the Propagation of the Gospel had voted £500 towards the erection of a church in that village. The London Missionary Society's missionary at Theopolis, according to the policy of that Society, had to confine his attention exclusively to the Hottentots, and the Rev. Mr. Boardman, who might, not unreasonably, have been expected to exercise a moral influence, proved, unfortunately, to be more of a warning beacon than an ensample of godly life, his conduct having, on more than one occasion, brought upon himself reprimand from the Government. As this was the state of affairs during the first two years of the settlement, the whole of the spiritual responsibilities for a time devolved upon Mr. Shaw. The wider "call" to which he responded involved great self-sacrifice and the endurance of constant fatigue and privation, all of which he cheerfully suffered in furtherance of the good end he had in view. Moving constantly from location to location, almost as often on foot as in the saddle, spending nights in the open

CHAP. III. in consequence of having lost his way in the wild and pathless regions of some parts of Albany, he preached and inspired others to assist him in the work. And withal, his actions, whether exhortation, organisation or the giving of his own substance, were so obviously guided by a singleness of purpose, sincerity and modesty that not only Wesleyans, but Baptists, Presbyterians and even Episcopalians were glad to be drawn into his fold and to avail themselves of his ministrations. Of the honoured names among the 1820 settlers, it is doubtful whether there is one which is worthy of being held in greater veneration than that of the Rev. William Shaw. Fortunately, among the settlers there were some men of good and pious dispositions, who apart from their own obvious worth, could furnish evidence of having been accredited local preachers in England. These under the influence of Mr. Shaw's example and personality undertook, as far as they were able, to preach and to teach voluntarily in their own respective locations or districts. Thus the spiritual needs of the new community were not wholly uncared for. Among these local preachers there were two who deserve special mention as they subsequently became fully ordained ministers and, like Mr. Shaw himself, made for themselves honoured names in the South African mission field; they were John Ayliff of Willson's party and John Shepstone of Holder's party. There was no scarcity, however, of those who were willing to act as local preachers, though the intellectual and other qualifications of many were of a very doubtful kind.¹ Some of them had

¹ The following is a letter from one of these, seeking from Government the authority to preach. "M— Dale, Nov. 28, 1820. Honoured Sir,—The cause of my sending this Letter to you, is from a Searous Consideration of the State of the Settlers, with Regarde to Religion, their bein so long on Shipbord, has Tended Greatly to Corrupt their minds and Maners, and their Commin on Shore has Hitherto Aforded no Asistance in this Respect. In Consequence of my Commin out with so Smale A party, I Declined the Idea of offering myself to the Government of England as a Minister of the Gosple, Hoping their would be A suficient Suply of Ministers with the Large Partys, But I am sory To say a very Few Cum amongst them. But Finding a Far Greater Number of Smale Parties than Large ones without any Minister in any of them which are Around my Location Excepting myself and being urged upon to Preach to them and Having my Own Bissness to atend unto as I intend to have Due Atencion Paid to the Cultervation of Land, I Find it Impossible to Atend to Both. Their are Twelve Party's of which my Party Lies Exactly in the Senter of them all, where Aplace might be Built, that would answer for both Chapel and School, being only Four Miles from the Farthest party and as you Know, the English people

been great nuisances on board the ships, where each had preached at the other and created the ill-feeling and *odium theologicum* of which such procedure is certain to be the cause. It is surprising that there was so little of this among the locations as there seems to have been. This again can only be ascribed to Mr. Shaw's influence.

With the exceptions of the churches at Graaff Reinet and Uitenhage, which, as has already been indicated, were established before the arrival of the settlers in 1820, there was no provision for public worship anywhere in the East. Grahamstown, which had been in existence eight years, had not even a military chaplain. A few soldiers of a religious turn of mind, led by a Sergeant Lucas, met in their quarters in the East Barracks¹ every Sunday and held a service which, besides themselves, was attended by one or two civilians. Mr. Shaw visited this small congregation in August, 1820. His presence and subsequent co-operation soon resulted in such increased numbers that the sergeant's quarters became inadequate. A large room was then taken in the abandoned Officers' Mess house in the centre of the village (*vide* vol. i., p. 269, plan of Grahamstown in 1814). The demolition of

in England are in the Habit of Atending some place of Worship, their not having any means of Grace Here I am afraid the Almighty and Religion will be Intirely for Got. Now Sir, if I could have the same Salory the Government Alow Other Maried Ministers, I would Hier a Man to Atend my Bisness at home in my absence and I would give myself to the Ministry. If such a thing could be Done, I might by the Blessing of God be the Instrement of Preventing a Great Deal of Profigatesy in this Parte of the Colony, for without Anestablisment in the Outwarde Means of Religion, I am afraid their will be Wickedness among the People, and Instead of being a Blessing to the Colony they will be a curse. I have been in the Habit of Preaching Ocasionaly for many years and I intend to do the same Here, but Having no one to asist me, I find I shall not be able to make anything of it and atend to my Own Bisness, and its not in my Power to give all my Time for Nothing, or I would Gladly do it, for the Good my Fellow Conterymen and the other Inhabitance in the Colony. But my Circumstances will not Admit of it. Dr Sir, Hoping you will Give the Subject a Candid and Searous Consideration and use your Influence in behalf of theas People, as I Consider the Establishment of Religion a Matter of the Greatest Impotence, Both for the Comford of the People themselves and Also for the Colony at large. As you have been Kind to Interced in the behalf of our Temporal Intrests, I hope you will in Behalf of our Spiritual Intrests, your answer will be Kindly Received by, Honoured Sir, your most obligd. Huml. Servt. C—— M——.

"To Captain Traps, Magistrate, Bathurst."

¹ Afterwards Fort England.

CHAP. III. this building shortly afterwards entirely deprived the people of any place in which to hold their services. Mr. Shaw therefore determined to take the necessary steps for the erection of a proper chapel—no small undertaking in those days of poverty and ruined harvests. On October 16th, 1821, a plot of land was bought and upon it the foundation stone of a chapel and school was laid on the following December 5th; £500 were required to complete the building. Of this £250 were raised in subscriptions, almost every settler contributing something, while the remainder was borrowed on interest. The chapel was finished and opened on November 22nd, 1822. The debt upon it was soon paid off and in 1823 it was enlarged and a gallery added. For some years it was the only place of worship in Grahamstown, and was generously placed at the service of the other denominations. The Baptists held regular meetings in it and when, shortly after, a military chaplain was appointed, it did duty as garrison church as well as providing accommodation for a Church of England congregation.¹ In his concern for the religious welfare of Grahamstown, Mr. Shaw did not forget Salem. The old dilapidated Dutch house in which he first preached was replaced by a substantial building, the construction of which went on simultaneously with that of the Grahamstown chapel. The foundation stone was laid on New Year's Day of 1822 and, with the time, labour and subscriptions of the Salem people themselves, it was finished and opened for public worship on December 31st of that year. Besides these, less pretentious buildings were erected on some of the locations, particularly at Clumber by the Nottingham party and then, in 1826, as has already been mentioned, another chapel was built at Port Frances. All this was the work of the Wesleyans, who thus acted as the pioneer religious denomination of the Eastern Province.

The people of Willson's party were, nominally at all events, members of the Church of England—Episcopalians,

¹ This building is still standing in Grahamstown, but has for many years been used for purposes very different from those for which it was built. It is now a storehouse for dry goods. Its original cost in self-sacrifice and anxiety would seem to entitle it to be preserved as a memorial of those days of struggle, as well as a monument to the sincere religious sentiments which characterised the settlers as a class.

as the adherents of that denomination are called in the official documents of the time. Shortly after their arrival, however, many of them seem to have allied themselves to the Wesleyans. In July, 1820, in answer to Mr. Boardman's representation, the Colonial Secretary "having ascertained that the number of persons and families of the Church of England attached to the aforesaid party are sufficient to warrant a salary," granted to him the usual stipend of Rds. 2,000 per annum with 200 acres of glebe land, for which in addition to his clerical duties he was to undertake the education of youth. In September the Government lent a large marquee for use as temporary church and school when Mr. Boardman commenced his duties. The measure was not attended with any marked success. As Mr. Boardman had affairs in connection with the party, in his capacity as official head, to attend to as well as to see to his own private farming concerns, and perhaps also for some other reasons, the school soon came to an end. The remaining, the ecclesiastical duties, do not seem to have been excessive, for with the exception of the solemnisation of an occasional marriage and the conducting of a less occasional church service, his priestly labours were reduced to those of drawing his salary. The need of education among the children of the settlers became a matter of concern as soon as the first difficulties attendant upon their arrival had been surmounted. Among the many callings professed by the new colonists that of the schoolmaster was, more or less, worthily represented. In this respect the settlers were, for a time, better off than the rest of the Colony, though this is not saying much. The primitive schools were formed either by an enlightened head of a party collecting together a number of children on his location and placing a man in charge, as Mr. Miles Bowker did, or by the schoolmaster himself organising his own school, as did Mr. W. H. Matthews at Salem, whose school was for many years *the* settlers' school.

At this time the general educational needs of the whole country were under the consideration of Lord Charles Somerset, who, it will be remembered, was then in England, and Earl Bathurst. Besides the expediency of superseding the typical Dutch schoolmaster of the period—who in addition to his teaching had to perform the duties of church clerk, sexton

CHAP. and cleaner for a salary of Rds. 400 (not quite £31) per
 III. annum—by a superior class of teacher from Scotland at a higher rate of pay, it was felt that steps should be taken to diffuse a wider knowledge of the English language throughout the Colony than then prevailed. According to the authority of the Rev. G. Thom, minister of Caledon, who also was in England and with whom Lord Charles Somerset consulted on these matters, there were 60,000 Dutch colonists, barely 400 of whom could converse in English, while not 150 could read or write it. According to this same authority there was a distinct demand for a knowledge of English, albeit its subsequent introduction into some of the country districts met with considerable opposition. "The Dutch complained," said he, "that the English rule us, but they take no pains to teach our children their language, and only the rich of our countrymen have an opportunity of bringing their sons into offices of Government by being able to send them to Cape Town to learn English, and also do not know how to bargain with the English at the markets." Earl Bathurst approving of this measure, Lord Charles Somerset entrusted to the Rev. George Thom the duty of selecting fit and proper persons to commence the educational reforms in South Africa as well as also to supplement the number of clergy then in the Colony. The salaries of the schoolmasters were to range from £65 to £100 per annum with free house and garden. Mr. Thom was successful in obtaining some exceedingly good and able men, most of whom devoted themselves unselfishly and through long lives to their duties, and prepared the way for further development by succeeding generations. The first contingent of schoolmasters consisted of Mr. James Rose Innes, who was appointed to Uitenhage and afterwards became the first Superintendent-General of Education; Mr. Robertson appointed to Graaff Reinet; Mr. A. Brown, M.A., to Stellenbosch; Mr. James Rattray to Tulbagh; Mr. Dawson to George, and Mr. Blair, first to Caledon and then to Grahams-town.

Among the clergy were the Rev. William Ritchie Thomson, who at the time of his "call" was a most promising and exemplary student at Glasgow University. He was ordained as coadjutor to Mr. Brownlee in Kaffirland and arrived in this

country in November, 1821.¹ It should be mentioned that Mr. Brownlee had settled himself on the spot he had chosen for his mission on June 6th, 1820. The site was a small tributary of the Chumie called the Gwali; about two miles from Gaika's Kraal. CHAP.
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The Rev. Andrew Murray, another name greatly revered, not only by the Dutch Reformed Church, but by the whole of the Colony, arrived in July of 1822, and the Rev. Alexander Smith in July of 1823.

Difficulties in connection with education and other benefits of developed and civilised life were to be expected under the circumstances of forming a new settlement, but these might be patiently borne as with time they would right themselves. In the new life in this Colony, however, there was one feature, the discovery of which came as an unpleasant surprise to the settlers and created among them no small impatience and discontent. Although it had been stated in the general information to intending emigrants that on their arrival in this country they would be governed by the laws of the Colony, it does not appear to have struck any that those laws might be different from those in England. They had not been settled long in their new homes, however, before they discovered that the freedom with which they had been accustomed to criticise and express their disapproval of public measures and acts of Government in England was not to be tolerated in South Africa, and that any attempt to convene a public meeting or assembly, without the express sanction of the head of the Government, was a high misdemeanour.

It may perhaps be wondered why there should so soon have been a conflict with the Colonial law in this respect. Captain Trappes had become unpopular with the settlers, or at least with a portion of them. It would seem that, at his best, he was not of an affable or conciliatory disposition, and in addition to this, his temper was undoubtedly shortened by the duties which brought him into contact with the worst side of settler

¹ In November, 1821, Mr. Thomeon arrived, and began those labours as missionary and afterwards minister of the Dutch Reformed Church which made him one of the most venerated men in South Africa, and which ended only a short period before his death on the 4th of May, 1891, at the advanced age of ninety-six. (Theal, vol. 1795-1828, p. 310.)

CHAP. III. life. The numerous disputes he was called upon to settle, and the dissatisfaction with which his decisions were hailed by either one side or the other, created in him an ill-concealed contempt for the settlers. Many of them, on the other hand, reciprocated the sentiment and treated him with all the disrespect and defiance they dared.¹ The opinion was openly

¹ A tale which was circulated with much glee among the settlers at this time was that of an interview between Captain Trappes and Mr. Hyman, head of Hyman's party and the acknowledged "funny man" among the settlers. Mr. Hyman having to visit the magistrate, and having been treated with the usual scant courtesy, was about to take his leave when he suddenly turned upon Captain Trappes and said, "But, Sir, about the precious stones upon my location, have we not to report to you the discovery of gold, silver or precious stones upon our lands?" referring to the reserve Government had placed upon such mineral wealth. "Yes," said Captain Trappes, looking up as if at last a settler had arrived with something interesting to talk about. "What precious stones have you upon your location?" "Precious *big* ones," said Mr. Hyman, and quickly escaped from the magisterial marquee before the storm had time to break.

The following is a letter from one of those who felt themselves aggrieved by Captain Trappes' "ill-judged decisions". The writer is a Mr. Bishop Burnett, of whom there is yet much to be heard. He came to the Colony as an independent settler, that is, one paying his own passage, and brought his own servant as well as about £1,000 in capital. He soon came into conflict with the authorities, and believing their methods and motives in the administration of the Government to be corrupt, he became most violent and fearless in his denunciation of them and the steps he took to expose them. Captain Trappes, the Landdrost of Grahamstown, the Judges on Circuit, the Fiscal (Attorney-General) and the Governor, Lord Charles Somerset himself, came under his unsparing lash. The downfall of the last was in a very large measure due to Mr. Bishop Burnett.

"GRAHAMSTOWN, April 28th, 1821.

"SIR,—The Secretary of Grahamstown, yesterday, put into my hands two papers, one the affidavit of a man named Carney, the other your instruction to the Secretary, founded on that affidavit, to distrain forthwith on my property for the amount of Rds. 300. In expressing my astonishment at this proceeding, the features of its atrocity are so various and prominent, I scarcely know which to commence with. It may, however, be the best course, in the first instance, to protest against its monstrous illegality. On the mere *ex parte* statement of this man (whose title to credit would be equally good, by this mode of procedure, if he had made oath of my having committed a burglary or murder), you assume all functions of power in your own person—constituting your own tribunal in the very teeth of Colonial regulations, and the Proclamations of His Excellency the Acting-Governor, hear but one side of a question, which involves no less an issue than the sequestration of a subject's property! And follows up this preposterous anomaly in all form of judicature by a peremptory *fiat* of instant execution!!! With a long proved disposition to put up with almost any extent of injustice and caprice, rather than enter into dispute and litigation, I might have silently borne with this also, but, as the most dispassionate observer must, in the commission of this blundering absurdity, discover malice rather than mistake, I have not only determined to protest against this proceeding, but to mark, in very explicit terms, my sense of its infamy. I have no hesitation whatever in saying, that the man equal to the commission of so outrageous an act is not only unworthy of the

expressed that it was a mistake to appoint military men to rule civil communities as was then the case in all the Eastern districts. For the purpose of showing united disapproval of this procedure generally, and of complaining of Captain Trappes in particular, cautious steps were taken to deal with the matter at a public meeting. The Colonial law in connection with freedom of speech could not have been entirely unknown to the promoters, for instead of openly and avowedly assembling people for the purpose of dealing with what was uppermost in their minds, it was proposed to form a "Cultural Society" for mutual improvement and the discussion of "Culture in all its branches". The first and only meeting was held at Bathurst on the evening of January 15th, 1821. It commenced in the marquee of Mr. John Bailie, who was then acting as clerk to Captain Trappes and who, presumably, attended the meeting in all innocence of any political motive. After half an hour's surfeit of "Culture in all its branches," fourteen of them, under the leadership of Mr. Thomas Phillips, the special heemraad, and Mr. Barker, repaired to the canteen, probably another marquee, "to take a chop". "After the glass had circulated freely and judgments were laid asleep," Mr. Phillips passed round a paper for signatures. It was a petition to the Acting-Governor asking, among other things, "that the chief magistrate of this district should be a man of character, penetration and general knowledge". They desired a civilian who by British education and abilities was qualified to fill the important situation; and they could not forbear to remark that the many instances of ill-judged decisions had caused the greatest trouble and irritation among the settlers.

magisterial robe, but a disgrace to any rank, station or distinction, from which he pleads the title of gentleman. You may, Sir, in the plenitude of a power most injudiciously delegated, sport with the destinies of the unfortunate settlers within your grasp, but I warn you, in the commission of your absurdities, not to speculate too far upon my forbearance—that forbearance gives you in this instance a caution only, but I pledge my soul that the next insult I receive at your hands, I shall impress a lesson upon your recollection, not to be readily expunged, by even the fumes of debauch and sensuality.

"As form prescribes, I am, Sir, Your obed. servant,

"B. BURNETT.

"P.S. A copy of this letter will be lodged in the Secretary's Office, that in the event of your losing another letter of mine, you may have no plea to lose my sentiments also."

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The petition stated, though probably without much foundation in truth, that these views with regard to military rulers were held by the whole community. This statement was scarcely borne out by the movement which, at this same time, was in progress nearer Grahamstown, namely, that of collecting signatures to an address which, with a cup, was to be presented to Captain Somerset, the deputy landdrost of Grahamstown, who was then about to leave the frontier, in appreciation of the kindness and concern he had shown in the first location of the settlers as well as much subsequent thoughtful care. When Captain Trappes came to hear of the meeting, he sent to Mr. Phillips for an explanation. This being refused, he brought the matter before the notice of Sir R. S. Donkin, as well also as the steps taken by Mr. Goodwin the clerk of the deputy landdrost in Grahamstown, in procuring signatures to the address to Captain Somerset, as even such a harmless proceeding as that was contrary to the law of the Colony. As the result of this, Mr. Phillips was ordered to return the warrant constituting him a heemraad and Mr. Goodwin was dismissed. Thus ended the first attempt to transplant into South Africa the unrestricted freedom of public meeting to which all had been so accustomed in England. Another attempt was made at a slightly later date, after Lord Charles Somerset had returned to the Colony. He also acted with promptness and, in order that there might be no excuse in the future on the grounds of ignorance of the Colonial law on the subject, he issued a Proclamation, dated May 24th, 1822, in which the matter was thus explicitly dealt with. "Certain individuals (probably ignorant of the Laws of the Colony) have proposed to convene Public Meetings, for the discussion of Public Measures and Political subjects, contrary to the Law and Usage of this place: I deem it therefore necessary thus publicly to notify that all meetings so convened are contrary to Law and that every person who attempts to convene any meeting or assemblage of such nature, without my sanction and authority . . . or any person attending such unsanctioned meeting, is guilty of a high misdemeanour and is severely punishable for such offence . . . the Local Authorities have been authorised to disperse the same and after the promulgation of these presents, to arrest and bring to justice, all and

every individual who shall infringe the Antient Laws and Usages of the Colony entrusted to my care." CHAP.
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Although Sir Rufane Donkin acted in accordance with colonial law by discountenancing the public meeting, it is not clear how far he disapproved of the contents of the petition.

For just about this time he was contemplating a measure to which he shortly afterwards gave effect and in so doing removed the alleged causes of irritation. He considered it absolutely necessary for the well-being of the settlers, so he told Earl Bathurst in a despatch dated June 5th, 1821, that the civil and military authority on the frontier should be united in one individual who, in short, should be possessed of the virtues enumerated in the petition. Captain H. Somerset left the frontier in February, 1821, where he had been acting as deputy landdrost of Grahamstown in place of Colonel Graham, who was then in a bad state of health at his residence in Wynberg.¹ To fill this post and to exercise authority over all the settlers, a Major James Jones was appointed (May 28th). To assist him in his duties, Captain Duncan Campbell and Miles Bowker were appointed heemraden. This rendered Captain Trappes' tenure of office, provisional as it was, no longer necessary. On June 4th, therefore, the Acting-Governor intimated this to him in words expressing the warmest appreciation of the services he had rendered. Captain Trappes shortly afterwards became landdrost of Tulbagh. Major Jones was, in the highest degree, acceptable to the settlers. His geniality and his disposition to give untiring consideration to their troubles and complaints soon made him most popular and enabled him to succeed where Captain Trappes had failed. But, as in so many other cases where those high in authority in England have done harm in South Africa by interfering in matters about which they could know little or nothing, Earl Bathurst would not sanction the appointment. He contended that Major Jones was disqualified for the post on account of the short time he had been in the Colony. Hence a few months afterwards, one² against whom

¹ Colonel Graham died at Wynberg on March 17th, 1821, at the early age of forty-three.

² Mr. Harry Rivers appointed landdrost of Grahamstown, December 17th, 1821.

CHAP. this charge at least could not be alleged replaced Major Jones,
 III. but he proved such a failure that it became necessary, not only to remove him from the district but, for a time, to suspend him entirely from Government employ.

Among the many perplexities which surrounded Sir Rufane Donkin during his short but eventful rule, not the least was the proper course to be pursued in the disposal of the men of the Royal African Corps. The disbandment of this corps had been decided upon by H.R.H. the Commander-in-Chief and to the Acting-Governor was left the somewhat difficult task of making final arrangements. Composed as this corps was of so many bad characters, other considerations than the mere liberation of men from military service were imperatively necessary. There were some who for military reasons could not be discharged in the Colony and who could not lawfully return to England; some were fit for further military service but would not volunteer for other regiments; a number, however, did join the 38th Regiment, while the worst of those who were unfit for further service and could not be discharged in the Colony were drafted into the 72nd Regiment. "I have attached," said Sir Rufane Donkin, "these worthless and unmanageable people to the detachment of the 72nd Regiment at Grahamstown, but I shall take the earliest opportunity I can of removing them to Cape Town, as neither the settlers nor the ordinary inhabitants here would be safe in the vicinity of such congregated banditti as these men will form when collected."¹ With those of somewhat better character, who, it was thought, might safely be entrusted with a measure of liberty, the Acting-Governor conceived the idea of forming a military village in the Neutral Territory, that is, the country between the Great Fish and Keiskamma rivers, which, according to the verbal treaty between Lord Charles Somerset and Gaika in 1819, was to be occupied by neither Kaffir nor colonist. He contemplated, in reality, the extension into that territory of the system of colonisation then in progress in Albany. The officers of the disbanded corps were to

¹ These men, formed into two companies, were kept out of mischief and did most useful service to the Colony by constructing the road over the Fransche Hoek Pass. Towards the end of 1823 they were sent to Sierra Leone, where they were finally discharged.

associate with themselves not less than sixty but preferably a hundred men and were to receive grants of land of about 2,000 morgen. The men were to act as their servants and at the expiration of three years were to receive grants of land of a hundred acres each. The whole community was to form a fortified village in such a position as would protect Bathurst and Albany generally against inroads of Kaffirs. It was at best a dangerous experiment. Had Sir Rufane been better acquainted with all the conditions under which the "treaty" was made and the relations which existed between Gaika and the other chiefs who felt themselves aggrieved at his action, he might have realised that, apart from the questionable material of which the settlement was to be composed, the project contained within itself many elements of failure. As a preliminary, the Acting-Governor, during his visit to the frontier in 1820, went to see Gaika with a view to obtaining his consent to the arrangement. The chief had no objection, but rather wished it, provided, he said, that colonists were not placed in detached families as had been the case with the Boers in the Zuurveld, for his Kaffirs, he continued, would be sure to plunder them and he himself had no power to restrain them. He quite approved of the military nature of the proposed settlement and added, in the figurative language of his race, "Then henceforth the waters of the Keiskamma, the Begha, the Fish (and several others he mentioned) will roll into the Great Flood in peace and unstained with blood". Nothing further was done until May, 1821, when the officers drew up a definite scheme and presented it to the Acting-Governor, then making his second visit to the East. The position chosen for the village was a fertile region along the right bank of the Begha¹ River, a few miles to the south-east of the site of the present town of Peddie and probably very near where the village of Woolridge now stands. It is hardly necessary to say that Sir Rufane Donkin heartily approved of the general principle of the scheme submitted to him, as he really originated it, though he adopted, perhaps as a matter of precaution, a somewhat curious attitude of independence in his answer. He said: "I by no means hold out anything like an invitation or

¹ The Begha (or Beka as it is called in the documents) is situated about half-way between the Keiskamma and Great Fish Rivers.

CHAP. request that these gentlemen should settle at the Beka. If
III. they go thither, it must be in pursuit of their own advantage and interest and by no means with an idea of conferring any favour on this Colony."

The proposals finally agreed upon were that each officer should select for himself 2,000 morgen of land in the country situated between the Begha and Fish Rivers, with an additional 200 for every able-bodied man located or employed by him for three years, and 1,000 morgen were to be appropriated as commonage for the village which was to be established. The officers were to continue to receive full pay for the same time as those proceeding to England at their own expense, while the men were to receive two months' pay from June 25th and to be rationed for nine months. All were to reside *bonâ fide* in the settlement for three years: any default in this respect to lead to the resumption of the land by Government. The men were to be bound down to their masters, the officers, by properly drawn out contracts and, as no colonial passes would be issued to them, any of them found wandering about in the Colony during the three years were to be arrested and imprisoned. In order to avoid trouble with the Kaffirs, no one was to be allowed to straggle or to graze cattle on the left bank of the Begha and under no circumstances to cross the Keiskamma. The village was to be fortified and arms and ammunition for self-defence were to be supplied by the Government. The name which Sir Rufane Donkin proposed for the township was FREDERICKSBURG, in honour of H.R.H. the Duke of York and Albany. As it was a somewhat long journey from Fredericksburg into the Colony by the nearest fordable drift across the Fish River, it was decided to construct a ferry so that that river might be crossed near the mouth, the materials to be supplied by the Government and the labour by the people.

Under such conditions, thus generally outlined, ten officers¹ with seventy-eight men decided in the first instance to com-

¹They were Capt. M. J. Sparks, Capt. R. Birch, Lieut. A. Heddle, Lieut. W. H. Cartwright, Lieut. McCombie, Lieut. J. P. (or R. J.) Sparks, Ensigns A. Matthewson, A. Chisholm, C. Mackenzie and Assist. Surgeon R. Turnbull. To these may be added Messrs. Donald and J. Dunbar Moodie, brothers of Mr. B. Moodie, who brought out the settlers of 1817.

mence the settlement. Two of the officers, however, almost immediately withdrew, but the loss was more than compensated, at all events as far as numbers were concerned, by some of the non-commissioned officers also entering into the scheme. Without unduly anticipating it may be said that, from the commencement, the whole affair was a failure. The sergeants almost immediately were discontented with the manner of the distribution of the erven in the township. The officers, exclusive of the sergeants, cast lots for these, and thus obtained the most desirable lands, namely, those from which the river was most accessible. The sergeants complained that the portion thus left to them was "six dry lots" on the side of a barren hill on which it would be impossible to raise food for their families. As they were refused their right, to take their chances with the officers for the "wet" lots, a privilege for which they justly contended, Sergeant-Major Fogden and Sergeants O'Neal and Law, with sixteen men and several women and children, inspanned their waggons and proceeded to a place about a mile and a half distant which better suited their purpose. There was no want of enthusiasm and activity on the part of those who felt satisfied with their building lots. According to a report dated July 24th, that is barely a month after their arrival, there were seventeen houses, better than the best of those constructed by the Albany settlers, quite finished and five acres of potatoes as well as other vegetables planted. For the protection of these people until the early stages of their establishment permitted them to defend themselves and their property, a party of the Cape Corps, thirty-three in number, was stationed on the settlement. Fredericksburg, however, did not succeed and in a little more than a year from its first establishment, it came entirely to an end. Apart from that dangerous proximity to the Kaffirs which precluded the possibility of any marked success in farming operations and perhaps also on account of the discontent which existed among those tribes which, feeling aggrieved at being dispossessed of the country by Gaika's action, saw the white man occupying it, failure was determined from within. The soldier servants did not get the promised pay and became dissatisfied with the conditions of service. The officers were disappointed at the non-appearance of the land-surveyor and their consequent in-

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ability to commence ploughing and sowing; and above all the whole scheme met with the most decided disapproval of Lord Charles Somerset, on his return to the Colony in December, 1821, one of his first acts being the withdrawal of the military protection. The greater number of the men wandered back to the Colony and found employment where they could, and thus left their military service without the usual discharge; all attempts to arrest them seem to have been in vain. But worse than this, many of them had commenced an illicit traffic in cattle and ivory with the Kaffirs and thus renewed that danger, the elimination of which had been the object of the creation of the Neutral Territory.¹ By April, 1822, according to the report of Landdrost Rivers, only three of the seventy-eight privates were then upon the settlement and most of the officers had violated the terms of agreement by non-residence. Very shortly after the place was entirely abandoned and Fredericksburg ceased to exist.

It may be remembered that, in providing for the future tranquillity of the frontier in 1819, Lord Charles Somerset determined on establishing two military posts in the Neutral Territory.² To Sir Rufane Donkin was entrusted the duty of continuing the work which was then begun. The formation of Fredericksburg, however, seemed to suggest to the Acting-Governor the necessity of a modification of the original intention. Instead, therefore, of commencing the proposed fort near the Gwanga, the project was abandoned in view of the protection which Fredericksburg was expected to afford. In this case, circumstances and the prospective advantages may have justified the Acting-Governor in deviating from his instructions. But in another particular, his reason for departing from Lord Charles Somerset's plans is not so obvious. On May 29th, 1820, he caused the construction of Fort Willshire,

¹ This offence, however, was not confined to the men at Fredericksburg, as the following extract, dated January 12th, 1821, from the Frontier Order Book will show. "The Colonel has heard with considerable surprise that notwithstanding the Frontier Order of September 28th, 1820, No. 2, several soldiers have presumed to traffick with the Kaffirs and thereby induce those people to cross the boundary. Any soldier, after this day, detected in even speaking to a Kaffir, which is much less than daring to disobey orders by trafficking in any way with them, shall be instantly brought to a drum-head Court Martial."

² *Vide Rise of South Africa*, vol. i., pp. 401, 402.

which was in active progress and about a third of the work done, to be entirely stopped and commenced another fort at a distance of about a mile. The unfinished building is situated on the top of a hill which slopes gradually down to the Keiskamma and about half a mile from that river. The position commands the approaches to the river as well as the country immediately surrounding. It is built of stone which was obtained in the vicinity and with little quarrying; the mortar used was merely mud.¹ The total cost in its finished state was estimated at £729. In his letters defending his conduct to Earl Bathurst, Sir R. Donkin somewhat extravagantly referred to this structure as "a ponderous fortress of stone, cannon proof," and unnecessarily massive considering the feeble weapons which the only enemy, the Kaffir, was likely to use against it. The structure he erected in lieu of it was situated on the low ground near the bank of the river and was scarcely less massive than the work he deprecated. It was built partly of stone and partly of brick and mortar.² The total cost when finished was £821. A careful study of all the documents in connection with the subsequent investigation impresses one with the idea that Sir R. Donkin acted hurriedly and without sufficient forethought and knowledge of the circumstances in this matter and that Lord Charles Somerset was warranted in resenting this inference as he afterwards did.

The year 1820 besides being prominently noteworthy on account of the arrival of the settlers, was remarkable for another reason—the complete cessation of trouble on the part of the Kaffirs. There were, in all probability, several causes which contributed to this happy state of things. In the first place, in addition to the salutary effect which the chastisement of 1819 had produced, the creation of the Neutral Territory and the building operations at Fort Willshire tended to keep marauders at a distance. Secondly, it is possible that Kaffir caution dictated the prudence of allowing time to show to

¹ *Vide* illustrations, vol. i., pp. 400, 402.

² The accommodation provided by Fort Willshire is thus described in an official report in 1826: "There are six small rooms for twenty sergeants, one room for Sergeant-Major, one room for Quartermaster-Sergeant, eleven rooms for privates, each to accommodate twenty-five, a guard-room, a bake-house, two rooms for the Commissariat store-keeper, a room for hospital, a surgery, an orderly room, stables 534 feet, 18 feet wide, and a magazine".

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what extent the new-comers in the Zuurveld were to be feared, or perhaps, finding they were harmless, saw that, for the first months, at all events, their possessions were not worth considering. At the beginning of 1821, however, indications of the end of this unwonted quietness became apparent. The locations of Messrs. Mahony and Brown were on the extreme east of the district and therefore nearest to Kaffirland; moreover on the former were the deposits of red clay which the natives so prized for personal adornment. It is not surprising therefore that trouble first began in that quarter. What may be regarded as the first contact between the Kaffirs and the settlers took place on January 7th, 1821, when the small community formed by Mahony's and Brown's parties was thrown into the greatest consternation by witnessing the approach of a large concourse of natives, estimated at 600 men and 2,000 women. Although in this case the visit was made with peaceable intentions, there would undoubtedly have been a serious conflict had not two military officers, Lieutenants Hope and Petingal, been, by chance, near at the time. By them it was ascertained that these people had received permission from Colonel Willshire, then stationed at Fort Willshire, to pass through the Neutral Territory to the clay pits. But the Colonel, unfortunately, had omitted to inform the frontier authorities of his action and thus caused the alarm which such a visitation was likely to produce. Having obtained the supplies they desired, they returned to their own country. Very shortly after this, Mr. Mahony was again visited, but this time, besides red clay, the visitors took fourteen of his cattle, and, in the following April, a further nine cows and four oxen. From this time the old order of things seemed to have returned and the settlers began to realise that the possession of cattle was very precarious. But loss of cattle was not the worst to be feared, as an event which happened in September demonstrated. An English boy who was employed by David Hobson of W. Smith's party, situated about fourteen miles from Grahamstown in the direction of Driver's Bush, mysteriously disappeared with the forty-eight head of cattle he was herding. Search was made in all directions as soon as the alarm was given, but no trace could be found. Major Jones therefore sent a message to Mr. Brownlee at the Chumie

Station asking him to institute inquiries in Kaffirland. The result of this was that the cattle were traced to the kraal of one of Ndhlabi's headmen, but no tidings of the boy could be obtained. In the hope, therefore, of finding him still alive in Kaffirland as well as recovering the cattle and punishing the thieves, Major Jones set out with 150 Infantry, a detachment of the Cape Cavalry and twenty mounted Burghers. The patrol went first to Fort Willshire, where Mr. Brownlee was waiting with the intelligence that he had interviewed Gaika on the subject. That wily chief at first gave definite information but afterwards was very anxious to have it understood that what he had said had been merely hearsay. The armed party then moved on to Gaika's kraal and asked that chief for guides to lead them to the people who were secreting the cattle. Gaika's conduct was very suspicious and indicated that he was playing a double game. It was evident that he had become friendly with Ndhlabi and was assisting him as far as he dared. He would not supply guides, but sent his own messenger to the guilty kraal, nominally with orders to restore the cattle but actually to warn the people of the approach of the troops. As Gaika would render no assistance, the patrol left and soon found a Kaffir who would act as guide. After a fatiguing march of fifteen hours they arrived at the kraal but only to find that people and cattle had fled. There was no doubt but that Gaika's message had been the cause of this. The patrol returned to the Colony without the cattle. Shortly after, it transpired that the boy, as was suspected, had been murdered by those who took the cattle. Botman, a sub-chief under Gaika, caught one of the thieves who confessed to be the murderer, and sent him as a prisoner to Fort Willshire. As soon as the report of this reached Grahamstown, Lieutenant-Colonel Scott with a strong patrol set out for that place and, having received the prisoner, moved on to Gaika's kraal. A parley ensued, when Gaika and his son Maqomo having given their assurance that "that was the man," Colonel Scott demanded that Gaika should execute him for murder then and there in the presence of the crowd which had assembled. The chief at first refused and for a time held out on the ground that the man had done *him* no harm. "At last," says Colonel Scott, "telling him that he must either execute the man or

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CHAP. III. take the consequences, I called out to my party to 'Stand to arms,' and the men immediately began to pull off their gun covers (as it was raining). Gaika no sooner observed this, than he said to Adams (the interpreter) with much apparent alarm, 'What is he going to do? Tell him I will order the man to be executed immediately,' and calling out to two or three of his people he gave them some instructions. The Kaffir was then given over by the Cavalry guard; he was led to the bottom of the Chumie village and a cord having been put round his neck, in a few seconds he was dead."¹

The news of the murder of this boy by Kaffirs spread far and wide, and taking place, as it did, on a settler's location, it created a general feeling of loneliness and danger. The apprehension of those on the more immediate frontier was not without reason, for towards the end of 1821, the visits of the Kaffirs became more and more frequent and their behaviour was not that likely to inspire confidence. Messrs. Mahony and Williams, on two separate occasions, were chased while at some distance from their homes and, to escape being killed, fled to, and spent the night in, the Kap River Bush, much to the painful anxiety of their wives and families; and Mr. Brown, alarmed at his isolation and want of protection, abandoned his location for a time and sought refuge in Grahamstown. In the Baviaan's River district to the north, Mr. Pringle often saw Kaffirs lurking on his location, though they do not seem to have molested him or his people. But the Boers in the same district were not so fortunate.² In addition to the Kaffirs the Bushmen were again invading those parts and doing much damage. This will be referred to later.

Besides the gloomy prospect which this attitude of the natives presented, the settlers saw at this time another cause for the gravest concern. After the disappointment in the harvest at the end of 1820 and the renewed hope and energy which led to the sowing of further crops, signs of the blighting rust in the wheat again made its appearance. It seemed as

¹ Letter from Lieutenant-Colonel Scott to the Commissioners of Inquiry, January 25th, 1825.

² For instance, on August 10th, four horses were stolen from C. K. Klopper; on the 20th, thirty-nine head of cattle from J. A. Greyling, and on the 23rd, nine horses from Van der Nest.

if circumstances conspired to make the settlement a failure. The Kaffirs on the one hand forbade the possession of cattle while the earth on the other refused to supply bread. As has been stated, the settlers, during this year and in prospect of this harvest, were supplied with rations by the Government in the problematical hope that at some future time the recipients would pay for them. But now the case seemed hopeless. As soon as the report of this threat of the second failure of the crops reached Sir Rufane Donkin, with that concern for and attention to their welfare which was so characteristic of him, he promptly despatched, on November 15th, 1821, the brig *Alacrity* to Algoa Bay, laden with rice. It would have been futile to consider any question of repayment, hence it was decided to issue the rice gratis, the expense to be borne by the Colonial Treasury. The landdrost of Albany was authorised to supply only those who, upon due inquiry, were found to have been industrious and likely to become distressed through no fault of their own,¹ and then at the rate of half a

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¹ The supply of rations during 1821, which, under the circumstances, all must have seen were gratuitous, had a demoralising effect upon a large number of the settlers. Finding that they were sure of their food, whether they worked for it or not, they became idle and in many cases refused to work. To deal with this, a Government notice was issued at Bathurst on June 10th, 1821, of which the following are the important clauses: "It appearing that the issue of Rations indiscriminately to the Settlers has had the effect of keeping up the price of labour in Albany to an exorbitant amount, many of the Artificers and Handicraftsmen having demanded and obtained as much as 5, 6 and 7 Rix-dollars per diem, and many settlers having refused to be employed on any terms as Day Labourers, alleging that 'while they had Rations they would not work,' this is to give notice, that the following Regulations have been received here from His Excellency, the Acting Governor, and are to be in force from this date.

"The Landdrost of Albany and the officers acting under his authority having been directed to construct certain Public Buildings at Bathurst and Graham's Town, will call for such a number of Carpenters, Masons, Bricklayers and other Artificers, as well as corresponding number of Day Labourers, from amongst the settlers as may be wanted for the Public Work, and he will ask each, separately, if he will work for Government on the following terms, viz.: Each Carpenter, Mason or Artificer at one Rix-dollar per diem in addition to the rations now given, each man capable of day labour at half a Rix-dollar per diem in addition to rations now given.

"After making this proposal, the Settlers so addressed are to be told that they are by no means OBLIGED to work for Government at the above rates; they have only to say YES or NO. If they refuse, it must be plain that they have a means of Livelihood and that they cannot have need of a Government Ration: they and their families (if they have any) are therefore immediately to be struck off the Rations List, and their names are to be entered in Books kept for the purpose at Bathurst and Graham's Town.

"No person once struck off the List, can on any account be readmitted on it."

CHAP. pound per diem for each adult and a quarter of a pound for
III. each child, the issues to commence on January 1st, 1822. It is worthy of remark here, that this last statement shows that Sir Rufane Donkin could not have been aware, at this date, how soon his tenure of office would end and that another would make the final arrangement in this matter. These failures of the crops were chiefly instrumental in preventing the Acting-Governor from carrying into effect the abolition of the Somerset Farm, a measure which he considered the changed circumstances of the country necessitated. That the settlers should be placed in competition with an establishment supported by Government funds, aided by soldiers as workmen and artificers and fully supplied with Hottentot labour, he regarded as an injustice. The farm could and did, he maintained, underbid those who tendered to supply the commissariat, the chief market, and thus greatly discouraged the enterprise of those who had come to the country as agriculturists. He contemplated closing down this establishment, dividing the land into building plots and selling them on behalf of the Government. To compensate Mr. Hart, he granted him a large tract of land. This last, however, was as far as the scheme went.

Another important measure which he initiated but which circumstances prevented him from developing and for which the credit is usually ascribed to another, was the establishment of a periodical fair on the Keiskamma. The chief object of this, according to Sir Rufane's view, was "to transform the Kaffirs from a thieving nation into a commercial one" and to secure a friendly intercourse between them and the settlers. To this end Major Jones visited Gaika on June 23rd, 1821. That chief, with the characteristic willingness with which he assented to every proposal, good or bad, which was brought before him by those more powerful than himself, welcomed the idea. On July 20th, therefore, the Acting-Governor issued a long proclamation announcing the above intention and containing a number of well-devised regulations, ensuring safety to the colonists and fairness in dealing with the natives. On account of the changes about to take place at that time, however, the matter dropped. It was

raised again a short time afterwards by Lord Charles Somerset as an original idea and all Sir Rufane Donkin's initiatory steps were ignored. CHAP.
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During the two short years of his administration, Sir Rufane Donkin devoted himself to the welfare of the Colony as though he had no other object in life. Perhaps, indeed, such was the case; for the blank created by the death of his wife in India shortly before rendered any distraction of this nature a relief. His activity was ceaseless and his mind was wholly and unselfishly occupied with schemes which tended to the public good. Regarding himself as the King's representative and responsible only to his Sovereign for all his acts, he did not hesitate, in the pursuance of his policy, to make any innovation or to suppress any existing measure which he looked upon as an abuse, or at least, of doubtful advantage to the country. In acting in this honourable manner, he completely ignored the personal element of Lord Charles Somerset and thus unconsciously placed rods in pickle for himself and sowed the seed of subsequent turmoil. He saw much which was objectionable in the administration of the Governor, and, upon his own responsibility, introduced the reforms which appeared necessary and which gave the greatest satisfaction to the people. In the first place he allowed himself to be more accessible to the general public than the Governor did. "I made it a rule," he says, "to see all persons who had business with me at Government House, and not to refer them, without a hearing, to the Colonial Office." Another important particular in which his procedure differed from that of Lord Charles Somerset was that in connection with the Court of Appeal. "It had been the practice of the Governor," says Sir Rufane,¹ to settle all the appeal cases in his private room, with the secretary of that Court; and the secretary then wrote to the suitors announcing the sentence . . . as the appearance of secrecy and mystery resulting from the closeting up of *two* persons only, in a Court where nothing ought to be secret or mysterious, was injurious to it in public opinion, I adopted the practice of announcing my decrees

¹ *Vide* Letter from Sir R. S. Donkin to R. W. Horton, *Records*, vol. xvi., p. 80.

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myself, in open court, from notes written with my own hand on the backs of the several cases; this practice gave the greatest satisfaction to the Colony." In thus moving in these two directions Sir Rufane may have done away with usages which had their origin in more remote times and observance of which by Lord Charles Somerset did not necessarily reflect any discredit upon his administration. But the Acting-Governor made other changes which, in effect, amounted to censure on the Governor's conduct in relation to his own personal advantage. The quarterly expenditure in the maintenance of the Government House in Cape Town was considered to be out of all proportion to what was reasonably necessary. This was cut down to one-fifth. On the Governor's summer residence at Newlands a very large sum, estimated at one twenty-first part of the whole revenue of the Colony, was being spent. Then there was a villa on the mountain facing Camp's Bay and also a shooting box at the Groote Post farm, both of which were maintained at the public cost. A large number of soldiers was found occupied on the farm connected with Newlands as well as in other menial and non-military duties, but yet covered in the military returns as "in public employ" or "barrack department". These the Acting-Governor withdrew from such employ and found for them duties more in accordance with the King's regulations. The fine gardens around Government House in Cape Town had been closed to the public and sown with forage for the Governor's horses. Sir Rufane Donkin altered this by replacing, as far as possible, the forage by flowers and re-admitting the public, a measure which gave great satisfaction. Another wholesome deviation from Lord Charles Somerset's policy which he instituted was that of "putting down a system of espionage and tale-bearing about the government house, to which I could not stoop, and which I found operating in the most injurious manner on the society of the Colony. I announced at once that I would hear no tales, nor receive any tale-bearers; that if any man had anything to say of another in office under me, he must bring it forward openly and officially, and that no man should be screened by the hand of power if he did wrong. This determination was very mortifying to many who were dis-

posed to make themselves useful in that way ; and their complaints were loud when they found my doors shut against them ; but I had the satisfaction of seeing the confidence of the inhabitants established, both in regard to one another and myself." ¹

It is scarcely conceivable that the absent Governor could have been entirely ignorant of the havoc, if that term may be used, which was being made with his affairs at the Cape. Yet there does not appear to be on record any complaint or protest from him while in England, except, perhaps, the report to Earl Bathurst of the change at Fort Willshire. He seems rather to have endured it and to have stored up his anger for the time when he could come into closer contact with those concerned. And it must have been somewhat mortifying to the son, Captain H. Somerset, to witness all this interference in his father's concerns, the more so as he himself was involved. His removal from the landdrostship of Grahamstown, temporary though the appointment was, rankled deeply in his breast and gave rise to great bitterness of feeling against the Acting-Governor. His appointment as Commandant of Simon's Town did little to soften this asperity. It is only fair to Captain Somerset to remark here that the subsequent history of the East proved him to have been a most able, indefatigable and upright man and one well qualified for the post from which he was removed. The safety of the frontier depended for many years upon his unceasing vigilance and activity. The increasing bitterness with which he regarded Sir Rufane Donkin made it more and more difficult for him to treat the Acting-Governor with ordinary civility. Under these circumstances, it needed but little to lead to an open quarrel. The two met on the road leading to Rondebosch shortly after Sir Rufane Donkin had felt it his duty to oppose Captain Somerset in a matter connected with the farm at Newlands. Angry words ensued. The disrespectful terms used by the latter led to his arrest and temporary confinement to his post at Simon's Town. Colonel Bird, the Colonial Secretary, who was present and witnessed the interview, did what he could to smooth over matters in

¹ Letter of Sir R. S. Donkin to R. W. Horton, *Records*, xvi., p. 80.

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order to avoid any unpleasantness which might eventually arise between Lord Charles Somerset and Sir Rufane Donkin. Presuming upon the close friendship which had always existed between himself and Captain Somerset, he wrote to him a letter in which he discussed the merits of the case and endeavoured to show that the Acting-Governor had done no more than his duty. He said: "You are wrong in supposing that this matter can, or ever will be considered, by dispassionate persons, as a private quarrel between yourself and Sir Rufane Donkin; it was by no means so; it was an insult from Captain Somerset to the Governor and Commander of the Forces. The Governor, or Acting-Governor, can on no occasion divest himself of the character he holds as the King's representative. It is in this character all public servants know him, and in this, and this only, that he is entitled to our support and devotion. You are equally wrong in supposing Sir Rufane to be your father's representative here; he is no such thing; he holds his authority by His Majesty's Commands, signified to him through the Commander-in-Chief on the one hand, for his military situation, and through the Secretary of State on the other, for his civil one. He acts in the King's name, and in the King's name only; he holds his authority, however, only while your father is absent; upon his return his temporary command immediately ceases. While he commands here, he has precisely the same power and privileges which your father had, and any accommodations he may have shown your father in giving up the lands, etc., attached to the Governor's situation, was matter of pure courtesy; those lands could not be alienated from his Government, and were and are under his superintendence—the claim you put in, to interfere with anything left on the Government Property, is one which could not be for a moment supported; your father left no such commission with you, and if he had, you could not have acted upon it. It is not my intention by this explanation to review all the circumstances which passed last week, let us rather bury them in oblivion; but I wish to show you, from this plain statement, that you have misunderstood the import and circumstances of what passed on the road when Sir Rufane met you; it is true that you met him in a state of great irritation—you are aware of the unusual

interference which had caused that irritation; but it is not correct in you to assert that any 'unhandsome allusion was made to your father' in any part of what Sir Rufane addressed to you on that occasion. The impression Sir Rufane's observations made upon me was, that he endeavoured to convince you of the nature of the situation he filled, as I have above described it; and that because your father left a team of mules upon the lands cultivated on his account at Newlands, it did not therefore follow that any other person than himself could by any means be allowed to interfere with that team."¹

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While these matters were progressing, the Governor himself was upon the water speeding, in the ship of war *Hyperion*, his way back to the shores from which he had been absent nearly two years. Whether a change for the worse had been produced in the population by the accession of the large number of British settlers and thus prevented the government of the country from being continued in harmony; or whether Lord Charles Somerset was of a despotic disposition which, up to that time, had not been called into action for want of sufficient opposition, it is not presumed to determine. But certain it is that in his relations to almost everything and everybody during the first period of his administration, his general demeanour differed greatly from that during the second, when dissensions, turmoil and arbitrary measures opposed by independence of thought and fearlessness in action gave rise to much commotion in the Colony and considerable stir in the British Press and House of Commons.

The *Hyperion* arrived in Table Bay on the evening of November 30th, 1821. As soon as she came to anchor Captain H. Somerset, Dr. Barry (the famous woman doctor) and Major Cloete, Aide-de-Camp to Sir R. Donkin, went on board in order to welcome the Governor. A long private conversation soon ensued between the father and son, the topics of which are not difficult to guess. At the end of the interview the Governor showed great irritation, and is reported to have said that he would instantly undo and reverse all that

¹ *Vide* Letter on the Government of the Cape of Good Hope by Sir R. S. Donkin, 1827.

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"In one instant I thus found myself in the street, without having even seen Lord Charles Somerset, nor have I seen him since—and thus, in the face of this whole Colony, and of the army, has a scene of discourtesy and indecorum taken place, such as, I believe, was never before exhibited towards a person of my rank (and I hope I may add character) after holding one of His Majesty's Governments for two years."³

After this event and his supersession, Sir Rufane remained in the Colony about a fortnight and then returned to England. The most sincere regret at his departure and unfeigned gratitude for his continual attention to their welfare was shown by all classes. The settlers themselves had presented him with an address while he was upon the frontier in June, 1821. When

¹ Although it was a general report in the Colony that he made this statement, there is in all probability no truth in it. *Vide* Evidence of Major Cloete before the Commission of Inquiry on November 29th, 1825, *Blue Book on South African Affairs*.

² "Lord Charles Somerset presents his compliments to Sir Rufane Shawe Donkin, and if Sir R. S. Donkin has any *official* communication to make to Lord Charles, he will meet Sir Rufane at the Colonial Office at any time Sir R. D. will appoint. Saturday, Dec. 1st, 1821."

³ Letter to Earl Bathurst, December 1st, 1821.



SIR RUFANE SHAWE DONKIN
Acting-Governor of Cape Colony

out of office and consequently when no other impulses than fulness of heart and sense of benefits received could have operated, addresses were presented to him by the Chief Justice, in the name of the Court of Justice, His Majesty's Fiscal and the President and members of the Burgher Senate. Also by Mr. T. C. Cadogan on behalf of the merchants and commercial community. The latter "warmly appreciating the high-minded principles of Justice, Integrity and active Benevolence, that have conspicuously marked your truly meritorious Administration of the Government of this Colony . . . now respectfully beg leave to wait on you with this sincere homage of their grateful esteem, previously to your approaching departure for England". As actions which especially appealed to them were "your accessibility at all times," "your extension of the coasting trade," "the foundation laid of the first lighthouse anywhere on the South African shores,"¹ the establishment of Captain Marryatt's code of signals and the commencement of a breakwater in Table Bay. But far more weighty than these commendations was the approbation of His Majesty as expressed in the following despatch from Earl Bathurst, dated September 28th, 1821:—

"Sir,—I have received and laid before the King, your despatches marked 'separate' of the 5th and 15th of June; and, although the departure of Lord Charles Somerset for the Cape has superseded the necessity of my conveying to you any instructions with respect to them, yet I cannot, at the close of my official correspondence with you, refuse myself the satisfaction of assuring you that His Majesty has been graciously pleased to express his approbation of the manner in which you have, during the absence of Lord Charles Somerset, administered the Government of the Colony.

"His Majesty is sensible that the settlement of so large a body of Settlers as that sent from this country in 1819, imposed upon you a new and difficult duty, and although the Settlers have themselves given the most unequivocal testimony to the merit of your arrangements, yet His Majesty feels it due to you to express the sense which he entertains of

¹ This is the lighthouse at Green Point. It was commenced in 1820 by Sir R. S. Donkin, but was not finished until 1824, when on April 12th of that year it first sent its beam of light over the Atlantic Ocean.

CHAP. III. the activity and zeal with which you applied yourself to fulfil His Majesty's views with respect to these individuals, to which may, in a great degree, be attributed the general satisfaction and comfort which prevails amongst them.

"I have the honour to be,

"Your most obedient humble Servant,

"BATHURST."¹

APPENDIX.

WRECK OF THE *ABEONA*.

LETTER FROM LIEUTENANT MUDGE TO THE COMMISSIONERS OF THE NAVY.

"Lisbon, December 28th, 1820.

"HONOURABLE GENTLEMEN,—I have the melancholy duty of informing you of the destruction of the *Abeona* Transport, 328 tons, No. 36, bound to the Cape of Good Hope with Settlers, and of the dreadful fate of the great majority of the Persons on board of her. In detailing the circumstances of this fatal accident I feel a ray of consolation in the consciousness of having done all in my power to rescue from the jaws of death as many of my fellow sufferers as possible. On Saturday, 25 ultimo, in latitude 4° 30' N. and longitude 25° 30' W., about fifteen minutes past noon the alarm was given of the ship being on fire. I instantly rushed on Deck from my Cabin where I was writing, and learnt that it was in the lazaretto abaft, the receptacle of all the ship's stores and provisions. Every nerve was exerted in handing water to the first mate and seamen who were down in the above-mentioned place, but it all proved useless, for the people in a few minutes were driven up from below by the dense smoke and the rapidity with which the fire communicated itself to every surrounding object, sails, oakum, rope, etc. I now privately ordered the master to clear away the quarter gigs, with a few of the sailors, while I and the rest and as many of the Settlers as I could rouse from the panic which had seized them continued pouring water into the hold in the hope that we might still get it under. The yard

¹ This letter did not reach Sir Rufane Donkin until April of 1826, nearly five years after it was written. He heard of its existence and its general tenor as soon as he arrived in England in 1822, and then endeavoured to gain it from the Cape. It had, unfortunately, fallen into the hands of Lord Charles Somerset, who seems, deliberately, to have placed difficulties in the way of its being given to Sir Rufane; and not until Lord Charles had been superseded by General Bourke in 1826 was it finally delivered up. See Sir Rufane Donkin's open letter to Earl Bathurst, published in book form in 1827.

tackles were aloft and the carpenter directed to cut away every lashing and spar that might impede the hoisting out of the long-boat and skiff, the latter of which was stowed in the former. In about ten or fifteen minutes from the first alarm the case was hopeless, the ship being in a perfect blaze from the mainmast aft on the lower deck, and from the excessive heat of the upper one we momentarily expected the fire to penetrate it. The skiff was out and the two quarter gigs down, the long-boat almost high enough for clearing the side when the flames rushing up from the after-hold communicated with the main rigging, flew up to the masthead like lightning, burnt the main lift, topsail sheet, and every rope that secured the yard arm aloft, and blasted the hope of getting her clear. The attempt, Gentlemen, to paint the horror of the scene at this moment were vain, the shrieks of the women and children combined with the furious element marching on to devour us, formed a picture of human misery that must rend the stoutest heart. I continued with Mr. Fisher, the Surgeon, and a few of the seamen heaving round the windlass to which we had brought the fore tackle of the long-boat, judging that by getting her bow well up we might possibly be enabled to launch her over the side, but the panic and confusion at this instant were so powerful that she proved too heavy for the few that I could find sufficiently collected to attend to the orders given, indeed had we got her afloat the probability is that we could not have kept her so for any length of time, for on the main yard falling, she came down with a force that stove in some of her planks. Seeing now that all was over, and that the people were throwing themselves overboard and into the boats, accompanied by Mr. Fisher, the Surgeon, I jumped over the larboard bow, and happily for us at the moment my own gig was close to the ship, and those in her attended to our voices and came and took us in. My great anxiety now was the saving as many lives as our three small boats could possibly swim with, and I have to rejoice in stating that 49¹ have been miraculously preserved. A few minutes after my quitting the wreck the main and mizen masts fell, the flame rapidly advancing forward drove numbers of the poor wretches on the bowsprit, where it was our hard lot to behold them frantic without being able to render them the least assistance. You will judge, Gentlemen, of the manner in which the boats were crammed when husbands who had wives and children still clinging to the wreck exclaimed against more being received. We deemed it advisable to keep close to the wreck till daylight the next morning, that in the event of a vessel passing within twelve or fifteen miles of the spot she would see the immense body of fire which continued raging

¹ According to the list of names given the number is 52.

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III.

till about three o'clock in the morning, and if nothing should then appear, our intention was to make the best of our way towards the coast of Brazil, but sanguine indeed must be the mind that could expect to make a voyage of such distance in our miserable plight, with a few hammocks only to make sails, a compass so damaged as to be useless, our stock of water a few gallons we had collected during the night by wringing clothes drenched with rain, and provisions a few hams which happened to have been in one of the boats previous to the accident, and three live pigs which were found swimming about and taken in. The fire, as I have before mentioned, continued till about three o'clock in the morning, when everything disappeared. A little before daybreak when thinking only on the awfulness of our situation, the carpenter first discovered a vessel close to us. I dreaded lest it should prove like others reported during the night, a mere phantom of the imagination, but in a few minutes every eye beheld her coming down before the wind directly on us. We seized our oars and were alongside and on board her in a few minutes more. She proved to be the *Condessa da Ponte*, Portuguese merchant ship from Bahia to Lisbon. After relating to the captain our history, I demanded of him at what time he had first seen the light, and learnt with astonishment that they had not seen it at all, that their own course had brought them to the very spot where the boats were lying, so completely so that had we been unable to move the boats the vessel would probably have run us down. I lost no time in ascending on the main topgallant yard, accompanied by the master, flattering myself that I might see some of our absentees floating about on spars, and after intently sweeping the horizon and seeing nothing, I solicited the captain to cruise about in the neighbourhood, which he did till noon, when he said he could detain the ship no longer. Forty-nine persons added to his own crew consisting of between 40 and 50 made it absolutely necessary that no time should be lost lest water and provisions should fail. This dreadful accident was occasioned by the first mate, Mr. Duff, forgetting his wonted prudence in taking out of his lanthorn the candle to see something more clearly with, when a spark from it, or the candle itself fell on some of the combustible matter around him, and as he had gone down to the lazaretto to pump off the allowance of spirits for the people, it is more than probable that fire was first communicated to that article, and I also imagine from the wonderful progress it made in so short a time after the alarm had been given that the poor fellow made some ineffectual attempt to stifle the fire ere he called out. I pay only a just tribute to his memory in asserting that he was a most excellent steady character, and when solicited by one of the seamen

to save his life, his grief at having been the cause of such destruction made him decline it ; no, he said, I pity those in the boats most, for us it will soon be over, but they will be eating each other in a few days. I learn he was almost the sole support of an aged mother. After a very favourable passage in the *Condeca* where we met with attention and received all that their very confined means could bestow, we arrived here on the 20th instant, all well." CHAP. III.

Of the saved there were 16 of the crew, including the master, 27 emigrants and 9 passengers. Lost, 9 of the crew, 100 emigrants and 5 passengers.

Total saved, 52. Total lost, 114.

CHAPTER IV.

LORD CHARLES SOMERSET AND THE SETTLERS.

CHAP. IV. THE experiences of the year and a half during which the settlers were under the paternal rule of Sir Rufane Donkin were sufficiently discouraging. The painful disenchantment which ensued on their discovery of the nature of the country, the discomforts—it might almost be said misery—arising from the slender shelter, the removal from one location to another, the novel commissariat and, to crown all, their labours rewarded by two successive failures of the wheat crops—were circumstances calculated to produce despair in the minds of the best intentioned and most determined community. There was on the other hand, however, the encouragement which was afforded by the obvious desire and intention on the part of the Colonial Government to initiate and promote every measure tending to develop the settlement and to give satisfaction to the people. The personal attention of the Acting-Governor to their concerns during his two visits to the frontier, the continuance of the issue of rations after the first failure of the wheat crops, the appointment of Major Jones as landdrost and the removal of the unpopular Captain Trappes, the attempted establishment of Fredericksburg, Bathurst and a port at the mouth of the Kowie, all this was evidence that the best was being done under the circumstances and that their burden was, so to speak, being shared by others. But with the return of Lord Charles Somerset to the Colony a chill wind seemed to blow over the settlement, and there was soon experienced generally a consciousness that, not only was this sympathy at an end, but that the beneficial measures which had been instituted were to be reversed. Rumours of the violent antipathy which Lord Charles Somerset had shown towards Sir Rufane Donkin quickly spread throughout the

country. It was freely stated, though with what truth is doubtful, that, influenced by personal pique rather than by considerations of public advantage, the Governor had declared his intention of undoing and reversing everything which had been accomplished by the Acting-Governor. His procedure in many instances soon after his resumption of the government certainly had the appearance of putting this intention into effect. The immediate and discourteous dismissal of Major Jones was sufficient indication of the Governor's hostile attitude towards Sir R. Donkin's measures; and the *mala fides* of this action is but too evident in the subsequent correspondence to which it gave rise. There is little doubt but that this able and popular officer was dismissed by Lord Charles Somerset for no other reason than that he was the protégé of Sir Rufane Donkin. When this was brought as an accusation against Lord Charles Somerset, we find that nobleman endeavouring to shift the responsibility and blame upon Earl Bathurst. In answer to a letter from Major Jones¹ in which he (the Major) complained of the suddenness of his removal from a post which he had been led to consider as permanent and on which account he had expended a large sum of money in establishing himself, he was told that Sir Rufane Donkin, acting only temporarily, had erred, and that even the Governor himself was not competent to confer a permanent appointment to a superior office until notification of the King's pleasure had been obtained.

Major Jones made the concerns and welfare of the settlers almost his only consideration, consequently, as might be expected, his removal created the bitterest disappointment. The heads of parties and others to the number of 140 presented him with an address expressive of the loss they sincerely felt at his departure. In this dismissal the settlers may be considered to have had a very real grievance, more especially when the character of the man who replaced him is taken into account. Major Jones was cousin to the Duke of Norfolk. He was a well-educated man, could speak French, Italian and Spanish fluently, and was capable of exerting an influence on the more intellectual side of settler life. His successor—Lord

¹ *Vide* Letter of Major Jones to Earl Bathurst, April 16th, 1822.—*Records*, vol. xiv., p. 338.

CHAP. IV. Charles Somerset's nominee—was Mr. Harry Rivers, who, at the time of this appointment, was wharf-master at Simon's Town. He was appointed on December 7th (about a week after the return of the Governor) and arriving in Grahams-town on January 21st, 1822, took over the Government buildings and drostdy documents.¹ The special heemraden also, who had been appointed by Sir Rufane Donkin, namely, Captain Campbell, Major Pigot and Miles Bowker, were dismissed by Lord Charles Somerset.

The settlers who first experienced any of the results of the altered régime were those who, in consequence of their proximity to the Kaffirs, had been afforded military protection by the Acting-Governor. With the parties under Mahony, Brown and Scott along the Fish River and also Pringle's party at the Baviaan's River, small contingents of the Cape Corps had been posted. These the Governor withdrew, and left the exposed parties to protect themselves as best they could. He also withdrew the military party which had been stationed at Fredericksburg. This was all that was required to break up finally that establishment, and within a few weeks it came to an end. No blame, however, attaches to the Governor in this particular, for the warmest adherent of the Acting-Governor, taking all the circumstances into account, cannot but acknowledge that a mistake was made in attempting to develop farms and accumulate cattle in the Neutral Territory. One might even be inclined to say that this measure was a direct reversal of Lord Charles Somerset's wise policy of attempting to

¹ In a letter to the Commissioners of Inquiry, dated August 17th, 1824, when this subject was matter of public inquiry, Lord C. Somerset said: "The non-confirmation of Major Jones as Landdrost of Albany by Earl Bathurst . . . was His Lordship's sole act" (*Records of Cape Colony*, vol. xviii., p. 238). Had the evidence contained in the public documents of these times been the only source of information, one might have felt that odium, in this connection, had been cast upon the Governor unjustly. But some private correspondence between the Governor and Colonel Bird, the Colonial Secretary, is extant and furnishes interesting glimpses of what was taking place behind the scenes. The following extract will show how far the dismissal of Major Jones was due to Earl Bathurst. It is written by the Governor from London to Colonel Bird, dated February 1st, 1821: "Underwood has had a letter from the Cape, mentioning that it was whispered that Town Major Jones was to be the Landdrost of Albany. If therefore this report should come true, *the appointment will not be confirmed*. I have had a good deal of talk with Goulbourne upon it and they will not *confirm anything* on any subject without referring to me."

protect the Colony by allowing neither white nor black to occupy those lands. CHAP. IV.

The consciousness of the disfavour with which the settlers felt themselves regarded by the Governor and the impressions of his indifference to their interests during the first few weeks after his return were confirmed by a Proclamation which he issued on February 8th, 1822. After drawing attention to one promulgated by Sir R. Donkin on October 13th, 1820, wherein the intention of establishing a seat of magistracy at Bathurst was expressed, Lord Charles Somerset stated that "it having been found to be highly expensive and greatly inconvenient to remove the Establishments from Grahamstown and to erect the various Buildings connected with, and dependent upon, a Seat of Magistracy, it is hereby made known, that the aforesaid Courts (referring to the Judges' Circuit Courts) will no longer assemble at the intended Town of Bathurst, but that the Landdrost will continue to reside at Grahamstown (as has hitherto been the case since the separation of the Albany Division from the District of Uitenhage), and the aforesaid Courts be consequently held at Grahamstown". As so much has been said concerning the alleged removal of the drostdy from Bathurst to Grahamstown by Lord Charles Somerset and the consequent destruction of Bathurst—the matter having been the subject of public investigation as well as discussion in the House of Commons—it may be well to consider the question in some detail with a view to finding the extent to which blame attaches to the Governor. In Sir Rufane Donkin's Proclamation above referred to, it is stated that "it is expedient that a full and permanent Seat of Magistracy should be established in the District of Albany in order that the Inhabitants of that District, including the new Locations of Settlers from England, may have the full benefit of easy access to a Provisional Court and be visited annually by the regular Commission of Circuit from the Worshipful Court of Justice". Then after defining the boundaries of Albany, "whose Chief Place and Seat of Magistracy shall be the Town of Bathurst," he proceeds to draw up regulations for the new drostdy, and adds, "these regulations shall not take effect until the Landdrost, whom I shall appoint to the new District, shall have arrived at the

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Seat of Magistracy". The gentleman whom he appointed was Colonel Graham, who was then lying upon a bed of sickness at Wynberg. He died, without ever taking up his duties at Bathurst, in April, 1821. The above regulations, therefore, were never carried into effect. The appointment of Captain Trappes had been merely a provisional measure, the object of which was the adjustment of disputes and difficulties arising out of the first location of the settlers, and Major Jones was landdrost in Grahamstown. The Judges on Circuit, it is true, held Court in Bathurst in October, 1821, the only occasion when they did so, but as at that date there were no houses except small ones of wattle and daub, the judicial proceedings must have taken place either in the open air or in the large marquee which had been used by Captain Trappes. Hence, *except in intention, Bathurst never was a Seat of Magistracy*. But even had it been such, it is not clear, in view of the interests of the district more generally, that the Governor would have made a mistake in reversing the measure. For it is evident that Sir R. Donkin had left out of his consideration the importance of Grahamstown as a military position, or had it been his intention to have left the military headquarters undisturbed, the advantages of having the civil administration twenty-eight miles distant would, at least, have been extremely doubtful. Further, in his ambition to confer upon the settlers all the benefits arising from the proximity of a town, he sacrificed the convenience of the older and Dutch inhabitants of the district. These, in fact, protested against the drostdy being removed from Grahamstown to Bathurst, in a petition, signed by Van Aardt and 112 others, which they sent to Lord Charles Somerset in January, 1822. It was met by a largely signed counter petition from the settlers. It may have been this action of the older inhabitants which influenced the Governor in this matter. It is worthy of note that the petitions bore dates previous to the Governor's Proclamation. In this case also Lord Charles Somerset may be acquitted of the charge of reversing Sir R. Donkin's policy on other grounds than those of public advantage. It was, however, not so much the change itself which gave offence as the manner in which it was effected. The declaration of Sir R. Donkin's intention, his Proclamation of 1820 and the building operations

at the Drostdy House created sufficient confidence to induce people to buy land and build houses in the embryo township. For about sixteen months the site was a scene of bustle and activity, artificers and tradesmen from the locations found work, unskilled labour found an outlet for perhaps not over-superfluous energy, the pachter, or monopolist in the wine and spirit licence, did a good business, and the agriculturist looked forward to a convenient and prosperous market for the disposal of his produce.

All this, however, was suddenly altered by the Proclamation of February 8th, when dismay and disappointment spread throughout the settlement. Had this action been less abrupt or had a sub-drostdy under the jurisdiction of Grahamstown been established, much of the subsequent disappointment and ill-feeling against the Government would have been obviated. By this change of policy, those especially were sufferers who had incurred expense in putting up buildings in Bathurst. Finding themselves injured by having placed confidence in the declared intentions of the Government, they sought indemnification from Lord Charles Somerset. In August, 1822, the petitioners were informed that redress might be afforded them to the extent of the Government cancelling the sums which were owing on the plots of land, on the purchasers surrendering all claim to them—and further, that as compensation for lost time and opportunity, the Government was willing to lend sums of money equal to half the value of buildings on mortgage of those buildings as well as two collateral securities. The money so lent was to be at the usual rate of interest and to be refunded in five years in half-yearly instalments. These indulgences do not appear to have proved sufficiently alluring, for, certainly up to November 24th, not one of the aggrieved had accepted the offer.

Apart from the discouragement which was produced by the attitude of the Governor towards the settlers, the year 1822 opened even more gloomily than the previous one had done. The wheat crops had failed the second time and concern for the immediate future prevailed throughout the settlement. A period of suspense ensued during which the gravest doubts were entertained as to the further supply of rations—doubts which were soon to be laid at rest. The expense in-

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curred by the Colonial Government on account of rations up to December 31st, 1821, was Rds. 264,447 (about £19,833 10s.), while the total amount of the second and third instalments of the deposit money to meet this was Rds. 96,080 (about £7,206), leaving a deficit of about £11,627 10s. Lord Charles Somerset was unwilling to allow this loss to the Public Treasury to increase; he therefore stopped the gratuitous supplies which had maintained the people so long, and was prepared to do no more than issue starvation quantities of rice and seed corn for further attempt to raise crops. There was a kind of wheat solid in the stem, called *Bengal wheat*,¹ which was believed to be capable of withstanding the rust. A large quantity of this had been imported from India and was lying in the Government stores at Cape Town. It was decided to issue this to the settlers in the hope of better success attending the harvest of 1822. Five hundred muids were therefore sent to Algoa Bay in February. It was, however, of a very unpromising character. In consequence of want of proper care and storage on board ship, Indian wheat seems always to have arrived in bad condition. Mr. Robert Hart, of the Somerset Farm, was asked to inspect and report upon the shipment on its arrival at Port Elizabeth. According to his account, it was excessively contaminated with seeds of various descriptions, stones, straws, clay, together with the dust occasioned by the weevil—with which it was infested—"it has altogether a very bad appearance and looks more like the sweepings of stores than wheat selected for seed". He endeavoured to clean it. Operating upon 4,672 lb., he removed 343 lb. of foreign matter, and of the remainder reported that a quarter would be useless on account of the weevil. On such material the hopes for bread in the coming season were founded.

By this time the settlers, as a whole, were the worse for their sojourn in South Africa. Speaking generally, those who had brought capital were poorer, for they spent much and saw no return for their outlay and labour. Those of smaller means

¹ According to Mr. Pringle (*vide Some Account of the Present State of the English Settlers in Albany*, published in London in 1824), the wheat solid in the stem was erroneously called Bengal wheat. Some of it had been taken to Bengal from the Cape and reimported thence. True Bengal wheat was as susceptible to rust as any other.

had lost all and beheld in the stoppage of rations reasons for the gravest anxiety. The gratuitous supply of rations itself had had a deteriorating effect upon the labouring classes, for being compelled to remain on the locations and finding themselves certain of their food whether they worked for it or not, they had drifted into idle habits. Harsh as it may seem and great as was the distress produced in many cases, the Governor's action had a salutary effect upon the settlement. In conjunction with the stoppage of rations, he seems to have relaxed the regulation of confinement to the location. The result of this was a general stampede to other parts of the Colony of those who saw better chances of earning a livelihood elsewhere. By May, 1823, of the 1,004 adults, that is, males above eighteen years of age who were entitled to 100 acres of land each and who arrived in 1820, only 438 were remaining upon the locations. Of the large party under Mr. Baillie, which in 1820 consisted of 90 men, 58 women and 108 children, total 256, there were remaining in February, 1824, 19 men, 18 women and 39 children, total 76.¹ In many cases, only the head of the party remained, all his indentured servants having abandoned the place. These people, especially the steady and industrious, either by setting up upon their own account in the towns or by hiring themselves out as workmen, were, for the most part, soon in comparatively comfortable circumstances and escaped the misery which befel those who remained on the original locations. Those who had, as it were, bound themselves to the soil by the outlay of their capital in buildings and agricultural improvements, as well as those who had to remain for other reasons, such perhaps as being unable to prosecute any particular trade or calling, found the years 1822, 1823 and 1824 times of great suffering. Meat was always fairly easily obtainable, but bread became extremely scarce, and such commodities as tea and sugar were almost out of reach on account of the increasing poverty. The clothes which had been brought from England were worn out and others had to be fashioned from sheepskins. A common reed

¹ Return of settlers on locations, February 21st, 1824:—

	Men	Women	Children	Servants	Total
Albany	115	95	294	10	514
Bathurst	311	235	559	—	1,105
Total	426	330	853	10	1,619

CHAP. called the palmiet proved very serviceable in the manufacture
IV. of hats.

In April, 1822, the exemplary Salem party, despite their industry and unity, were compelled by stress of circumstances to petition the Governor for a renewal of the support which had, up to 1821, been so generously afforded them. They stated that in consequence of two failures of the harvest, succeeded by a long drought, want of food was necessitating the slaughter of their cattle, their last resource. The only consolation afforded them was his answer of May 9th, wherein he expressed his sympathy for their distress but could promise nothing more than the supply of rice.¹

¹The following extracts from letters which were received by a committee formed for giving relief to distressed settlers, will give some idea of the conditions of these people at this time. "You ask me for an account of our situation, which I will give you, and I believe it is applicable to all the Settlers, as regards our crops and prospect of food for the ensuing year. My wheat, two months ago the most promising I ever saw in any country, is now cut down and in heaps for burning, before we plough the ground again. The rust has utterly destroyed it; not a grain have we saved. My barley, from the drought, and a grub which attacks the blade just under the surface, produced little more than I sowed. My Indian corn, very much injured by the caterpillar; cabbages destroyed by the lice; the beans all scorched by the hot winds; the potatoes are good, but I have but a small quantity. Our cows are all dry from want of grass; not the least appearance of verdure as far as eye can reach. Nothing but one great wilderness of faded grass. . . ." "On Saturday," continues the same settler, "whilst watching by the sick bed of my dear little girl (she had been bitten by a snake while running over the veld without shoes or stockings—and died) I was startled by the cry of wild dogs. I ran to the window and saw about thirty of those ferocious animals: before I could drive them off, they had killed twenty of my flock, which consisted of twenty-seven in all. I stood for a moment thinking of my misery—my dying child—my blasted crops—my scattered and ruined flock. God's will be done! I have need of fortitude to bear up against such accumulated misery. Farewell."

Another person writes, under date January 23rd, 1823. . . . "We have also this season been troubled with a new enemy; the caterpillars and locusts have been so numerous, that our gardens are totally destroyed. I took the greatest care of mine, and the prospect of its producing something cheered us a little; but this unexpected visitation has thrown a complete damp on our exertions. . . . Bread is now quite out of the question; the scanty allowance of half a pound of rice is all we get. We feel much the want of vegetables, sometimes being under the necessity of living several days on meat alone. The Caffres are very troublesome; they lately stole twenty-four head of oxen from me; but misfortune has so long been my companion, that we begin to get reconciled to each other."

The following are from the reports of two members of the Committee who visited the district with the object of inquiring into the state of affairs of the settlers:—

"Visited Scanlan's party. There are only three families remaining here out of seven of which it originally consisted. They were all but one shoemakers,

Failure of crops, drought and other calamities arising from natural causes, however, did not entirely fill the wretched settler's cup of sorrow. There was yet to be taken into account that characteristic, it might also be said inseparable, feature of existence in the Eastern Province—the thieving propensity of the Kaffir. As has been stated, during the first eighteen months of the settlement depredations were rare, but in 1822 they recommenced with all their pristine activity and injury to the district. All the more so perhaps as it was clear that the settlers were unacquainted with the methods of pursuit and recapture which had become almost second nature with the Dutch inhabitants. The line of locations nearest the Fish River was, as might be expected, the first to suffer. The nightly forays increased in frequency, and under the existing regulations the cattle were easily driven beyond reach of recovery. Mahony's location had a very special attraction for the Kaffirs, for upon it were the pits from which the coveted red clay for personal adornment was obtained. No prohibition or threats had any effect in preventing them from visiting the place; and as the military protection had been withdrawn, this became a serious matter, not only for Mahony's party, but also for the adjacent locations. Perhaps from the inability to stop this, the authorities sanctioned these visits, but at certain times and under the supervision of a military officer, and further, an attempt to derive profit from the clay was made by offering it in exchange for hides and ivory. The Kaffirs, however, were too shrewd to give much for that which

and might have obtained plenty of employment among the Settlers, were it not that there is not one in twenty who has now money sufficient to purchase a pair of shoes and in fact the Settlers are generally found without them.

"Visited Smith's and Cock's parties. . . . It is most distressing to see the husband and wife, with scarcely anything to cover them, and their children in the same condition, lying on the ground on the outside of their miserable huts, roasting a few heads of Indian corn, probably the only food they have. Many have nothing but pumpkins.

"Hyman's and Ford's parties are in a truly miserable plight, with scarcely anything to eat but a few vegetables. I here saw an aged couple in almost a starving condition. On going into their hut, I found the poor woman boiling a little pumpkin soup which was mixed with some sour milk. She said this was the only food they had."

And so on throughout the district. One man complained of the herds of spring-bucks (antelopes) which caused devastation and were comparable in their action upon the crops and grass to locusts.

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by proper management and timely visits they could get for nothing. As an instance of these "fairs": in July, 1822, the chief Nqeno with 300 men and women arrived at the clay pits, and after remaining four days took away a quantity of clay which was estimated as three waggon loads. They gave in return forty skins (of cattle), two tusks of ivory and two buffalo horns. The forty skins represented probably but little sacrifice on the part of the Kaffirs, for many of them bore the distinguishing brand-marks of the Colonial owners of the cattle and with the usual enterprise could easily be replaced by others. In the official documents, the affair is described as satisfactory. This encouragement of such hordes of Kaffirs to a place within the Colony, and so near to the dwellings of defenceless individuals, was felt to be a most dangerous policy and was met with protest. It must be said, however, that many people, settlers as well as soldiers, were carrying on an illicit traffic in ivory and making far better bargains than did the authorities.

Mahony's house was only about ten minutes' walk from the clay pits, consequently he met with a good deal of annoyance from the Kaffirs visiting the place at odd times. He behaved aggressively towards them and thus placed his own as well as the lives of his people in still greater danger. Shortly after the "clay" fair above referred to, some Kaffirs had evidently determined to be revenged on Mahony for his action towards them. Signs of this disposition, however, had been previously shown, in one instance by an attack upon his house and in another by his being chased and narrowly escaping with his life.¹ In the case now to be recorded, although no harm befel Mahony, two of his servants lost their lives and one was severely wounded. Mahony's waggon, in charge of Richard Freemantle, his two sons, Sam and John, and another settler, was returning from Bathurst. When about a mile from the house and passing through a part where the bush was thicker, some naked savages suddenly rushed out and attacked the men with their assegais. Perhaps mistaking R. Freemantle for Mahony, the chief attention in the first rush was directed towards him. In a moment or two he was stabbed in several places and fell lifeless. The son John was pierced almost

¹ Mahony, together with his neighbour, Brown, and a settler named Henderson, were all eventually murdered by Kaffirs.

through his body and also fell, while Sam received an assegai through his leg. He pulled out the weapon and threw it back at the Kaffir but missed him. The fourth man ran away and was immediately chased, but he managed to find a hiding-place in the bush and escaped unhurt. The youth, Sam, bleeding profusely as he was, picked up his more seriously wounded brother and carried him upon his back about half a mile—both shouting as loudly as they could for help. Fortunately the Mahonys heard them and ran to their assistance. John was carefully laid upon the ground and in a short time he died. Sam, from loss of blood, fainted and was, as soon as possible, taken on to the military post at Kaffir Drift, where with medical attendance and nursing he soon recovered. The Kaffirs, failing in their attempt to capture the fourth man, returned to the waggon, outspanned the oxen and drove them off to Kaffirland.

About a year after this, there was a similar affair but of a somewhat mysterious character, which caused much alarm throughout the district. The herding of the settler's cattle, in consequence of the inability to afford black labour, had to be performed partly by the women, but more generally by the children. One day in August of 1823 two boys, Mark Sloman, aged eight, and Thomas Donovan, aged eleven, of Willson's party, went out as usual with the cattle, but did not return in the evening. Search was made for them but without result. The cattle, however, were found.¹ Some time afterwards two skeletons were discovered which were undoubtedly those of the missing children, and as there were what were believed to be blood-stains on the clothes as well as on the ground, it was concluded that they had been murdered by Kaffirs. Assuming this to have been the case, the cattle not having been driven into Kaffirland was most mysterious.

Besides the temptations which increasing and ill-protected herds of cattle held out to the Kaffirs, the state of Kaffirland itself may, in a large measure, have accounted for the renewal of activity and daring which characterised the begin-

¹ There is conflict of evidence here. Mr. Goldswain in his diary says the cattle were *not* found. Mr. W. Currie, the field-cornet of Bathurst, whose business it was to take cognisance of the matter, says they were. This latter is the more likely to be correct.

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ning of 1822. A son of Gaika, Maqomo, had come to the fore. Reckless of danger, crafty and a keen politician, he soon attained to that pre-eminence among the tribes to which these virtues, or vices, invariably led. Next to Ndhlabi, he was, perhaps, the greatest warrior who has appeared among the Kaffirs. He made his debut, or as the Kaffirs metaphorically expressed it, "he learnt to tie and milk a kicking cow," at the battle of Amalinde in 1818. But it was not until about this time that he began to engross the attention of the Colonial Government and to become a power to be reckoned with.

Sir Rufane Donkin's violation of the Neutral Territory, though with the apparent permission of Gaika, by the establishment of Fredericksburg, probably suggested to the shrewd Maqomo, that he also had the right to occupy part of that forbidden land. In any case he did so. With a large number of followers he formed kraals on the lands at the sources of the Kat River, not far from the site of the present town of Fort Beaufort, and although this was known to the Colonial Government no steps were taken to dislodge him. This was one source of trouble to the frontier. Then again, Ndhlabi had returned to his old haunts and had renewed a suspicious friendship with Gaika. This and other matters came to light in consequence of an affair which occurred early in 1822. A Kaffir who was residing at the Chumie mission station under Messrs. W. R. Thomson and Brownlee paid a visit to Maqomo's new place and there recognised some horses which belonged to a farmer in whose service he had been previously employed. Unknown to Mr. Thomson, and perhaps acting under the influence of that good man's teaching, the Kaffir took two of the horses and managed to return them to his former master. This act was soon discovered, and revenge against the mission station was there and then determined upon. A large body of these people, led by Maqomo and some petty chiefs, descended upon the institution cattle kraals at milking time and a fierce fight ensued. The mission Kaffirs being quite unprepared for any attack, were worsted; the greater number ran away, but those who were not fortunate enough to be able to do so suffered considerably. The invaders on retiring drove off 274 head of cattle. Mr. Thomson sent off a messenger to

Gaika informing him of what had happened. Gaika, in answer, said that he had sent a messenger to his son (Maqomo) ordering him to restore the cattle, but had received as reply that that was impossible as they had been divided among the people and the greater number were by that time slaughtered. Shortly after the fight, however, some of the animals were returned as they were discovered by the thieves to belong to Mr. Brownlee. Dissatisfied with Gaika's answer, Mr. Thomson sent messengers to Fort Willshire asking for military assistance. In the meantime the mission people with their oxhide shields and assegais remained on the alert and in readiness for another attack. Captain Aicheson with a strong force soon appeared in the Chumie and Gaika was then sent for. The chief arrived and a long conference ensued, but it was of an unsatisfactory character. His answers were evasive and roused the suspicion that even if he was not privy to the attack, he was, at least, unwilling to enforce restitution of the stolen property. He argued, and perhaps rightly, that this was no matter for the interference of the white man, as the mission Kaffirs were *his* subjects, and the affair had happened in *his* country. Without doing anything further, the force returned. Shortly after this interview Gaika sent further cattle to the mission station, but there were 157 yet to be accounted for. Gaika's conduct had for some time been somewhat suspicious, for although he continued to make profession of assisting to prevent robberies in the Colony and to restore cattle which were driven into his domains, there was evidence which proved that he had shared in the spoil. On one occasion, for instance, when thirty oxen and twenty cows, which had been stolen from the Colony, were recaptured in Kaffirland and sent to him for transmission to the authorities, he was known to have retained ten and to have exchanged the others for cattle which could not be claimed. Through the medium, firstly of the Kaffirs at the mission, and secondly through the missionaries, information of this nature was, in a measure, accessible by the Government.

By February 22nd (Maqomo's attack having taken place on Jan. 16th) the 157 head of cattle were still owing. In view of this attitude of Gaika towards the mission station and his suspected faithlessness towards the Colony, Lord Charles

CHAP. IV. Somerset was of opinion "that the present moment should be seized to prove to Gaika that this Government will not be trifled with". Lieutenant-Colonel Scott¹ was therefore instructed to adopt measures which, it was hoped, would induce in the chief a more wholesome frame of mind and cause him to realise that honesty, if not the most profitable, was yet the safest policy. It was decided, having organised the details with the greatest secrecy, to make a sudden rush upon his village, to seize him and to hold him prisoner until the last head of cattle had been restored to the mission station. To this end a force consisting of a detachment of the Cape Cavalry, together with eighty rank and file of infantry, moved from Grahamstown on March 5th, the former to Fort Willshire, the latter to take up a position at a place where, in case of necessity, they could cover the retreat of the cavalry. After resting for a time at the Fort in order to be as fresh as possible for the final act, they marched forth at sunset under command of Captain Stuart, arriving in the vicinity of Gaika's place an hour before daybreak. The positions of the huts could just be made out, but a small stream running at the bottom of a somewhat deep cutting intervened. The path down to the water and up on the other side was narrow, so that the horses could pass over only in single file. As it was necessary to avoid all noise in consequence of being so near the huts, it was arranged that the first few men who got to the top of the further bank should rush forward, seize Gaika and hold him until the others came up. Unfortunately the steep path, though only short, was hard and stony and the higher branches of the bush almost met. The noise created by the horses' hoofs upon the stones, as well as that by the snapping of the twigs and movement of the branches, fell upon the ears of the dozens of dogs which are always to be found associated with every Kaffir kraal. An immediate and general barking ensued and thus a warning was given to the sleeping inmates of the huts. The few men, with Lieutenant Rogers at their head, rushed to a hut in which Gaika was believed to be, but on seizing the Kaffir they found they had the wrong man. Gaika, in the meantime, hearing the noise and suspecting

¹ Lieutenant-Colonel Maurice Scott succeeded Major Jones as Commandant of the Frontier on December, 1st, 1821.

danger, fled from his hut and completely escaped. There being nothing further to be done, the soldiers marched back to Fort Willshire. They were followed for some distance by a large number of Kaffirs and expected an attack, but none was made. This expedition in the end proved to be not such a failure as at first appeared, for it produced upon Gaika the desired result. Within about three weeks he sent back to the losers, though in dribblets, cattle to the number required to complete the quantity stolen.

The intimidation produced by this sudden invasion undoubtedly accounted, in a large measure, for the promptness with which Gaika thus acted. But there was another reason. He was especially anxious to stand well in Government favour at this time, for, perhaps, encouraged by Maqomo being allowed, unmolested, to reside in the Ceded Territory, he himself conceived the idea of doing likewise. He had approached Messrs. Thomson and Brownlee on several occasions with a view to getting them to intercede for him, but had on every occasion been shown the uselessness of any such application. At this time, however, Gaika with Botman and some chiefs of less note became so importunate that Mr. Brownlee had to write to Government (May 20th, 1822). In answer to the communication, the missionaries were instructed to assemble the chiefs and to convey to them, in terms which could leave upon their minds no shadow of doubt or misunderstanding, the views of the Colonial Government on the question. They were to be shown, and accordingly were, that the recent behaviour of both chiefs and people had abundantly proved the wisdom of excluding them from that territory. Gaika was rebuked for allowing Ndhlabi to recross the Buffalo River and was informed that His Excellency had "been regularly apprised of his late fruitless endeavours to induce the Border chiefs to break the peace happily concluded with the Colonists". He was accused of attempting to form a coalition with the object of attacking the Colony. It is not clear on what grounds the Governor made this charge, for since the trouble of 1819 up to the time under consideration, there does not appear to be evidence of any other coalition than that which led to Mr. Brownlee's letter of May 20th. Gaika denied the accusation. "How could His Father the

CHAP. IV. Governor entertain such suspicions of his son?" he exclaimed with all the apparent artlessness and purity of an angel. After this he removed to a secluded spot on the Keiskamma, about eight miles from the mission station, and thus rendered it almost impossible to get into communication with him, as Mr. Thomson found when it was necessary to inform him of the murders of the Freemantles. He would permit only one messenger, who would give no information of the exact spot, to approach him. Gaika's influence with the nominally subordinate chiefs, however, was so small that it made very little difference to the frontier politics whether he behaved thus or remained at large. It was the aggressive Maqomo, situated so near the Colonial boundary as the Kat River, who now determined the tranquillity or otherwise of the frontier districts. His proximity to the Baviaan's River and Tarka regions was soon manifested by petty raids committed by his people upon the farmers in those parts. The success attending these encouraged the Kaffirs in the country situated more to the south and adjoining the Albany settlement; and thus the state of the whole line of the frontier was soon such as to necessitate a large defensive force for its efficient protection. The general uneasiness and alarm which prevailed during the early part of 1822 led to considerable activity in this direction, not only in Albany but also in Graaff Reinet. Landdrost Stockenstrom expressed his willingness to co-operate with the military by calling out the burghers from his district. In case of emergency he offered to send sixty men to Grahamstown, 140 to cover the Tarka district and 100 to the Baviaan's River. In July he himself went forth at the head of a commando and patrolled the country round the Winterberg. Another commando, under Pieter Retief, assembled at De Bruin's Drift on the Fish River on August 26th. They scoured the country towards the Kat River and returned to Grahamstown on September 3rd with 123 cattle and some horses.

For months, small military parties continually patrolled the bushy country between the Fish River and Fort Willshire. It was, however, a hopeless task as the bush being fifty miles long, and in places from six to eight miles wide—and at best difficult of penetration—the Kaffirs could nearly always elude them. Colonel Scott, upon whom this duty devolved, was of

opinion that this method of protecting the frontier was useless, but he had to maintain it in deference to the opinion of Lord Charles Somerset. For days and nights soldiers were continually on the watch at places where, it was thought, the capture of thieves was most likely, yet at the same time, and in spite of their vigilance, cattle were being driven from the Colony into Kaffirland. To act as a check upon Maqomo and, as far as possible, to watch his movements, Colonel Scott, in this year, 1822, erected a block-house and stationed some troops on the open country near the mountains in which that chief had ensconced himself. This was named FORT BEAUFORT and was the beginning of the present town of that name.

The small effect which these military operations seemed to produce in diminishing the thefts of cattle, and the continued alarm which was maintained by the nightly invasions, induced many of the settlers to make application to the landdrost for the means of providing for their own defence. This met with his entire approval. He thereupon conceived the idea of organising, from the settlers themselves, a local volunteer defensive force on which should devolve the protection of the settlement when the regular troops were called upon to act at a distance. He suggested that five companies, each of a hundred men, should be formed to act as infantry, and that the half-pay officers of the Army and Navy together with some of the better class of people, all of whom possessed horses, should form a yeomanry to act, if need be, with the regular troops. In the first instance there were to be weekly, and afterwards monthly, musters for the purpose of drill, agreement as to signals and general procedure in cases of emergency. The measure greatly commended itself to the Governor, who went farther; he told Mr. Rivers that it was not a matter of option with the people, but that in accordance with the laws of the Colony every male above sixteen years of age was bound, on taking up his residence in a district, to report himself to the landdrost with a view to being enrolled in the class of those capable of bearing arms, and that such persons were bound when called upon to assist in the defence of the country.¹ On

¹ According to the 3rd Clause of the Regulations for the discipline of the Cape Militia, dated October 15th, 1804, drawn up under the Batavian Govern-

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October 4th, 1822, he issued a Proclamation embodying the above and authorising the landdrost to select 600 individuals, fifty from each of Grahamstown and Bathurst districts to form two mounted companies and 500 from the whole of Albany to form the five companies of infantry, all to take the Oath of Allegiance, under a penalty of Rds. 50, or a month's imprisonment in case of neglect or refusal to do so. The required number of men presented themselves and the ALBANY LEVY, as it was called, was established. Mr. Rivers was appointed commandant at a salary of Rds. 2,000 (in addition to his salary as landdrost), with forage for four horses. Mr. George Dyason became adjutant at Rds. 360 per annum (about £25 13s. 6d.) with forage for two horses, and seven lieutenants¹ at Rds. 200 per annum (about £14 5s.) without forage, completed the command. Some old muskets which had remained over at the taking of the Cape in 1806 were issued as arms to the infantry.² The Albany Levy was not destined to play any important part in the defence of the frontier. The Kaffirs were, at no time, in danger on account of it. The paragraph in the Proclamation concerning the Oath with the penalty clause, ungracious as it must be confessed to be, gave considerable offence and many refused to take the Oath and were fined accordingly. They contended that the deep loyalty with which they were imbued needed no oath to emphasise it, and that in subscribing to it they placed themselves under Martial Law equally with any private in His Majesty's regiments. A memorial to this effect was sent to the Governor. In reply he said that he was only acting in conformity with

ment of General Janssens, all Burghers who have arrived at the age of 16 are obliged to enroll themselves in the Militia (Gewapende Burgherwagt).

¹ The names of the lieutenants of divisions were:—

First or Grahamstown Troop	Mr. John Willis.
Second or Bathurst	Lieut. Charles Crause.
First Division of Infantry	Mr. William Austin.
Second " " "	Lieut. Gilfillan.
Third " " "	Capt. H. Crause.
Fourth " " "	Lieut. John Crause.
Fifth " " "	" " "

² Mr. Goldswain in his diary says: "I had to go over to Mr. Dyason's in Lushington Valley, 16 miles, to get a gun and ammunition. The first thing I did when I got home was to try the gun. It was useless, at 200 yards I could not hit a place 6 feet square." (This, however, may not have been the fault of the gun!—G.E.C.)

English Law in asking them "to prove that loyalty which they most judiciously and properly professed to feel," and that they would only have themselves to reproach, should they after this warning suffer the penalties of the Law in consequence of its non-fulfilment. This produced the desired effect; all took the Oath and the fines which had been imposed were remitted. The enthusiasm with which the movement started soon abated, and the necessity of the Levy being under Martial Law, if it was to be of any real service, was soon apparent. Continual grumbling and dissatisfaction with everything and numberless excuses for non-attendance at musters led to inefficiency, general disorganisation and uselessness, until March 18th, 1825, when the Governor issued a Proclamation disbanding it.

The losses which the settlers had sustained, the troubles which continually beset them and the small prospect of ever making a success of the settlement induced some of the more enlightened and ambitious to take steps for the united consideration of the situation. In April, 1822, one or two heads of parties proposed that a meeting should be called for the purpose of sending a deputation to the Governor in order to represent to him the real state of affairs. The suggestion, in this form, was originally made by Major Somerset, the Governor's son, to Mr. Thomas Phillips. Circulars, bearing date May 2nd, were accordingly issued, calling a meeting for the 24th. On that day, however, the landdrost, Mr. Rivers, caused public notices, forbidding the meeting, to be posted in conspicuous places in the village; and very curiously, on this same day, the Governor issued the famous Proclamation declaring illegal any public meeting held without his sanction. It is possible that Major Somerset, who had gone to Cape Town in the meantime, had told his father of what was intended; if so, the strange coincidence is accounted for.

This attitude towards a proposal of so reasonable and peaceable a character was felt to indicate an unmistakable hostility which was quite undeserved. It was clear that to look for any amelioration of their unhappy conditions from the Governor was out of the question. Their only hope now was, acting in accordance with the Proclamation of May 24th, to seek permission to hold a meeting for the purpose of bringing their troubles before the notice of the Home Government. The

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indignation and sense of injustice which thus arose operated to give greater determination to attain this end. The matter for a few months was discussed as openly as was dared, and then on December 3rd, 1822, the following letter, signed by ninety-seven names, was transmitted to Mr. Rivers through the senior heemraad. "To the Senior Heemraad of the District of Albany, Grahamstown, December 3rd, 1822. Sir,—The undersigned deeming it absolutely necessary to the success of their pursuits in this Colony to lay a statement of their condition and the causes which have rendered it insupportable before His Majesty's Government, we are desirous to meet together for that purpose. His Excellency's Proclamation having pointed out the legal channel by which alone they can thus assemble, the undersigned request you will take the earliest occasion to sanction the meeting required." This was forwarded to Cape Town. Colonel Bird, the Colonial Secretary, in reply to Mr. Rivers, said: "I am instructed to desire that you may be pleased to ascertain from the persons who have promoted this application more specifically the objects of the proposed meeting, it appearing to His Excellency that the letter addressed to the Senior Heemraad is so general as to be open to any purpose, and while the application is so vague, His Excellency does not see the expediency or indeed utility of giving his legal sanction to the requisition".

Besides the above, Lord Charles Somerset well exhibited his callousness towards the trials of the settlers and the prejudice he had imbibed against them by the account he gave of them in a despatch to Earl Bathurst dated about this time, namely, December 16th, 1822. "I can best describe to your Lordship," he said, "the characteristics and disposition of the major part of the settlers who have emigrated from England and Ireland by attaching to them the familiar appellation of Radical, they have no disposition to Industry and no inclination to exert themselves, and their chief object is to oppose and render odious all authority, to magnify all difficulties and to promote and sow the seeds of discontent wherever their baneful influence can extend. The unfortunate blights in the Wheat Crops for the last two seasons and the distresses caused thereby have served their turn well, and the increasing depredations furnish them with additional means of fomenting

discontent. They have attempted public meetings, but hitherto I have been enabled to suppress them. They have now presented a Petition for meeting legally which I fear it will not be possible to resist."

In the above, Lord Charles Somerset might have said *three* failures of the wheat crops, for at the time of writing this despatch, the rust had again made its appearance. This time it was worse than ever; not only was the Bengal wheat attacked, but the disease spread to other parts of the country which in the previous years had been free from it.

Be it remembered that Lord Charles Somerset, in thus stigmatising these people, had never visited the locations nor seen for himself the disabilities under which they laboured. His information on these matters was obtained through Mr. Rivers, the landdrost, "who flattered the prejudice which his Lordship had imbibed against the settlers,"¹ and, strange to say, these communications were of a private nature and did not pass through the ordinary channel of the Colonel Secretary's Department. Mr. Rivers from the beginning had shown himself inimical to the welfare of the settlers. "He possessed no qualifications for performing the duties of a Magistrate as derived either from habit, education, temper or personal demeanour."² From indolence and perhaps from the want of a proper sense of duty, it was difficult to get him to attend even to the ordinary routine of his office; time after time, threats had to be used before he could be induced to prepare the details required for the annual returns which had to be transmitted to the Colonial Office in London. Towards the settlers, especially those who were incapable of resenting his insolence of office, his behaviour was that of either almost entire disregard or of gross rudeness. It was no uncommon occurrence for people who had business to transact with him, to make long and tedious journeys to Grahamstown and then, in some cases, to be kept waiting for *days* before he would see them; in other cases, the return journey had to be commenced without seeing him at all.² He therefore may have had very special

¹ Second Report of the Commissioners of Inquiry upon the differences between Lord Charles Somerset and Sir Rufane Donkin. December 27th, 1825.

² Instances of the above. J. Collis of Ford's party needed medical assistance; being unable to afford to pay for it, he went to Grahamstown to get an

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reasons for discouraging discussion among the settlers concerning the affairs of the district. His conduct in the end, however, came to light and he received the punishment he deserved. Perceiving the evident intention of preventing any public meeting from being held, those settlers who were moving in the matter made an attempt to gain the object in view by drawing up a memorial to Earl Bathurst and sending it round for signatures. This met with all the success that could have been desired. The document, which bore the date March 10th, 1823, contained a statement of their case in language both respectful and moderate. And although some of the alleged grievances are open to serious question, yet a ring of sincerity and honesty pervades the whole.

The chief points of the memorial, in short, were: grateful recognition of the marks of favour and consideration on the part of His Majesty's Government, which had been rendered evident by the liberal assistance and support they had received during the commencement of the settlement; the modification of the law of succession¹—and “they cannot omit the expression of their particular gratitude to the Acting-Governor, Sir Rufane Donkin, who devoted to their prosperity a great share of his personal attention; . . . and by his solicitous attentions to the interests and wishes of the settlers, he inspired them with a degree of energy and hope, of which there are now left only the recollection”. They regarded it as a peculiar hard-

order from Mr. Rivers for free attendance from the District Surgeon. After waiting from ten until three was told to call the next day. He did so and had to remain nearly the whole of the day before Mr. Rivers would see him.

Mr. Thomas Price Adams says: “With regard to Mr. Rivers' conduct in attending to the interests of the Settlers, and in relieving them, I shall only speak as far as regards myself. Although I live 45 miles from Grahamstown (making 90 miles out and home) I have generally had to wait days before I could obtain an audience, or get my business despatched; and sometimes had to make a second journey.”

Christopher Dale had done some work for which 266 Rds. were due to him; on applying to Mr. Rivers he was told to call in a week; “after that I was to call to-morrow, and in this way I have called upwards of forty times, always waiting at least four hours before the Landdrost would allow me to be admitted to his presence”.

B. Patrick wanted a second muid of seed corn. His perseverance certainly entitled him to it. He made thirteen journeys of 16 miles each way—travelling altogether 146 miles—and then found that part of it “was such damaged wheat I never saw”.

¹ This will be dealt with further on.

ship, that, situated in a remote corner of the British dominion, their whole interests and prosperity should be committed to the *unlimited control of one individual*; and possessing no security that their situation is thoroughly understood and being debarred all means of expressing their collective sentiments upon matters of the utmost importance to their common interests, they have at length been compelled to approach Earl Bathurst. Among the other grievances enumerated are, the increasing depredations by the Kaffirs in consequence of the want of adequate protection, the withdrawal of the military posts and the disestablishment of Fredericksburg—the “removal of the seat of magistracy from Bathurst,” the smallness of the grant of lands, the monopoly by the Government of the supplies to the troops, and generally “the uniform reversal of every measure previously resorted to for their advantage”. The document bore 169 signatures,¹ among which were those of men of undoubted integrity and honour. Perhaps on this account it commanded the attention it received from the Government and led to the investigations which followed. But, notwithstanding the respectability of the signatories and the character of the memorial, there was opposition to it among the settlers themselves. This took the form of the transmission to Earl Bathurst of a counter memorial bearing date May 13th, 1823. It is difficult to gauge the value of this memorial, and to judge how far its spontaneity is due to the settlers and not the result of some scheme for shielding Lord Charles Somerset originating in official quarters. It does not deny, in fact it does not touch on, any of the grievances mentioned in the former one—except the Kaffir inroads which are described as the work of a few stragglers of enterprising spirit and dishonest principles, occasionally invading the settlement and driving off a few cattle which the vigilance of the troops usually restore. “The establishment of A PORT AT THE MOUTH OF THE RIVER KOWIE (capitals in the original) by His Excellency the Right Honourable Lord Charles Somerset”—the only act

¹ Among the names were Major George Pigot, Lieut. Bisset, R.N., Lieut. Rubidge, R.N., Dr. Pawle, Mr. J. C. Chase, Mr. John Dold, the Cawoods, Hezekiah Sephton (head of the Salem party), Messrs. C. H. Dell, T. P. Adams, Thomas Phillips, Duncan Campbell, and others well known to this present day.

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of the Governor it seems able to record—is especially emphasised. But the suppression of the fact that it was Sir Rufane Donkin who initiated and took the first steps towards the development of the Kowie lays the whole document open to suspicion. "It is certainly painful to our feelings," the memorial proceeds, "to learn, that at the very moment when His Excellency the Governor is most zealously employing the high authority with which he is invested to promote the general advantage of the Settlement, that a certain document should have been forwarded to your Lordship, which we conceive contains an unmerited attack upon that distinguished Nobleman." . . . "We cannot but lament that many good and loyal men have been decoyed into an act which implies the greatest ingratitude to the Government of the Colony by the most delusive arts, having signed a sheet which (for well-known reasons) was not attached to the original Memorial . . . but some of whom, it is but fair to state, have since expressed their contrition and voluntarily given their signatures hereto, as a proof of their attachment to His Excellency's Government."

The contradictory statements expressed in these two memorials must have been perplexing to Earl Bathurst. There was, however, at that date much about South Africa which was perplexing and harassing to the Colonial Office. As has already been mentioned, Lord Charles Somerset's administration had been the subject of animadversion in the public press in 1819. The hostility which was then manifested was greatly increased in 1822,¹ perhaps in consequence of communications between the settlers and their friends in England. These matters having become the subject of discussion

¹ The *Morning Chronicle* of September 20th, 1822, had a letter which must have contributed something towards stirring up public opinion. Although a substratum of truth underlay the account of the nature of the Government at the Cape which is described, yet taken as a whole the letter is very misleading and in parts perfectly untrue. The following statement for instance: "What will our countrymen think, alive as they are to the deteriorating influence of military flogging, when they hear that their friends, perhaps their kinsmen, who lately went out to Africa under the idea of meeting with British Law in the new settlement, were and are yet subject to be flogged on the bare breach, like the slaves and Hottentots in that quarter". In the many hundreds of papers and official documents both in Grahamstown and Cape Town there does not appear to be the slightest allusion to the flogging of any European (soldiers excepted), though there are concerning the flogging of natives.

in the House of Commons, it was decided to send out to the Cape a Commission of Inquiry in order that the truth might be arrived at upon the spot. The Commission consisted of Major W. M. G. Colebrooke and Mr. John Thomas Bigge, formerly a judge in the West Indies. Every detail of the Colonial Administration was to be carefully examined and reported upon by them.¹ As far as we are concerned with these gentlemen at present, it suffices to say that the memorials of the settlers were forwarded to them for their consideration after their arrival in South Africa. On May 25th, 1825, they sent to Earl Bathurst a very lengthy and detailed account of the Albany settlement, dealing with the subject historically, reviewing all the circumstances of the emigration and the relations between the settlers and the authorities. The document is characterised by that ability, fairness and good judgment which is so prominent a feature in their many voluminous reports.² With more special reference to the subjects of com-

¹ The following extracts from the instructions issued to them will give an idea of the comprehensive character of their Commission. The full instructions will be found in the *Records of Cape Colony*, vol. xv., pp. 237-42.

"Downing Street, London, 18th January, 1823. Gentlemen,—His Majesty having been pleased, in pursuance of an Address of the House of Commons, dated 25th of July last, to give directions that a Commission under the Great Seal should be issued, authorising and empowering you to act as Commissioners for inquiring into the state of the Colonies of the Cape of Good Hope, Mauritius and Ceylon, it becomes my duty to furnish you with such instructions as appear to be requisite for your guidance in the execution of the trust thereby reposed in you." The leading subjects of inquiry to be, "the general administration of government, and the immediate control exercised by the Governor himself . . . the local institutions, establishments and regulations, civil and military, and more especially those of a judicial and financial character". . . . "You will also ascertain the extent of his (the Governor's) control over the funds and resources of the Colony . . . the nature of the duties and functions of public officers of every description must be inquired into, and the amount of their respective salaries and emoluments. . . . You will not fail to direct your attention to the state of religion, to the support afforded to the Church of England, and to other religious institutions, to all public establishments for education. . . . The judicial inquiry will embrace the whole system and administration of civil and criminal justice. . . . With respect to complaints which individuals may be disposed to refer to you, against any established authorities in the respective Colonies, you will understand that you are not authorised to enter into an examination of such complaints, unless you receive specific instructions to that effect from this department. . . . You will fully inform yourselves of the condition of the Government slaves and that of the apprenticed Africans. . . . The tenures of land will be considered with a view to the assimilation of the old and modern rates of assessment." Then follow certain instructions in connection with Mauritius and Ceylon.

² The full report will be found in *Records of Cape Colony*, vol. xxi., pp. 279-396.

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plaint contained in the Memorial of March 10th, 1823, the Commissioners were satisfied that no factious or disloyal motives had actuated those who signed it, but that the neglect of their interests by the landdrost was the chief cause of the irritation. They concurred with the settlers in thinking that Lord Charles Somerset never having visited them was not conducive to a realisation of their circumstances. On the whole, the Commissioners seem to have been of opinion that there was sufficient reason for appeal to the Home Government.

About this time, the early part of 1823, the period had arrived when, according to the agreements of His Majesty's Government with reference to residence upon the locations, title deeds were to be issued. Preparatory to this, the Governor sent in December, 1822, instructions to Mr. Rivers to investigate and report upon the different parties with regard to their fulfilment of the prescribed conditions. This was no easy task, for, as has been shown, nearly three-quarters of the people had abandoned the settlement, in some cases only the head of the party was remaining upon a location, and the question was further complicated by the indebtedness to the Government in which the heads of parties stood for issue of rations and other necessaries. The work entailed far greater time and attention than was compatible with the efficient discharge of the ordinary routine of a landdrost's office. It is therefore not surprising that, apart from any other reason, the report he presented in May, 1823, gave dissatisfaction. He spoke favourably or otherwise on the industry of the people without taking into account the circumstances which may have encouraged some and retarded others, and though he pledged himself to the accuracy of his statements, the settlers contended that they were partial and inaccurate. To Mr. Rivers' discretion was left the question of deciding who had, by their industry and length of residence, established rights to the lands they occupied. He drew up two lists, one containing the names of those to whom title deeds might forthwith be issued, the other, the names of those requiring further consideration. The first title deeds were issued in November, 1823, that is, about six months after they were due. Every disposition to deal liberally by the people was shown by the Governor as well as by Earl Bathurst in confirming the land-

drost's action. In the cases of parties which were reported as deserving, the full extent of the land was granted, notwithstanding the dispersion of the individuals belonging to such parties, and with reference to the amount owing to the commissariat department, each recipient of a title deed was asked merely to sign an acknowledgment of the debt.¹ The quit rent on the lands so granted was at the rate of £2 5s. per annum for 3,000 morgen.

When the Commissioners of Inquiry visited the Albany district during their tour of inspection, they found that Mr. Rivers' investigation had left very much to be done, and that the actual granting of title deeds to some had given rise to much contention and quarrelling over boundaries, water rights and such matters. It was evident that there were so many cases requiring consideration on individual merits that the appointment of an officer whose whole time and attention should be devoted to this duty, was warranted. The Commissioners therefore suggested to the Governor the expediency of making such an appointment. This meeting with his approval, he instructed in May, 1824, a Mr. Hayward, an able, conscientious and indefatigable man, to proceed to the Albany district to act as a Special Commissioner for adjusting the claims and disputes of the settlers. His duties were to examine minutely into everything which concerned the settlement. This included a detailed inquiry into all the memorials which had been sent to the Government, over 250 of which were lying in the landdrost's office; the adjustment of matters between masters and servants or between heads of parties and their adherents; the consideration of the advisability of extending locations or of granting new places in order to avoid unsettling those who had inadvertently encroached upon the boundaries of others, and, generally, the task of endeavouring to satisfy everybody. In cases between the settlers and Government, his decisions were, as far as possible, to be in favour of the former. Mr. Hayward seems to have acted most judiciously and to have realised all which was desired and expected from his mission. His reports contained much valuable information and indicated clearly the disabilities under which the district suffered and

¹ In August, 1825, Earl Bathurst directed that they should be relieved of this payment.

CHAP. IV. the circumstances which had retarded its progress. Among these the scarcity of labour was especially mentioned. This was a matter, however, which affected others than the settlers. The limited supply of agricultural and mechanical labour as compared with the demand was felt throughout the Colony, and thus the labourers who had come out in 1820 were soon doing well in consequence of the competition for their services. Wages were at the rate of $1\frac{1}{2}$ to 2 Rds. (2s. 3d. to 3s.) per diem with full subsistence, and most exorbitant demands were made by artificers and skilled workmen. The fruitless expenditure of capital and the impoverished state of all who remained upon the locations forbade the employment of workmen at these rates. Those were most fortunate who possessed the means of labour within their own families.¹

The benefit which had accrued to the Colony and the profits which had been the results of former movements for the introduction of labour now operated to induce further attempts in that direction. Mr. Moodie, who had met with such success in 1817, was again to the fore. Messrs. D. P. Francis and

¹ The following are extracts from a letter written by the worthy Miles Bowker to a friend in England, in February, 1824. It forms a pleasing contrast to the drear tone which pervades the letters and documents of this time. The Bowkers seem to have risen superior to the difficulties which surrounded them, and though they suffered like the rest, always to have preserved their hopefulness of the country. "For my own part, though my eight men that I took out with me as servants did me no good except by fulfilling my agreement with Lord Bathurst in securing me one thousand acres of location, yet through the help of my sons and their most excellent mother we have been able to get forward perhaps better than any other Settlers, though several of them came out with large means which was far from our case." . . . "Upon finding our location unequal to our means, Government have kindly given us another place (Olive Town), making it near 5,000 acres with one and a half mile of sea coast, one of the finest spots in this country lying about four miles from the mouth of the Great Fish River." . . . "Our fruit trees, though only three years from the stone or cutting, are bearing fruit. We have planted above 15,000 vines many of which are now bearing. Our prospects of improvement will be also much in feeding, as in cattle, sheep and pork, we can have an excellent market for it salted at the Kowie, where our cheese, which we make very good, as well as fat and hides, find a good market." . . . "The Dutch here are all rich and they have not the industry of the English though they are careful and provident, many of them have here from 1,000 to 10,000 sheep, and 500 or 600 head of cattle more. . . . We have plenty of fish and game and almost every description of wild beast from the elephant and hippopotamus to the mouse on my premises. Our worst enemy is the large wolf dog which hunts in packs and will pull down an ox before our eyes in the daytime. In other respects we are in a land of Myrtles and Evergreens." . . . "We have in very little been disappointed in this country."

Frederick Carlisle, two Albany settlers, also presented schemes ; but it was Mr. Ingram, the head of one of the Irish parties at Clanwilliam, who held the field, gained the approval and financial assistance of the Home Government and transported a shipload of labourers to South Africa. Mr. Ingram's enterprise is worthy of more than passing notice. By his energy and astuteness he had managed to obtain the title deed to his location a year before he had any right to it. Then having disposed of his lands as well as having made arrangements for the discharge of the people he brought out in 1820, greatly to his own advantage, he was free and able to return to Ireland. His original intention, upon his arrival in Cork, was to have collected fifty persons of the labouring class and to have brought them to South Africa at his own expense ; but his advertisement resulting in 30,000 applications, so he said, he felt justified in approaching the Colonial Office with a view to taking out a much larger number with Government assistance. His representations met with every encouragement. It was decided to grant him £14 per head for 200 men, fifty women and 100 children—a total of £4,900—and that Mr. Ingram himself should take out fifty individuals at his own expense. All this agreed to, Mr. Ingram chartered a ship called the *Barrosa* and drew up forms of indenture to be signed by those who finally decided to sail with him. All were to be his articulated servants for three years unless before that time they purchased their liberty upon terms which Mr. Ingram imposed. After the full complement of people had been obtained, considerable delay arose before the *Barrosa* could start. The whole of the beef with which a shady firm of contractors had supplied the vessel was found to be bad and had to be replaced by some more wholesome from the Navy Board. There were other causes also, inseparable from the beginning of so large an undertaking, which detained the vessel. In the meantime many began to repent of the step they had taken and endeavoured to retrace it. Mr. Ingram attributed this to the influence of the Roman Catholic priests in dissuading the people from leaving their native land. It is, however, far more likely that bad accounts of the emigration of 1819 had leaked through and alarmed them. Many, especially the more desirable, escaped during the last two

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IV. character who could be persuaded, at the last moment, to go was taken, and even then instead of 400 there were only 347 emigrants on board the *Barrosa* when she started. On their arrival in Cape Town, in December, 1823, they were at liberty either to work for Mr. Ingram or to find another employer. In the latter case they had to pay, or promise to pay from their wages, the sum demanded for their freedom. In the case of men it was Rds. 300, in that of women Rds. 200, and in children Rds. 150.¹ On the whole the enterprise was fairly satisfactory; the emigrants were bettered in circumstances, there was a slight addition to the labour market and Mr. Ingram was something in pocket. Messrs. F. Carlisle and D. P. Francis, who had returned to England on other business, likewise offered their services in collecting and conducting labourers to the Colony. The Government, however, was unwilling to give any further assistance and so these endeavours came to nothing.

The progress of the settlement up to about the middle of 1823, as judged by the buildings erected and possessions acquired, was not very striking. Of dwellings, there were twenty-seven of stone, fifteen of brick, sixty-five of Devonshire cob and 267 of wattle and daub, that is, a kind of wicker-work plastered over with mud. The total amount of stock accumulated, a quantity, however, which varied from month to month and depended upon the activity of the Kaffirs, was, horses 206, cows 2,946, oxen 3,227, pigs 494, sheep 3,223, goats 649. And 1,476½ acres were under wheat, barley, oats, rye, mealies, potatoes and pumpkins. Still, this was something, and, taking into account the difficulties which all along had been encountered, it was good testimony to the general industry and courage. But in 1823 it seemed as if Providence frowned at even this advance and was determined to set everything back to the beginning. From December, 1820, when some heavy but very acceptable rains fell, there had been nothing more than a few slight showers which moistened the surface of the earth for an hour or so and then evaporated. Drought therefore was another of the afflictions

¹ By July 28th, 1824, 120 men, 44 women and 82 children had been disposed of at these rates.

of that unpropitious time. In 1823 all hoped and longed for rain, and they got it—all at once. In August of the preceding year, the Western Province was visited by a series of very violent rain and wind storms, worse, with regard to the damage which was done, than anything previously on record. At Tulbagh, every building, public as well as private, was either destroyed or rendered entirely uninhabitable. In Stellenbosch ninety-four, and in the Paarl sixty-nine buildings suffered. Vineyards were totally destroyed, in some cases buried to a depth of 3 feet under mud and debris. In Cape Town there was great damage, and eight out of sixteen vessels riding at anchor were wrecked. At Simon's Town the barracks fell in, and, in short, there were very few places which did not lose a church or some other equally indispensable building.

While all this devastation was being wrought by deluging rains in the West, the Eastern Province remained as dry as a desert. But its turn came. On Sunday, October 5th, 1823, a gentle rain set in and lasted throughout that day and Monday. The parched ground absorbed it as soon as it fell, and all nature seemed to be refreshed and to raise visions of a prosperous harvest. The clouds then broke and blue sky again appeared, but only for a while. The rain recommenced and continued in heavier showers until Thursday, when a storm of driving wind and a torrential downpour, which lasted for some hours, visited the district. The earth had had its fill and thus every river "came down" in full force, and those "rivers" which, except on such occasions as that referred to, are as dry as the surrounding country, became mighty rushing torrents. Ploughed and cultivated lands, especially those on the slopes of the hills, were deeply furrowed by the rush of water over them, and the wattle and daub houses suffered damage in consequence of the softening of the walls and the increased weight of the soaked thatched roofs. Saturday and Sunday were fine and all trouble seemed to have passed away. Thankfulness for the rain and mutual congratulations that the damage had been no worse prevailed throughout the community, and inspired all with the intention of mending matters as soon as possible. But Monday dawned with mist which turned to more rain. This increased throughout the day

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IV. terrific thunderstorm came over and seems to have lasted for hours. It was accompanied by violent wind and a deluge of rain, compared with which, according to the accounts, the fall of the previous Thursday was a mere perspiration. THE FLOOD OF 1823, as this event is usually called, must have been awful. There does not appear to be on record any other storm in the Eastern Province, which even distantly approached it either in its widespread violence or in the quantity of water which fell in so short a time. The rivers and streams, already full, overflowed their banks and inundated the surrounding country; large tracts of land being under water to a depth of 3 or 4 feet. Mr. Thomas Phillips tells us that a small "stream" near his house, which usually contained no water, rose 12 feet over the banks and was 140 feet wide. The rush of the muddy waters on their way to the sea carried everything before them. Not only were the young crops and gardens washed out but the soil itself was carried away, leaving bare the subsoil or the underlying rocks. The fragile settler habitations, especially those on lower grounds, were completely demolished and the debris carried down the temporary rivers. Mr. Thomas Phillips tells us further that after the subsidence of the waters he found, at a place lower down the stream, some of the vegetables which had been washed out of his lands, clinging to or entangled in the branches of the trees 5 feet from the ground; about the same time another settler asked him if he had seen his house coming down in that direction! There seems to have been only one fatality in all this, a man named Cadle was drowned in endeavouring to cross a deep stream at Salem. Many did not go to bed as the storm began early in the night and they feared, what in most cases took place, the fall of their houses. One woman with two small children escaped from her home in which the water was rising, and remained throughout that awful night without any shelter on a higher part of the hill on which she dwelt. One man mentions that waking up and finding the water 2 feet deep in the bedroom, the stream having washed through a hole in the back wall, he knocked down a part of the front wall to allow it to flow out and through the same hole, he, with his wife and child, fled through

the intense darkness to a place of safety. The distress produced by this calamity was heart-rending. Many families lost everything, not only their houses and crops but also their furniture and even their clothes. The loss in stock was something considerable; sheep especially were caught by the raging waters, washed away and drowned. This happened more particularly in the Bruintjes Hooghte district where hundreds perished in this manner.

Amid all the circumstances which prevented Albany from not only flourishing, but scarcely being even able to get a fair start, it must have seemed as if Fate was determined to grin at the accumulated misfortunes; for at this time of starvation and misery the Society for the Encouragement of Arts, Manufactures and Commerce in London sent out to this country, as well as other British possessions beyond the seas, a list of premiums and prizes which were offered for the best and most abundant *productions of the soil fit for export*, offering also special facilities for the transmission of the samples to London. At a later date, ostrich feathers and wool would have placed the Eastern Province high on any such prize list, but in 1823 adversity was moulding the successful enterprise of the future.

The prevailing distress, which was so greatly increased by the flood, necessitated prompt measures for relief. Fortunately there had been in existence since 1820 a semi-public fund which had been started by some humane persons in the Colony who foresaw the difficulties which were likely to attend the settlers before they could properly establish themselves. Although a great deal of good had been done by this fund, which distributed something like Rds. 3,000 annually, yet its resources were inadequate to meet the demands which were made upon it in 1823. Nevertheless much was done in providing first necessaries. Larger assistance for rebuilding, replanting, and restocking lands was afforded, under certain restricted conditions, at a later date through a Government loan and through the Lombard Bank.

The Committee appointed to administer the "Distressed Settlers' Fund," became a prominent body at this time, not so much on account of the distribution of rix-dollars among the poor and needy, but on account of a not altogether insignifi-

CHAP. IV. cant political influence it was able to exert in consequence of the support it received from both England and India. It was initiated by the humane Captain Moresby of H.M.S. *Menai*, when, on assisting the disembarkation of the settlers in 1820, the homeless and helpless appearance of the women and children on their first landing aroused his commiseration and pity. On his return to Cape Town he enlisted the sympathy of Henry Ellis, Esquire, the Deputy Colonial Secretary, Sir Jahleel Brenton, the Admiral in command at Simon's Town, and, it need hardly be said, Sir Rufane Donkin, together with a few other prominent men. Acting as an informal committee they asked for subscriptions, and within a very short time Rds. 7,000 were collected. Some of this was placed in the hands of Captain Trappes when he was appointed Provisional Magistrate at Bathurst, with instructions to use his discretion in assisting deserving cases. From the few instances of which there is any record, he seems to have made a judicious distribution. But the chief distributing officer during the first eighteen months was the Rev. W. Shaw, who, from his continual movement from location to location and his personal knowledge of most of the settlers, was best able to judge of the wisest course of applying the limited funds. Cases of starvation, of sickness, the support of widows and young children of deceased settlers and the supply of linen and necessaries to lying-in women are enumerated as the chief objects of attention.

As the fund grew more and more necessary as time went on, instead of acting, as was first contemplated, merely as the means of giving the unfortunate a start, the Cape Town Committee became more properly organised and appeals, instead of being confined to the Colony, were extended to England and India. Monthly meetings were held for the consideration of cases and further distribution, and an Annual Meeting was initiated for rendering to the subscribers an account of the monies received and the work done. This was the position of affairs when Lord Charles Somerset returned to the Colony in December, 1821. As it was not certain whether he was aware of the existence of the movement, and as the time for the Annual General Meeting was drawing near, a special Committee Meeting was held on May 15th, 1822, for the pur-

pose of approaching him upon the subject. As a mark of respect the Secretary wrote to His Excellency, acquainting him with the formation and objects of the Society, sent all the details of receipts and expenditure and respectfully requested that he would afford it his patronage and support and, further, that he would condescend to take the chair at the forthcoming meeting. No answer or even acknowledgment was vouchsafed to this appeal. But about a week later, namely on the 24th, the famous Proclamation forbidding public meetings was issued and to this the attention of the Committee, in an informal manner, was directed. This created an awkward situation, for it paralysed the Committee at a time when the claims of distress, in consequence of the blight of 1821 and the stoppage of rations in 1822, were greater than they had ever been before. While they were in this dilemma, a letter, as curious as it was ungracious, appeared in the *Cape Gazette* for June 22nd, 1822. Ignoring the Committee and all the good which had attended its labours, and even with the original prospectus and details of accounts well known, the letter proposed the formation of a fund for the Relief of Distressed Settlers, proposing as a Committee, the landdrost and Anglican clergyman of Grahamstown together with a heemraad, and as a nucleus of a fund, Lord Charles Somerset's name was appended as subscribing Rds. 500, Lady Somerset Rds. 100, and Colonel Bird, the Colonial Secretary, Rds. 100.

As there was nothing of a political, but only of a charitable nature in the proposed meeting and therefore it could not be affected by the Proclamation of May 24th, the Committee persuaded Sir John Truter, the Chief Justice, to consent to take the chair, and an advertisement calling the meeting was sent to the *Cape Gazette* printing office. But it did not appear. On inquiry, it was found that it would not be published without the Governor's sanction, and this could not be obtained. The Committee, through the Secretary, wrote to the Governor and assured him of the benevolent intentions of all concerned and the strictly non-political character of the objects of the meeting. In answer they were told that the printers had acted most properly in refusing the advertisement, but that, "under the guarantee you have given," the meeting was sanctioned. And thus it was held. There does not appear

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to have been any difficulty of the same nature in connection with the Annual Meetings of 1823 and 1824. With respect to the second fund, which for the sake of distinction may, not inappropriately, be called the Governor's Fund, few words suffice to dispose of it. Although it was started in June, 1822, and Rds. 500 were sent to Grahamstown in December, the first meeting for the consideration of its administration did not take place until April 14th, 1823, that is, nearly ten months after its initiation and about three years after the "Settlers' Fund" had started and had distributed, in money or necessary articles, about Rds. 3,000 annually. The Committee consisted of Mr. Rivers, the Rev. W. Geary, and Mr. Miles Bowker,¹ with Mr. G. Dyason as Secretary. The accounts, simple as they were, seem to have got into a hopeless muddle. Mr. Rivers in such returns as he sent in *private* correspondence to the Governor, included, undoubtedly inadvertently and through neglect, some of the disbursements of the other fund. Finally, with Rds. 2,400 in the Bank,² the existence of which seems to have been forgotten, the shower of blessings upon the needy community from the "Governor's Fund" ceased.³

In consequence of the increased distress brought about by the flood, Dr. Philip, the Superintendent of the L.M.S. missions, and Mr. H. E. Rutherford, the Secretary of the Settlers' Fund, repaired to the East in order to see for themselves the actual state of affairs and thus to be able to guide the Committee in the best appropriation of the limited funds. At the Annual Meeting of 1824, their speeches embodied the results of their investigations. Their statements, as well as the general procedure of this famous meeting, gave rise to much turmoil, and resulted in the downfall of Mr. Rivers and the hastening of the nemesis which at this time was overtaking Lord Charles Somerset.

The meeting was held in the old Commercial Exchange in Cape Town on August 18th, 1824. There were about 120

¹ Mr. Miles Bowker was associated with both funds.

² Certificate of Mr. Crozier, Cashier of the Bank, August 3rd, 1824. Total amount collected, Rds. 4,252. Rds. 1,352 expended for lying-in women, etc. Rds. 500 remitted to the landdrost, December, 1822. Rds. 2,400 in the Bank, August 3rd, 1824.

³ For the voluminous correspondence on these matters see vol. 386 of manuscripts in the Archives, Houses of Parliament, Cape Town.

people present. The matter over which the trouble arose was a proposition by Mr. Wilberforce Bird, the Comptroller of Customs, to the effect that the landdrost of Albany, the clergyman of the Established Church and a heemraad should be added to the Committee's sub-committee in Albany for the purpose of supplying information concerning cases of distress. Dr. Philip previously warned the mover that in the event of such a motion being brought forward and persisted in, he would be compelled reluctantly to enter, in opposing it, into unpleasant particulars proving the indifference of the local authorities to the affairs of the settlers. Mr. Bird, however, was undaunted and continued in his purpose. Dr. Philip and Mr. H. E. Rutherford, the Secretary of the Society, then took up the cudgels against him. The former endeavoured to show that there had been cases of great distress which had been brought before the landdrost, but had either been grossly neglected or had no notice whatever taken of them. He mentioned "that an officer riding in the neighbourhood of his post, and adjacent to one of the locations, had discovered a scene of unexampled distress in one of the families of the settlers. A poor woman was confined in child-bed, her husband was in a dying condition in the same bed; she had, the preceding day, buried a child in the garden, and the whole family was utterly destitute—they had actually been without food for two days. On becoming acquainted with their misery the officer returned to his post and sent them immediate relief, and lost no time in writing to the landdrost, for the purpose of bringing this case of distress to his knowledge. He never received any answer, and felt so indignant at the neglect of his letter, that he contented himself by doing what he could for the suffering family among a few friends." "What will he say to this objection," continued Dr. Philip, "that a sum of money, amounting to Rds. 2,400, which had been collected by another Society under the immediate patronage of Government, had been allowed to lie in the Bank, unappropriated ever since December, 1822, a period of two years, during which the sufferings of the settlers were at the greatest height." Mr. Rutherford in supporting Dr. Philip said: "He *knew* that the Landdrost had neither the time nor the inclination to attend to the settlers or their distresses". Mr. Bird's motion on being put to the meeting received *three* votes only.

CHAP. IV. These statements almost immediately reached the ears of the Governor, who, considering the character of the Landdrost, as well as the Government, to be defamed thereby, wrote to Dr. Philip asking him for further particulars concerning the distressed family as well as the name of the officer who acted so humanely. He also sent the statements to Mr. Rivers for such explanations as he might be able to afford. Dr. Philip, though written to three times, refused to comply with the Governor's request, on the grounds that the information had been communicated to him confidentially. Mr. Rivers answered his communication by the return post, stating that if the name of the distressed family was Harden, as from inquiries he believed it was, then he was in a position to say that Dr. Philip's statements were utterly false, for he had known of the family and their distress and had afforded relief as soon as it was made known to him. He enclosed in a letter a sheaf of testimonials¹

¹ *Mr. George Dyason* (field-cornet) says that the Hardens "were supplied with necessaries and bedding by your order," and that Mr. Bailie was authorised to advance them Rds. 25 and to use his discretion in relieving them to any extent.

Mr. R. Godlonton (clerk to Mr. Rivers) says that Harden applied to him for assistance and that he (Godlonton) brought the matter before Mr. Rivers' notice and was directed to supply them with necessaries, which he did—he gave them quantities of rice, sago, oatmeal and sugar (the quantities were 5 lb. of rice, 2 lb. of sugar, 1 lb. of sago, and 1 lb. of oatmeal). Mr. Godlonton started a subscription in Grahamstown and raised Rds. 150 for the distressed family. Generally he testified to Mr. Rivers' concern for the Hardens. "I am ready to make oath, that during that period, in no single instance within my recollection, have you, among the numerous applications for relief, declined attending to, or refused to afford assistance to the necessitous."

Rev. W. Boardman (in receipt of Government pay for the performance of duties uncertain). . . . "I never, in any single instance, have found you inattentive to any representations of distress among the settlers. . . ."

Charles Crause (lieutenant in Albany Levy). . . . "I feel a difficulty in finding language sufficiently expressive of my indignation at the vile and unparalleled attempt to asperse your character. . . ." "I know of no such distress in this Colony, as has been publicly stated."

W. Currie (field-cornet at Bathurst). The statements at Cape Town "I consider to be totally unfounded and false . . .". You have always expressed the greatest solicitude to be made acquainted and to assist those who were in want.

George Dyason (field-cornet and adjutant of Albany Levy). "I have much satisfaction in being able to contradict, and to declare in the most positive and solemn manner, that such assertion (*i.e.* the want of time and inclination) is totally incorrect . . . I feel much pleasure in bearing testimony to many acts of beneficence."

W. Austin (heemraad and lieutenant in Levy) rather overdid it; he said that "the settlers have received *more* attention and assistance, and particularly within the last twelve months, than their situation required".

to his humanity, which he had hurriedly collected in the few intervening days, as well as one which had been taken through the district and signed by 225 names. Judged by these, Mr. Rivers was a greatly maligned man. On receipt of all this the case seemed to be so satisfactorily settled in favour of the Government that a small pamphlet, entitled "Authentic Copies of a Correspondence which took place in Consequence of a Statement made at the General Annual Meeting of the Society for the Relief of Distressed Settlers, in Cape Town, August 18th, 1824, Reflecting on the Conduct and Character of the Landdrost of Albany, Cape Town, 1824, Printed at the Government Press,"¹ was printed and circulated, one being sent to Earl Bathurst.

The "Authentic Copies of Correspondence" drew from Dr. Philip, a few weeks afterwards, a reply which was also published in pamphlet form, and later still another from Mr. Rutherford, both going into further details in support of their contentions. The facts of the Harden case as gleaned from the somewhat contradictory evidence, in short, were these. William Harden, a cabinetmaker, endeavoured to ply his trade in Grahamstown, but not succeeding, through intemperate habits some said, he returned to his location at Cuylerville near the mouth of the Fish River in February, 1823. On May 2nd, in attempting to lift a sack of pumpkins he injured

Rev. W. Shaw (Government salary as Wesleyan minister). . . . "As far as has come within my knowledge, I consider the assertion referred to, and said to have been made at a public meeting in Cape Town, to be very incorrect. . . ." "My applications (to Rivers) were never ineffectual on the ground of any alleged want of time on your part to consider them. . . . I have distributed relief to the distressed at your order. . . . I am at all times strongly averse to taking any share in the unhappiness of party disputes, but being formally called upon, neither honour nor conscience allow me to hesitate in thus explicitly replying to your inquiries."

And others of a similar tenor from Alexander Cowie (district surgeon), J. and H. A. Crause (both lieutenants in the Albany Levy), J. Collis (heemraad), and from the following who were not in receipt of any salary or emolument in any form from Government: Alexander Bisset, Dr. J. Pawle, Thomas Butler, Captain R. W. Bagot, Rev. S. Kay, W. Wait.

The following is the testimonial from the settlers; "Albany, September 1st, 1824. Having heard it has been stated that Mr. Rivers, the Landdrost of Albany, had not time to attend to the cases of distress among the English Settlers, and that if he had the time he had not the inclination; we feel it due to that gentleman to declare that we consider the assertion to be incorrect and unfounded." Signed by 225 names.

¹ A reprint will be found in *Records of Cape Colony*, vol. xviii., pp. 362-440.

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IV.

himself internally and had to take to his bed. As his illness lasted several weeks, in fact he never recovered from it, the family, consisting of a wife and three children with early prospects of a fourth, were reduced to destitution. The case was known to the authorities as early as May 31st, when some relief, though not much, was afforded by Mr. Rivers. The three children were ill "with an irruption" and one died and was buried in the land, or garden, at the back of the house. The miserable plight of these people excited the pity of the nearest neighbours, and especially of Captain Clarke, the officer in command at Kaffir Drift, whose name Dr. Philip would not disclose. A private subscription was started in Grahamstown by Mr. Godlonton, when Rds. 130 were raised. On July 2nd Mrs. Harden was confined; hence with the husband very ill and suffering great pain and two children ill, there can be but little doubt of the great distress of the family. Dr. Philip's statement in Cape Town therefore was *not* utterly false as Mr. Rivers characterised it. On August 17th Mr. Harden died and was buried in the garden near his child. Being left thus destitute, Mrs. Harden, by the advice of some of her friends and the assistance of Mr. Bailie's waggon, went to Grahamstown to seek aid from Mr. Rivers and also to petition for a free passage back to her relations in England. After calling at Mr. Rivers' office *continually for a fortnight* before she could gain an audience—staying in the meantime with a friend—she obtained his promise to support her petition and provisions to the extent of half a pound of tea, two pounds of sugar and five pounds of rice. But now she was prevented from returning to Cuylerville by the flood, and thus had to wait several days more, during which she consumed the small stock of provisions. When at last she reached "home," it was not, for the flood had washed it away, the children had been taken care of by a Mrs. Heath. Not long afterwards, Mrs. Harden's troubles, if not ended, were greatly eased by a philanthropic Mr. Fletcher, who took such interest in them and in her that he married her, and comparatively speaking, she lived happily ever afterwards.

The publication of the "Authentic Correspondence" in vindication of Mr. Rivers signally failed in its object. For matters which would otherwise have remained unknown be-

came common talk and led to much destructive criticism. His statements of disbursements of money were alleged to be not only inaccurate, but in some cases were said to be totally false. Some whose names appeared as recipients of sums of money denied ever having received such assistance. Mr. George Clayton said: "I saw with astonishment my name placed as having received, May 23rd, 1823, five rix-dollars, four skillings, which statement is utterly false". Mrs. Catherine Armstrong, who is shown as having received Rds. 5, said: "I hereby declare that I have never received that or any other sum. It is true that Mr. Onkruydt once offered me money but I declined it, all that I called for was to receive my proportion of rice as due to me in common with the rest of the settlers." Mr. T. P. Adams, writing to Mr. Rutherford, said, "I hope you will be able to contradict Mr. Rivers' statement of having relieved me by a gift of Rds. 50". Mr. Miles Bowker was shown as having received, for Mrs. Harden, Rds. 50, which sum never reached her. On seeking an explanation from Mr. Bowker, it transpired that he did not receive the money, he had in fact reminded Mr. Rivers about it, but his letter received no attention. The supply of provisions was treated in the same negligent manner. Of 298 lb. of tea, sugar, sago, etc., which were sent for the benefit of the distressed, only 39½ lb. had been distributed.

Besides all this, some unpleasant features in connection with the testimonial, which had been signed by 225 settlers, were drawn into the light. Lieutenant C. Crause, who acted so indefatigably, had used, so it was said, both intimidation and deceit in obtaining the signatures. "What, you don't want to be considered an enemy of the Landdrost?" or, "the Landdrost will in future be able to tell who are his friends," seem to have been the magic words which decided the hesitating and nervous. But when, shortly afterwards, it appeared safer to express their opinions, forty of those who had signed drew up a recantation paper as follows: "We, the undersigned, having signed a paper requested by Mr. C. Crause; but being at that time entirely ignorant of the true purport of it (now evinced by the late publication of a Statement of Correspondence between the Landdrost of Albany and certain individuals) now certify, that were the same

CHAP. IV. tendered to us again for our signatures we would not sign it".

This counter movement having thus started, it was taken up more generally and a wider disposition to contradict the statements in favour of Mr. Rivers was shown. Although the *bona fides*, of the greater number, at least, of those who sent in laudatory testimonials cannot be questioned, yet the fact must not be lost sight of that they were nearly all in the pay of, or were in receipt of some emolument or advantage from, Government, and that they would undoubtedly have placed themselves in awkward predicaments had they said the reverse of what they did. It must be acknowledged, however, that there is good evidence to show that Mr. Rivers was not entirely callous to the distress of the settlers; he most certainly assisted cases from his own pocket and the initiation of the Government Fund (though in opposition to the Settlers' Fund) was said to be due to him. His difficulties with the public monies and accounts, and the continual trouble he caused the Audit Department, arose more from a constitutional inability to manage such matters and thus to neglect them rather than from anything worse.¹

The wave of enthusiasm in favour of the landdrost which accompanied Lieutenant Crause in his mission through the district was soon followed by the usual depression or hollow. The greater number of the 225 names which appeared on that testimonial now formed part of a much larger list of 324 which was appended to a petition for permission to hold a public meeting for the purpose of discussing the statements in the "Authentic Correspondence". As was probably expected, the permission was refused. The petition itself, however, as well as the resolutions to be considered were so worded that the circulation among the settlers and the voluntary attachment of signatures effected all that could have been desired from the meeting. The following is an extract from this requisition: "The undersigned, inhabitants of Albany, having read in a pamphlet which has been widely circulated through the District, and which, among other matter, contains a List of Signatures (purporting to deny the correctness of some assertions which had

¹ Albeit in later years he became, as Sir Henry Rivers, the *Treasurer-General* of the Colony.

been made at Cape Town regarding the conduct of the Local Authorities), many of which were so obtained that they cannot be considered expressive of the opinions of the individuals, much less of the public at large; and as the Landdrost of Albany has stated that he would not hesitate, if necessary, to appeal to the sense of the community; the undersigned firmly and conscientiously believing that sense to be directly the reverse of that which is assumed, request that His Excellency will be pleased to sanction a meeting of the inhabitants, for the purpose of publicly expressing the opinions thus publicly appealed". And of the resolutions, the following are the chief points: that the signatures to the late testimonial were so procured that they cannot be considered as spontaneous and fair; that the published account of the application of the charitable funds entrusted to the local authorities is incorrect and unsatisfactory; that the benefits which should have accrued from the loans of sums of money have been frustrated by the ignorance in which the majority have been kept concerning them and "by the procrastination peculiar to this district," and that certain other blessings being at hand "nothing can be wanting to secure the prosperity of the settlement, but the appointment of a magistrate, who, to the habits of punctuality and despatch, adds a conciliatory deportment and disposition".

These matters somewhat righted themselves, for at this time Mr. Rivers had intimated his desire to leave the district, and as, in January, 1825, the Landdrostship of Swellendam became vacant, to that post he was appointed on the 22nd of that month. He expressed his deep gratitude to the Governor for being removed from Albany. So also did the settlers and thus all parties were pleased. Mr. Thomas Phillips could not permit his approval to pass by default, he therefore wrote to His Excellency telling him that the measure which "he had been pleased to adopt with regard to Mr. Rivers renders it quite unnecessary for me to make any observations further than to express my thanks for this attention to the welfare and happiness of the inhabitants of Albany".

For many reasons yet to be detailed, Earl Bathurst was becoming more and more dissatisfied with Lord Charles Somerset's administration. In regard to these matters, a copy of Dr. Philip's answer to the "Authentic Correspondence"

CHAP. IV. reached him in an indirect manner about six months after it was published, instead of being sent directly from the Governor as soon as it could have arrived in England. In a despatch dated August 5th, 1825, he expressed his displeasure at this neglect and at the same time said that in consequence of the very grave charges which had been brought against Mr. Rivers, he did not feel at liberty to hold out any expectation of confirming his appointment at Swellendam, until he had given a satisfactory explanation of his conduct in Albany. About the same time also the Report of the Commissioners of Inquiry on their investigations in Albany was received at the Colonial Office. This contained still further animadversions on Mr. Rivers' behaviour. This decided Earl Bathurst to suspend him from his landdrostship until the required explanation cleared him of the charges against him. Mr. Rivers made an attempt to vindicate himself but it was not satisfactory, and though the Swellendam people petitioned for him to remain, he was dismissed from the Government service.¹

The gloomy prospects of the first four years of the settlement, and the apparent hopelessness of ever realising a moderate competence from the natural resources of the country, were partly dispelled by a ray of hope of more than ordinary brightness in 1824 and 1825, when ivory came to the rescue of the struggling community in much the same manner as ostrich feathers did to impoverished farmers at a later date. Commerce with the Kaffirs was inevitable, and as, for a time at least, attempts were made by artificial restrictions and prohibitions to suppress or prevent the traffic, it was nevertheless carried on clandestinely. The great difficulty, it might almost be said impossibility, of preventing Kaffir depredations and inroads which had been experienced ever since the blacks had been separated from the whites merely by the Fish River, and the desire to avoid running the risk of causing offence or giving the natives any pretext for such behaviour, resulted in prohibitions of any intercourse with them. Governor van Plettenberg on April 15th, 1774, issued a Proclamation to the effect that anyone bartering with the Kaffirs was declared a violator of the public peace and was punishable by confiscation,

¹ He was reinstated on November 14th, 1826.

corporal punishment and even death. Earl Macartney, on July 14th, 1798, in like manner, forbade all intercourse with the Kaffirs, even the crossing of the Fish River, unless with special permission. Sir John Cradock proclaimed and maintained the same policy in 1812. But for all this, traffic with the Kaffirs continued; though under the Dutch rule it could not have been very extensive, perhaps only in cattle, which were, from time to time, procured for the butchers in the West together with the few which were added to the isolated farms in the East. Under British rule, the chief, and for a time only, delinquents were the soldiers who were stationed along the frontier for its protection. The large quantities of ivory which were obtainable led to many expedients for smuggling it over the border and of safely disposing of it in the Colony. The discharged soldiers at the attempted settlement of Fredericksburg seem to have traded with impunity for a time, and after the establishment of Fort Willshire, the traffic there from all accounts appears to have been brisk. The wild and sparsely populated, or almost uninhabited, country was favourable to the concealment and removal of ivory, and with the aid of civilian confederates it was fairly easy to work on quite a large scale. Major Taylor, who was in command at Fort Willshire in 1822, tells us that in February of that year he saw two waggons in charge of three artillerymen and a settler named Doherty, a tanner, proceeding to Grahamstown from the vicinity of the Fort. Suspecting something was wrong, he sent Corporal Critchley and eight men with authority to search the waggons and if need be to seize them. The search resulted in finding one waggon heavily laden with ivory. The three artillerymen were on leave and going to Grahams-town, ostensibly, on quite different business. "I am of opinion," says Major Taylor, "that the whole of the artillery here are concerned in this traffic and should be exchanged from this." It is not clear how soon the settlers entered into this trade. Precedent and encouragement was offered them, not only by the soldiers but by the Government itself, even while Proclamations were forbidding it. As has been pointed out, "clay fairs," under the supervision of the military, were countenanced by the authorities, and even allowed to take place in the Colony. In this case, however, it is likely that

CHAP. IV. the Government was winking at what was felt impossible to be prevented. The Kaffirs were determined to have the red clay and, as the mere running of an assegai through a settler could remove the obstacle, they were extremely likely to get it. It was therefore better to permit them to take it and at the same time to make some show, at least, of control and authority. The settlers protested against this encouragement of such dangerous neighbours and in such large numbers into the proximity of the locations; yet some, and those who called out loudest, were at the same time carrying on an illicit traffic on their own account. The Kaffirs would not part with anything of value for any quantity of red clay and this was all the authorities offered them in exchange for their produce. But for beads, buttons, wire and gaudy trinkets of all kinds, ivory, cattle, hides and gum could be obtained in almost any quantity. The trade most usually took place in the Colony, though at times expeditions were made by the settlers into Kaffirland and capture by the military risked. At one of these "clay fairs" when apparently but little ivory was forthcoming, some of the Kaffirs admitted to a settler, named Stubbs, that they had plenty of ivory in reserve for exchange for the articles they most desired. Stubbs shortly afterwards, therefore, opened negotiations with them on his own account. While the bargaining was in progress, and before he had time to take from his waggon the articles which were to be given in exchange, a military patrol appeared and, seizing the cattle and ivory, took them to Grahamstown. The Kaffirs, thinking this a ruse on the part of Stubbs to cheat them, immediately fell upon him and murdered him. The traffic in Kaffir cattle in the Colony undoubtedly was the cause of much of the stealing which went on, though there seems to have been a tendency on the part of the Government to use this as a cover or excuse for the state of affairs which arose out of want of efficient protection. Kaffirs brought cattle into the district for barter and having received their *quid pro quo* left for their own country, but on the way made provision for further exchange by lifting someone else's cattle or perhaps, with the assistance of some obliging friend, recovered that which had so recently been turned into beads and buttons.

Following the precedent of his predecessors, Lord Charles

Somerset, on September 17th, 1822, also issued a Proclamation against this illegal traffic. He ascribed the recent murders to the temptations held out to the natives to enter the Colony, and forbade any intercourse with them except at such fairs or meetings as he should sanction, under a penalty of Rds. 500 for the first offence, and for the second a fine of Rds. 500 and banishment from the district for five years. All Kaffir cattle then in the possession of individuals to be branded with some distinctive mark and, after that, any others found in their possession to be confiscated.

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The possession by the Kaffirs of valuable and marketable commodities and the disposition, or the intention in spite of all prohibitions, on the part of the colonists to trade with them were indications of a possible and extensive commerce which the Government, both in this country as well as in England, was slow in perceiving. The first step in the right direction was taken by Sir Rufane Donkin when, in 1821, he endeavoured to start a periodical fair on the bank of the Keiskamma and thus, by a properly regulated trade, to transform, so he hoped, the Kaffirs from a nation of thieves to an honest and civilised people. But on account of his departure shortly afterwards, and Lord Charles Somerset's prejudice against everything initiated by the Acting-Governor, nothing came of it until force of circumstances rendered further consideration necessary.

On August 2nd, 1823, Colonel Scott (who had succeeded Major Jones as Commandant of the Frontier) consulted Gaika at the Chumie with a view to securing his co-operation in establishing fairs in his country. The chief, with whom it was difficult to come in contact, as the alarm of 1822 still operated, expressed his willingness and even his desire for such a measure. At first it was intended to hold the fairs at the Chumie near the mission station; but eventually Fort Willshire was chosen. That place was more central and more convenient for the colonists, and moreover the officer commanding the troops there could be upon the spot and maintain order. According to the regulations which were drawn up and published in Proclamation bearing date July 23rd, 1824, barter was to be carried on only at Fort Willshire, and only by persons who had obtained a special licence from the

CHAP. landdrost of Albany. Trade was to take place on Wednes-
 IV. days, Thursdays and Fridays in each week, between the hours
 of 9 A.M. and 4 P.M. in winter and 8 A.M. and 6 P.M. in summer.
 No firearms, ammunition or spirituous liquors to be used in
 the barter; and in the first instance there was to be no trade
 in cattle, but this was afterwards allowed as it was found im-
 possible to prevent it.¹ No Kaffirs were to be permitted to
 remain on the west of the Keiskamma and no traders to settle
 or remain in the Neutral Territory.

This met with the most hearty approval of the settlers, as
 was shown by the eagerness to obtain licences, no less than
 174 being issued in the first few months. At last the tide of
 misfortune seemed to have turned, and after all the disappoint-
 ment the country at length offered some scope for enterprise
 and capital. The ivory "boom" drew into it not only those
 who were finding a difficulty in making a living upon the
 locations, but mechanics and others who were doing well in
 their trades. According to the landdrost's list of those to
 whom licences were granted the following occupations of the
 applicants are mentioned: bakers, shoemakers, tailors, brick-
 layers, waggonmakers; besides these there were "old colonists"
 and old soldiers—and further the watchmakers and jewellers
 and the fishermen found a profitable use for their time, even
 the schoolmaster joined in the rush and found "smousing" in
 ivory a better business than boy and birch.

A fair in full swing must have been a sight of great interest
 and curiosity. Near the fort itself, which was situated at
 no great distance from the edge of the Keiskamma and con-
 sisted of four long rows of low buildings forming a hollow
 square, the lumbering waggons were arranged side by side in
 ordered rows. These, drawn by their fourteen or sixteen
 oxen, usually arrived in the early morning, having left
 Grahamstown on the previous afternoon. On peeping into
 one of these there would have been found something of this
 nature: boxes containing, separately, black, white, red and
 blue beads, brass buttons, large and small, mounted in dozens
 upon cards, coils of brass wire of various thicknesses, quantities
 of small looking-glasses, penknives, scissors and minor agri-

¹ *Vide* Proclamation of November 17th, 1825.



A KAFFIR FAIR AT FORT WILLSHIRE
From Stedman's Wanderings in South Africa

cultural implements such as picks and hoes, and of soft ware, highly coloured handkerchiefs, blankets and perhaps bales of cotton stuffs and possibly also, in accordance with the Proclamation, trousers and other parts of European clothing which the Kaffirs were to be induced to purchase. Among the bush upon the high hill which sloped up from the opposite bank of the river, black forms might have been seen as if in partial hiding, waiting until the bugles sounded the commencement of business. When that signal was given a motley, if not variegated crowd animated the scene; there were the settlers in their worn and rough clothes, the swarthy forms of the Kaffirs without any clothing at all, or the next thing to it, and the soldiers in their red coats, and withal, the dozens of settlers' cattle which were grazing on the adjacent hills. The Kaffir men, on their arrival, probably carried a large tusk of ivory, while their wives followed with loads upon their heads which were as extraordinary on account of the skill required to balance them as on account of their weight. Business was not confined to any one spot, traders and Kaffirs could meet anywhere upon the ground and make their bargains. All the ivory, however, which was sold by the pound, had to be taken to the market master's scales to be weighed. The duty of market master was performed by a sergeant or some other non-commissioned officer. A small picket of soldiers was told off to patrol continually round the scattered crowd in order to prevent quarrelling or any improper trading, such as supplying the natives with the forbidden articles, a precaution which was not altogether unnecessary, and more than one licence was cancelled on this account. Some idea of the trade in ivory which was carried on at Fort Willshire, and indirectly the slaughter of elephants which must have taken place, may be gained from the following returns of the market master. From August 18th, 1824, to January 11th, 1825, 38,424 lb. of ivory were obtained in barter, and from January 12th, 1825, to March 12th, 1825, 12,017—or in about seven months, 50,441 lb. (about 20½ Cape tons). Besides this about 16,800 pounds of gum and 15,000 hides were also obtained. The average price given for ivory (in beads, etc.) was Rds. 2 (*i.e.* 3s.), for hides Rds. 4 (6s.), and for gum 1 skilling (4½d.) per pound.

CHAP. Besides Fort Willshire, another fair was started at a spot
IV. near Trompetter's Drift, called the Chusie, but it was not a
success and was soon abandoned. The former place therefore
remained the great trading station until 1830, when Europeans
were first granted licences to penetrate into and to trade any-
where they pleased in the hitherto forbidden Kaffirland.

CHAPTER V.

PER ASPERA AD ASTRA.

It will be well to consider now the further development of the Eastern Province which took place during the first few years of the British settlement. As has already been indicated, the establishment of Bathurst and of a port at the mouth of the Kowie, as well as the beginning of Port Elizabeth, were the first steps in this direction—the immediate results of the arrival of the settlers in 1820. The abandonment of the locations by the artificers and tradesmen and the suppression of Bathurst led to the increase and rapid rise in importance of Grahamstown. In spite of the difficulty and danger attending the landing of cargoes through the surf in Algoa Bay and the greater encouragement given to Port Kowie, Port Elizabeth gradually monopolised all the coasting trade there was. These two places, originally small military settlements, therefore, made more rapid strides than the other two villages, namely, Uitenhage and Graaff Reinet, and for many years were the only two towns of importance in the East. Grahamstown eventually became, though never proclaimed but in consequence of the residence of the Lieutenant-Governor, the capital of the Eastern Province.

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Almost immediately after his arrival as landdrost, Mr. Rivers commenced the measures which had in view the more complete establishment of Grahamstown as the chief centre of civil administration of the now more populous district of Albany. The first direction in which he saw the welfare of that district likely to be promoted and the one in which he felt himself called upon to act immediately, was that of remedying the inadequacy of the prison accommodation. Were it not that it had become almost customary in the establishment of an Eastern Province town to make provision, in the first place, for the safe custody of the criminal classes,

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this procedure on the part of the new landdrost might have been a sad reflection on the general character of the settlers. In January, 1822, he sent to Government a report on the prison then in use¹ and asked that an entirely new and more commodious structure might be built. This, having remained under consideration for a year, was sanctioned. He moved, very soon, also, in placing Grahamstown upon the same footing as Uitenhage and Graaff Reinet with respect to sufficiently dignified administrative offices and landdrost's residence. On March 19th, 1822, he suggested that a Drostdy House should be built upon the plot of land at the end of the town which had been appropriated for that purpose; and later still, he transmitted to Cape Town plans and specifications for a building which promised to be suitable. These met with the Governor's approval and a formal contract was signed on July 6th, 1822, wherein Pieter Retief undertook to erect the building for the sum of Rds. 23,000 (about £1,875) and to have it finished in fourteen months from that date.

While Mr. Rivers was thus developing the civil establishment, Colonel Scott, the Commandant of the Frontier, was endeavouring to gain better and more convenient barrack accommodation for the European troops. Until this time these as well as the Hottentot soldiers were quartered in the East Barracks (afterwards Fort England), distant about a mile and a half from the village. Colonel Scott, however, considered it expedient that the military headquarters should be in the village itself. The means of attaining this was pointed out by the ever active Pieter Retief, who offered to sell his house, a somewhat pretentious building, together with the erf² on which it stood, and to build the necessary additions,

¹ He says: "It consists of two front rooms, twelve feet square; a hall used as a kitchen and a back room occupied by the constables. One of the front rooms is used by the Under Sheriff; in the other are at present twenty prisoners. No distinction can be made between the nature of the crime, of the description of persons, or between the untried and convicted. The prison stands in the very best part of the High Street, and has a pound attached to it which is a constant source of dirt and annoyance." Mr. Rivers hoped that Government would sanction the sale by auction of the building then in use together with the erf on which it stood "and the erection of a proper and commodious prison in a more convenient part of the town". (See illustration of the first prison in vol. i., p. 268.)

² Erf No. 31, near the top of High Street, where, in fact, "Scott's Avenue" now stands.

in accordance with a plan drawn out by Colonel Scott, for Rds. 40,000 (about £3,000), the whole to provide accommodation for six officers, 180 rank and file, 12 horses, a powder magazine, ordnance buildings and commissariat stores for 200 men. On that officer's recommendation Lord Charles Somerset accepted the proposal, and on May 7th, 1822, a contract was signed, Robert Hart, P. J. Cloete and F. Korsten binding themselves as securities for its due fulfilment by Retief.

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The work in connection with the barracks, which were afterwards known as Scott's Barracks, commenced forthwith. And with this also commenced the many troubles and litigation which seemed destined to be so often associated with large building operations in the East in those days. As has already been pointed out, it was no easy matter to find a man capable of undertaking work upon the scale which was then in contemplation. The contractor, more often than not, was an enterprising individual who, knowing little or nothing about building himself, sublet his contract to one more skilled though perhaps not a very worthy character. Hence, as the contractor was interested only in getting a sub-contractor to do the work at as low a price as possible, and the latter consequently saw but little advantage in using good material and putting in good workmanship, the result usually was a charge of breach of contract and a lawsuit.

Although Retief did not actually sublet these contracts, he seems to have entrusted the work, in a considerable degree, to a settler, a carpenter named Hanger, a man of somewhat doubtful character. To this may be attributed the waste of public money which the expenditure in connection with Scott's Barracks eventually proved to be. Before the Governor had signed the agreement, Retief seems to have discovered that the price he had asked was too low; he therefore endeavoured to withdraw his offer. Colonel Scott, however, would not permit this but met Retief to the extent of promising a supply of military labour in the execution of the work. In June these building operations commenced, as also did those, a few weeks later, at the Drostdy House. Taking into account the difficulty of getting competent workmen as well also as that connected with the transport of materials, much of which had to

CHAP. V. be sent from Cape Town, Retief had undertaken no small task. Further, in August, 1822, he was appointed Field Commandant of all the Albany Burghers and had to take the field in a movement against Maqomo. While absent on this service, his workmen proved the necessity there was for strict supervision over them. Decayed and refuse wood was used by the carpenter and the work generally was badly done. Colonel Scott therefore stopped the payment of the second instalment of the contract money. In consequence of the loose and ambiguous wording of the agreements, each side claimed all kinds of privileges and immunities and thus matters became very tangled and acrimonious. They were not improved when, by a mistake, in January, 1823, the deferred second instalment was paid twice, by the authority on the frontier to Retief direct and by the Government to his agent in Cape Town. It was allowed to stand, however, as it was thought that the overplus would soon be due on account of the Drostdy House, but in the end its recovery gave rise to one of the numerous lawsuits against Retief. After much wrangling between the principals, alterations of, and additions to the original plan, Scott's Barracks were finished on April 6th, 1823. The great storm in October of that year severely tested the work and showed that the adverse reports of the inspector were not without foundation. A large part of the walls fell in and did much damage by their fall. Roofs were leaky, foundations sank and, in short, the whole place was very soon uninhabitable, and notwithstanding the large sum which had been spent, accommodation for the soldiers had to be found elsewhere. As, according to the agreement, Retief was responsible for the repairs which might be needed during the twelve months after the completion of the work, he was called upon to rebuild the damaged parts. He refused, and thus the matter came before the Circuit Court in December, 1823, when the action went against him. In February, 1824, that is in less than a year from the time they were finished, Scott's Barracks were reported to be in such a dilapidated condition that more cost would be entailed in putting them in order than in building new ones. In 1825 (September 15th) it was decided to dispose of the buildings and the land on which they stood by public auction. This was partly carried

into effect on February 10th, 1826, when all was sold except the powder magazine and artillery stables¹—but a little later these also were brought to the hammer. CHAP. V.

Considering the trouble there had been in the erection of the barracks, it is not surprising that difficulties arose over so large an undertaking as the Drostdy House. The work proceeded so slowly that when the contract time expired in September, 1823, only the outer walls and the flat roof were finished. This building is of two storeys and was to have been of greater magnificence than it ever attained. It must be said that if, in this case, Retief worked slowly he worked well, for not only did the lofty walls of two and a half feet thick withstand the fury of the great storm without being one stiver the worse, but at the present day this building stands as strong and good as on the day Retief left it.

Following the example of Colonel Scott, Mr. Rivers also placed small reliance on Retief and called in one of the Royal Engineers to inspect the work as far as it had progressed. Reporting in September, 1823, that officer was of opinion that "the work done was in every way faulty and executed without attention to common principles," that "the contractor had exhibited want of proper forethought and arrangement," and that "the means employed were inadequate". He considered that Rds. 20,000 over and above the contract price would be needed to complete it. This adverse report being received by the Governor it was decided to take the contract from Retief and to institute legal proceedings against him for breach thereof. The case was heard in November when Retief was condemned to pay Rds. 5,000 and costs. He maintained that the cause of his failure was the interference of the landdrost, and in the following month he brought an action against Mr. Rivers on this account. But again the case went against him with costs. All this reduced him to great financial straits and thus his affairs were placed in the hands of the sequestrator, and steps were taken towards seizing and selling all his property. This was very harsh treatment, as was afterwards acknowledged when Retief's claim upon the Government on

¹ Rafferty bought the first lots for £493 and George Gilbert the remainder for £700. For correspondence between the Ordnance Department and the Government on the right to dispose of this property, *vide Records*, vol. xxi., pp. 92-114.

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account of both the Drostdy House and Scott's Barracks was brought forward for arbitration. It was then admitted that it was not clear that this breach of contract had not been on the side of the landdrost.

The unfinished Drostdy House remained untouched for nearly ten months. Tenders for its completion having been called for, Mr. Carl Frederick Pohl, on June 17th, 1824, undertook to finish the work in six months for the sum of Rds. 19,500 (about £1,462 10s.). Mr. Pohl had been the sub-contractor, under a Mr. A. B. Dietz, for the construction of the prison, and had just finished that building in a workman-like manner and within the specified time.¹ There was every prospect therefore of the same satisfactory termination of the work at the Drostdy House. But some overruling destiny seemed to forbid this; for before long, Mr. Pohl and Captain Dundas, who had succeeded Mr. Rivers as landdrost, disagreed and building operations consequently continued in a desultory manner long after the expiration of the contract time. The work should have been finished by December, 1824, but during 1825 both landdrost and contractor seemed still to labour under misunderstanding and the ill-fated Drostdy House to remain as far from completion as ever. It was discovered that the flat roof was a mistake; on August 25th of that year, therefore, Pohl was authorised to replace it by a pitched roof of thatch at an additional expense of Rds. 3,915. There were, however, other alterations and additional work which, according to Pohl, were to be done without further remuneration. The refusal to comply with these demands led

¹The contract for the prison was signed on January 15th, 1823. The contractor was Mr. Arnoldus Bernardus Dietz, an adventurous Hollander of high birth, who, having tried his fortune as a trader in Java and becoming eventually Government Resident in Borneo, came to grief in consequence of the fortunes of war delivering his two ships into the hands of the English. He came to South Africa about 1817 with little else than a fine collection of rare old violins and turned beef-salter, farmer, shop-keeper and builder. Thus with the assistance of the more skilled but less versatile Pohl, he offered to build a prison. He would probably, in the same spirit, have undertaken the construction of a man-o'-war or a fairy palace, had there been the call for such. He made a better bargain with the Government than did Retief. For a much smaller building than Scott's Barracks he got Rds. 70,000 (about £5,250) with permission to draw materials from Cape Town at prime cost and free transport to Algoa Bay. The new prison was finished in April, 1824. The old one, still standing in High Street, shortly afterwards became the public school.



GRAHAMSTOWN IN 1824

By permission of Dr. Flint, Cape Town

(Note Drostdy House with flat roof, as left by Pieter Retief)

to complaints on the part of Captain Dundas to Government, and thus on October 23rd, 1825, the Colonial Secretary wrote to Pohl: "So many delays and difficulties have occurred in the performance of your contract that His Excellency cannot but approve of the Landdrost having determined to take measures for setting it aside altogether". This, however, was no easy matter to effect, for the opposing claims rendered the affairs so intricate that the combined efforts of the Fiscal and visiting Court of Circuit failed to decide the case or to arbitrate between the parties. After the lapse of nearly another year, the Government, in consequence of the work falling into ruin for want of completion, decided on September 8th, 1826, to dismiss Pohl, to bring an action for breach of contract against him and to call for further tenders. Still another year passed before any decisive action was taken and then in 1827 legal proceedings were instituted, when Pohl lost the case and was sold up. But this by no means ended these disputes. Retief had up to this date maintained his claim on account of Scott's Barracks, and now Pohl joined in the clamour for compensation for the wrongs which were considered to have been brought about by the Government Representative on the Frontier. In September, 1825, Messrs. George Gilbert and Bailie were appointed arbitrators in Retief's case, and suggested to the Government that Retief should be paid Rds. 6,000 on condition that he promised to renounce all further claim. This was agreed to but was not carried into effect until 1827, after Lord Charles Somerset had left the Colony. Pohl's case was not finally settled until 1832, when he also was satisfied by an award on arbitration.

But what about the building itself? When the contract was taken from Pohl, George Gilbert ventured to finish it for the sum which had become forfeited. It is not clear, however, what he did, or whether he or anyone else had any idea of what would constitute the Drostdy House in its finished state, so altered had the original plans become by the numerous modifications and additions. It was, at that date, habitable at all events, and Dr. John Atherston, the district surgeon, was allowed to occupy it until 1829, while his own house was being built. In 1830 repairs to the extent of £19 18s. 9d. were executed in order to render it fit for the reception of the

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Judges on Circuit—the only occasion upon which it was used for that purpose. In 1832, when Pohl was finally settled with and ten years after it was commenced, the question as to what was to be done with it arose. The difficulties and anxieties connected with its construction had so filled the minds of those concerned that when, after so many years, it had reached such a stage of completion, the use for which it was intended seems to have been forgotten. And almost as an original idea the then Governor, Sir Lowry Cole, asked the Civil Commissioner,¹ in that year, to give his opinion as to the manner in which the building together with the lands attached to it might be used or disposed of to the greatest advantage to the Government, suggesting that perhaps it might be worth while to spend some money on it in order to make it useful for some public purpose. It was proposed that the Resident Magistrate's, Civil Commissioner's and other public offices should be housed there, as well as accommodation provided for the Court of Justice (*i.e.* the visiting Circuit Court).

This met with the indignation and unanimous opposition of the inhabitants, who argued that the Drostdy House, being practically outside the town, was so far from the chief commercial centre and market place as to be most inconvenient for the satisfactory expedition of business. A public meeting was held in August, 1833, to protest against this and a petition was sent to the Governor (Sir Lowry Cole) asking him to reconsider the question. His Excellency in reply said, "that whether the Public Offices should be removed or not to the Drostdy House must be decided upon the broad principle of public expedience," and that "he himself had no doubt that in every public point of view, it is desirable to make the proposed change, and that were he not under the necessity of obtaining, in the first place, the sanction of the Secretary of State for the expenditure, he would authorise the measure forthwith". The approval of the Home Government was obtained, and in December, 1834, a contract was signed with George Gilbert to make the required alterations and additions for £1,794. But in that month a Kaffir war broke out and all then had their attentions engrossed by matters which excluded

¹ In 1828 the offices of Landdrost and Heemraden were abolished and Civil Commissioners instituted in their place.



GRAHAMSTOWN IN 1824

By permission of Dr. Flint, Cape Town

(Note Graham's Tree in Centre of High Street)

such peaceful considerations as building operations. After the conclusion of hostilities in 1836, Sir Benjamin Durban, the then Governor, regarded the Drostdy House and the adjacent lands as the best available place for the establishment of extensive military headquarters.¹ He thus settled the question of the use of the Drostdy House for public offices by seizing upon that building and turning it into quarters for the officers. In thus acting he gave George Gilbert his opportunity for charging the Government with breach of contract. It was shown that timber had been cut in the Kroome forest and

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¹ Sir Benjamin Durban's letter. "July 4th, 1835. Before leaving Grahams-town in the month of March for the Invasion of Kaffirland, after a careful examination of this town and its immediate environs, with a view to its permanent defence and security against future danger from Inroads of the Savages, the apprehension of which had recently created so fearful a panic, I had come to the conclusion that the best and most advantageous ground for this particular object, was that of the Drostdy House, to be occupied by a fortified Barrack Establishment, and surrounded by Redoubts on the heights to the southward of it, of which it is the lower fall of the northern base, at once securing the main water course, and commanding all the surrounding ravines and approaches to the Town, and in consequence I had given directions to the Commanding Royal Engineer to prepare a plan, specification and estimate of a Barrack and works, corresponding with that conclusion. Upon my return hither, I found these plans completed and the works marked out, and having again examined the ground, and compared them with it, I approved of them and decided their adoption. Having done this within these few days I have been apprised by the Civil Commissioner that in pursuance of a proposal to erect a Court House, etc., upon this ground, a contract had been entered into, early in December last, with a builder of this town to execute this work, which, however, had never been begun, nor, as I apprehend, the materials collected, the Invasion of the Savages having taken place a few days after the signing of the contract, which seems to have effectually dissipated, for a time, all thought of building Court Houses. These dangers being now supposed to be past, however, it appears that this intention is resumed, and as some trifling inconvenience might result from the embarrassment of the contract already made with the builder, I have again carefully examined the adjacent ground, with the view of finding some other eligible position for the defences of the Town, and the quarters of the protecting force. This has been unsuccessful. There is no other ground that will answer the purpose in any comparative degree; and as I cannot (after all that has recently occurred) but regard the security of the Town, with the lives and property thereon depending, to be paramount to all other considerations, I must continue in the design of appropriating the ground in question to the military purposes above adverted to; and the Civil Commissioner is therefore requested to make the best arrangements for the public interests which may be practicable with the builder for the failure of his being employed according to his contract. This perhaps considering that no preparation seems to have been made for commencing the work, ought not to occasion any great loss to the public. The materials of the old Drostdy House will be all given to the municipal authorities when the Engineers shall have taken them down. Signed, B. DURBAN."

CHAP. V. beams and scantlings made—all of which had been used by the troops for firewood—as well as other work done. In this case, without appeal to law courts and years of delay, the matter was promptly settled on arbitration and Mr. Gilbert was compensated to the extent of £190 2s. 6d.¹

It may perhaps be mentioned in this place that the adaptation of the Drostdy House to military purposes in 1836 was the commencement of a large expenditure on military buildings both in Grahamstown and along the Fish River. From 1838 to 1842 were built the two large two-storied stone buildings still standing in the drostdy grounds, the artillery barracks in the rear, the powder magazine, the Prevost or military prison with its round tower, the hospital forming three sides of a quadrangle and the Drostdy archway. Along the Fish River strong forts with accommodation for large numbers of men and horses were constructed, such as Fort Brown, Double Drift Fort, Trompetter's Drift Fort and others.

But to return to the development of Grahamstown during the early twenties. While the public buildings were, with such difficulty, struggling into existence, numerous private residences and shops were being built. The settlers who had abandoned their locations and sought to pursue their trades

¹The further history of these buildings, in short, is as follows: They were in military occupation until 1864 when, King Williamstown becoming the headquarters, all the troops were moved thither. They remained empty until 1866. In that year military occupation was resumed and continued until July of 1870, when they were provisionally abandoned by the War Office. Lying untenanted for some years and commencing to fall into ruin, they were permitted to be used for non-military purposes. In 1873 the Drostdy House, adjacent barracks and hospital became the public school. Fort England Barracks were eventually turned into a lunatic asylum, the Cape Corps Barracks into a chronic sick hospital. Some of the distant forts became either farm buildings of some kind or fell into total decay—Trompetter's Drift Fort, Double Drift Fort, for instance, while others were transformed into police camps or convict stations, e.g., Forts Brown, White and Glamorgan. On June 27th, 1882, the Imperial Government relinquished possession of all military posts, reserves and buildings in favour of the Colonial Government on condition that "If at any future period Her Majesty's troops are sent to the Colony at the request of the Governor or in furtherance of Colonial interests, then the Colonial Government shall provide such troops with Barrack accommodation or lodging to the satisfaction of Her Majesty's Government". Shortly before the Anglo-Boer War the Drostdy House and barracks were required by the military and thus the troops again occupied them. After the war all the military property in the Drostdy domain passed into the possession of Rhodes University College and is now used in the cause of Arts, Sciences and Law.



MILITARY BUILDINGS, GRAHAMSTOWN, 1842



Photo : Dr. Drury

FISH RIVER, LOW WATER

in Grahamstown established themselves, for the most part, upon the higher lands to the south-east—afterwards known as Settler's Hill. So that by 1824 or 1825 Grahamstown may be considered to have emerged from the state of a village and to have assumed that of a town. CHAP.
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As has already been pointed out, the religious needs of the community had been matters of concern to the settlers from their first arrival, and were in a large measure satisfied by the untiring labours of the Rev. W. Shaw and the erection of a Wesleyan chapel by private means at the northern outskirts of the town. Ignoring all this, or more probably knowing nothing about it, Lord Charles Somerset wrote to Earl Bathurst on June 22nd, 1822, saying that the increasing population of Grahamstown rendered it imperative to appoint a clergyman. Further, while in England in 1821, he had interested himself in procuring the means for erecting a church in that place. It is curious he had not the same solicitude for Cape Town, where there was no English church whatever; in fact, at that time, there was only one in the whole of the Colony, that at Simon's Town, which was opened on April 24th, 1814. The Society for the Propagation of the Gospel, in June, 1820, offered £500 towards the erection of a church in Cape Town, but the Governor declined it; he said, "He knew that the pecuniary circumstances of the community rendered it hopeless that an adequate sum or even more than one-fifth the required sum could be raised, and I am equally convinced that the expense could not be borne from the revenue of the Colony".¹ Yet he urged Earl Bathurst to use his influence with the Society to allow that sum to be appropriated for the same purpose in Grahamstown, where the pecuniary circumstances of the inhabitants were more straitened than those in the metropolis and where the additional expense would also have to be borne by the Colonial revenue. In 1821 the Society sanctioned this. No definite steps were taken to utilise this grant until June, 1823, when Lord Charles Somerset wrote to Mr. Rivers and

¹ But see Proclamation of July 9th, 1824. Also private letter to Colonel Bird, written from London, April 14th, 1821: "The over-righteous people are great plagues, but I have succeeded in squeezing out of them £500 for the erection of a church at Grahamstown (not Bathurst) in lieu of spending 10 or £1,200 on a church in Cape Town where not more than forty people attend".

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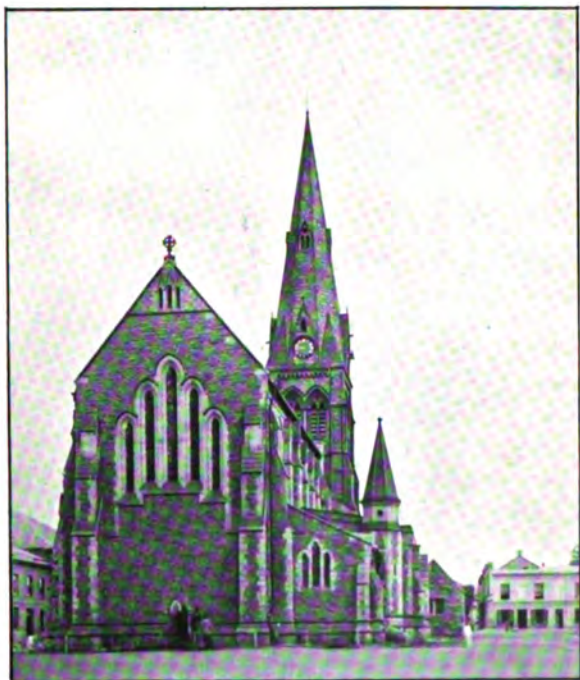
said that he had under his consideration two plans for a church in Grahamstown, one by Colonel Scott and the other by a Mr. Jones, a land-surveyor in Cape Town. The latter on account of its simplicity and cheapness was preferred and the land-drost was therefore authorised to call for tenders in accordance with it. It was stipulated that Lieutenant Hope of the Royal Engineers should superintend the building on behalf of the Government and that, upon the work, the best artificers among the settlers should be employed. The work was not commenced until 1824, when Mr. George Gilbert went from Cape Town to undertake it.¹ In the meantime the Wesleyans kindly permitted the Anglicans to share the use of the chapel built by the Rev. W. Shaw. Hence, to establish the Established church, in the first instance, little more than the appointment of a competent clergyman was necessary.

His Excellency was of opinion that Grahamstown needed a man "gifted with no ordinary qualifications for his profession"; deep learning combined with exalted piety, the courage of the lion united to the meekness of the lamb, should characterise the selected clergyman, in short, there was a call for one whose whole life and person was a message to erring human nature. Such a combination of virtues the Governor felt he had discovered in the Rev. William Geary, who had been warmly recommended to him by the Duchess of Beaufort and who also had been eulogised by the Bishops of London and Gloucester. Earl Bathurst approved of the choice and sanctioned a salary of £350 per annum, together with fair and

¹ According to the agreement entered into between George Gilbert and W. Jones, acting on behalf of the Government, dated September 9th, 1824, the work was to be commenced within three months from that date and to be finished in eighteen months. The walls from the foundations up to the height of the galleries to be 2 ft. 6 in. thick and from there to the roof 2 ft. 3 in. One side wall was to be supported by two buttresses and the other by three. The roof was to be of thatch. A square tower to be taken up 10 feet higher than the roof and to have a flat top covered with lime and shells. The floors where not occupied by pews to be paved with stone; the "communion" to be raised one foot above the level of the floor and to consist of two equal steps. The columns under the galleries to be of wood, square and framed with panels. Mr. Gilbert was allowed to cut down any timber, quarry stone and take clay for bricks from the nearest Government land and to be paid Rds. 54,000 (£4,050). At this present date (1911), the walls, buttresses, panelled columns, galleries, are still standing, but will soon disappear to make way for the new nave and side aisles now in course of construction.



ST. GEORGE'S CHURCH, GRAHAMSTOWN, 1832
(The side with the two buttresses, see contract)



THE ABOVE AS ST. GEORGE'S CATHEDRAL, 1911

reasonable "surplice fees," and, in addition, £50 per annum for acting as military chaplain. Mr. Geary accordingly arrived in Grahamstown in February of 1823. "I rejoice at Mr. Geary's arrival," said Lord Charles Somerset,¹ "The character I have received of him assures me that he is well calculated to assist in stemming the Torrent that is rushing in from all Quarters to trample down the Established Church here, and every artifice is used to add to its destructive force . . . its opposers are so numerous and so artful that we are engaged in a very unequal combat." As will be seen in the sequel, it was not the Established Church which was threatened by the "Torrent" referred to in this curious statement, seeing that the Church of England had scarcely a footing in the Colony, but the Governor himself. His mind at that time was much disturbed by, among others, the "arrant dissenter,"² Thomas Pringle, who had commenced his agitation for a free Press within the Colony, and also by the letters of "Longinus" in the *Morning Chronicle* in which his career at the Cape was being severely criticised. As residence for Mr. Geary, the Government purchased a house in High Street from Captain D. Page for Rds. 9,500 and sanctioned a further expenditure of Rds. 2,850 on necessary alterations and repairs.³ Later, namely, in September, 1824, the whole erf on which the house stood was bought for Rds. 5,100, but the interest on this sum had to be deducted from the incumbent's salary.

Mr. Geary's career in Grahamstown was short and stormy. Whether the existence of one so reputedly saintly was inconsistent with the imperfect social conditions which then prevailed, or whether, after all, Mr. Geary was more human than he should have been, it is not presumed to decide; but certain it is that, from the first, his presence increased the political turmoil of that time. The beginning of his troubles was an undoubtedly well-meant interference in the affairs of the prison in which he officiated as chaplain. There can be no doubt that great irregularities took place in that institution. The authorities, however, were well aware that matters were not as they should be, and deplored their inability to

¹ Letter to Robert Wilmot, February 14th, 1823, *Records*, xv., p. 267.

² *Ibid.*

³ The house is the present "Old Deanery" in High Street.

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¹ The ordinary fee for registration of marriage before the Matrimonial Court was:—

	Rds.	sk.	st.
The established fee, which was carried to the district chest	5	0	0
Stamp and opgeld for certificate		4	3
	5	4	3
	(About 7s. 6d.)		

In case of poverty this might be remitted.

determined to introduce reform in this matter. He considered that the privilege of being joined in holy matrimony by a clergyman of the Established Church was not one to be lightly valued and that those who availed themselves of it must expect to pay for it. He therefore not only objected to the free marriages but demanded such high fees as to lay himself open to the charge of extortion. Some of the cases were reported to the Landdrost, who expostulated with him on his uncharitable and mercenary behaviour.¹ Mutual recriminations followed, and thus a constant warfare between Landdrost and clergyman began and terminated only with the dismissal of the latter. Probably following the example of his clerical brother, Mr. Boardman of Bathurst, who had practically abandoned the profession of a clergyman for that of a farmer, Mr. Geary also turned his attention to agricultural pursuits and applied for a farm situated about thirteen miles from Grahamstown. The Governor refused this on the grounds that "where the only source from which a community may imbibe morality and piety is the parish clergyman, it was undesirable that he should at the same time be a farmer". But His Excellency was willing to attach a grant to the chaplaincy, and suggested that Mr. Geary would be doing a good and useful work by turning his attention to the education of the youth of the district. Mr. Geary disapproved of this on account of there being so few who were able to pay the fees he would be compelled to charge. "The robbery of his surplice fees" was his chief topic of conversation and seems to have come up upon many occasions. In one instance the introduction of this subject led to far-reaching consequences. On a certain Sunday afternoon in December, 1823, Mrs. Onkruydt, the wife of the secretary of the district, made a polite call on Mr. and Mrs. Geary, both of whom were at

¹ As an instance, G. Hodgkinson, a very poor man, wished to marry Ann Atkins, a very poor woman. They appeared before the Matrimonial Court when, on account of their poverty, the legal formalities were performed gratis. They then repaired to Mr. Geary, hoping that he also would treat the case *in forma pauperis*, but his answer was "Rds. 33 in advance". Unable to pay this they returned grieved and dissatisfied with their marriage to their location. Mr. Miles Bowker moved in their behalf and the matter came before Mr. Rivers. He approached Mr. Geary with a view to getting him to reconsider his decision, "which I expected," he said, "he would yield as much in compassion to the parties as in courtesy to me," but apparently without result.

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home. The conversation soon turned upon "surplice fees" and the alleged nefarious conduct of Mr. Rivers (to whom Mr. Geary referred as a thief). In support of his contention, Mr. Geary brought forth a letter which he had received shortly before from the Duchess of Beaufort and read this to his visitor. Among other matters, the noble and pious lady intimated that Lord Charles Somerset (her son) was not a very religious man and needed praying for, and that perhaps Mr. Geary, good man as he was, would use his influence on the Governor's behalf. Mrs. Onkruydt, although she expressed her sense of the indelicacy of Mr. Geary in disclosing a statement which obviously was confidential, must have lost no time in communicating the same to her friends, for the tale was soon in everybody's mouth. On general principles, there was nothing particularly wrong in saying that the Governor needed praying for, he probably did, we most of us do and perhaps at that date none more so than Mr. Geary himself. But considering the circumstances of the times and the fact that Colonel Henry Somerset, the son of the Governor, was resident in Grahamstown, the wisdom of the step was most questionable. Colonel Somerset did come to hear of it. Shortly afterwards, namely in February, 1824, the Commissioners of Inquiry arrived in Grahamstown, when the matter was brought before their notice. In consultation with Colonel Somerset it was decided that prompt and serious notice ought to be taken of the rumour, and that in the hope of averting the calamity of domestic dissension in the great House of Beaufort, every means should be adopted which would prevent the knowledge of it coming to Lord and Lady Charles Somerset and its transmission to England. The commissioners felt, however, that the matter ought to be communicated to Earl Bathurst and that, before doing so, both Mr. Geary and Mrs. Onkruydt should be interviewed. This was done. Mr. Geary attempted to justify his conduct and asked the commissioners themselves to peruse the letter, although he admitted that the communication had been confided to him under a strict injunction of secrecy. They naturally refused thus to be parties to such a breach of confidence, but suggested that the letter under separate seal, together with what explanation Mr. Geary felt proper to offer, should be sent to Downing

Street. This does not seem to have been acted upon. The commissioners wrote to England in very strong terms on February 9th.¹ The further fortune or perhaps misfortune of Mr. Geary, as well as that of some others who were known by the authorities to harbour resentment against the Government, is involved in a most extraordinary affair known as the "Grahamstown Riot". It has previously been stated that the object of sending the Commissioners of Inquiry to this country was to learn at first hand the truth of a great deal in connection with the Colony which, in England, seemed uncertain and unsatisfactory—and on which the English Press was animadverting. Under these circumstances the presence of these two gentlemen in South Africa could not but be a slight upon the administration of Lord Charles Somerset; and though he made a show of willingness to facilitate their investigations there can be no doubt but that he resented their intrusion. The joy of the inhabitants at their arrival and the welcomes which greeted them everywhere were not complimentary to the Government of the time nor a source of gratification to the Governor.

Late in the afternoon of February 4th, 1824, the commissioners arrived in Grahamstown. They had been hourly expected and every possible demonstration of delight greeted their entry into the town. After dark the place was "illuminated" in their honour. The illuminations appear to have consisted of a few tallow candles placed in the windows of some of the prominent people, such as Mr. A. B. Dietz, Pieter Retief and the Rev. W. Geary. About nine o'clock some muskets and pistols were fired off in further honour of the occasion. Taken all in all and considering the great importance of the visitation, the demonstration, as far as the inhabitants alone were concerned, was as feeble as could well be imagined. The military, under Colonel Somerset, however, added their quota and thus infused into the proceedings an

¹ *Vide* Letter, *Records of Cape Colony*, vol. xvii., p. 54. Although Mr. Geary's avarice and his conduct in connection with the letter referred to are indefensible, yet he received but scant justice in the communication to Earl Bathurst. It must be borne in mind that the commissioners wrote on February 9th, that they had arrived on the 4th, and that, except the interview, all they could have known about Mr. Geary was what had been told them by his enemies, *viz.* Mr. Rivers and Colonel Somerset.

CHAP. V. interest and excitement entirely unlooked for. As soon as Mr. Rivers heard the firing he sent a messenger to the East Barracks (Fort England) and called for the assistance of the military, under the pretence that he thought a riot had broken out. Colonel Somerset immediately ordered out the soldiers under the impression, so it was afterwards said, that the Kaffirs were attacking the town. Mr. Alexander Biggar, head of "Biggar's Party" and late captain in the 85th Regiment, happened that evening to be dining at a house near the barracks. Having heard there were to be illuminations he rode forth and in passing the barracks saw the soldiers getting ready to go into action. He followed them, on horseback, and arriving at the corner of Hill Street alighted and joined a small knot of men who were standing there with their wives, enjoying the summer evening air. After riding violently about the streets, a troop of soldiers with the Landdrost at their head galloped up to these people, and orders were then given to present bayonets and to "take those people into custody". Mr. Biggar was the only one seized. An angry altercation ensued and Mr. Biggar was marched off to prison. Some others equally innocent and inoffensive were similarly treated. They were those who at some time or other had ill concealed their resentment against the Governor or Mr. Rivers. This quixotic farce of an armed troop charging an imaginary mob and incarcerating a few well-conducted and peaceable individuals did not end there. The following "General Orders" were part of it, and must have been ludicrous reading to those upon the spot.

"HEAD QUARTERS, *February 19th, 1824.*

"No. 1. The Landdrost of Albany having expressed to the Commander of the Forces the obligation under which he feels himself to the Officers and men on duty at Grahams-town on the night of the 4th instant, by whose prompt and able assistance and exemplary forbearance a Tumult of a most dangerous character was quelled without any casualty having occurred.

"The Commander of the Forces begs to express to every Officer and Man employed on that occasion his best thanks for the activity and soldier-like conduct they displayed, and most particularly for the temper and forbearance with which

they executed their duty under circumstances of extreme provocation. CHAP.
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"No. 2. His Excellency the Commander of the Forces has been pleased to dismiss the Rev. William Geary from his Appointment as Chaplain to the Forces at Grahamstown and he is hereby dismissed accordingly.

"Signed M. G. BLAKE, *D.A. General.*"

The dismissal of Mr. Geary from the military chaplaincy was not consequent upon the "Riot," although in an anonymous and mendacious letter in the *Cape Gazette* of February 21st he is described as being in the street, waving his hat and cheering on the "mob". He himself says, and there is no reason to doubt his word, that at the time of the alleged riot he was sitting quietly in his study and knew nothing of the affair until the next morning. The incident more immediately connected with his dismissal took place on the following Sunday, February 8th. On that day, the troops, as usual, were marched down to the Anglican service in the Wesleyan chapel. When they arrived at the outside of the building and were preparing to enter and to listen to Mr. Geary, Colonel Somerset gave the orders, "Right about turn," "Quick march," and the soldiers returned to the barracks. Mr. Geary in consequence thus wrote to Colonel Somerset:—

"GRAHAMSTOWN, *February 8th, 1824.*

"SIR,—While in the Pulpit of the Chapel this morning (Sunday) expecting as usual the attendance of the Military, I observed the Troops halt in front of the Building, and then march away. This message also from yourself was at the same time communicated to me by Brigade Major O'Reilly, 'That the troops were not to attend Divine Service till further orders'.

"I think it my duty, Sir, as Chaplain to the Military to admonish you, that you are taking an awful responsibility on yourself (and for which at the last day you must render an Account), namely, how far *personal pique* to a Minister, for which you can assign no reason, authorises you to deprive the Military of the benefits of Divine Service.

"But whatever may be your feelings on this point, I think it but candour to yourself, and respect to my office to inform

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you, that unless you make an apology to me for this public, unprovoked, unprecedented and most wanton insult offered to a Clergyman of the Established Church in actual attendance on his Official Duties, I shall instantly transmit a copy of this Note to my Lord Bathurst, who, I am confident, is too warm a friend to our Church Establishment to suffer the meanest of its Ministers to be thus grossly insulted. I beg you to recollect that this is not the first time you have offered me this insult.

“I am, Sir (etc.).

“Signed WILLIAM GEARY.”

Colonel Somerset transmitted the above to the Commander of the Forces (*viz.* his father, Lord Charles Somerset). In reply to Mr. Geary, dated February 19th, Captain Fitzroy, the military secretary, apprised him of his dismissal, and said: “The Tone of Insolence in which the letter is written is so inadmissible in Military Life and so entirely inconsistent with the Regulations of His Majesty’s Service, that were you a Commissioned Chaplain to the Forces, His Excellency would not hesitate to arraign you before a Court Martial”.

Thus Mr. Geary was dismissed from his military duties and his complete downfall soon followed. On May 29th, Earl Bathurst sent instructions to Lord Charles Somerset “to remove the Rev. William Geary from the clerical employments which he holds in the settlements under your Lordship’s Government”. The arbitrary and tyrannical treatment of which Mr. Geary and others had good cause to complain was not lost upon the Commissioners of Inquiry, for in promising to assist Mr. Geary in returning to England they delicately suggested that he should give a pledge to bury in oblivion all subjects of difference which had arisen, and to abstain altogether from bringing them forward as private or public complaints in England, but to leave them to state what they considered sufficient in the report on the general state of the Colony which they were preparing. Colonel Somerset also must have felt that matters had been carried too far, for, in reference to the alleged disrespectful words which had been used to him in connection with the “Riot” by Messrs. Biggar and Phillips, and which had been brought before the notice of the fiscal for

legal action, he showed a disposition to have the whole affair quashed. "I cannot," he said, "but express an ardent desire that any proceedings in a matter in which a member of my family and myself are so much involved should be suspended." He hoped further that the "insulted Landdrost" would see his way to act in like manner.

The further history of Mr. Geary in so far as he is connected with African matters is, that finding himself in straitened circumstances in Cape Town, he obtained a loan of £100 from the Government to assist him and his family to reach England, and left the Colony at the end of 1824. On his arrival in London, he did not receive that attention from the Colonial Office which he considered his due, so he threatened to publish his African experiences in the English Press. But the Colonial Office resenting this and refusing to have any further communication with him, Mr. Geary retracted and, in his impoverished condition, threw himself upon the commiseration of Earl Bathurst. In the end he was excused repayment of the £100 and given the post of chaplain on the Gold Coast, where Earl Bathurst hoped he would conduct himself with more discretion than he had done at the Cape, but where Mr. Geary hoped he would receive some extra consideration in view of the insalubrious climate—some provision for his widow when he had fallen a victim to disease, war or professional exertion.

Mr. Geary's successor in Grahamstown was the Rev. Thomas Ireland, the military chaplain in Cape Town. The Governor in recommending him describes him as "a discreet, unassuming, well-conducted man, preaches good plain sense and moral doctrine and is a warm, sincere and staunch adherent to the Established Church". Whatever "good, plain sense" Mr. Ireland may have preached, it cannot be said that in his dealings with the community among which he went to minister, he practised it. His ecclesiasticism and jealous regard for his privileges as an Established Church clergyman getting the better of his Christian charity and tolerance, he soon became very unpopular and little respected, and thus after a sojourn of something less than two years he found it more to his advantage to leave for Ceylon. Had he not known it in the first place, he must soon have observed that the community was essen-

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tially Wesleyan, and that on that worthy body, in consequence of the absence of ministers of any other denominations, the whole spiritual guidance and welfare of the settlement had devolved. Yet in spite of the friendly co-operation which was advanced to him, he took no pains to conceal the contempt in which he held all who did not belong to the Established Church. At this time, Mr. Shaw had left Grahamstown, having, in 1823, thrown himself heart and soul into missionary work among the Kaffirs and established the mission station of Wesleyville among Pato's people. His place was taken by the Rev. Stephen Kay. Following the example of his predecessor, Mr. Kay performed marriages and baptisms, and notices of these were sent for publication in the *Cape Gazette*. Mr. Ireland had not long entered upon his office before he objected to this as an intrusion upon his sole and special privilege. He sent on February 7th, 1825, a protest to the Governor against this action on the part of the "person S. Kay," who "has taken upon himself the execution of a power to which he is not entitled and for which he has no authority". While this impropriety was under the consideration of the Governor, an offence even more heinous in the eyes of Mr. Ireland was unwittingly committed by Mr. Kay. As St. George's Church was then in course of construction, Mr. Ireland also was permitted by the Wesleyans to share in the use of their chapel—the only place of worship in Grahamstown. A bell had been attached to it, as on week days the building was used as a school. On Sundays, this Wesleyan bell seems to have been used to announce the time of the *Anglican* services. On a certain Sunday in March this bell was rung to announce a *Wesleyan* service. Mr. Ireland lost no time in bringing this flagrant act before the notice of the Landdrost, with a view to legal proceedings. At that time, it may even be so now, it was against the English law for any non-Episcopal denomination to ring a bell to call a congregation together—hence Mr. Ireland had the law upon his side. But in view of the fact that he was under an obligation to the Wesleyans, not only for the use of the chapel but for some inconvenience they willingly suffered in the arrangement of the time of their services, it is doubtful whether this ungracious act was testimony to his "plain, good sense" or to his Christian spirit.

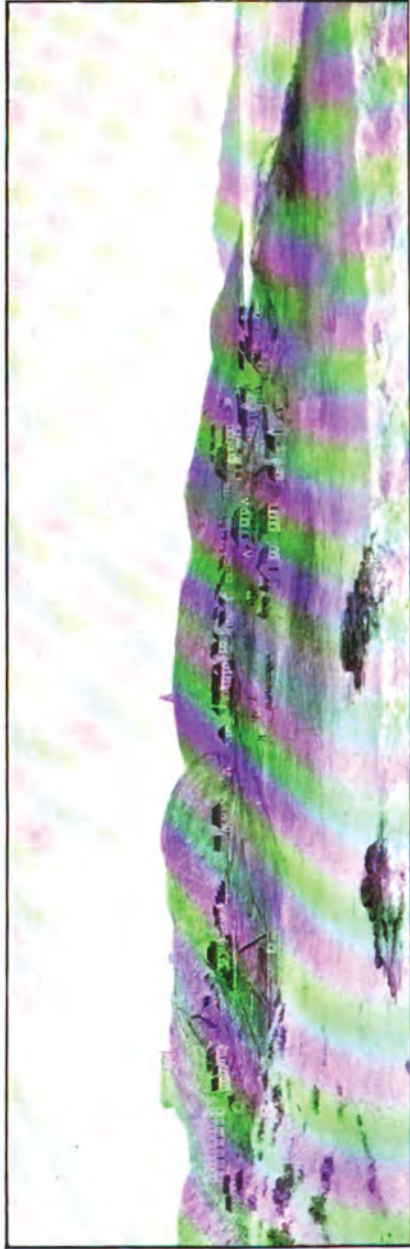
The Landdrost, Major W. B. Dundas, thus wrote to Mr. Kay under date April 3rd, 1825, "SIR,—As I conceive the use of a bell for calling together the Wesleyan congregation in Grahamstown to be an assumption on your part, I have to request that you will discontinue its use until such time as by representation of the case to the Colonial Government it may be determined whether you are justified in intruding upon the acknowledged privileges of the Established Church". Mr. Kay apologised and pleaded ignorance of the law in this connection. In the matter of the baptisms, Lord Charles Somerset endeavoured to conciliate both parties by drawing up some regulations to which it was hoped both sides could agree. In short, they were to the effect that anyone wishing to have children baptised by a Wesleyan minister must in the first instance obtain the permission of the Government chaplain, that the certificate of such baptism be forwarded to the Government chaplain to be registered by him, that no certificate be granted to the parties by the Wesleyan minister, but only by the Government chaplain, who alone is authorised to give an authentic copy and to receive the fees usual on the occasion. The four Wesleyan ministers then on the frontier, namely, the Revs. W. Shaw, S. Kay, S. Broadbent, and S. Young, objected to this and sent to the Governor a respectfully but firmly worded protest. They pointed out that in England as well as in British Colonies the Registers of Baptisms kept in Wesleyan chapels had often been received by courts of law as good and legal documents, and that "in so far as relates to the practice in the Courts of Civil and Ecclesiastical Law, Sir John Nicol, the principal Judge in the 'Arches Court' at Canterbury, decided some years ago, that not only was it lawful for a minister, not being a Clergyman of the Church of England, to Baptise British subjects, but also that every Clergyman of the Church of England *was bound* to receive the certificate of such baptism *attested* by a Dissenting minister, as a *good* and *legal* certificate thereof". The petition together with the correspondence was sent to Earl Bathurst for his instructions and decision. On October 2nd, 1825, he replied in favour of the Wesleyans, stating that the privileges claimed had been confirmed to them by the judgment aforesaid.

In July, 1825, the Rev. W. Carlisle was appointed chaplain

CHAP. at Grahamstown. He was a marked contrast to his predecessors, working for many years quietly and faithfully in the service of the Church and Colony to the great advantage of both. It is but fair to mention here the early labours of the Baptists. Although they co-operated with the Wesleyans, they formed their own congregation and built a chapel, which was also used by the Anglicans during the building of St. George's Church. The leader of the Baptists was a Mr. W. Miller.

V. While this course of events had been running on St. George's Church had been slowly nearing completion. The eighteen months of the contract time had long expired. Like the other public buildings, changes from the original plan had been found necessary as the work progressed, thus creating delays. In the earliest stage of operations, Mr. Gilbert pointed out that the contemplated thatch roof would have a very uncouth appearance, and that in consequence of the great increase of its weight when it became wet, it would produce a great strain upon its supports. He therefore suggested zinc. This was approved by the Government at an increased cost of Rds. 4,730 (£354 15s.). Towards the end of 1828, Mr. Gilbert announced the work finished. In February, 1829, the Royal Engineers received instructions to inspect and report upon it to Government. This was done. Lieutenant Hope disapproved of the roof, he considered it so unsafe that he recommended the building to be closed until certain alterations which he suggested should have been effected. By September these defects were remedied and after further inspection, the Government took over the building from Mr. Gilbert and sanctioned its use for public worship in 1830.

The English Church in the Colony at this date was entirely under the control and ultimate administration of the Government, it was, in fact, a branch of the Civil Service. Although a vestry was appointed to manage the Grahamstown church, the Canon Law was not in existence in the Colony and there was no legal method for the election of churchwardens. "There are here neither parochial clergymen nor parish churches for that mode of worship," said Lieutenant-Governor Bourke in writing to Major Dundas on Church matters in 1828. All moneys, whether pew rents or offertories, had to be carried to



PORT ELIZABETH IN 1822

From Mr. S. Hudson's sketch made in 1822

the Public Treasury and all expenditure sanctioned by the Government. Even the reserving of seats for public officials could not be effected without reference to Cape Town; for instance, in 1829, we read of the Lieutenant-Governor objecting to special pews being allotted to the Resident Magistrate and Protector of Slaves. A few years afterwards, however, St. George's Church was handed over to a special committee when a more parochial element came into existence.

PORT ELIZABETH, during the few years subsequent to the landing of the settlers, did not give much promise of the large and important town it has since become. There was little to recommend it at that date. The declared intention of, and the steps taken by, the Government to establish a port at the Kowie held out, for a time, but small prospect of business connected with shipping. And the barren sandhills, the scarcity of water and the generally inhospitable appearance of the place were not features likely to attract an agricultural or purely residential population. The military buildings in connection with Fort Frederick, for the most part in a state of dilapidation, formed the nucleus around which Port Elizabeth very gradually developed. Some of these were let to private individuals while others were used for civil purposes; the old Block House at the edge of the Baakens River, for instance, was, in 1822, repaired and used as a prison. As the Kowie experiments failed one after another, the open roadstead of the "Bay" became the rendezvous for the few ships engaged in the coast trade and thus an impetus, though not a great one, was given to Port Elizabeth. The land was cheap in those days and much of it seems to have been bought up as a speculation. On the plots, houses of a not very substantial character were built, and without any consideration to the future formation of streets. A village of a most primitive type thus came into existence. A Mr. S. Hudson, who lived in Port Elizabeth in 1822 and who, judging from a journal¹ which he has left to us, seems to have taken a rather pessimistic view of everything and everybody, thus describes the place in that year: "houses rise up like mushrooms in the night and the building mania pervades all classes, some for comfort, some for necessity, but more for speculation. The consequence is, scarcely one house

¹ Now in the Master's Office in Cape Town.

CHAP. V. can be called decent, miserable huts run up without taste or convenience, for every man who has built a pigsty in England considers himself capable of planning and erecting a house at Port Elizabeth—a parcel of miserable huts huddled together and gives the Bay much the appearance of a village of the better sort of Hottentots."

In spite of its Hottentot appearance, however, the waggon traffic increased, and Port Elizabeth gradually asserted itself as the "key to the Interior". The condition of the roads or, perhaps more correctly, the want of them was a matter for serious consideration. The deeply worn tracks from the beach to the main road leading to Grahamstown and Uitenhage were very dangerous, especially after a little rain; more often than not waggons were upset and goods suffered much damage. For the repair and maintenance of these roads as well as the care of the chief well, from which the drinking water for both the inhabitants and the supply for the ships was obtained, Lord Charles Somerset, in 1822, authorised Colonel Cuyler to levy a tax on all the inhabitants of Port Elizabeth, then numbering between three and four hundred. Further, in 1824, he sanctioned a toll bar¹ to be set up at the entrance to the village on the northern road, at which each passing waggon was charged four skillings (about 9d.)² This toll bar was situated in the present Queen Street, not far from the end of Russell Road. Until 1825 Port Elizabeth was merely a Field-Cornetcy of Uitenhage, Captain Evatt, the Commandant of the Fort, acting as field-cornet under Colonel Cuyler. In that year, however, in consequence of the increasing population and traffic, and the necessity for some authority in connection with the shipping and the better maintenance of law and order, it was felt that some higher official power than that possessed by a field-cornet was absolutely essential. By Proclamation of April 8th, 1825, therefore, Port Elizabeth became a seat of magistracy, and Captain Evatt, with the title of "Government Resident at Port Elizabeth," was given authority to deal with ordinary petty cases, all matters of larger importance still to

¹ *Vide* Proclamation, August 13th, 1824.

² The revenue from this in 1826 was Rds. 1,200 (£90). That from the spirit licences Rds. 10,000, from the letting of St. Croix Island Rds. 1,683, and from butchers and bakers licences Rds. 500. All this exclusive of the Opgaaf.



PORT ELIZABETH IN 1840

From a painting by Mr. Piers



PORT ELIZABETH IN 1840

From a painting by Mr. Piers

be referred to the Board of Landdrost and Heemraden at Uitenhage.¹ The Commissioners of Inquiry entirely approved of Port Elizabeth becoming a centre of Civil Administration, and, in their report to the Secretary of State, even proposed that that place should be established as the seat of Government of the Eastern Province.

At that date, all judicial and official proceedings in the Courts of Law had to be conducted in the Dutch language. But a change in this respect was impending. By a Proclamation dated July 5th, 1822, a five years' notice, so to speak, was given that in and after 1827, English was to be the official language of the country. As almost all the inhabitants of Port Elizabeth were English, a special language Proclamation for that place was issued on May 28th, 1825, nearly two years before the measure had come into force in the remainder of the Colony, authorising the English language from the commencement of its official existence.

Captain Evatt's civil appointment² and Port Elizabeth's being a kind of sub-drostdy under Uitenhage were temporary arrangements. As will be seen later, the Boards of Landdrost and Heemraden were entirely abolished in 1828 and were replaced by civil commissioners and resident magistrates. Port Elizabeth then became a full magistracy under Mr. Hougham Hudson. But of equal importance to the development in this direction was the establishment of a free port. All ships

¹ The township of Port Elizabeth is thus defined at this date, *viz.* 1825: "An imaginary line drawn from the place of Michael Cordie and McCulloch, situated at the South-west point of Algoa Bay, up to the place of Jacobus Theodorus Botha, thence to the place of Gert H. Halshuizen, thence to the place of Widow Pieter Schouw, now Newcomb's, then down the little Zwartkops River, whose source is at the last-mentioned place, following the same down to where it empties itself into the Great Zwartkops River, and thence down the same to its mouth at the coast, including all the Inhabitants residing at the Places and within the limits before mentioned, shall form the Township of Algoa Bay (Port Elizabeth)".

² Captain Evatt, on this account, was no additional expense to the Colony. He received only the salary of Rds. 1,200 (about £90) as Commandant. Formerly, that is before the arrival of the settlers, the Commandant's salary was Rds. 500 with the use of a Government farm, called the Chelsea farm, situated a few miles to the west of Port Elizabeth. Sir Rufane Donkin thought it inexpedient that the Commandant should have interests so far from his duties, so he caused the farm to be sold and added Rds. 700 per annum to the salary. The farm realised Rds. 18,000 (£1,400), 10,000 of which were given to Uitenhage and 8,000 to Bathurst for their developments.

CHAP. arriving in South Africa at that date had to clear in Cape
 V. Town, and the only coast trade permitted was that between
 Cape Town and the two coast landing places, namely, Ports
 Kowie and Elizabeth. It was greatly desired that these two
 places should be allowed to trade direct with Mauritius, but,
 judging from the opinion given by Colonel Bird, the Colonial
 Secretary, to the Commissioners of Inquiry, it would seem
 that Cape Town regarded such a step with jealousy. "It
 would deprive the Cape Town market," he said, "of the profits
 arising on the resale of the goods imported." Lord Charles
 Somerset, however, took a more liberal view of the question,
 and when, in February, 1824, the inhabitants of the district
 of Uitenhage petitioned for the same privilege of free export
 and import for Port Elizabeth as was enjoyed by Cape Town,
 he approved of the measure but could not grant it without
 first referring the matter to His Majesty's Government. Be-
 sides the above privilege, the petitioners asked to have a wharf
 erected. Unfortunately, at that time Lord Charles Somerset
 was in bad odour with the Government in England. Earl
 Bathurst had already expressed his displeasure at the Gov-
 ernor's colonial expenditure and had very clearly intimated
 his dissatisfaction with the explanations which had been offered.
 In answer therefore to the Governor's despatch of July, 1824,
 Earl Bathurst in his reply of November 12th refused to con-
 sider the project on the ground of the embarrassed state of
 the Colonial Treasury. But after Lord Charles Somerset had
 left the Colony and Major-General Bourke had succeeded him
 the question of free port (but not wharf) was settled by the
 following minute of Council, dated July 26th, 1826: "His
 Honour the Lieutenant-Governor is pleased to direct, that
 from and after the date hereof, all vessels trading under the
 Order of Council of July 12th, 1820, or under such Orders as
 may hereafter be issued by competent authority for regulating
 the trade with this Colony and its Dependencies, shall be per-
 mitted to enter into, and clear out from, the PORTS ELIZABETH
 and FRANCES, on the Eastern Coast of the Colony and to land
 thereat or embark therefrom, all Goods, Wares and Merchan-
 dise, which may be legally imported into, or exported from,
 this Colony,—on payment of the established dues thereon, to the
 officers of Customs stationed at the aforesaid ports".

The minimum of Government support was given to this development, consisting of a salary to a collector of customs and appropriation to his use of one of the old military houses built in 1799. A jetty or wharf was not commenced until 1837, when the merchants took up the matter as a private enterprise. A wreck which had lain in the water for over two years and over which the surf had beaten without causing further damage formed, as it were, the start. Alongside this, fourteen trial piles were driven and upon them a temporary structure was erected which greatly facilitated the landing of goods and indicated the great advantages which would accrue from a properly constructed jetty. A company was therefore formed for the purpose of raising £6,000 by 600 shares of £10 each. Grahamstown, however, seems to have moved in this matter before Port Elizabeth, for on March 12th, 1832, five years previously, a public meeting was held in the Freemason's Tavern (now Wood's Hotel), when resolutions to the following effect were passed:—

1. That in consequence of the great inconvenience and considerable loss which are sustained by the present mode of landing goods at Port Elizabeth (*viz.* by surf-boats) as well as the delay to ships visiting the Port and much damage to passengers getting on to the shore, that a jetty be constructed.
2. That as a sum of £4,000 will be required for this purpose, a subscription list of shares of £25 each be opened.
3. That a premium of £50 be offered for the best model of a suitable jetty.
4. That the following gentlemen form the Grahamstown Committee, *viz.* Captain Campbell, Major T. C. White, C. Maynard, W. R. Thomson, W. Cock, F. Stell and E. Norden.

Up to 1843, £4,500 had been spent upon the jetty. It then extended into the sea 352 feet, was carried upon 160 piles and was properly decked. The only assistance rendered by the Government was the grant of a small piece of land for the erection of warehouses and the use of thirty convicts for a time.

Towards the end of 1823, a move was made in the direction of the establishment of a church and school. Among themselves the inhabitants had collected, in cash and kind, a sum of Rds. 2,050, and had approached certain societies in England which, it was hoped, were likely to forward their good purpose.

CHAP. Further, the Orphan Chamber in Cape Town was asked to
V. advance Rds. 10,000, ten of the principal people offering their landed property as security. The Chamber met them to the extent of advancing a loan of Rds. 5,000. Thus encouraged, they brought the matter before Lord Charles Somerset, asking for assistance from Government, suggesting that the proceeds of the liquor pacht might, for a few years, be appropriated to this purpose. But in this case also the embarrassed state of the Colonial Treasury stood in the way. The Governor, however, sympathised with the movement, and pending an answer to a despatch on the subject which he sent to Earl Bathurst, he was willing to allow some temporary wooden houses belonging to the Commissariat Department to be used for church and school purposes. Earl Bathurst's reply was that in the event of the Port Elizabeth people succeeding in raising the necessary funds for erecting a church, he would sanction a salary for a resident clergyman. He could not have insisted upon this condition, however, for, on October 1st, 1825, long before the necessary funds were raised, the Rev. Francis McClelland, who up to that time had been at Clanwilliam, was appointed English clergyman at Port Elizabeth at a salary of £150 per annum. Mr. McClelland entered upon his duties with the utmost enthusiasm and devotion. The site was soon legally acquired, the temporary buildings demolished and the commencement of the permanent structure made. This was the beginning of St. Mary's Church.

From this time onward, in all the developmental schemes contemplated, the great possibilities of Port Elizabeth seem to have been kept in view. Captain Evatt, who may with justice be regarded as the father of the town, watched with jealous eyes any circumstance which in the slightest tended "to impede these barren sandhills expanding into a large city". In 1826 he protested against the revenues of Port Elizabeth going to Uitenhage and being spent for the benefit of that place rather than for the legitimate development of the Port. In the granting of erven for building purposes, he urged that more attention should be paid to their survey with a view to the formation of streets;¹ and he was instrumental in the

¹ In January, 1831, the Resident Magistrate asked the Governor to name the streets, which, up to that time, had been formed. This was done and a plan of



LANDING PLACE, PORT ELIZABETH, IN 1840

From a painting by Mr. Piers



BAAKENS RIVER, PORT ELIZABETH, IN 1840

From a painting by Mr. Piers

issue of a Proclamation (dated October 5th, 1826) forbidding any interference with the brushwood on the sandhills. CHAP.
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Colonel Cuyler, at that date, does not seem to have shared Captain Evatt's enthusiasm for Port Elizabeth, but rather to have looked with some concern to the laurels of Uitenhage. Beyond those pleasant natural features of the place, which in time might attract a residential population, and the fact that it was the drostdy of the district, there was not much else to warrant the expectation that Uitenhage would ever become a large and important town. The railway and locomotive works and the industries connected with wool washing and brick making which have so contributed to its importance and size in later years were unforeseen. The existence of the drostdy, however, could not have been a matter of much encouragement, for, from the neglected state of the public buildings, it was evident that the Government did not view the development of Uitenhage with much interest or anxiety. Colonel Cuyler complained of the increasing cost of patching and repairing the Drostdy House in consequence of want of an adequate sum of money to permit of greater thoroughness in the work. As in other places there was a disposition to consign the public buildings to the "scrap heap," and thus the fine old Drostdy House was sold and became private property in 1832.¹

There were signs of progress, however. A few houses with some pretension to comfort, solidity and appearance were in course of construction and steps were being taken to replace the small Dutch Reformed Church, built in 1810, by a larger and finer edifice.² The school under Mr. Rose Innes was Port Elizabeth with the names decided upon was sent. Unfortunately it seems to have been lost.

¹ It was purchased by Mr. J. W. van der Riet on November 2nd, 1832, for £300.

² The difficulties and delays which occurred in connection with the erection of this fine church, extending over twenty-six years, are worthy of more than passing notice. The commencement may be considered to have been made on December 11th, 1817, when the Kerkraad decided to build a larger church than the small one then in existence. Colonel Cuyler, as Government representative on the Kerkraad, submitted plans to that body on February 12, 1818. These were accepted and finally approved of by Lord Charles Somerset in the following April. On account of want of means, two years elapsed before any further steps could be taken. But in October, 1820, a sum had been collected which, supplemented by £375 from Government as a loan, warranted the Kerkraad in calling for tenders. That of C. F. Pohl for £2,400 (£1,000 less than the highest of the

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flourishing ; in fact, it was undoubtedly the best in the Eastern Province at that date. It is curious to note that his method of education was that known as the "Bell System," where the children were made to instruct one another under the guidance of the teacher. The hours were from eight till one and then from two till six, *i.e.* nine hours *per diem* for small children and in a South African climate. No wonder Mr. Rose Innes afterwards reported that the children were suffering from a disease, due, he thought, to the long hours in school. This

three) was accepted. Very wisely and fortunately the Kerkraad insisted upon Mr. Pohl finding sureties for the due fulfilment of his contract. The difficulties with the Drostdy House in Grahamstown had not yet begun. On March 1st, 1822, the foundation stone was laid by the two sons of Colonel Cuyler, and ten days afterwards the long and aggravating troubles with Pohl began. Colonel Cuyler, on behalf of the Government, objected to the work which was being put into the foundations and threatened to cancel the contract unless its terms were more honestly observed. Pohl refused to take any notice of this and continued for a time in the same unsatisfactory manner ; the work was therefore stopped. It was decided to take action against Pohl and thus in August, 1823, the matter was submitted to Mr. Advocate Brand of Cape Town. That legal luminary, according to his own statement, soon had the matter well in hand, so well in fact, that for years, while the funds lasted, there seemed little prospect of it ever being out of his hands. In 1827, the Rev. Alexander Smith, the minister of Uitenhage, having to visit Cape Town on Synod business, took the opportunity of inspiring some life into the dilatory advocate, with the result that the case was at last brought into Court, but with unlooked-for result, for judgment was given *in favour of Pohl* for £600 with costs, Pohl's defence being that he was prevented from carrying out his contract by the plaintiffs. The Kerkraad lodged an appeal. Advocate Brand continued to have the matter well in hand. On inquiry one year and nine months after, it appeared that a bilingual difficulty had arisen, and that all the proceedings, which were in Dutch, had to be translated into English—and this took time. In July, 1830, Mr. Rose Innes left Uitenhage to take up his residence in Cape Town and was thus enabled, every now and then, to remind Advocate Brand of the case. In September, 1831, that is scarcely four years after the appeal was noted, it came before the Court for argument, when, perhaps as a reward for all this patience, the former judgment was reversed and Pohl was condemned in £1,350 and costs of the case. But by this time Pohl was getting an old man and had become a bankrupt over the Drostdy House in Grahamstown and so could not pay. Legal action against his sureties then became necessary. When, in December, 1836, they saw that business was intended, they paid what was due but without interest and thus, after thirteen years, litigation ceased and Mr. Advocate Brand lost that which for so many years promised to be a permanent source of income. After the decision against Pohl a fresh start was made with the church. The members, in April, 1833, were asked to raise Rds. 25,000 (£1,875) in Rds. 100 (£7 10s.) shares. This seems to have been done and new plans were called for. These were decided upon and operations again commenced in October of 1837. In six years' time, namely on August 27th, 1843, twenty-six years after the first movement in this matter, the new church was finished and opened for Divine Service. *Finis coronat opus.*

school was entirely for European children. It might at first be thought that this statement was wholly unnecessary and that it was not in the least likely that whites and blacks would be educated together. Sentiment and opinion on these matters have changed since those times. At that date educational feeling ran, not on colour lines, but on the merits (or perhaps more correctly demerits) of two rival systems of education, namely, "Dr. Bell's Method" and the "Lancastrian Method". These, in practice at all events, seem to have been "Established Church" and Nonconformist systems. The mixing of European and native children (including those of slaves and Hottentots) in school was the ordinary procedure and, further, was one which was considered to be worthy of every encouragement. The Lieutenant-Governor, Major-General Bourke, in writing to the Landdrost of Albany in October, 1827, in connection with the unsatisfactory state of the two free schools in Grahamstown, said: "The distinction between white and coloured children is not observed in any of the other free schools in the Colony that I am aware of and should if possible be avoided". Again, in the previous year, when steps were being taken to open a school in the newly established town of Somerset East, the question of the advisability of admitting coloured children was raised and the Government referred the matter to Mr. Mackay, the Landdrost. He stated that at Graaff Reinet children of colour mixed indiscriminately with others without calling forth any remonstrance, and he was of opinion that there was no better way of finally removing the prejudices—"now rapidly wearing away"—against the blacks than to afford them an opportunity of emulating those who possessed advantages over them.

An important development which took place in the period now being dealt with was the conversion of the Somerset Farm into the township of Somerset East. It is not clear whether this measure arose from the continual and general dissatisfaction which this institution had created in the country by its interference with the legitimate markets, or whether it no longer served the supposed good purposes which brought it into existence. Most extraordinary was the suddenness with which it was closed down and the apparent anxiety of Lord Charles Somerset to get rid of all the property as soon as

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possible. As has been shown, very large profits were made by this establishment which were not accounted for to the Home Treasury. But there is no reason to believe otherwise than that the funds so raised were used for the benefit of the Colony. The expenditure in building Scott's Barracks in Grahamstown, amounting to nearly £3,000, for instance, came out of the proceeds of the Somerset Farm. Perhaps this hasty action may have been induced by the presence of the Commissioners of Inquiry in the country, coupled with the fact that the prevailing tenor of Earl Bathurst's despatches at this time gave no uncertain indication of his displeasure at the Governor's financial arrangements.

On January 7th, 1825, Mr. Hart, the superintendent, received a later dated December 31st, 1824, from Sir Richard Plasket, the Colonial Secretary, to the effect that "It being the intention of His Excellency the Governor to give up the Government Farm at Somerset without delay and to establish a Drostdy on the spot for the new district which is about to be formed, I am directed by His Excellency to acquaint you therewith and to desire that every person now employed on the farm, including yourself, may be retired from thence on or before the end of January next, from which day all allowances now paid by Government will cease". On February 14th, 1825, notices to debtors and creditors appeared in the *Cape Gazette*, and on March 11th two important Government advertisements were published. One announced the dissolution of the sub-drostdy of Cradock and the establishment of a new one "in Brintjes Hooghte on the spot heretofore known as the Somerset Farm," while the second gave notice that on the following April 13th and 14th, ninety-four erven and all the live stock and implements on the place would be sold by public auction.¹ In a despatch dated March 31st, 1825, Lord Charles Somerset acquainted Earl Bathurst with this procedure, adding: "In order to give encouragement to the new town, I have removed the Establishment of the Deputy Drostdy of

¹ The sales took place accordingly. Eighty-four plots of land each measuring 150 feet by 450 feet, were sold and realised Rds. 50,864 (about £3,114). The live stock was taken to Grahamstown as offering a better market; 798 oxen, 71 horses, 264 head of cattle, 1,425 sheep, 133 muids of flour, leather and 10 waggons, produced the sum of Rds. 41,911 (£3,143 about). The total amount for all the property sold was Rds. 124,612 (about £9,346).

Cradock (a miserable place which could never advance), including also a portion of the Northern Side of the Albany District, which was inconveniently extensive, to Somerset, which I have established as a Drostdy". And perhaps as testimony of his attention to due economy, he stated that the old tannery would be converted into the magisterial offices, the large store would become a church, while a very eligible outhouse would answer as a school, and the waggon-house would form a prison. Earl Bathurst, in a chilling reply, dated August 20th, "approved of the abolition of the Somerset Farm," but was not prepared to give any opinion on the formation of the township until he was better assured that no call on the Treasury was likely to be made. Referring to the expenditure in the other projects of the Governor, especially the development of the Kowie, he said: "I can have no hesitation in expressing my disapproval".

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In the formation of the new district of Somerset, the Governor attached, or perhaps annexed, a portion of the Ceded Territory, and gave it the name of the East Riet River Field Cornetcy. It was the greater part of the present district of Bedford. The intention was to allot it to Dutch inhabitants who had deserved well of the country by their long services in the protection of the frontier. About 200 applications were made for portions of this district, and many seem to have helped themselves before matters were finally arranged. A peculiar difficulty then arose. According to the intention of the British Government in 1820, when lands were to be allotted to the British settlers, it was stipulated that no land was to be worked by slave labour—and generally this was to be understood in making all further grants of land in the Eastern Province from that date. Now many of the Dutch who located themselves in the new territory had slaves and built houses and cultivated land¹ before the question which had been raised by the Commissioners of Inquiry was settled. They were told that they would have to relinquish either their lands or their slaves, and thus considerable distress and bitterness of feeling arose, as many, preferring the former, made preparations to leave their lands. But Major-General Bourke,

¹ Forty-six families had actually built and cultivated land, while seventy-four more held portions for the grazing of cattle.

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Mr. W. MacKay, the deputy Landdrost of Cradock, was appointed to be the Landdrost of the new district and, with the other officials from Cradock, took up his position at Somerset on January 31st, 1825. Like Dr. Mackrill at a former date, he worked with the utmost enthusiasm towards the realisation of the great things he saw in store for Somerset. But the parsimony of the Home Government gave him but little scope. In spite of the large sum which the sale of the farm and its effects had produced, £93 10s. 8½d. was all that was allowed to be spent, in the first place at all events, on the adaptation of "outhouses" to public buildings. In July the Board of Landdrost and Heemraden ventured a considerable step farther by asking to be permitted to borrow £3,000 for the erection of a church. This, however, was a measure for the future; but in October a clergyman, the Rev. A. Morgan, was appointed to the town and district, and early in the following year Mr. A. J. Caldecott was appointed Government teacher at a salary of £80 per annum. Mr. MacKay organised a turf club, which, by the way, gave great offence to the clergyman, the Rev. A. Morgan, who preached at the sporting official and represented him as one who, with his dancing, card playing and horse racing, was leading the community to perdition. Mr. MacKay also drew up regulations for an annual fair at which it was hoped that all classes, both English and Dutch, would meet to their mutual benefit and profit. The first fair was held during the whole of the third week of March, 1826, and was a most decided success. Farmers travelled great distances to it, and it is worth noting that wool was among the produce purchased or taken in exchange for European merchandise. But all this did not amount to much. Somerset East was neglected and remained in the beginning stage for years. Although a seat of magistracy, its head-quarters were really in Grahamstown, for all reports, money collected and other Government matters had to be referred to the Civil Commissioner of that place, who was styled the Civil Com-

missioner for Albany and Somerset. The officials continually complained of their inadequate quarters but without relief. The prison accommodation was less than that required and the solitary constable was nearly always off duty, spending his time inside the jail for drunkenness. The first few seasons were very unpropitious. Year after year drought prevailed and the streams which flowed from Bester's Hoek and the mountain almost entirely failed. The water was conveyed to the various lots by open furrows and sluices, as it is still in some towns in South Africa. Judging from the many letters of Mr. P. R. Marillier, the clerk to the magistrate, to Mr. Godlonton in Grahamstown, the early inhabitants of Somerset East did little else than quarrel over sacrilegious pastimes, water rights and pigs. The latter, which were very numerous, contaminated the water as it flowed along Paulet Street, the first street in Somerset East, and continually broke through all kinds of hedges and barricades and devoured what vegetables had so far succeeded in the struggle for existence. As the agility of these animals made it difficult to capture them and carry them to the pound, it became generally understood that they might be shot at sight. Cut off from the world as Somerset East was, its growth was arrested, as also was that of the other towns until the East generally became more populous and the Government both in England and the West saw the expediency of devoting a larger portion of the revenue to the necessary developments.

In connection with the revenue of the Colony, there was one part of it, in the raising of which a very unwholesome state of affairs was created, more especially in the East. This was the granting of district monopolies in the sale of liquor—liquor pachts as they were called. Towards the end of each year, the sole right to sell, during the following year, wines and spirits by retail in a particular district was put up to public auction. The highest bidder obtained the privilege and was known as the pachter of that district. The amounts, or annual licences, paid were very large; for instance, that for the Albany pacht for 1822 was no less than Rds. 40,200 (£3,015), for 1824, £2,700; that for Grahamstown and the district ten miles around for the year 1821 was £1,734 5s., and that for Uitenhage for the same year £1,688, and so on in all the

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liquor districts throughout the Colony. In return for some such payment, the pachter was allowed to open as many canteens as he liked in his district and to grant licences to others to sell his liquors. He could claim, and too often did, the operation of the law in cases where he considered his rights had been infringed and often where the offence had been nothing more than one person giving another a glass of wine. The regulations for the detailed working of the pachts differed slightly in different districts. In Albany "nobody except the contractor is at liberty to sell, to lend or to give as a present, Cape or foreign liquors within the established limit by a smaller quantity than half an aum" (19 gallons).¹ The pachter, on the other hand, was bound to sell only good liquors and in proper measure, though he might charge whatever he liked or could get. He was not permitted to sell to soldiers or their wives (though in Cape Town the military seems to have been among the best customers of the pachter, *vide State of the Cape of Good Hope in 1822*, pp. 41-43), to constables, to Hottentots under contracts of service or in the missionary institutions. No gaming with cards or dice was allowed in the canteens and no liquor was permitted to be sold during hours of Divine service.

These monopolies worked extremely unsatisfactorily. The high prices charged, together with the enmity with which the pachter was regarded, led to successful smuggling and punishment of innocent people. Major Dundas, landdrost of Albany, gave it as his opinion "that the pacht system is the cause of all the smuggling that goes on. By ordering wine from Cape Town a man can get a bottle for 1 skilling 2 stivers (about 5d.) whereas through the Pachter it would be one rix-dollar (eighteenpence). I think there is not a farm where the Pacht regulations are not infringed—with many it is a merit to cheat the Pachter." The pachter, on his part, was continually suspicious but found great difficulty in obtaining evidence

¹ *Vide* the following Proclamations dealing with the liquor pachts. That of Sir R. S. Donkin issued on August 22nd, 1821, "for establishing regularity in the administration and uniformity in the execution of the Orders and Regulations respecting the Sale and Retail of Cape and Foreign Wines".

Modification of the above by Lord Charles Somerset, February 22nd, 1822, and further modification and abolition of the pacht in Cape Town, November 14th, 1823.

against the offenders. This led to an iniquitous system of "trapping," where individuals were employed by the pachter, not only to spy but to endeavour to entrap the unwary into an infringement of his privileges, and then to bring them to punishment.¹

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The very unsatisfactory state of affairs which arose from this pacht system induced the inhabitants to petition Government to abolish it altogether and replace it by ordinary licences. In 1825 public meetings for this purpose were held in Grahamstown and the resolutions passed and proposals made met with the approval of the Governor. But nothing much was done until 1827, when on the 7th of December of that year, General Bourke issued his Ordinance No. 30, repealing all former Acts and instituting the system which is in force to-day.

¹ Instances of the results of the pacht system. William Wentworth, a poor carpenter living at an isolated spot near Governor's Kop, about ten miles from Grahamstown, was visited one evening by two apparently exhausted travellers, who stated that they were tramping into Grahamstown. They begged for a drink of wine and offered to give in exchange two loaves of white bread. This was in 1822 when, in consequence of the failure of the crops, bread was a luxury. Probably as much out of pity for the forlorn state of the travellers as the temptation of tasting bread again, Wentworth gave each of the men a glass of wine. Having handed over the bread they continued their journey. Very shortly afterwards a constable arrived at Wentworth's cottage and arrested him. He was brought before the landdrost and fined Rds. 300 (£22 10s.). In consideration of his good character, however, on the matter being brought before the Governor, the greater part of the fine was remitted.

George Anderson of Bathurst had two soldiers (probably of the Hottentot Corps) working for him. The wife of one "arrived at the hour of nature's sorrow and in that perilous situation, your Memorialist was applied to for a small quantity of spirit". It was given and knowledge of the fact got to the ears of the pachter, who took the usual course. Anderson was fined Rds. 300 and costs.

George Watson bid for a half aum of brandy which had been grown by a Dutchman and taken to the public market at Bathurst. The pachter was present at the sale but did not bid. The brandy was knocked down to Watson. As soon as the sale was complete the pachter had him arrested and prosecuted. He was fined the usual Rds. 300.

At Port Elizabeth the pachter became very obnoxious to the inhabitants. On one occasion two men, Gurney and Saddler, were brought by him before Captain Evatt for smuggling. While the case was being tried a riot broke out. A flag, a white ensign upside down and with the words "pachter in distress" written upon it, was hoisted upon one of the adjacent houses and the pachter's barrels of liquor were taken on to the market-place and broken open. A scene of riot and drunkenness continued well into the night. The case was referred to Colonel Cuyler. As the leaders apologised for their conduct, the Colonel thought it best to allow the matter to rest there.

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While the British settlers of 1820 were creating such a new state of affairs and making history in the southern portions of the Eastern Province, the Dutch inhabitants of the northern parts—the vast district of Graaff Reinet—were continuing their lives of constant struggle with drought, rust and other natural calamities and also with Bushman depredation. We find the farmers of that district longing for rain to regenerate the veld and save their cattle from starvation and disease and at the same time dreading its approach from fear of the ruinous rust which was likely to be its chief effect upon the crops. And when rain had refreshed the parched ground and brought forth the blade, locusts and *trek-bokken*¹ not infrequently made their appearance and speedily devoured it. Thus in order to find pasture for their cattle the semi-nomadic character of the inhabitants of the more remote parts was maintained.

Mr. Stockenstrom, ever alive to the welfare of the enormous district under his care, made every attempt to introduce improved methods of farming and to surmount the difficulties with which the country was beset. In 1824 the Governor sanctioned his proposal to form an Agricultural Society, and as an inducement to the inhabitants to turn their attention to the growth of wool, he sent, gratis, twelve thoroughbred rams from the Government farm at Groote Post. Mr. Stockenstrom, in order further to create united effort and interest, endeavoured to establish an annual fair for the whole district and thus, besides bringing the people together on a friendly footing, he hoped to dispose them to more settled occupation of the land. But all these good intentions were frustrated by the ever present and it may be said ever increasing Bushman and other native trouble.

Although the numbers of Bushmen had been greatly reduced

¹The *trek-bokken* were migratory spring-bucks (antelopes) which usually lived or roamed in regions remote from the habitations of man, and seldom visited by any except Bushmen who could do but little to thin their numbers. In seasons of drought, wandering in search of food to other parts, they intruded, in incredible numbers, upon the lands occupied by the graziers and completely consumed all available pasture. On their approach the farmers considered themselves dispossessed of their lands and usually made preparations to trek with their cattle elsewhere. Mr. Stockenstrom says: "It is scarcely possible for a person passing over some of the extensive tracts of the interior and admiring that beautiful antelope, the spring-buck, to figure to himself that these ornaments of the desert can often become as destructive as locusts".

by the exterminating commandos of former years, there were yet, at the period now under consideration, far more than sufficient to render stock-farming a precarious, if not dangerous, occupation. The wildest and most intractable were those who had their haunts in the rugged and almost inaccessible heights of the Bamboes and Stromberg mountains. They roamed about in small parties, though these at times consisted of a hundred individuals, and sought edible roots or whatever game could be procured by their poisonous arrows. At times some were so fortunate as to light upon a putrefying carcase or other offal.¹ That they were often driven forth by starvation to commit depredations on the farmer's sheep and cattle cannot be doubted, but, as often, they seem to have been actuated by no other motive than sheer wanton destructiveness, killing or maiming animals without any evident intention of using them as food,² breaking into isolated houses and either taking away articles which could be of no sort of use to them or damaging what could not be removed, cutting through the spokes of waggon wheels and in other ways behaving as if possessed by some evil spirit. Besides this, however, they continually drove away animals from the farms, and perhaps murdered the Hottentot or slave in charge of them. Scarcely a week passed without reports to this effect being made either to the deputy landdrost at Cradock or to the landdrost at Graaff Reinet. In some cases they got away with one or two animals, but, in others, with hundreds. In February, 1823, for instance, a case is reported where a whole flock of 600 sheep was driven

¹ "During the early months of the year 1890 the horse-sickness was so severe in the Colonial districts south of the Orange River below the junction of the Vaal, that some thousands of animals died. Very soon after its appearance, Bushmen of all ages were seen coming from the Kalahari in greater numbers than were previously believed to be in existence. They were wretchedly thin, with their hunger belts drawn tight, and their bones protruding. They seemed to be led by instinct to the putrid carcasses of the horses, upon which they feasted, and round which they danced in exuberance of joy, though Europeans could not approach for the stench. In a few weeks they were so fat and plump that they could hardly be recognised as the same people" (Dr. Theal's *History of South Africa*, vol. 1795-1828, p. 421 note).

² In April, 1823, the field-cornet of the Tarka reported that in a kraal belonging to a farmer in his district, there lay dead, fifteen horses, one hundred and two sheep, and six head of cattle, all having been stabbed by a roving band of Bushmen. Reports of this nature were common at this time, though the large number (127) above mentioned is somewhat exceptional.

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In the olden days, it will be remembered, when such outrages as these were committed by Bushmen, the neighbouring farmers, under no other authority than the field-cornet who was one of themselves, went forth on commando and shot down all they met regardless as to whether they were the guilty parties. But with the introduction of better order and law in the Eastern Province, a change in this respect had come about. There was, on the one hand, an evident intention to protect the farmers against these evils, while, on the other hand, there was the determination to save the Bushmen from indiscriminate slaughter and extermination. From the character of the Bush-

men themselves the situation was one of extreme difficulty. Their low order of intellect as indicated by their mode of life rendered any kind of reasoning with them of little effect. There were many instances, however, where they took service with the farmers and proved themselves useful and faithful servants. But on the whole, coexistence of these wild savages with people of more provident habits was almost an impossibility. Suffering on both sides was inevitable and the best that could be done was to reduce this to a minimum. Fortunately these matters at this time were under the control of a man, who from his unselfish devotion to duty, his indifference to public applause or disapproval when he felt he had done what was right, was more fitted than any one else in the Colony to deal with them, namely, Captain Stockenstrom, the landdrost of Graaff Reinet. Under his rule, no commando could go forth without his special sanction, which was always grudgingly given. There were, of course, cases where action upon emergency had to be taken without this sanction, where thieves were followed and perhaps killed, but the parties did so upon their own responsibility, knowing full well that there would be the closest investigation and that they would be answerable for any excess of violence. Believing the Bushmen to be actuated only by the pangs of hunger, he advised the farmers to protect their animals by giving food to the roving bands or by hunting game for them. This blackmail, however, led to little improvement. One farmer tells us that on one occasion he had upon his place thirty Bushmen for eight days. During that time he gave them five live sheep, besides other meat, a bushel of barley, a bucket of corn, eighteen pounds of tobacco, yet, when they left, he found they had stolen fifteen sheep. Among the numerous reports of commandos which are to be found in the official papers of this time, the following may be taken as typical. From a farmer named du Plessis, in the Tarka district, twenty-one horses were forcibly taken away by Bushmen. The Field Commandant, Van Wyk, happening to be near, instantly followed up the thieves with the few available men. As the Bushmen rode the stolen horses, they succeeded in reaching their lair, high up among the rocky eminences of the Bamboesberg, before the commando came to them. The shower of poisoned arrows which greeted the

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pursuers indicated that the enemy was in strong force and that little could be accomplished by so small a party. The Boers opened fire upon them, killing one man and recapturing eight of the horses, and, as night was approaching, they retreated with these and returned to their homes. Ten days later another commando under Van Wyk consisting of fifty men with provisions for twenty days set out in order to recover the remaining thirteen horses. Arriving at the Bushman stronghold, Van Wyk, who always bore the character of a humane and just man, endeavoured to induce the robbers to restore the horses, and explained to them that his party had not come to injure them but to recover what had been stolen. The only answer, however, which could be obtained was a volley of arrows from which Van Wyk and the foremost of his men shielded themselves with skins. In the end it was found that nothing could be done but to surround the position and fire upon them. Eighteen men, one woman and two children were killed, and fifty-eight women and children were taken prisoners and the thirteen horses regained. In many cases the expeditions were not so successful as this. The animals if found at all were either dead or dying of recent wounds and some of the pursuing party were hit by the arrows, but this does not seem to have been very frequent. It was generally possible to keep out of the range of the bows and when an arrow did lodge in a fleshy part, its fatal effect was usually warded off by cutting it out and allowing the wound to bleed freely.

Mr. Stockenstrom's extreme caution in permitting commandos, his apparent disposition to regard the reports of Bushman attacks as exaggerated and his readiness to ascribe these to want of proper vigilance or to unnecessary exposure of person or property,¹ also the leniency towards the Bushmen

¹ Mr. J. Baird, the deputy landdrost of Beaufort (West), asked (Feb. 4th, 1822) to be permitted to go forth with 150 men to appear before the kraals of Moses and Plaatje, two daring leaders of the Bushmen, who had been doing widespread damage. In reply Mr. Stockenstrom said (Feb. 7th, 1822): ". . . I am sorry to inform you, that I cannot bring myself to sanction your well-meant wishes in this instance. It is impossible for me, under present circumstances, to deviate from my system of strenuously opposing everything like strong commandos against the Bushmen, except in cases of the utmost necessity, which I cannot admit our present situation to be, . . . we have hitherto heard of nothing more than the inroads of small bands or single stragglers urged on by want, and during the late frightful drought driven to desperation as they are literally

which he urged, on the ground that, having no property of their own, they could not be sensible of the crime of stealing, all of which views met with the approval of Government, induced the farmers to think that he was either callous to their sufferings or not sufficiently impressed with the dangers which surrounded them. On this account, in 1823, the Boers in the Beaufort West district—as those parts also were under his jurisdiction—talked of abandoning their farms and seeking safer homes elsewhere. There does not seem, however, to have been any other action than the usual movement from place to place in search of better pasture.

The Bushmen women and children who were captured by the commandos were distributed among the farmers as servants. This was, in fact, the only alternative to allowing them to remain and, in consequence of the deaths of the men, to die of starvation. Although it may be doubted whether the Boers in their treatment of these people were actuated by altruistic motives, yet all the contemporary evidence indicates that the greatest kindness and consideration were shown to the captives. The Proclamation of 1817 undoubtedly contributed much to this state of affairs. They were well fed and every inducement was given them to remain and to become useful servants. No compulsion of any kind was used, they were at liberty to depart when they chose, and either to take service with some other master or to return to their own mode of life at a peaceable kraal. Every now and then the Government called for returns of Bushmen in service, and eventually insisted upon their being registered in the same manner as the Hottentots. In many cases they remained with the farmers and became faithful servants, while in others, the invariable answer

starving. . . . The force you propose sending is sufficient, in my humble opinion, if they have the opportunity to act, to extirpate the race they go against."

In reply to a request to go on commando after those who had attacked Meinhardt's place, he said that he had by no means altered the sentiments he had already set forth, and that the case of Meinhardt was a good illustration of the extreme imprudence with which individuals exposed themselves as an easy prey "to what they call a desperate and powerful enemy, but which, in fact, is nothing else but bands of half-starved savages taking advantage of that want of caution".

For further information on these matters, *vide* Blue Book on Hottentots, Bosjesmen, Caffres and Griquas, printed by order of the House of Commons, March 18th, 1835.

CHAP. V. to the inquiry as to what had become of them was "gone to join their own people".¹ This strict supervision over the capture and employment of Bushmen by the Boers was not altogether unwarranted by the circumstances of the times. Cases of abhorrent cruelty to Hottentots and slaves came, now and then, to the notice of the authorities, and there may have been many which were successfully concealed. But the almost certainty of such crimes coming to the knowledge of Landdrost Stockenstrom, and his uncompromising attitude towards offenders, did much to restrain those who were disposed to brutality. In the case of a burgher named Smit, who, in 1821, was suspected of having caused the death of a Hottentot and who, in consequence, fled towards the Orange River, the extreme penalty of death was inflicted. Smit was captured, tried and publicly hanged by his fellow-countrymen at Graaff Reinet in January, 1822. In reporting the execution to the Governor, Captain Stockenstrom said that the spectacle had made a great impression throughout the district. He testified to the order and good conduct of all, particularly to those who, for want of a military force, were obliged to act on guard and who, though sunk in deep melancholy, evinced the most profound respect for the law and the utmost readiness to support its execution and maintain the public tranquillity.

In addition to the Bushman trouble there were, along the north-western frontier, that is in the present district of Griqualand West, other native complications of which some account

¹ In 1822 Commandant Van Wyk brought into the Colony twenty-four Bushwomen and children, who were starving and had no means of subsistence in their own country. In October, 1824, the Colonial Secretary asked to be informed what had become of them. Landdrost Stockenstrom called upon Van Wyk to state what he knew about them. In reply he said that the two which he took had been allowed to return to their old haunts and gave the names of the farmers who had had the remainder. "I placed them," he said, "under this condition that they should be provided with victuals and clothes till they could comprehend the meaning of contract and then be indentured where they might choose to live as there is not any food for them in their own country." On the correspondence being forwarded to Cape Town, the Governor's pencilled comment is: "The whole of this transaction has been very irregular and inadmissible and the Landdrost *must* find out these persons and explain to them the nature of a contract and not force their remaining with any particular master".

For the interesting case of Van Tonder who was unjustly accused of coercion and ill-treatment of Bushmen in his service, see pp. 148-57 of the Blue Book already referred to.

must be given. Although those parts can scarcely be considered as forming part of the Eastern Province, yet, at that time, though beyond the boundary of the Colony, they were, in a loose manner, under the jurisdiction of Graaff Reinet.

It will be remembered¹ that Griquatown was formed by the missionary Anderson inducing the Bastards, afterwards called Griquas, the offspring of the Dutch inhabitants of the Cape and Hottentot women, to give up their roving life in the northern wilds and to settle down upon the place called Klaarwater. Further, that in consequence of the missionary being unable to wield sufficient secular authority in order to suppress the illicit traffic with the Colony as well as the increasing disorder, a Government agent was appointed in 1822. The gentleman who volunteered for this duty was a Mr. Melville, an officer of the Government in Cape Town then drawing a salary of Rds. 7,000 per annum, who had already visited the Griquas and knew their needs. Being a deeply religious man and imbued with a true missionary spirit, he sacrificed his position and prospects of advancement as well as the comforts of life in Cape Town for the welfare, so he hoped, of the semi-civilised people of Griquatown. His appointment dated from March 21st, 1822, and his new salary was Rds. 1,000 (£75) per annum.

During the administration of the Earl of Caledon, and with his sanction, the Griquas chose two elderly men, Barend Barends and Adam Kok, as their chiefs. But these men were, themselves, no patterns of law and order and exercised but little influence for good over the people. Their interference with a desperado named Gert Goeyman, who was busily engaged in an illicit traffic in guns and ammunition with the colonists, gave rise to a new tribe—if that word may be used—which afterwards played a prominent part in northern affairs. Goeyman with nine others separated themselves from the rest and, taking up their residence on the Hart River at a place near the present village of Taungs, were known, for a time, as Hartenaars. They commenced predatory incursions among the adjacent peaceable Bechuana tribes from whom they stole the cattle with which they traded with the colonists. They

¹ *Vide* vol. i. of this work, pp. 293-96.

CHAP. V. were soon joined by others and then took to the mountains and became known as Bergenaars. This was the state of affairs when Mr. Melville visited the Griquas in 1821. He then suggested that there should be a third chief and nominated one Andreas Waterboer, who was elected. Waterboer was a man of considerable character, and probably was the only one among those people fit to hold the office which was entrusted to him. His loyalty to the Government withstood the greatest discouragement, and though his enforcement of such regulations as there were made him intensely unpopular, and at times endangered his life, he adhered strictly to what he considered to be the path of his duty. He was stationed at Griquatown. Adam Kok lived with his people at Campbell, a village situated about twelve miles to the east, while Barends was at another village called Daniel's Kuil about ten miles to the north of Griquatown. The appointments of both Mr. Melville and Waterboer were very unacceptable to the majority of the Griquas, including the two old chiefs. They professed to think that the residence of the former among them had something to do with a scheme for pressing them into military service, and even when they became satisfied that this was not so, they were no better disposed. Waterboer was looked upon with suspicion and dislike because he endeavoured to support Mr. Melville's authority. The real cause of all this, most probably, was that the people saw their profitable and forbidden trade with the Colony threatened by this too close supervision. In January, 1823, Mr. Melville succeeded in getting some combination among the three chiefs, and in February a council consisting of these, together with some subordinate heemraden, was formed. The next step in the establishment of law and order was to persuade the Bergenaars to reunite with the people. To this end a message was sent to them inviting them to state their grievances and to discuss a *modus vivendi*. The negotiation, however, was a failure; they insulted the messenger and tore up the document, adding that they would discuss no such question while there was a Government agent in the land. Unfortunately, Mr. Melville received but little support from the Government in Cape Town. The Griqua country was beyond the limits of the Colony and Lord Charles Somerset well knew that the Home Government would not sanction any

expenses on account of such a distant region. Mr. Melville, therefore, was empowered to do little more than to encourage the people to pay attention to the instruction of the missionary, to interfere as little as possible with the customs which the Griquas had established among themselves and to introduce order more by recommendation than enactment. This could not and did not carry matters far. The Bergenaars were uninterfered with and their numbers and activity consequently increased. They went where they liked without passes—a privilege denied to the law-abiding Griquas—and attacked the kraals of timid Bechuanas, driving off their cattle and causing much misery. Waggons containing gunpowder and brandy were known to arrive in the country and yet there was not the power to arrest the offenders or seize the material. Hawkers with passports to proceed to Griquatown with goods evaded that place and went direct to the Bergenaars. Mr. Melville's reports on these matters to Government were unheeded¹ and thus the evils increased. Waterboer, seeing this and becoming perplexed as to the reason of Mr. Melville being sent among them, was placed in a most unhappy position, for, as he maintained his loyal attitude among such lawlessness, plots for taking his life were formed in more than one quarter, his colleague Barends even being concerned in one of these. On one occasion the Bergenaars, on mischief intent, went in force to Griquatown, but Waterboer, being warned in time, received no harm. Adam Kok, who had all along given evidence of his sympathy with the Bergenaars, resigned in 1824. His place was taken by his brother Cornelius—a change which would have been for the better had the Government taken more interest in these people.

Associated with the Griquas in those parts, there was another people, who were allied to the Namaqua Hottentots and were called Corannas. At one time they were fighting with the Griquas and at another joining them under their chiefs, but always taking part in the prevailing disorders.

After four years' discouraging work at Griquatown, Mr. Melville, on April 21st, 1826, gave up his post. In doing so, he told the Colonial Secretary that in accepting the position

¹ *Vide* his letter to the Colonial Secretary, November 25th, 1823.

CHAP. V. in the first instance his object was to aid in the improvement and civilisation of the natives, but as his connection with the Government had been unfavourable to this and had been the principal cause of his want of success, he felt compelled to forward his resignation. He then took up purely missionary work. After this the Griquas appear to have been left to themselves. Barends is mentioned as being chief or "Kaptyn" of the Bergenaars. Adam Kok was in power in 1830, when he refused to allow any farmers to pass through the Griqua country or to cross the Orange River at the usual drifts. By so doing he probably, unconsciously, did good service to the Colony. In after years the Griquas were famous in connection with the formation of Griqualand East and the establishment of a new Griquatown, the present town of Kokstad.

Before leaving the Griquas, however, some mention must be made of the part they played in stemming a wave of bloodshed and destruction, which, beginning in far-away Zululand, spread in all directions until it reached Pondoland in the south, Lake Nyassa in the north and the Bechuanas of Kuruman in the west. The Zulu chief Chaka, a few years previously, had raised himself and his army to enormous power, partly by his own personal influence, but perhaps more by his relentless cruelty and his delight in human suffering and bloodshed. Commencing by devastating the country in which he lived, namely that between the Maputa River, which flows into Delagoa Bay, and the Tugela, and either compelling the men to join his disciplined ranks or murdering them, he extended his operations into what is now the country of Natal, at that time inhabited by a fairly dense native population. In some cases whole tribes, men, women and children, fell before his murderous army, in others the people fled and brought destruction on those in their line of flight. One of the chiefs thus dispossessed was a man named Matiwana, of the Amangwane tribe, who was second only to Chaka in his warlike and bloodthirsty character. Unable to oppose the great King, he carried on the process of extermination on his own account. A large tribe known as the Amahlubi was, in this manner, driven into and scattered over the present Transkeian territories and became the people now known as the Fingoes. A number of smaller tribes residing on the western slopes of the Drakens-

berg Mountains were forced to make their way across the continent in a north-westerly direction and were themselves compelled to invade the territories in front of them. It is these refugees with whom we are now chiefly concerned. They were known as the Mantatees. They do not seem to have belonged to any particular tribe in the first place, but to have been the remnants of those tribes which survived the exodus to the west. Probably never in the history of the world has there been such an upheaval and such carnage caused by one man as took place during this enormous disturbance. Twenty-eight tribes are said to have been completely wiped out and the loss of human life, either by murder or by starvation, has been roughly estimated at two millions.

One day in June of 1823, Mr. Moffat, the missionary at Kuruman in Bechuanaland, arrived hurriedly at Griquatown with the alarming news that a warlike and formidable nation, called the Mantatees, was marching on to his station. His people, the Matchlapees, as that branch of the Bechuanas was known, were wild with terror and were making preparations to flee from the country. He persuaded them, however, to stay further action until he had been to the Griquas and endeavoured to get their assistance; hence his appearance before Mr. Melville. Rumours of the state of affairs in the far East had spread throughout the country, but among the Bechuanas, for the most part a timid and cowardly people, these rumours had become mixed up with extraordinary fabulous tales, such as that the Mantatees besides being voracious cannibals were being led by a great giantess with one eye in the middle of her forehead. There was, however, some truth in the statements that it was the intention of these irresistible people to attack Griquatown after they had sacked Old Lattakoo and Kuruman. Mr. Melville instantly called together all the Griquas he could and formed a council of war. The dissensions among the chiefs and people vanished before the common danger and all were unanimous on the expediency of raising an armed force to repel the invaders. It was decided that about 200 armed Griquas should be in Kuruman in ten days. Mr. Moffat then returned. The distance of Kuruman from Griquatown is about 300 miles. With him there went a Mr. George Thompson, who was making a tour

CHAP. V. of inspection through the country and had arrived in Griquatown two days before Mr. Moffat. When Mateebe, the King of the Matchlapees, was reassured by the good news which Messrs. Moffat and Thompson took to him, he became quite brave and commanded all his people to assemble and discuss the situation. Compared with the attitude and spirit shown by most other nations on the eve of a great struggle with a foreign power, when the bards sing of the great deeds of valour in the past and minimise the danger to be encountered and when perhaps the populace takes up the strain with "Tommy, Tommy Atkins" or "We don't want to fight but by Jingo if we do," the conduct of these Bechuanas formed a most amusing contrast. The "Peetsho" was held in a large circular kraal about 150 feet in diameter, the boundary of which was formed by a thick wattle hedge. The warriors, some with shields and assegais, others with bows and poisoned arrows, took up their positions and sat upon the ground. In the centre was the King with his Councillors and also Messrs. Moffat and Thompson. Though they appeared so warlike, all were so delightfully conscious of their cowardice that instead of encouraging one another by the recital of deeds of former prowess, their eloquence was spent on mutual vituperation and the fear of the ferocious enemy.

King Mateebe, opening the proceedings with some general remarks on the formidable character of the Mantatees, invited others to speak their minds. Moshume, having performed the customary war-dance which preceded each oration, made an impassioned speech, as uncompromising as it was true. "I know ye, ye Matchlapees," said he, "in the presence of women ye are men, but in the face of the enemy ye are women, ever ready to flee when ye should stand firm." Ranyouve exhorted them to be more than braggarts in the presence of women. "Keep your boasting," said he, "until the day when you have performed deeds worthy to be known." Issita, the brave, severely reproved Insha for having suggested the policy of waiting until the enemy attacked Kuruman rather than going forth to meet them. This warrior waxed warmer and warmer until demanding to be told who dare assert that the Matchlapees would desert on the day of battle, was suddenly cut short by the old councillor Teysho, who rose and shouted: "I

am the man who dare say so. Ye cowards, ye vagabonds, deny it if ye can. Shall I declare how often ye have done so?" Then addressing the assembly, he besought all to prepare their hearts for the conflict, and not to look alone to the Griquas for deliverance. Turning to the King, he said, "You are too careless about the safety of your people, you are indolent and unconcerned, arouse you and prove that you are a man and a King". After a number of others had spoken, the King himself delivered a closing address in which he touched upon the things already said and added his own quota of encouragement in the usual strain. "May evil overtake the disobedient! May they be broken in pieces! Be silent, ye women, ye who plague your husbands, who steal their goods and give them to others. Be silent, ye kidney eaters," addressing the old men, "ye who are fit for nothing but to prowl about whenever an ox is killed." Turning to the warriors: "There are many of you who do not deserve to eat out of a broken pot; ye stubborn and stupid men! Prepare for the day of battle; let your shields be strong, your quivers full of arrows, and your battle-axes as sharp as hunger." The proceedings terminated with a war-dance, in which an imaginary enemy was charged and stabbed, a sight as awe-inspiring as it was reassuring—to the women. But after this the warriors seemed frenzied with fear and made preparations to flee. It was undoubtedly a time of terrible anxiety, for, extravagant as many of the rumours were, it was certain that the town of Nokuning, eighteen miles distant, had been abandoned and that the enemy, having been repulsed with great slaughter by the Wankeets, a tribe in the north, were approaching Kuruman. The Matchlapees seemed quite incapable of concerted action or of taking any steps for their own defence, and the promised aid of the Griquas had not arrived. The missionaries themselves felt the position to be hopeless and commenced to bury their valuables preparatory to flight. In order to obtain some definite and trustworthy intelligence, Mr. Thompson with a guide—and afterwards joined by two others—set out on a reconnoitring expedition. Passing the town of Old Lattakoo, which showed evidence of having been abandoned very recently and hurriedly, they travelled about eighty miles when, arriving at the top of a rise, the enemy in enormous numbers in the

CHAP. V. lower land on the other side was in full view. Having made satisfactory observations, during which the small party was discovered and an attempt made to capture them, a hasty retreat was made to Kuruman. The news created the utmost consternation and the flight towards the west was commenced in real earnest. Messengers were sent to the Griquas imploring them to hasten to the rescue. In this state of panic two musket shots were heard in the distance, and two Griquas, advance riders of the main body, were seen galloping into the town. Shortly after, to the unbounded joy of all, a troop of about 100 armed Griquas, with the four chiefs, Adam and Cornelius Kok, Waterboer and Barends, rode in in grand martial style. The hopes of all revived and preparations were made to go forth to meet the Mantatees. On Tuesday, June 24th, 1823, a force consisting of the Griquas, under the command of Waterboer, and 500 Matchlapees set out from Kuruman. Mr. Melville had made the latter promise that they would not molest the women and children and that quarter should be given to all prisoners and wounded. Mr. Moffat with a reconnoitring party of ten Griquas under Waterboer went ahead and after a few hours' riding came in sight of the enemy. One division, estimated at 15,000, was lying on a declivity a short distance south of Old Lattakoo, while a second and far more numerous division occupied the town itself. The crowds consisted of men, women and children, together with the cattle they had obtained in some recent raid. All were nearly naked. The men, of good stature and athletic mien, wore merely diminutive loin cloths and plumes of ostrich feathers upon their heads. Besides the customary shields and assegais, they were armed with clubs and curved knives, like reaping hooks sharpened on the outer curve, fastened to the end of long stout sticks. They presented a truly formidable appearance. On closer examination all were found to be in an emaciated and semi-starving condition. Mr. Moffat mentions that he found a man and his son lying in a sheltered nook, who paid no attention to his approach. On speaking to them he discovered that they had scarcely sufficient strength to say that they were dying of hunger.

Before any attack was allowed upon the savage horde, Messrs. Moffat and Melville, at great risk of their lives, did

their utmost to parley with the people in order to avoid bloodshed. After other attempts had failed a small unarmed party approached, but the enemy suddenly spread out in two directions with the obvious intention of surrounding them, and with frightful war-cries and shrieks, rushed forward hurling their spears and clubs. The Griquas allowing them to approach within easy distance took careful aim, when every bullet felled a man. Thus the battle began. For nearly three hours it raged, each side alternately retreating and advancing. The Griquas had the enormous advantage of fire-arms, while the Mantatees almost compensated for this by their overwhelming numbers and desperation. The Mantatees charged and recharged. The Griquas had been supplied with only fifteen rounds of ammunition each. At length the "thunder and lightning tubes" had their effect and the enemy commenced a retreat. The larger division in Lattakoo does not appear to have taken part in the fight but to have retired with the others. The total number was estimated at 50,000. The Griquas followed them for about eight miles and then, taking the cattle which had been left behind, returned to Kuruman. As might be expected, hundreds of the Mantatees were left dead upon the field, while not one Griqua was killed and only one was slightly wounded. The Matchlapees maintained their reputation. They stood at a safe distance and looked on. On one occasion a few ventured towards the enemy, but a few straggling Mantatees approaching them, they fled to a still safer distance. When, however, the dead and wounded only remained these contemptible creatures came forward and commenced the most horrible mutilations upon the bodies for the sake of the ornaments; not until Mr. Melville threatened to order the Griquas to fire at them did they desist.

Besides the dead and wounded a large number of helpless women and children were left by the men in their precipitate flight. Messrs. Moffat and Melville collected together as many as they could. This was no easy matter, for difficulties arose, firstly, in discovering their hiding places and, secondly, on account of their disinclination to accompany their humane captors. Many were so weak from starvation that there was no possibility of getting them along, they had therefore to be

CHAP. V. left to die. Only a few, about forty, eventually reached Kuruman. The Griquas were not much disposed to assist in this, they were more anxious about the care of the captured oxen which fell to their share. It is but justice to these people to say that they did a great public service in thus coming forward so pluckily.

The Mantatees wandered about the vast country for years. At times large numbers appeared within the boundaries of the Colony, not, however, as a conquering people, but driven in by some tribes which they had unsuccessfully attacked or by sheer starvation. In 1825, for instance, some hundreds invaded the districts of Graaff Reinet and Somerset in a dreadful state of want. They were fed and treated kindly by the inhabitants. Lord Charles Somerset permitted them to be "ingeboekt" or booked as apprentices to people who were not slave proprietors. It was to be understood, however, that Mantatees were not to be encouraged to enter the Colony.¹ Of the many thousands of people who were dislodged from their homes in Natal and the Drakensberg country either directly or indirectly by the murderous Chaka, very large numbers migrated in a south-westerly direction and came in contact with the tribes occupying the present Transkeian territories. This branch of the fugitives was known somewhat indefinitely as the Fetcani. About the time when the Mantatees were overthrown by the Griquas, the Fetcani arrived in Tambookieland, that is, the regions about the sources of the Zwart and White Kei Rivers, including the present districts of Queenstown, Glen Grey, St. Mark's, Xalanga, Cathcart, with perhaps Wodehouse and the Elliot Slang River. This part of the country was almost unknown to the white man, even as late as 1846, for an authoritative map of the East at that date shows these regions as a blank. The Tambookies, or Tembus as that people is now known, were driven towards the Colony. The Fetcani then attempted to carry their ravages more to the south but met with defeat from the combined forces of Hintza, Jalousa and Ndhlabi. This was in

¹ For further on these matters, see *Travels in Southern Africa*, by George Thompson, vol. i., published in 1827; *Missionary Labours and Scenes*, by Robert Moffat, published in 1842, chaps. xxi., xxii., xxiii.; also *Records of Cape Colony*, vol. xxii., pp. 419-26.

1823. The invaders then seem to have retired and the Tambookies to have re-established themselves. In 1825 alarming rumours of the approach of the ferocious tribes again spread and the Tambookies fled in large numbers towards the Colony. Lieutenant Rogers of the Cape Corps and Mr. Rennie of Pringle's party of settlers in the Baviaan's River made independent expeditions in order to learn the truth of the rumours. Both found that there was reason to apprehend trouble. It is worthy of note that the Fetcani were also armed with a curved knife on the end of a stout stick. It was not until 1828 that the military authorities felt called upon to interfere with these marauding tribes, when an affair took place which will be dealt with in its proper connection.

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The invasion of Hintza's territory by these people in 1823 may have contributed towards bringing to an end the period of comparative quiet which had reigned among the Kaffirs generally since 1819. Certain it is that in that year there were indications of combination among chiefs who, for some time, had been on unfriendly terms with one another, and from attendant circumstances, of which the colonists were, unfortunately, too fully aware, this reconciliation boded no good. In the Baviaan's River district in particular, a continuation of most daring robberies, even in broad daylight and accompanied in some cases with brutal murders, commenced. Night after night some kraal was broken into and all the animals driven off. The old state of affairs seemed to have returned and the military force on the frontier being so small the safety of the homes of the farmers again seemed to depend on their own continuous patrolling and vigilance. Yet they were losers. In a petition which sixteen farmers of a portion of the Somerset district sent to Landdrost Stockenstrom, they stated that within the previous fourteen months they had lost 117 oxen, 521 cows and 35 horses.

The evil to be anticipated from Maqomo's proximity to the Colony was fully realised. His people were ubiquitous and bold in their capture of cattle and defiant in their attempts to retain them. As an instance of this: a large number of cattle and horses was driven off by these thieves from the Field-Cornetcy of Van der Nest in the Baviaan's River. In

CHAP. V. accordance with the regulations, Van der Nest instantly sent a messenger to Major Taylor, the officer commanding at Fort Beaufort, asking for military assistance. But as the Major had to send to Grahamstown for authority to move to the Baviaan's River, Van der Nest refused to wait until this arrived and the cattle were in safe hiding. He therefore, on his own responsibility, called out a party of burghers and followed up the robbers. He caught them just before they got to the Kat River and recaptured what had been stolen. The Kaffirs were exceedingly defiant, they closely followed the commando on the return journey, threatening that if the Boers retained the cattle, they would go into the Colony, retake them, murder the owners and fire their dwellings. The Boers halted for the night at the Koonap River, with the Kaffirs at no great distance from them. Realising the danger of their situation, they moved on as soon as the darkness afforded sufficient cover and left the animals to the marauders. In another of these wholesale depredations a small party of Boers under Field-Cornet Steenkamp, unassisted by the military and unhampered by "regulations," made a most spirited and successful demonstration. A large number of robbers having driven off 153 head of cattle was followed as soon as a commando could be collected. From the necessity of starting forward with the least possible delay only a few men could be assembled. Being overtaken, the Kaffirs stood their ground and endeavoured to keep their hold upon the cattle. A brisk fight ensued when 103 beasts were retaken and twenty-six Kaffirs were killed. The Boers then tried to make prisoners of the remainder but in this they were unsuccessful.

A commando which earned for itself great notoriety under the name of "Somerset's blundering Commando," went forth on December 20th, 1825, to recover some cattle which were believed to have been driven to the place of one Neuka, a relation or headman of Gaika. The force consisted of 200 men of the Cape Corps and a party of burghers from Baviaan's River and Bruintjes Hooghte. They moved cautiously and stealthily into Kaffirland, all the preparations having been conducted with the utmost secrecy, and having arrived at the suspected village, they surrounded it, fired at the terrified Kaffirs as they emerged from their huts and seized

all the cattle. When all the damage had been done and some women and children shot, it was discovered that the wrong place had been attacked. The cattle were restored and the commando moved on to another village, which, without doubt, so it was felt, was the guilty one. In the same manner this was attacked, and again after much harm had been done it was discovered that it was *not* Neuka's place. Moving on again, Colonel Somerset at length arrived at the right place, but by this time Neuka had received warning and had escaped so that there was nothing to be done but to return to the Colony. Though the Eastern Province in subsequent years was greatly indebted to Colonel Somerset for his self-sacrificing devotion to the continued defence of the frontier, this unfortunate affair, at the time it happened, served to add to the obloquy which had been accumulating around the name of Somerset during the last four years of Lord Charles's reign. With Bushman trouble to the North, and Kaffir trouble to the East, there were, quite apart from these, dissensions within the Colony of such magnitude that in order to induce a better state of affairs the influence and power of the House of Commons had to be invoked and the Governor recalled. In those scenes, although they did not originate entirely in the Eastern Province, some of the settlers of 1820 played such a prominent part that a full account is warranted in a work which professes to deal with that part of the Colony only. This account forms the subject of the next chapter.

CHAPTER VI.

NEED FOR REFORM IN THE CAPE JUDICATURE.

CHAP. VI. IN the foregoing pages it will doubtless have been gathered that, in nearly all matters in which Lord Charles Somerset, his sons, or those who were under his immediate patronage or favouritism, were concerned, there was on the one hand more than a suspicion of tyranny, injustice and neglect, while on the other there was a disposition to rebel or to appeal to higher authority outside the Colony. In addition to the events which have been already dealt with, it will be well now to consider others which played their part in giving such notoriety to Lord Charles Somerset's administration, and in keeping the Colony of the Cape of Good Hope continually before the notice of the British public.

In taking a general view of the procedure of the Colonial Government at that time, one cannot but be driven to the conclusion that there was a tendency to sacrifice the best interests of the country for the personal advantage of the Governor and his friends. The laws of the Colony were then very defective, and as the Governor, whatever his lack of legal knowledge, was, *ex officio*, Lord Chief Justice and last Court of Appeal, he could, if he were of a despotic disposition, interpret them in such a manner as to render them very oppressive. This Lord Charles Somerset undoubtedly did. A most unwholesome state of affairs came into existence. Public money was spent on objects of doubtful public utility, and men of questionable ability and probity were entrusted with important offices for little reason other than that they were the personal friends of Lord Charles Somerset. We find the Governor himself combining the high and dignified duties of the King's Representative with the business of the horse-dealer; we find a Judge of the High Court committing suicide to escape the punishment which was

overtaking him for misappropriation of public money; we find also the Official Receiver of Land Revenues in prison for a similar offence; we find officials obtaining grants of land under false pretences, and, lastly, we find honest and able men rewarded for their outspokenness and refusal to deviate from the path of duty and rectitude by persecution and, in some cases, ruin.¹

The evil spirit which seemed to possess the Governor and to be the cause of all his difficulties was avarice combined with an unrelenting vindictiveness towards all who ventured to intrude between him and the objects of his desires. This was the secret of his inveterate hatred towards Sir Rufane Donkin. Unscrupulous in the means to attain his ends, he was, when his actions had to become the subject of authoritative public scrutiny, compelled, in order to extricate himself, to resort to shifts and manœuvres equally unworthy. His first entry into the Governorship of this Colony in 1814 was signalled by a money transaction which could have been no happy augury for his future administration. According to the Regulations and Orders of the Lords of the Treasury, the salary of a Colonial Governor did not commence from the date of his appointment in England, but from the time he landed in the Colony. Had this not been so, then, in the case of the Cape,

¹ Sir Richard Plasket, who succeeded Colonel Bird as Colonial Secretary, thus speaks of the condition of the country as he found it in September, 1825: "The Colony is at its very lowest ebb and something must soon be done to alter the system *in toto*. The Report of the Commissioners of Inquiry will do much good when acted upon, but I cannot make out how the country is to get on until that event takes place. Almost every single department under this Government is in a state of total incompetence to carry on its business. The Court of Justice is perhaps the worst. A change in this direction is what we most require. In the Court of Appeal the Governor alone decides in all civil cases and without any assessors. The Audit Office is a perfect farce, it gives a semblance of sanction to what it never fairly investigates. The Port management extremely bad. Some of the Landdrosts and Government Residents are so overwhelmed with debt and so involved in all their circumstances as to render them anything but respectable in the eyes of those under their authority—a number of other offices, not of any consequence except as swallowing up a great portion of the revenue, are held by military officers belonging to Lord Charles Somerset's staff and other sinecurists. . . . Captain Stockenstrom, the Landdrost of Graaff Reinet, who is universally allowed to be the most intelligent Dutchman and the best man of business in the Colony, is one of the very few men here who could bring the chaos into anything like order. . . . As to our finances, we are perfectly bankrupt—it is needless to conceal it, as we have not enough to pay our salaries."

CHAP. VI. the Colonial Treasury would have been called upon to pay two Governors simultaneously at the rate of £10,000 per annum. Lord Charles Somerset may not have known this. Shortly after his arrival he paid himself Rds. 45,000 from the Colonial funds on account of salary due to him, though it is not clear on what grounds he considered himself entitled to such a large sum up to that date. As the rix-dollar was then worth three shillings, that amount was equivalent to £6,750. The mistake having been pointed out to him by Colonel Bird, the Colonial Secretary, he expressed his intention of writing to Earl Bathurst on the matter, but failed to do so until compelled by a circumstance which happened two years afterwards. This was the formation, in June, 1816, of a Colonial Audit Office and a new system of inspection of the Colonial finances by the Colonial Office in London. The Governor hoped that this would not act retrospectively and that the accounts prior to 1816 would not be called for. In this, however, he was disappointed and thus the overdrawn salary could no longer be concealed. It was then that he wrote to Earl Bathurst and asked to be allowed to retain the money, but the request was refused. All the same it was not returned, and the matter lay dormant until he arrived in London in 1820, when the Colonial Office again reverted to it. But Lord Charles, far from being tormented by the pricks of conscience and an over-anxiety to restore that which did not belong to him, was prepared to place every difficulty in the way of the auditors. Writing to Colonel Bird from London in 1820, he says: "I have received the accounts by Mr. Ross, which are come most opportune, although I shall not present them unless absolutely necessary. The intention is to take my balance to June 30th for granted and examine accounts from that period, and afterwards they may examine the prior accounts, *when* I can get attested copies. *I shall certainly not say that I have these vouchers now in my house.*" But all this was to no effect, he was worsted. "The Auditors," he says on February 1st, 1821, "have come to the subject of my salary. I think I have managed badly. I went to Lord Bathurst and the decision is, I am to pay half."

The finale of this transaction was consistent with the spirit which had actuated it throughout. The "half" was returned

to the Colonial Treasury in 1824, but not in accordance with the *value* of the rix-dollar notes but with the *number* originally taken, that is, he took a certain number of rix-dollar notes when they were worth three shillings each and returned the same *number* when they were worth only eighteen-pence each, so that in the end the account stood thus:—

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Rds. 45,000 overdrawn in 1814 at 3s. each are in 1824	Rds.	90,000
when 1s. 6d. each		
Interest on Rds. 45,000 for 10 years (6 per cent.)		27,000
		<hr/>
		117,000
Deduct Rds.		22,500
		<hr/>
		94,500

Profit on the transaction about £7,087 1

Another deal of a somewhat similar character, which the Governor had proposed to himself but which was thwarted by Sir R. S. Donkin, was in connection with his leave of absence in 1819. Lord Charles Somerset hoped to prevail upon the officer next in command to act for him in his absence for £2,000 per annum instead of £5,000 which, according to the regulations, was his due. But "this project was frustrated in consequence of an order from H.R.H. the Commander-in-Chief to Sir R. Donkin to take the command and Government during the absence of Lord Charles Somerset, it having been a maxim of His Royal Highness that such a command should not be left to an officer of lesser rank than that of Major-General. Major-General Sir R. S. Donkin was at that time at the Cape on sick leave from his situation on the staff in India. This order, thwarting Lord Charles's views, was the first seed of a bitter dislike which he fostered towards Sir Rufane. But this was enhanced in consequence of Lord Charles delaying his proposed voyage, seemingly with the view of compelling Sir Rufane, whose leave was on the point of expiring, to return to India, in which case Lord Charles's first intention might have been carried into effect. But though Sir Rufane, as Acting-Governor, would have been entitled to half the salary of the Governor, his remaining at the Cape on this half salary would have been a sacrifice on his part as the emoluments of his command in India exceeded £6,000 per annum. Feeling all this, Sir Rufane sent a message to Lord

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Charles through Mr. Ellis to the effect that if he did not avail himself of his leave of absence by a certain period, he should return to India, and that in so acting contrary to the expressed wish of H.R.H., the Commander-in-Chief, he should find it necessary to report the whole of the circumstances. This message was exceedingly offensive to Lord Charles and excited the bitterest feelings, which were given way to in the coarsest invectives. However, he now saw that if he did not give up the command to Sir Rufane, he must either forego his leave altogether or incur the displeasure of His Royal Highness; he therefore made up his mind to leave for England."¹ The breach between these two officers having thus arisen, it was widened, apparently, by the communications which some of the Governor's adherents made to him while in Europe. The haste of his departure gave him but little time to complete certain projects which were in course of accomplishment and which, with Sir Rufane Donkin in his place, seemed to him likely to be frustrated. That which caused him most concern was the provision he hoped to make for his son, Henry Somerset, by procuring for him the Commandantship of Simon's Town, then held by Colonel Graham and seemingly likely to be soon vacated in consequence of the failing health of that officer. Writing to Colonel Bird from Paris, December 26th, 1820, he says: "I am not able to touch upon Cape affairs, for I am really so anxious and so completely on tenterhooks respecting the Simon's Town appointment that I can think of nothing else. There is a mystery about the whole thing which gives me great, very great, uneasiness, and I cannot free myself from suspecting very great fraud. I trust in you, however, to prevent it, you saved the Orphan Chamber and I trust you will save me from being tusked out of this only appointment for Henry." Colonel Bird, though he has been accused, but most unjustly, of caballing against the Governor in his absence, acted in his interest and used all his

¹ The authority for the above statements is Colonel Bird, who was, so to speak, behind the scenes in many of these matters. After his dismissal from office, ostensibly because he was a Roman Catholic, but really because he was suspected of being too friendly with Sir Rufane Donkin, he wrote some account of these proceedings for publication. They were, however, never published. These papers have been kindly lent to the author by C. Bird, Esq., of Natal (grandson of Colonel Bird), who now possesses them.

influence with Sir Rufane Donkin in this—as he did in all matters which nearly concerned Lord Charles Somerset—with the result that the desired post was given to Captain Henry Somerset, for Colonel Graham died in April, 1821.

The anxiety and concern for his own personal and family affairs which seem to have occupied so largely the Governor's mind during his absence, probably precluded him from realising the altered state of things which was being called into existence by the arrival of so many people from England, bringing with them their large ideas of freedom of speech and action. The Dutch inhabitants, generally, never having experienced any other political conditions than those which had been created by the old Dutch East India Company, did not feel the disabilities under which they lived, or at all events not to any extent sufficient to cause them to rebel against them. And the entire control of the country by one man, even when of a despotic disposition and with an eye to his own advantage, was not altogether against their traditions. Hence it is scarcely surprising that there was not that dissatisfaction with Lord Charles Somerset's rule among the Dutch which became so loudly expressed by the settlers of 1820; all the more so as the laws which the Governor was called upon to maintain, and which the new-comers found oppressive, were enacted before his time. There was need for reform in many directions, and there were not wanting among the British settlers those who were prepared to fight against the existing conditions. Under a wise and conciliatory rule the necessary changes and mutual adaptation to the altered circumstances might have been effected in a peaceable and dignified manner, but when, as was the case, constitutional methods were met by arbitrary acts and a system of intrigue on the part of the Governor, all the elements likely to produce the discord and turmoil, which so characterised those times, were present.

The name which is most associated, nowadays, with the accounts of those early struggles for liberty is that of Thomas Pringle, the poet and head of Pringle's party of settlers; but, at the time, the name most trumpeted, not only throughout the Colony, but also in the House of Commons and the English Press, was that of Mr. Bishop Burnett.

Although the actions of several contributed to the down-

CHAP. VI. fall of Lord Charles Somerset, Mr. Bishop Burnett, in virtue of his undaunted courage and independence, his little respect for person or authority where and when he felt there was injustice and abuse of power, and his command of language, probably played the most prominent part. As an account of this man's affairs and the almost continuous litigation in which he was involved during the whole of his stay in the Colony furnish a good insight into Cape procedure and customs at the period under consideration, they are worth entering into in some detail.

Mr. Bishop Burnett was of good family and education. He had been a Lieutenant in the Royal Navy, but, possessing some capital, he decided to join in the general rush for the wealth and happiness which were believed to be associated with emigration to the Cape in 1820. He allied himself in the first instance with Mr. John Bailie's party, but discovering that heads of parties assumed a degree of control and dictation which was not consonant with his idea of freedom, he refused to sail with Mr. Bailie, and preferring to pay his own expenses rather than receive aid from Government, he embarked as a passenger on board the *Ocean*. He arrived in Grahamstown in May, 1820. He had not been in the place long before he initiated himself into public life by horse-whipping one of the army doctors, in vindication of the character of Landdrost Stockenstrom of Graaff Reinet. It appears that a Dr. Knox, who had formerly been friendly with the landdrost, had turned against him and had spread some rumours derogatory to his character. It had something to do with the landdrost refusing to listen to and to act upon certain hints which had been given him, in 1819, to the effect that he ought to resign his post in order to make way for Captain H. Somerset, then commanding the Cape Corps. Mr. Stockenstrom, finding himself shunned by all the officers of the Corps, of which he himself was one, insisted upon a military inquiry. This was held, but from it he obtained little satisfaction, as, on account of some kind of intimidation on the part of Captain Somerset, none of the officers of the Cape Corps would give any evidence and thus Stockenstrom remained upon the "black list". This was the state of affairs when Burnett arrived upon the scene. Soon learning the truth of the matter and refusing to

see a man condemned without so much as being informed of what he was accused, he (Burnett) was instrumental in having another Court of Inquiry instituted and the fullest evidence brought forward. The result was that Mr. Stockenstrom was found entirely innocent of anything unworthy, and as the Court failed to inflict upon Dr. Knox the punishment which Burnett considered he deserved, he took it upon himself to rectify this omission and horse-whipped him. In the scuffle Burnett received a slight sabre wound.

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As a field for his enterprise and the foundation of his visioned prosperity, he turned his attention, in the first instance, to the growth of green forage. He adopted this course at the suggestion of Captain Somerset, who told him that there was a great scarcity of food for the numerous horses of the Cape Cavalry and that all the green barley he could grow would be purchased at a remunerative price. Mr. Burnett accordingly hired from Mr. Robert Hart, the manager of the Somerset establishment, a small farm situated about a mile and a half from Grahamstown, called Doorn Valley.¹ To this, shortly afterwards, were added 12,000 acres of the adjoining land, granted to him by Sir Rufane Donkin in accordance with Earl Bathurst's regulations. On this property Mr. Burnett sank most of his capital and worked with great industry, building houses for himself and servants, planting hundreds of fruit trees and, generally, bringing the place into a state of cultivation. As he was an independent settler and had not paid the usual deposit in England he could not draw rations or agricultural implements and so had to feed his dependants, at one time numbering nearly sixty, at his own expense. Further, as this place was on the main road to the greater number of settlers' locations, he conceived the idea of starting a kind of emporium from which the settlers might be supplied with cattle, provisions and general necessaries on mutually advantageous terms. In pursuance of this, he bought, on credit, cattle from Mr. Hart, and provisions to the value of Rds. 6,000 from the firm of Ebdon & Eaton of Cape Town. In short, he seems to have intended, though perhaps unconsciously, to enter into competition with the Somerset farm, of

¹ Now known as Sunnyside.

CHAP. VI. which his landlord was the superintendent. Before the end of 1820 he found himself in financial trouble. A balance of Rds. 905 (£67 15s.) was owing to Mr. Hart on account of cattle and this had been asked for as early as September. Mr. Burnett professed to think that he was pressed for this, and that Mr. Hart entertained an animosity against him, because of the action he had been compelled to take in order to recover money which had been obtained from him under false pretences by some of Mr. Hart's friends. Mr. Burnett refused to pay on the grounds that he was entitled to twelve months' credit. About the same time Ebdon & Eaton became concerned on account of what was due to them and asked for a mortgage on the grant of land. Subsequent events showed that Mr. Burnett at this time was unable to satisfy these creditors. In January, 1821, Hart threatened to take legal action for the recovery of the debt, and Ebdon & Eaton became more importunate in consequence of two bills on London which Burnett had tendered in payment having been put up to auction at the Commercial Exchange in Cape Town without receiving any bids. On February 24th, 1821, by a regular bond of assignment, he made over all his property, "nothing excepted," to the Cape Town firm, and on March 10th he was given their power of attorney to proceed in the cultivation of the land and the general management of the place on their behalf. At this time a sum of money, more than sufficient to satisfy Hart's claim, was due to Mr. Burnett by the Commissariat Department for grass supplied to the Cape Corps, but, for reasons yet to be detailed, this was never paid. Had Captain Somerset acted fairly in this matter, Burnett would probably have been spared much of the litigation which followed. In February, Hart brought his case before the Landdrost, but as the sum was greater than the highest in which he was authorised to adjudicate, it was transmitted to Cape Town, whither Burnett received his first summons on March 8th. This, as all legal documents at that date, was in Dutch and without a translation. Considering this an affront to his own language, he refused to understand it, and taking no heed of this as well as three others subsequently served upon him, judgment in default was given against him on July 26th, 1821. It is worthy of notice here

that a debtor for a sum greater than Rds. 300 was liable to be called upon to make a total journey of over 1,200 miles when summoned by the creditor, no small matter in those days of difficult transport. CHAP.
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Most unsatisfactory relations between the civilian and military inhabitants of Grahamstown existed at this time. It was only necessary for these to operate upon Mr. Burnett in order to arouse in him something more than protest and opposition against the latter. The Cape Corps, having its headquarters so near Grahamstown, was a source of continual irritation. As it was difficult, from want of proper materials, to erect efficient fences or hedges around private plots of land, the military horses became a great nuisance in wandering over and damaging the crops and gardens and the frequent complaints of the owners failed to produce any remedy. But not only this, the soldiers (Hottentots) themselves visited private lands with waggons for the purpose of cutting the trees for firewood. In these cases, however, a mistake often arose from the difficulty of determining the boundary between private and Government land, and instances are on record where the drivers were flogged by the officers in well-established cases of trespass. Another cause of the friction was the alleged unfairness and undue preference given to the officers in the purchase of the crops of green barley. According to some regulations drawn up by the Commissariat Department, any one, whether civilian or military, who undertook to grow barley as food for the horses of the Cape Corps, might notify the proper officer some time before the crop was ready. Then, as supplies were wanted, they were to be taken from the growers in the order in which the names had been handed in. If, however, a crop was found to be too mature, it would be passed over and the next in the proper condition taken. It was alleged that this was made an excuse for rejecting unfairly the crops of civilians in order to take those of the officers.

In resisting these annoyances in so far as they affected himself, and perhaps also by his action in the Dr. Knox case, Mr. Burnett alienated the friendship which Captain Somerset had shown him on his arrival, and he soon found difficulty in obtaining the payment for his supplies to the Cape Corps.

CHAP. VI. Although he repeatedly applied for it, Captain Somerset continually neglected to furnish him with the certificates which would authorise the Commissariat to pay what was due, and eventually he left the frontier, in February, 1821, without settling this matter though having frequently promised to do so. Further applications to him in Cape Town were also without avail.

Captain Stuart succeeded to the command. To that officer Mr. Burnett applied for a certificate of the delivery of 300 waggon loads of grass, but as he refused to be held responsible for the acts of his predecessor and would certify to forty-four loads only, the quantity which had been delivered since his arrival, Mr. Burnett brought an action against him, in his official capacity, before the Circuit Court which sat in Bathurst in October, 1821. Judgment was given for the forty-four loads and Mr. Burnett was left to take what action he could against Captain Somerset for the remainder. The matter was brought before Lord Charles Somerset, after his return to the Colony, but then Captain Somerset repudiated the debt altogether and, his father siding with him, Mr. Burnett was never paid. The sum due on account of this grass was more than enough to settle with Mr. Hart, and had it been paid Burnett would have been extricated from his immediate difficulties. As it was, in consequence of the judgment passed against him in Cape Town, he was, at the instigation of the sequestrator, summoned before the Landdrost in Grahamstown in January, 1822, and ordered to furnish an inventory of all his goods. He stated on oath that he himself possessed nothing, and produced the bond of assignment of all his property to Ebden & Eaton. The sequestrator therefore, in the *Cape Gazette* of April, 1822, proclaimed him a bankrupt, and in spite of the arrangement with the Cape Town firm, ordered his property to be sold by public auction. At this juncture matters were complicated by some misunderstanding between Mr. Eaton, who acted for the Cape Town firm and who did not understand Dutch, and Mr. Van der Riet, the sequestrator, who had but an imperfect acquaintance with English. Mr. Eaton, the principal creditor, being anxious to obviate a ruinous sale of Mr. Burnett's property, expressed to Mr. Van der Riet his willingness to settle with

Mr. Hart and two other creditors and thus stay the proceedings. CHAP. VI.

Accordingly the sale was cancelled, but the publication of insolvency was not revoked. Mr. Burnett, therefore, was placed in the anomalous position of being unable to carry on his business affairs and yet could not have his property sold for the benefit of his creditors. For whatever Mr. Eaton intended, he did not liquidate the claims of Mr. Hart and the others and very shortly afterwards cancelled his power of attorney. On the grounds of the published insolvency and arrears of rent Mr. Hart now moved to have his agreement with Burnett cancelled and to eject him from his land. Three appraisers, *viz.*, Messrs. Onkruydt, Pieter Retief and Van Rooyen, were sent to value the improvements made by Mr. Burnett. These were valued at Rds. 1,300, a sum undoubtedly too small. And on July 26th a messenger was sent giving Mr. Burnett notice to quit within twenty-four hours. He objected to the appraisal on the grounds that Retief and Van Rooyen, being under obligations to Hart, had not acted fairly in the valuation, and he refused to move from the farm unless compelled to do so by force. In this state of affairs, namely, Hart being unable to recover his debt or regain possession of his farm and Burnett injured in his credit and hampered in his business by the publication of insolvency, both parties appealed directly to the Governor. They were advised to bring their cases before the Circuit Court which was to sit in Grahamstown in the following October. This was done. Hence the presiding judges, Messrs. W. Bentinck and P. S. Buissine, had before them the two cases, *Burnett v. Hart* on a charge of conspiracy to drive him (Burnett) from the place Doorn Valley, and *Hart v. Burnett* for cancelling the lease of the place Doorn Valley and ejectment of Burnett, the defendant, from said place. A peculiar characteristic of all Mr. Burnett's litigation was that at any particular stage, matters, far from becoming settled, became more involved and led to still greater issues. The "Case of Mr. Bishop Burnett" put to a severe test nearly the whole of the legal machinery of the Cape, and, as was afterwards acknowledged by the Commissioners of Inquiry, "the judicial proceedings of which he (Mr. Burnett) complains have certainly furnished us with grounds for proposing future

CHAP. VI. improvements in the several branches of the judicial administration".

In the two cases above referred to, the judges were unable to give a decision in either. The case of conspiracy was deferred by mutual consent upon a suggestion from the Court that the cause should be so amended as to make the sequestrator a party to the defence. The decision in the other case was contingent upon the question of the insolvency and of this there was great doubt. Mr. Buissine said to Mr. Burnett in open Court: "You are not insolvent but as free to act in your own concerns as any other man". And at a later date (1825) when the whole affair was investigated by the Commissioners of Inquiry, he said: "Mr. Burnett's estate had been brought forward as insolvent, which although so asserted by the Sequestrator, Mr. R. J. Van der Riet, in an advertisement in a weekly paper, was known to the Commissioners to be still doubtful, the Sequestrator having made a mistake or acted without sufficient caution . . . he had done what he was not warranted to do, namely, that he declared Mr. Burnett's estate insolvent without sufficient grounds". The other judge, Mr. Bentinck, does not seem to have held this view and, as a consequence, the ill-feeling which existed between the two litigants seems to have infected the two judges. He denied to the Commissioners of Inquiry that Mr. Buissine made the above statement to Mr. Burnett and asserted that Mr. Burnett pretending to be solvent when he was not, time was given him to prove his solvency. Mr. Buissine's answer to this (Nov. 26th, 1825) was: "As to Mr. Bentinck's assertion, I think I had better say nothing about it, some persons will evade and deny the truth if they can, not so I, thank God". The 1822 trials terminating in this unsatisfactory manner, Burnett and Hart continued to quarrel with a virulence which increased in proportion as the questions between them became more complicated, until, when the Circuit Court sat in Grahamstown in October, 1823, they came forward with no less than nine lawsuits between them. The judges on this occasion were Messrs. P. J. Truter and P. B. Borchers. By a recombination of the causes in dispute, the above number of cases was reduced to six. They were as follows:—

- (1) *Hart v. Burnett*, for cancelling the lease and ejection of tenant. CHAP.
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Judgment for Hart with costs.
- (2) *Burnett v. Hart*, for illegal warning to quit and Rds. 20,000 damages.
Judgment for Hart with costs.
- (3) *Burnett v. Hart* and Van der Riet, damages for illegally conspiring to drive him (Burnett) from Doorn Valley.
Referred to the full Court in Cape Town for decision.
- (4) *Burnett v. Hart*, for defamation, withdrawn by consent of both parties.
- (5) *Hart v. Burnett*, for recovery of Rds. 1,200 on account of rent.
Judgment for Hart with costs.
- (6) *Hart v. Burnett*, damages to fruit trees and buildings at Doorn Valley.
Damages not allowed and Burnett to pay costs of the case.
Against all these decisions Mr. Burnett entered appeals.¹

In his defence he read, during the first trial, a long statement dealing with all the matters in dispute. It was a spirited document, characteristic of Mr. Burnett, abounding in violent invective against Mr. Hart and in insinuations that the "persecution" he was suffering "in a Colony where none but the satellites of the Government thrived" was instigated by "higher authority". The attempts of the judges to check him in his language and threats of the consequences of contempt were without effect upon him; he persevered to the end. This being his attitude before the adverse judgments were given, it will not be a matter of surprise that the judges themselves met with a share of his castigation afterwards. On December 2nd, 1823, he sent a petition to the Governor protesting against the whole of the proceedings, accusing the judges of prejudice,

¹ For a complete account of all this litigation, together with the numerous documents, *vide* the Blue Book, "The Case of Mr. Bishop Burnett, ordered by the House of Commons to be printed, May 31st, 1826".

And for the full report of the Commissioners of Inquiry, with Mr. Burnett's vigorous replies to each paragraph, *vide Records of Cape Colony*, vol. xxix., pp. 1-224.

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partiality and a corrupt violation of justice and denouncing them as "persons morally disqualified to fulfil the sacred functions entrusted to them". This document the Governor placed in the hands of the fiscal, who straightway instituted an action for libel upon it and summoned Mr. Burnett to appear in Cape Town on December 29th. The case, however, was postponed for two months in order to enable Mr. Burnett to be furnished with the papers and translations from the Dutch necessary for his defence; also to enable him to remain in Grahamstown to meet the Commissioners of Inquiry who were on their way thither. He had hoped for great things from this interview, but was greatly disappointed. They could not reverse the above decisions as he virtually asked them to do, and they were unwilling to take any cognisance of his affairs further than was necessary to understand the general legal procedure of the Colony. This refusal proved to be very unfortunate, for, when all these matters became almost of national importance and when Mr. Burnett had left the country and, consequently, only one-sided accounts were obtainable, the Commissioners received Earl Bathurst's commands to investigate the whole of the details. In April, 1824, Mr. Burnett arrived in Cape Town where he found a wider field for the exercise of his peculiar talents, and meeting with others of a kindred spirit played his part in making the place a veritable "Cape of Storms".¹ Before following his further fortunes, or perhaps more correctly, misfortunes, it should be stated that all his property in Grahamstown was sold and that his creditors lost to the amount of Rds. 7,061. The violent storm and rains of October, 1823, played great havoc at Doorn Valley and thus greatly reduced the value of his improvements. At the sale there was a peculiar feature which was characteristic of auctions at that date and is worthy of notice here. In connection with the expenses of conducting the sale the item "premium to the highest bidder Rds. 50" is mentioned. This premium was the *strijkgeld* or reward to the man who bid highest without, most probably, any intention of buying. A sale was conducted in this manner. The property was first

¹ Bartholomew Diaz, the Portuguese navigator who first rounded the Cape, is said to have named it "Cabo di Tormentoso," or "Cape of Storms," in allusion to the stormy weather he experienced in first passing it.

put up in the usual way and the highest bid obtained. The auctioneer, or vendue master as he was called, put it up again, but this time he started with a very high figure, much higher than any one was likely to give and then called out lower and lower prices until the person who really intended to buy said *mijn* and consequently became the purchaser. If no one called out on the downward bidding and the price reached that on the upward, then that highest bidder would have to take it. But if the figure did not come down to that, then the highest upward bidder received a certain percentage of the value of the property sold and this was called the *strijkgeld*.

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Mr. Burnett on leaving Grahamstown was commissioned by Mr. Alexander Biggar, who considered himself to have been libelled by the statements which had appeared in the *Cape Gazette* in connection with the "Grahamstown riots," to call on a famous notary public there was in Cape Town at that date, named William Edwards, with a view to securing the services of that distinguished gentleman in prosecuting the editor for libel. Mr. Burnett sought Mr. Edwards and found him a prisoner in the Cape Town gaol. Thus these two great men came in contact.

It is necessary now to inquire into the causes of Mr. Edwards' incarceration and to learn something of the abuses of power and station which were producing great irritation in Cape Town and in the exposure and remedying of which the names, not only of Burnett and Edwards, but also those of Pringle, Greig, Descury and Launcelot Cooke became conspicuous.

As a step towards the abolition of the slave trade, an Act was passed by the British Government on March 25th, 1807, forbidding the further importation of slaves into any of His Majesty's Colonies. In consequence of this, any vessel engaged in this nefarious traffic entering the Port of Cape Town was liable to be seized and the slaves found thereon forfeited to the Government. The negroes thus added to the black population of the Colony were called prize negroes, and with a view to preventing them from being placed upon the same footing as the slaves already in the country, some regulations were instituted by an Order in Council, dated March 16th, 1808, whereby, in the first instance, they were committed to

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the guardianship of the Collector of Customs and then, under certain restrictions, were indentured for a period not exceeding fourteen years, to individuals who wished to employ them. The spirit of these regulations was not, primarily, in the interest of the labour market but in that of the welfare of the unfortunate beings themselves. Those who secured their services were supposed to undertake to feed and clothe them, to instruct them in the rudiments of the Christian religion and to afford them such a degree of practical training that at the end of their apprenticeship they should be capable thereafter of providing for themselves. There was soon a great demand for prize negroes for, during the fourteen years of apprenticeship, they were to all intents and purposes slaves and yet, instead of being purchased at the high prices which prevailed upon the slave market, they could, theoretically, be acquired at no further expense than a promise to abide by the regulations, an obligation which, from all accounts, sat very lightly on the consciences of many. And perhaps on no conscience more lightly than on that of the individual on whom devolved the duty of carrying into effect the humane and noble intentions of His Majesty's Councillors, namely, Mr. Charles Blair, the Collector of Customs at that time. Not only does he appear to have behaved badly to the many prize negroes he took to himself, but he seems to have abused his office and trust in turning to his own personal advantage the assignment of these people to others. Besides his relations and friends being unduly favoured in this supply of labour, we find that prize negroes were allotted very liberally to those to whom Mr. Blair was indebted in one way or another, thus obtaining relief from the pressure of pecuniary claims. The irregularities did not end here, for, as some of these people obtained more prize negroes than they could employ, they hired them out to others at fairly high wages, and, of course, took the pay themselves. A Mr. Samuel Murray, for instance, "a merchant who had been unfortunate, derived his principal support from the hire of several Prize Negroes assigned to him by the Collector of Customs".¹ All this created great irritation and discontent,

¹ For a full account of all these delinquencies, together with the prize negro transactions with C. Dixon, Durham and others, *vide* the Report of the Commissioners of Inquiry, *Records of Cape Colony*, vol. xxii., pp. 296-328.

and although much was known and more suspected, no one, until the period now under consideration, had the courage to take up arms against the powerful Collector of Customs. The impunity with which he had carried on these malpractices for so many years, and a disposition to bully and insult those who ventured to complain or object engendered in him a sense of security in his proceedings which might have continued for many more years had it not met with a rude and abrupt check from the combined action of Mr. Launcelot Cooke, a merchant in Cape Town, and a Mr. William Edwards, an exceedingly able lawyer who arrived at the Cape about this time.

Of the several prize negroes which had been assigned to Mr. S. Murray, there was one Jean Ellé, a native of Mauritius, who had been rescued in 1810 from the French packet *L'Ector* by the English brig *Racehorse*. Mr. Murray hired Jean to Mr. Cooke for Rds. 35 per month. It should be remarked in passing that this man, almost from the first, was a good cook and easily able to earn his own livelihood, and therefore the intentions of the King's regulations would have been fulfilled by liberating him altogether. Mr. Cooke, however, was a kind and considerate man; a mutual attachment between master and slave being thus created, Jean Ellé spent six happy years in his service and manifested the greatest disappointment and sorrow when he was compelled to leave it. In August, 1823, Mr. Murray died. According to the regulations, if a master died before one of these slaves was capable of maintaining himself, the Collector of Customs was authorised to re-apprentice him to some other humane and proper person; if, on the other hand, the slave could take care of himself, the interference of that officer was not warranted. Now in the case of Jean Ellé, not only was he a man whose services were in demand, but at the death of Mr. Murray, he was within six months of the expiration of his fourteen years' indenture. Under these circumstances it was doubtful what right Mr. Blair had to interfere with him. In November, he came to hear of Jean Ellé being in the service of Mr. Cooke, and as, at that time, a relative of Mr. Wilberforce Bird, the Comptroller of Customs, was in want of such a servant, Mr. Blair sent a messenger to Mr. Cooke ordering him to send the prize negro to the Custom House. Jean Ellé became alarmed when he

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heard of the intended change and begged Mr. Cooke to intercede for him and to retain him in his service. In view of this and the short period of apprenticeship which remained, Mr. Cooke entered into a correspondence with Mr. Pigou, the intended assignee of Jean, proposing to pay a substitute in order to keep him. This was refused. Thus some delay ensued in complying with Mr. Blair's demand. To explain this and to show Mr. Blair that there had been no intention to treat his message with disrespect, Mr. Cooke repaired to the Custom House. On his arrival he found Mr. Blair talking to Mr. W. Bird and some other people outside. The interview was short and stormy. The first sight of Mr. Cooke aroused in the Collector of Customs all the malevolence of the slave-driver and bully, and before a word of explanation had been received, he opened upon him with a torrent of disgusting epithets and violent language, in the end threatening to horse-whip Mr. Cooke if he spoke a word. For this outrage Mr. Cooke appealed for redress to the deputy fiscal (Nov. 29th, 1823), but weeks passed without any notice being taken of the application. In the meantime the affair became well known, and several individuals volunteered information of their own experiences with the Customs Department. At this juncture Mr. William Edwards came into the case. He took up the matter *pro bono publico*, and with the utmost enthusiasm he collected information from all sources—from people who felt aggrieved as well as from the prize negroes themselves—with a view to exposing the whole business. Thus he stood forth as the champion of both parties and soon forced himself into prominence. As the information which had been acquired indicated that the whole state of affairs called for a thorough public investigation and as the deputy fiscal delayed in bringing Mr. Cooke's grievance into Court, Mr. Edwards advised Mr. Cooke to withdraw the case entirely and to appeal to a higher and more trustworthy tribunal than was to be found in the Colony, namely, the Lords Commissioners of His Majesty's Treasury.

Accordingly, on January 12th, 1824, the case was withdrawn and a long Memorial, which had been drafted by Messrs. Cooke and Edwards, was sent to Lord Charles Somerset for transmission to England. The Governor, however, handed it

over to the fiscal, Daniel Denyssen, Esq., L.L.D., who decided to institute an action against Messrs. Cooke and Edwards "for defamation of a public servant". In the meantime Jean Ellé was removed from the service of Mr. Cooke for no other assignable reason than to accommodate a near relation of the Comptroller of Customs with a good servant. At one time or another Mr. Blair had had fifty-four and Mr. Bird twenty-three prize negroes. On February 3rd, Messrs. Cooke and Edwards applied to the fiscal for the necessary passports to leave the Colony in order to bring their cause, personally, before the proper Court in England. They were refused and then learnt that the Memorial had not been sent to its intended destination and that they themselves were to be prosecuted for libel. Mr. Edwards, "not feeling disposed to stoop tamely to the illegal interference of the Fiscal in interdicting all complaints to His Majesty's Ministers," as he told Lord Charles Somerset, immediately drew up a petition to the House of Commons. Among other things he prayed "that the said Daniel Denyssen may be summoned to appear at the bar of your Honourable House to answer for his conduct in having presumed to intercept a complaint to His Majesty's Ministers lawfully enabled to redress the grievance complained of," and further, "that your Honourable House will make an order that he (W. Edwards) may be instituted Prosecutor against Mr. Blair in the stead of the said Daniel Denyssen, so that he (Mr. Blair) may not be acquitted on a fictitious prosecution". Having succeeded in getting this petition taken to England privately, he informed the Governor of what he had done, and said that "seeing the measure pregnant with mischief to your Officers and perhaps trouble to yourself, I write to propose that Mr. Cooke may have his passport on giving security to answer the consequence of the charge alluded to by the Fiscal, and I will take the responsibility of proving the facts stated in the Memorial". Needless to say nothing came of this, and both gentlemen remained to take their trial in due course. It commenced on February 16th.

The popularity of the cause, the public hero Mr. Edwards had become by his temerity in attacking a powerful official whom all appeared to hate and dread, as well also as the rumour that the Governor himself was not to escape, contri-

CHAP. VI. buted to create the greatest public interest and excitement in the coming struggle. Hence the Court and the avenues leading to it were crowded at an early hour on Monday, February 16th, 1824. The proceedings having commenced by the reading of the indictment, a list of fifty-nine witnesses, which had been handed in by Mr. Edwards, was then read. Among the names was that of the Governor. The fiscal objected to this as being contrary to the Roman-Dutch Laws, which leave it to the discretion of the judges to inquire into the nature of the evidence, and authorise them to select only those witnesses whose evidence appears relevant to the matter at issue. The officer of the Court was then about to put to the defendants the interrogatories filed by the fiscal, when Mr. Edwards rose and, with all the warmth so characteristic of him, urged four exceptions to the conduct of the case. Firstly, that the fiscal had been guilty of gross neglect in not commencing the prosecution within the time, namely eight days, prescribed in Article 33 of "Crown Trials". Secondly, that he had been guilty of a great dereliction of duty in not calling all the witnesses. Thirdly, that the fiscal had been "guilty of a gross and detestable falsehood in not religiously adhering to the truth of the evidence before him," and, fourthly, that the Court was not competent. He proceeded to argue these points and, in his unreasoning anger, vented all his spleen against the unfortunate fiscal. Twice he was warned by the Court against the use of indecorous language, and on his continuing to charge that officer with untruths which in his (Edwards') opinion would render him liable to corporal punishment, the proceedings were brought to an abrupt postponement by Mr. Edwards being removed to the Cape Town gaol on a sentence of a month's imprisonment for contempt of court. The case was resumed on Wednesday, the 18th, when the public excitement was even greater than it had been on the Monday. Mr. Cooke, at the outset, pleaded an exception to the competency of the Court on the ground that, at that stage of the proceedings, the document could not legally form the subject of a criminal prosecution as the proper authorities, the Lords Commissioners of the Treasury, had made no pronouncement upon it and that any action taken then was tantamount to prejudging the case. He contended that the Memorial had

been drawn up *bona fide* and from a sense of duty towards the public as well as to several unfortunate subjects whom he saw as silent victims of arbitrary power. It had not been published but sent through the authorised channel, the Governor,¹ and with the knowledge of the Collector of Customs, to the properly constituted authorities in England. The exception was overruled and so Mr. Cooke entered an appeal from the decision to the full Court. The case was proceeded with notwithstanding.

Mr. Edwards, previously warned to be careful in his conduct, was then permitted to continue with his exceptions. In effect, he stated that the quiet and leisure of prison, so conducive to contemplation, had enabled him to reconsider what he had stated in the Court on Monday, and that the result of that meditation and self-communing was that he had become confirmed in the belief that the fiscal had been guilty of a detestable falsehood; for fear of further incarceration, however, he would not pursue the exception. He defended his part in the Memorial in a spirited oration, quoting Blackstone to show that in case of uncommon injury, His Majesty's subjects might seek redress by petition to the King or Parliament. He cited Justinian to prove that any subject detecting and exposing the malversation of public officers, so far from prosecution, was entitled to certain honours. He denied that he had been guilty of anything wilful or *mala fide*, and when asked what he could urge in excuse for what he had done, he answered loudly and with vehemence, "I justify it—I glory in it. It is the duty of every good subject to inform His Majesty of the malpractices of his servants. I have ever done it, and ever will."

The case again had to be postponed, but this time because Mr. Blair had been prevented from attending on account of indisposition.

The further hearing was resumed on Friday, February 20th. At the commencement the fiscal endeavoured to move

¹ Earl Bathurst writing to Lord Charles Somerset on this matter, September 28th, 1824, said: "I am at a loss to understand upon what principle the prosecution for libel was directed, unless your having communicated that Memorial to Mr. Blair were to be considered as a publication, in which case Your Excellency will perceive that you were yourself the Publisher".

CHAP. VI. the Court to extend the whole charge against Edwards. This gave rise to another brisk and wordy warfare between the two and the fiscal had again to throw himself upon the protection of the Court. His application was refused. The Court further refused to receive the testimony of any witnesses in proof or otherwise on the statements set forth in Mr. Cooke's Memorial. But they did receive the evidence, such as it was, of a writing master and a clerk in proof of the identity of the handwriting of Mr. J. B. Hoffman, who had transcribed the Memorial and who had been included in the indictment. Mr. Edwards now seems to have assumed at one and the same time the characters of prisoner and advocate for another. He defended Mr. Hoffman on the plea that to prosecute the man who had merely copied the document was as sensible as to take action against the man who had made the paper on which it was written. "Why had the fiscal not instituted an *ex officio* prosecution against the goose which grew the quill with which it was written?" demanded Mr. Edwards. Mr. Hoffman was acquitted. Against the above decision to admit witnesses both defendants appealed to the full Court.

This appeal was heard on February 26th (Sir John Truter, the Chief Justice, being absent). Mr. Advocate Cloete appeared for Mr. Cooke and Mr. Advocate Brand for Mr. Edwards. Mr. Cloete opened his case by reading the Memorial and thus giving it a publicity which it had not had before. In reviewing it, he contended that it was not calculated to create disorder or to show a bad example to the inhabitants of the Colony, that it was not a private writing but an official instrument legitimately exposing abuses of office, and that, in sending it to the Governor, his client had acted correctly as to form. He showed, on the authority of both Grotius and Blackstone, that the subject is at liberty to lodge complaints against public officials with those higher authorities who are competent to inquire into them, and instanced cases in Colonial procedure where this had been done without prosecution of the informers, namely, the case of Governor Van der Stell, the case of a charge brought against the landdrost of Tulbagh and others. Mr. Brand, in a long and able address, continued in the same strain in the defence of Mr. Edwards. The fiscal was heard in reply and in conclusion deemed himself aggrieved by the

decree of the Court below in imposing restraint upon the examination of witnesses, albeit it was his own action which brought this about. The Court, after deliberating for a short time, confirmed the sentences appealed from and condemned Mr. Cooke in all prior expenses. Both sides, namely Messrs. Cooke and Edwards on the one and the fiscal on the other, now appealed to the High Court of Appeal against the continued determination in the refusal to examine witnesses.

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The High Court of Appeal, after some lapse of time, during which the matters were carefully considered, rejected the case and referred it back to the Court below for trial of the merits of the alleged libel. It was heard on March 26th. It does not appear that the large number of witnesses originally mentioned was called or that much detail was entered into, for after an unsuccessful attempt by the fiscal, in contravention of Articles 38 and 41 of Crown Trials, to introduce two witnesses not mentioned on the original list, the Court, on that same day, decreed that the defendants were *wholly acquitted* of the charges in the indictment. This was a triumph for Messrs. Cooke and Edwards which produced the greatest joy and enthusiasm in Cape Town and undoubtedly did much to encourage the prevailing spirit of resistance against what was felt to be the injustice and tyranny of the Colonial Government at that time.

While the case was under the consideration of the Judges in Appeal, Mr. Blair moved in his own behalf, asking the Governor (March 9th) to institute an investigation into his conduct in the distribution of prize negroes. With this he complied, and on the 10th he issued a warrant to Sir John Truter, Chief Justice, George Kekewich, Judge of the Vice-Admiralty Court, and Colonel Napier, Commandant of the Garrison, authorising them to examine witnesses and report. On the 29th, three days after his acquittal, Mr. Cooke was summoned before them, but he refused to give any evidence¹ or to have anything to do with the Committee unless he was per-

¹ Earl Bathurst to Lord C. Somerset, September 28th, 1822: "As your Excellency directed Mr. Cooke to be prosecuted before you appointed the Committee of Inquiry, Mr. Cooke was fully justified in refusing to attend the Committee, and the more so as he proposed to reserve for the Court of Appeal the evidence by which he would, as he stated, be able to justify his accusations".

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mitted to be aided by counsel and to cross-examine the witnesses. He pointed out that, under the circumstances, the proposed course would raise great difficulties in eliciting the truth from timid and reluctant witnesses, who would be afraid to say anything against those in power, and thus the ends of justice would be thwarted. As this could not be allowed, Mr. Cooke withdrew, and the Committee, having reported accordingly to the Governor, was dissolved. In April, Mr. Cooke, with all his papers and material for further exposure of these transactions, left for England. Mr. Edwards, having completed his month's imprisonment, resumed his practice as a notary public.

The notoriety which the Cooke case had earned for him increased his practice and further widened the scope for his peculiar talents. But the exercise of them limited his period of freedom, more especially as Lord Charles Somerset and some of the higher officials had become objects of his aversion, and thus before the end of April he was again a prisoner in Cape Town gaol. On the evening of the 28th of that month he was visited at his lodgings by the sheriff's officers and arrested on a charge of having written and sent two exceedingly disrespectful letters to the Governor. The first one, dated April 22nd, contained strong expressions of his resentment at having been "branded by one of your Dependants with the odious and hateful appellation of a Radical". He protested against the Governor's action in certain cases which had been brought before the Court of Appeal and determined "to waive all further correspondence with your Excellency on my own grievances, until we meet on more equal terms before the Parliament of our country where I can assert and you hear my complaint". And further he felt aggrieved at a fine which he considered had been unjustly imposed upon him and asked, or rather demanded, to have it remitted. "I ask this," he said, "as an act of Justice, not a favour, My Lord, because I abhor a favour from those who call me Radical. If you say this fine ought not to be remitted, I will pay it, but when I do I will wage war with an instrument whose point is dipt in gall, which will give a deadly smart to the hand that takes oppression's price." The second one, dated April 26th, was addressed to the Governor as Judge in Appeal. It begins:

"My Lord, I am retained by Mr. Richard Stone to present a statement and take depositions of persons to substantiate by way of impeachment before the House of Commons against you for your recent judgment in his suit with your former servant and present dependant James Payne". He proceeds to assure the Governor that he will never shrink from the performance of his professional duty "however great may be the danger or exalted the object of my attack," and that unless Mr. Stone is indemnified from the illegal sentence "I must and will proceed in a way which will give you some trouble. . . . I shall expect an answer to-morrow, or I shall the following day take the deposition and prepare the impeachment and petition for Mr. Stone." Whatever credit may have been due to Edwards for his fearless conduct in attacking the abuses in the disposal of prize negroes, he could not but forfeit the good opinion of all right-thinking and law-abiding people in addressing such language to the King's Representative. As will be seen, however, there is some doubt, though perhaps not much, as to whether he really wrote those letters. At that time anonymous and mysterious documents, sometimes of a very offensive nature, frequently made their appearance, either posted in public places or sent to prominent individuals. As there was no newspaper except the *Government Gazette*, and as public meetings were illegal, this unwholesome procedure was the only means of giving vent to expressions of opinion. And, as might be expected, suspicion sometimes fell upon the innocent. Not only was any disaffected person in danger, but even also were those with whom he held too friendly or frequent intercourse. Shortly after his arrival in Cape Town, Mr. Bishop Burnett, in consequence of his interviews with Mr. Edwards in prison on the business already alluded to, thus became one on whom a detective eye had to be kept.

Mr. Edwards' trial on the charge of "having wilfully and *mala fide* made, drawn up and published certain two libellous writings . . . tending to vilify the High Authority and Dignity of His Excellency the Governor as well in His Function as representing His Majesty the King, as in that of Judge of the High Court of Judicature," commenced on May 4th, 1824, before the two judges, Messrs. F. R. Bressler and P. B.

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Borcherds. The list of witnesses which was handed in by Mr. Edwards gave very clear indication of the attitude he intended to adopt during this trial. Among others were the Governor himself, Judge Kekewich, Mr. Wilberforce Bird (referred to in the letter as the Governor's flying adviser, whose wings were to be clipped), Mr. Van der Riet, the sequestrator, "a manumitted female slave, a concubine living with Lord Charles Henry Somerset," and Dr. Barry, the famous "Woman doctor". The fiscal moved the Court to refuse calling these witnesses as it was evident that Edwards intended to subject them to further insult and ridicule.

As on the previous trial, Mr. Edwards delayed the commencement of the case proper by proposing an exception to the competency of the Court, which he dealt with under four heads, (i) the illegality of his arrest, (ii) the necessary documents not having been filed, (iii) the total absence of any *corpus delicti* or alleged crime, and (iv) the incompetence itself. It were needless to follow him in the course of his arguments,¹ such as they were, on these points, which held the attention of the Court for the greater part of the first day. It was abundantly clear that if he had not actually written the letters themselves, he was not wanting in the spirit and sentiment which permeated them. Ostensibly in support of his exceptions, he took the letters paragraph by paragraph, enlarging upon each and, in return for having been branded as a "Radical" at the Governor's table, took every opportunity of introducing the scandalous rumours which were then current in connection with him. In spite of all the reiterated warnings by the Court, he persisted until he had finished all he had to say.

The fiscal having answered the legal points which had been raised, proceeded to his interrogatories. "Do you acknowledge to have made and drawn up these writings?" he asked the accused. "No!" was the answer. "Do you acknowledge the signature 'William Edwards' to be yours?—No!" "Do you acknowledge these writings to have been delivered to His Excellency the Governor with your will and previous knowledge?—No!" "Were these writings never in your possession?—Never."

¹For the whole of this case as well as the appeal, see *Records of Cape Colony*, vol. xvii., pp. 373-452.

The second day was taken up by the fiscal giving his reasons for having opposed the calling of the witnesses and Mr. Edwards' vigorous replies thereto. On the third, in view of the unrestrained and vituperative language of the accused on the previous days, the proceedings commenced by the fiscal reading a long resolution which had been formed by the Court, whereby Mr. Edwards was informed that any further transgression of the bounds of decency and good order would result in his being stopped in his defence and definitive judgment given on the proceedings already had in the case. And then he was given permission to make choice of one of the admitted advocates to assist him in his defence, but he preferred to conduct his case himself. The fiscal then in a long oration recounted all the evidence in support of his charge, discanted learnedly on the law of libel and finally claimed that the prisoner be declared guilty of the crime of libel and that, in consequence, he be transported to New South Wales for seven years and be confined on Robben Island until an opportunity for his transportation offered.

Mr. Edwards commenced his defence in his usual style and though he had to be continually reminded of the resolution, he persisted in his attacks upon the Governor until it had to be enforced and the case was thus abruptly closed. Sentence was then passed upon him as claimed by the fiscal. Against it Mr. Edwards immediately gave notice of appeal.

This was heard by the full Court of eight judges under the presidency of Sir John Truter, the Chief Justice, on May 28th, 1824, Edwards being defended *in forma pauperis* by Mr. Advocate Brand. An extraordinary development of the case then appeared. How far the statements made by the counsel for the defence were founded upon fact it is difficult to determine. In short they were these. Edwards was innocent of any intentional complicity in connection with these letters. One Robert Haynes, with whom Edwards had been friendly, and who had, on several occasions, visited him in prison, had come to know all the details of his affairs, having had access to his papers and presumably shared his sentiments and applauded his attacks on the Governor. Edwards suspected Haynes of having committed the crime for which he was being punished and though he warily endeavoured to

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¹ On June 3rd, 1825, after all these matters had become known in England, a Mr. C. Tennant, a merchant of Old Broad Street, London, wrote to the Lords of the Treasury saying that on the *Nereid*, a whaling ship belonging to them, which left Table Bay in *October*, 1824, a stranger was discovered by the captain, who gave his name as Alexander Stuart and confessed that he had been involved with Edwards at the Cape in writing libellous letters on Lord Charles Somerset. He (Mr. Tennant) continues, "being satisfied that he is a dangerous character, I think it my duty to apprise your Lordships of the circumstance".

² Letter from Earl Bathurst to Lord C. Somerset, September 29th, 1824 (*i.e.*, after the sentence had been carried into effect). "My Lord,—I have had the hon-

These trials gave rise to considerable excitement among the British residents at the Cape as well as to severe criticism on the Colonial judicature in the English press. Not only was the reckless audacity of Edwards in browbeating the fiscal and the two feeble judges a feature calculated to attract and absorb public attention, but some alarm was aroused by the nature of the proofs of the offence on which he was convicted. These amounted to no more than that the handwriting of the letters was like that which was, for certain, known to be Edwards', and also that hypothetical statements which he made in his defence were taken to be admissions of his guilt. This arose from a confusion of tongues. The proceedings were conducted in the Dutch language, while Edwards spoke in English and that hurriedly and excitedly. He seems to have been misunderstood by one of the judges and the secretary of the Court, both of whom had but a limited acquaintance with English. The Commissioners of Inquiry in reporting the whole affair to Earl Bathurst said: "Edwards' acknowledgments were not of that unequivocal and deliberate kind which ought to supersede the necessity of further proof. We conceive that the evidence upon which he was convicted was in its nature presumptive, and that it did not constitute

our to receive your Excellency's dispatch of the 21st of May last, enclosing two letters which had been addressed to you by Mr. Edwards, in consequence of which you had directed that person to be prosecuted for libel.

"I remark, however, that your Excellency does not state whether these letters were ever published by Mr. Edwards, nor do you mention any particulars of his conduct during his trial, which you state to have aggravated tenfold the measure of his offence and to have brought down upon him the heavy sentence which has been pronounced by the Commissioners of the Court of Justice.

"Under these circumstances, I should have contented myself with instructing your Excellency to suspend the execution of this severe sentence, until the whole of the proceedings were placed under my consideration; but as Mr. Edwards has it in his power to make two appeals, one to the full Court and eventually to the High Court of Appeal, and as the sentence of the Commissioners may be reversed or essentially modified by one or other of these Courts, I have only to express my desire that I may be more fully informed of all that has passed in the trial which has produced a sentence so severe. I have further to instruct your Excellency that in the event of the sentence not being reversed or modified by the Courts, or remitted by you, you will suspend its execution until I shall have had an opportunity of considering all the circumstances of the case.

"I have, etc., BATHURST."

CHAP. VI. that legal and conclusive proof which is required in the civil law to establish the guilt of an accused person."¹

Stirring as these times were in consequence of the actions of Messrs. Cooke and Edwards, they were rendered still more so by an extraordinary affair which happened on June 1st and which to this day remains a mystery. As has been mentioned, it had become the custom to advertise unofficial notices and other matters by fastening papers to places in the public thoroughfares. The spots most usually selected for this purpose were the posts of the small bridges which spanned the "sluit" or ditch which ran down the south side of Adderley Street,² then known as the Heerengragt. And of these bridges that which was at the end of Hout Street, leading to the Commercial Exchange—which stood on the site now occupied by the General Post Office—was the one most frequently used.

A Captain Findlay, a merchant in Cape Town, states that at about seven o'clock on the morning of Tuesday, June 1st, he came out of his house in dressing-gown and slippers to see whether there were any signals on the Lion's Rump indicating the approach of ships to the port. He noticed a paper affixed to one of the posts of the Hout Street bridge and two individuals, one black and the other yellow, looking at it. He himself went across to it and found it to be a most disgusting anonymous letter reflecting upon the moral character of Lord Charles Somerset. He saw no other people about at the time except one or two natives passing at a distance and a man on horseback who rode past without taking any notice of the paper. Captain Findlay does not state whether the two coloured people referred to left the place before he did. He returned to his house and having finished dressing, which, apparently, took but a few minutes, went again to the post to remove the offensive document, but found it was gone. He reported this as soon as possible to the fiscal, who then brought the matter before the Governor. On Wednesday morning a Proclamation was posted at the Town House offering a reward of Rds. 5,000 to any one who could give any information such as should lead to the discovery of the

¹ *Records*, vol. xx., p. 376.

² *I.e.* the left-hand side in going from Government House towards the sea.

guilty person, and an additional Rds. 1,000 for the paper itself. Dr. Barry, who also was libelled in the mysterious document, offered to increase the reward by Rds. 1,000, and further, the merchants of Cape Town, horrified and disgusted at such an outrage, subscribed a sum of Rds. 15,000. Hence the reward available for any one who could give the required information and produce the paper was the large sum of Rds. 21,000 (£1,475).

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Accustomed as people were to the exhibition of improper writings in these public places, the rumours of this one and the large reward connected with it eclipsed all former cases, and perhaps from fear of being suspected as concerned in it, general consternation prevailed.

On June 4th, preliminary judicial investigations were commenced by the examination of witnesses before W. Bentinck, Esq., LL.D., Sitting Commissioner of the Worshipful Court of Justice.

Thomas Kift Deane stated that early on the morning of the 1st, he was looking out of his bedroom window and saw two slave boys and a man in a grey cloak looking at something on one of the posts of the Hout Street bridge. He dressed and went down to see what was there but found only a few wafers attached to the post. At half-past nine he met Captain Findlay who then told him the contents of the placard. This was the first he heard and all he knew about it.

George Jones, a coachman of Major Colebrooke, one of the Commissioners of Inquiry, was the man on horseback whom Captain Findlay saw. He stated that he did pass the bridge at the time mentioned, but he saw no paper on the post and took no notice of any one on the bridge.

George Greig, the printer, and his clerk, Joseph Green, knew no more than the rumours which were current.

As might be expected, suspicion very soon fell upon Edwards; all the more so as the fiscal had heard that one Daniel Lee, a servant of Edwards, could give important information. He (the fiscal) seems to have contrived to get this man and to have had private interviews with him. Hence Edwards was visited in prison by the Commission and interrogated. But nothing was gained. He denied ever having written an anonymous placard or been privy to the publication of one.

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The next day, searches, on the authority of warrants from the Governor, among the private papers of suspected individuals, commenced. The lodgings of B. Burnett, G. Greig, the printer, who was under orders of banishment for reasons which will appear later, and D. Lee were invaded. Also the papers of Edwards were carefully searched. But though every facility was placed in the way of the officers, nothing which could connect any of these with the alleged placard could be found. Mr. Thomas Pringle having heard that a raid was to be made upon his papers, went to the fiscal and protested. The fiscal denied that such was intended although Mr. Pringle had reason to believe that the warrant had been seen in his office.

On the 8th the examination of witnesses continued, but all, except one, could state nothing more than the talk which they had heard in the town. Some gave evidence of seeing other indecent placards but they knew nothing of the one which was causing all the commotion. The witness who appeared to have all the details of the transaction at his fingers' ends and to be a veritable mine of information was Daniel Lee. This man, a most worthless character, was one of the low Irish labourers brought out by Mr. Ingram. He stated that about eight o'clock one evening when he took his master's tea to the gaol, he found him with B. Burnett engaged in writing some verses about the Governor. The next morning Edwards gave him some papers to take to Burnett at his lodgings in Burg Street. This he did. Burnett in return gave him an unsealed packet of papers for Edwards. He saw his master open it and the first paper he took out was the placard "about Lord Charles Somerset and little Dr. Barry's wife,"¹ at which he laughed loudly and thus drew Lee's attention. The next day Lee found, so he says, Edwards and Greig in consultation on the question of posting the placard when Burnett again called, and suggested that a copy of it should be sent to Lady Charles Somerset. Several other people, according to Lee, called on Edwards and took away

¹ Bishop Burnett, in his long refutation of all this which was printed and published in England, remarks: "What is meant by Dr. Barry's wife is best known to the conspirators, as he is, ever has been, and if rumour speaks true, ever will keep single".

copies of papers. He detailed a conversation between Edwards and Greig, wherein the former suggested that he (Lee) should post the placard, while the latter thought he would not be able to reach high enough and recommended a tall man who lived in Castle Street. This man having been fetched by Lee, the paper was given to him with instructions to post it before gunfire next morning.

This is Lee's story. So circumstantial as it is, it, at first sight, bears some semblance of probability if not of truth. Unfortunately, or perhaps for the accused, fortunately, not the slightest corroboration of any kind could be obtained. The tall individual who, according to Lee, posted the placard was a Mr. Benjamin Wilmot, one of the Albany settlers, who happened to be in Cape Town on his way to England. He had had reason to complain of the treatment he had received in connection with his location from Colonel Somerset and Mr. Rivers and finding no means of redress accessible to him in the Colony was returning to England to make known his troubles there. On the strength of Lee's evidence he was arrested and put in prison—in solitary confinement. His papers were searched but absolutely nothing which had the slightest bearing on the charge was found. He protested that he was perfectly innocent of ever having written, seen, or had anything whatever to do with any anonymous writing in his life. He denied that he had ever been in the tronk with Edwards and Greig, though it was true that he had visited the former in connection with a case he had against one Scott of Albany. On June 14th he was liberated. The examination of witnesses continued, but only town talk could be elicited. In spite of the huge reward nothing could be learnt about the removal of the placard, its whereabouts or fate, and nothing about its contents other than what had been reported by the only man who says he saw it, namely, Captain Findlay.

Mr. Wilmot, after his imprisonment without any trial and on no other grounds than the bare statement of Lee, made application to have him tried on a charge of perjury. Here further mystery was imported into the affair by the reluctance shown by the fiscal to examine this man too closely, albeit he acknowledged that "I have been unable to come to the knowledge of any more details respecting the author, writer

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and publisher of the placard than what are stated in the evidence of Daniel Lee". He refused to take the obvious step which would have cleared so many from suspicion, including himself, for insinuation and rumour to the effect that he himself had suborned Lee were not wanting. There the matter ended. There was probably much below the surface which would have come to light had a thorough and perfectly impartial investigation been made. It might, for instance, have been found that the most active agent in all this was a somewhat mysterious individual who called himself William Jones, but was better known as "Oliver the Spy". He served the country as Inspector of Public Buildings and was occupied chiefly with the extensive building operations at the Governor's house at Newlands. With this office he is alleged to have combined that of spy on behalf of Lord Charles Somerset. It was noticeable that during the sittings of the Commissioners of Inquiry in Cape Town, "Oliver" was always about with a view, so it was believed, to informing His Excellency of those who came forward with evidence or information. It might have been discovered that the placard was concocted and posted by this man and dexterously removed as soon as he observed that it had been seen and served its purpose. The motive for this might have been to circulate a story about the Governor which was obviously improbable, revolting and incredible, and thus to have created, when it reached England, a distrust in all the *true* statements which were gradually leaking through and drawing public attention to the Government of the Cape.¹ This, however, is mere supposition and the placard remains a mystery.

¹ Mr. Bishop Burnett, in his long reply to the Report of the Commissioners of Inquiry, printed and published in London in 1826 (*vide Records of Cape Colony*, vol. xxix., pp. 1-224), thus speaks on the motives which actuated all this. His statements, however, must be received with some caution as he was a headstrong man and in his excitement was liable to overstate that which he wished to be accepted as the bare truth. "This man's master (Edwards) is in prison for having literally gibbeted Lord Charles Somerset in a Court of Justice. Mr. Greig, the printer, is under orders to quit the Colony for opposing the noble Lord's policy, in exposing the errors of his administration; and I am under sentence of banishment for a similar offence. A few independent gentlemen visit Mr. Edwards in the tronk. Popular feeling is in our favour; and his Lordship in proportionably bad odour. A placard, containing a foul libel upon his Excellency, opportunely appears; much sympathy is excited for him, and Rds. 20,000 are offered as reward for the detection of the calumniator. The Colonists

Mr. Edwards remained in gaol until the middle of September, when the convict ship *Minerva* sailed into Simon's Bay and afforded the opportunity of carrying into effect the sentence which had been passed upon him. His career at the Cape had been short, barely a year, but as has been shown he did much to vary the monotony of Cape Town life during that time. He undoubtedly did some good. There was great need for reform in the Colonial Government and perhaps the circumstances of the time called for one who was reckless in stirring up the political dust as he had done. We have, however, not yet said farewell to him. On September 17th he was taken from the gaol, placed in a cart and, under the escort of two constables, commenced the journey to Simon's Town. Near Wynberg he had a friend, Captain Carnall, an old mariner. As he approached his friend's house he complained of great abdominal pain, and was permitted to go into the house for such relief as Captain Carnall could afford. Taking advantage of the want of caution on the part of the constables, he ran out at the back and completely escaped. He remained at large for two days and eventually was caught under a bed in Carnall's house. In being recaptured he attempted to cut his throat but the wound he inflicted upon himself was not serious. He was again secured and this time he was safely embarked in the *Minerva* and borne away to New South Wales. The most startling thing about him remains to be told. Very shortly after he had left it was discovered that this able lawyer, this enemy to misgovernment, this martyr in the cause of political freedom was none other than an ESCAPED CONVICT from the penal settlement to which

are at this period groaning under the effects of his injustice and malversation, and it is rather feasible to imagine that three of its deported victims would not depart empty handed. How desirable, then, that His Majesty's Fiscal should have access to their papers! But this cannot be effected without a warrant from his Excellency, and warrants are not issued without cause. But, lo! Mr. Edwards' servant is seized; undergoes several *private examinations* by the Fiscal; and the most sanguine desires of his Excellency are at once accomplished. The tide of sympathy undergoes a sudden reflux, and he sees his accusers depart with a disgraceful imputation attached to their names. But this is not all. A report is in circulation that Lady Charles Somerset has received, in the folds of a piece of Sarsnet, a letter detailing her husband's intrigues with coloured women. How admirable, then, is the coincidence that this identical Daniel Lee should be able to give conclusive evidence upon *every point in question*, and against every individual who happened to be obnoxious."

CHAP. VI. he was then bound. It afterwards transpired that his real name was Alexander Lockaye, that he had been in practice as an attorney at Chester and then at Hammersmith and that having stolen a horse and gig he had been committed to Gloucester gaol, and in 1818 transported for life to New South Wales. From that place he escaped in 1821 and went to Java and from there he got to Cape Town towards the end of 1823.¹

The case on "a charge of open violation of the Laws, tending to disturb the internal tranquillity of the Colony and to lessen the dignity and power of the Judicial Authorities," which had called Mr. Bishop Burnett to Cape Town, was to have commenced on May 8th, but in consequence of his indisposition and the fact that at that date he had not been furnished with the documents necessary for his defence, it was postponed until July 20th, when it was heard before Messrs. J. H. Neethling and R. Rogerson.

The investigation in this case was not lengthy, in fact, only one witness was called, Mr. F. H. Staedel, the Secretary of the Albany district. And from him only one point was elicited (by Mr. Burnett), namely, that *the evidence taken down and recorded in the case in 1823 was not as it was given in the Court*. The fiscal proceeded to his claim and conclusion. His experience in the Cooke case and the able defence made by Edwards had prepared him for the difficulty likely to arise in this one in consequence of the difference between the law of libel in England and that of the Roman-Dutch law. He stated at the outset that he intended to be guided by the latter. Blackstone and the Statutes of William and Mary were to give place to Voet. He maintained that the object of Mr. Burnett's Memorial was not to obtain redress for alleged grievances but a pretext to vilify the judges and bring the judicature into contempt. It had once been the custom among the Romans to submit their private disputes in the form of a memorial to those in authority, even to the Emperor himself. But abuse arose out of this procedure; a memorial of pretended grievances came to be a cloak for the propagation of slander with impunity. The penetrating eye of the Roman Jurisprudence seeing through

¹ Vide letter of W. Hutchinson, Superintendent over convicts at Sydney, *Records of Cape Colony*, vol. xxiii., pp. 24, 25.

this, the crime of *injuria scripta* became punishable by banishment.¹ Mr. Burnett's case, according to the fiscal, was exactly parallel to this, he therefore claimed that the defendant be banished from this Colony for the term of five successive years, and that he be confined in some secure place until opportunity offered for his being sent away. Mr. Burnett was not then heard in defence but was given until August 23rd to prepare himself for that ordeal. He shortened the proceedings, however, by writing to the fiscal on July 22nd saying that "as I understood the Commissioners to intimate that their decision would not be influenced by anything I might bring forward, and as that defence must necessarily embrace some very serious charges against the Colonial Government," he came to the determination to receive the judgment of the Court when called upon without offering any defence whatever. For this purpose, therefore, the case was resumed on August 10th.

Although Mr. Burnett said that he refused to offer any defence he made a long and eloquent statement on his reasons for so doing which in reality amounted to the same thing. He ridiculed the action of the fiscal in attempting to try him by any other laws than those of England. He denied that that learned official had any more right "to rummage in the Roman Code for grounds on which to convict him than he had in that of the Calmuc Tartars". "Would the Attorney-General of England," he asked, "be allowed to conduct a prosecution for libel according to the form of Danish practice, merely because some of the laws of Denmark were amalgamated by Canute with the laws of England?" He offered the fiscal better authorities than the Romans, "to wit—the Parliamentary Reports of Great Britain; and if this will not satisfy him, I will offer him the Common and Statute Law of the land, and, if then not convinced, I trust his appetite for unquestionable authority will be fully appeased when I refer him to the Ministry of England. There is no constitutional law more clear, than that the subjects of England carry with them, wherever they go, within the Realm of England, the laws and liberties of their country. From the moment of its formal cession, the Cape of Good Hope became an integral portion of the British Empire, exacting the allegiance of its colonists

¹ Digest, lib. 47, tit. 10, lex. 45, also lex. 15, § 29.

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to the Crown, as subjects of the English Realm ; and allegiance to a State presupposes a participation in the benefits of its laws. It has been solemnly adjudged that the Colonies of the Kingdom of England are part of its dominions ; and the inhabitants within the King's allegiance are therefore subject to the laws of England ! It remains, then, indisputable, that they have a right to claim and are entitled to the protection of the same laws by which they are held to their allegiance, and the act of any governor who abets and sanctions the violation of this right, is a high crime against the parent state."

The Court having taken into consideration everything which deserved attention declared the defendant guilty of the crime with which he was charged and sentenced him as claimed by the fiscal.

Mr. Burnett then lodged an appeal against the latter part of the sentence, namely the imprisonment. The banishment he welcomed as it furthered the scheme of exposure which he had in view and for which, in fact, he was preparing himself by collecting copies of papers and evidence which were to be used before the House of Commons.

The appeal was considered as sufficient reason for suspending the operation of the sentence and so Mr. Burnett was left at large. And as the Court could not meet again until after the long vacation, he had a period of three months in which to make his preparations for returning to England. The case was heard on November 9th when the decision of the Court below was confirmed. Even then there seemed to be a reluctance on the part of the fiscal to imprison him. Some suspicion of the work in which he was engaged may have got abroad—and Oliver the Spy, as Mr. Burnett himself thought, may have been zealous in his "unofficial" capacity, for at the end of November another raid was made upon his lodgings and his papers searched, ostensibly on the grounds that he had again libelled the Governor, but nothing on which any action could be taken was found.

In conjunction with this Mr. Burnett came to hear that he was, after all, to be imprisoned. This may have been and probably was nothing more than complying with the sentence of the Court, but he professed to think that there was some plot the object of which was to prevent him from returning to Eng-

land by transporting him to New South Wales. He therefore secreted himself in a friend's house in the suburbs, hoping to remain in safety during the few days which had to elapse before his ship sailed. His hiding-place was discovered, however, and on a Saturday a party of constables went to the house to take him. But as they had no warrant to search the premises and could not procure one until Monday, they were able to do nothing more than inquire and, being put off with "adroit answers," guard the house during Sunday. On Sunday afternoon a well-dressed lady and gentleman, guided, as was the custom, by a female Malay slave carrying a "lanthorn," were permitted by the police to pass to the house, and very shortly afterwards they were permitted to pass from the house. It would be scarcely just to blame the police for not perceiving that the Malay slave who went *to* the house was Mrs. Bishop Burnett in disguise and that the Malay slave who went *from* the house was *Mr.* Bishop Burnett who had quickly put on this same disguise. He thus escaped and with the help of some friends found a safer hiding-place in Cape Town where he remained about a month. Efforts were made to find him and the captains of ships in the port were forbidden to take him on board under penalties of heavy fines. But after a time these efforts were relaxed, more especially as it had been rumoured that, in spite of the vigilance, he had gone to England by the ship *Yorke*. Receiving intimation that neither the fiscal nor Sir John Truter would any longer molest him, though he was advised to keep in hiding until the last moment, he ventured to take the necessary steps to obtain his passport. With some little difficulty and caution this was done and at the end of December, 1824, he left in the brig *Alacrity* and arrived in London about the middle of March, 1825. There, for the present, we will leave him. His business with Downing Street and the action of Parliament will be dealt with later.

There is yet another trial which added its quota to the public ferment of that time and which must be noticed, namely, the action against Captain Carnall on a charge of having assisted in the escape of Edwards. Appearances were certainly against Carnall, for there had been some correspondence between him and Edwards immediately before, and the saddled horse, on which the flight was made, was in readiness at the

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back of the house. Arrested on the same day as the escape he was placed in gaol, brought to trial and sentenced to one year's banishment. Against this decision the fiscal appealed to the full Court on the ground of the punishment not fitting the crime. On November 8th the case was reconsidered and the sentence altered to banishment for five years to New South Wales. The Governor, however, in his usual clemency, modified this (Dec. 11th) by allowing the prisoner the option of choosing any other part of the world he liked, though he was to be kept in gaol until he could leave the Colony. During his imprisonment which lasted until December 24th he kept a diary; undoubtedly, a most exaggerated account of his sufferings and the horrors he experienced in the Cape Town gaol. It bears but too plainly the stamp of having been written for effect in England and by one whose power of invention was not of the highest order. The abundance of extraordinarily large vermin, which not only crawled and bit, but *buzzed*—the shrieks of people being flogged—the clanking of chains in the darkness and his own horrible dreams all contributed to give colour to this delectable production.¹ The investigation to which this diary afterwards gave rise showed that though there was need for reform in the management of the prison, Captain Carnall had fared no worse than he would have done in an English prison at that date. On December 24th he was let out on bail of Rds. 2,000 and on January 12th, 1825, he sailed in the *Asia* for London and arrived at the beginning of May. He soon found opportunity for bringing his case before Parliament, for on May 27th his petition was presented to the House of Commons by Mr. Hume, the member for Aberdeen. That gentleman, in a long speech, animadverted on the misgovernment of the Cape in general and upon the sufferings of Captain Carnall in particular. "There existed at the Cape," he said, "a sort of society, under the administration of Lord Charles Somerset, wholly inconsistent with all good government." He did not blame that noble person so much as the Government at home, for allowing him to remain there, "and Lord Bathurst, also, had much to answer for, if, as he believed, all these acts were known at the Colonial department".

¹ For the diary see *Records*, vol. xxi., pp. 188-217.

Mr. Wilmot Horton, the Under Colonial Secretary, in reply, defended the Colonial Department against Mr. Hume's attacks. He maintained that only *ex parte* statements were before the House and that action could not be taken until the Colonial Office was in possession of further information on all these matters. To obtain this was the object of sending forth the Commissioners of Inquiry, who were then engaged on this duty and until their report was received he asked the House to suspend judgment, and not be influenced by the reports continually appearing in the Press. From January 1st to that date (May 27th) no less than twenty-four articles inculpatory of the Government at the Cape had appeared in one newspaper. "It was impossible," he said, "to credit the number of insulting applications made to the Colonial Office." There the debate ended.

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CHAPTER VII.

THE TRIALS OF LORD CHARLES SOMERSET.

CHAP. VII. All the events narrated in the last chapter, together with the consequent litigation and the general political condition of the Colony, are intimately associated with, and in a large measure gave rise to, the struggles for a free and independent Press. Until 1823 no attempt had been made to establish a newspaper or periodical, excepting, of course, the *Government Gazette*. This may have arisen partly from the Dutch laws being against it and partly from the want of the necessary ability and enterprise in this direction.

Under the Dutch rule restrictive placcaats had been issued at various dates, which applied not only to the Colony, but to Holland itself.¹ And as late as July, 1800, we find, under the British administration, the Governor, Sir George Yonge, so far restricting the Press as to prevent matter of any kind being printed by any one except by the firm of Walker & Richardson of Cape Town.

It is worth while, therefore, to consider how far the charge of "suppressing the Press" which is associated with the name of Lord Charles Somerset is justified. It may have been that under the guidance of the fiscal more learned in the defective laws of the times, the Governor was merely acting in accordance with those laws. But it may have been that he was endeavouring to use this power for the purpose of preventing the publicity of so many matters, the knowledge of which could not but be a reflection upon his administration, if not upon his own personal character. The arrival of the large number of strangers in 1820 with their variety of occupations was likely to furnish some who would move in the direction of placing the Colony

¹ *Vide* placcaats against printing and selling pasquils and scandalous prints, December 9th, 1702, January 21st, 1726, June 5th, 1744, in *Records of Cape Colony*, vol. xxv., p. 409. Also March 7th, 1754, *Groot Placaat Boek*, p. 570.

upon a more satisfactory footing with respect to its Press. There was Robert Godlonton, for instance, who founded the *Grahamstown Journal* in 1831. He was a printer and brought printing materials with him, but in accordance with the spirit of the age, these were seized on his arrival in Table Bay in 1820. It was Thomas Pringle, the head of Pringle's party at the Baviaan's River, who first took up this matter and, with others, succeeded in establishing a free and independent Press in Cape Colony.

Having done all that was possible in settling his people upon the location which had been assigned to them, and having handed over the charge of affairs to his brother, who had just arrived in the Colony, Mr. Pringle gave up farming pursuits in September, 1822, and went to Cape Town in order to follow a literary career, as had been his intention on leaving Scotland. An introduction to the Governor from Sir Walter Scott procured for him the librarianship of the public library at a salary of Rds. 1,000 (£75) per annum. With this he had hoped to combine the editorial work of the *Government Gazette*, but in this he was disappointed. To augment his small salary he took, at first, a few private pupils and then finding there was a want of an English school in Cape Town he opened such an institution with every prospect of success. In November (1822) he invited his friend Mr. John Fairbairn to come from Scotland to assist him in the undertaking. About the same time he met the Rev. A. Faure, of the Dutch Reformed Church, and with that gentleman elaborated a scheme for establishing a monthly periodical to be called the *South African Magazine*. The idea meeting with general approval they determined to apply to Lord Charles Somerset for the necessary permission. Doubts soon arose as to whether this would be obtained, for a prominent official told them that intimation of what was intended had reached the Governor and that he had expressed himself averse to it. However, on February 3rd, 1823, they made the application. They pointed out the benefits which had accrued in Europe from the general diffusion of knowledge by such means, and the good effect likely to be produced in the Colony by inculcating and supporting morality and good government; they assured His Excellency that the discussion of all controversial and agit-

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ing topics would be expressly excluded from their pages and concluded by requesting the honour of His Excellency's approbation and permission.

It was perfectly true; Lord Charles Somerset did not welcome the idea. He gave no answer to the communication but wrote *privately* to Downing Street, stating that such an application had been made and that he advised strongly against it. He foresaw so much evil from an independent Press, so he said, that he had shelved the matter until he could hear from Earl Bathurst. He wrote *privately* because he found it difficult to word a refusal which could meet the public eye and he did not wish any discussion on the question to appear in the official correspondence. At this early date and for no apparent reason he seems to have imbibed a dislike for Pringle—as perhaps he had for all the 1820 settlers. In the letter referred to he described him as an “arrant dissenter who had scribbled” for a magazine in Edinburgh. Messrs. Pringle and Faure having waited five weeks for an answer were told, verbally, by the Colonial Secretary “that His Excellency had not seen your application in a favourable light”. It was almost decided to allow the matter to drop when the renewed importunities of those who wished for such a magazine¹ and the arrival of the Commissioners of Inquiry in July gave them fresh hope. They brought the matter before the Commissioners, and by them were advised to wait.

In July, 1823, yet another aspirant to literary fame arose. Mr. George Greig, who had arrived in the Colony in the previous March, was a printer by trade and had brought with him a considerable quantity of material for carrying on his business. He conceived the idea of starting a periodical in the interest of trade and merchandise. Such matters as shipping intelligence, rates of exchange and advertisements were to be the chief features, though he hoped to allot a small portion to more literary matter, but “rigidly excluding all personal controversy, however disguised, and all discussion of matters relating to the Policy and Administration of the

¹“About the period when the proposal of Mr. Pringle was submitted, the desire of the Public for a new Journal proceeded in a great degree from the total absence of all interest in the publication of the *Cape Gazette* . . . it was scarcely read or referred to by any class of the Inhabitants.”—Letter, Commissioners of Inquiry to Earl Bathurst, November 28th, 1825.

Colonial Government". He applied for the necessary permission to publish but, in like manner, received no reply.

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In spite of the Governor's frowns, Mr. Pringle published the prospectus of the *South African Magazine* on October 3rd, announcing that it would appear quarterly in both Dutch and English. And on December 20th, Mr. Greig published his prospectus. His paper was to be called the *South African Commercial Advertiser*, and was to be published every Wednesday afternoon at No. 30 Longmarket Street. Subscription, Rds. 4 per quarter, single copies 3 skillings.

On December 3rd, Mr. Pringle was more pleased to hear than Lord Charles Somerset was to state "that Lord Bathurst was of opinion that there could be no objection to allow the establishment in Cape Town of a periodical publication to be entitled *The South African Magazine* so long as the pledge so distinctly and unequivocally given in the Prospectus was abided by, namely, the strict exclusion from the work of all topics of political or personal controversy". With this sanction Messrs. Pringle and Faure set to work, and thus shortly afterwards the first number appeared, the Dutch edition being issued under the title of *De Zuid Afrikaanshe Tijdschrift*. And as Mr. Fairbairn had arrived, the English school was commenced at the beginning of the year.

Although he had had no formal permission, Mr. Greig brought out the first number of his paper on January 7th. But as the Governor became a subscriber, put a tax on all advertisements and a high rate of postage to distant parts, Mr. Greig took this as a legalisation of the publication. All went well until May when the trial of Edwards was in progress. Mr. Greig, having published some of the evidence and made comments thereon, gave offence to both the Governor and the fiscal. Apprehensive of what might further be said, the fiscal sent for Mr. Greig, reminded him of the conditions he had voluntarily entered into in his prospectus and ordered him to give security to the extent of Rds. 10,000 (£750) for the due observance of those terms. Further, as it was uncertain what might appear in the next number, the fiscal demanded to see the proof-sheets before the paper was printed. This was complied with, and as nothing objectionable was found, the publication was allowed to proceed.

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Number 18 appeared in due course. But in it there was a notice to the effect that "His Majesty's Fiscal having assumed the Censorship of the *South African Commercial Advertiser* . . . we find it our duty as British Subjects to discontinue the Publication for the present in this Colony, until we have applied for redress and direction to His Excellency the Governor and the British Government". This was on May 5th. On the 8th Mr. Greig printed two notices in the form of handbills; one to the subscribers stating that on account of the fiscal attempting to assume the censorship over this paper, a sheet containing advertisements only would be issued, and the other that "On Monday morning at 8 o'clock will be published, Facts connected with the stopping of the Press, and the censorship of the Fiscal". As the *Government Gazette* naturally refused to publish these at Mr. Greig's request, he employed two men to affix these notices in prominent parts of the town, one of which was a wall facing the fiscal's office, undoubtedly with the object of attracting that official's notice. Police were ordered to remove them, but Mr. Greig interfered to prevent it. The fiscal immediately brought this to the notice of the Governor who forthwith issued a warrant prohibiting "the said George Greig continuing to act as printer of the *South African Commercial Advertiser*" and ordering the proper officials "to seal up all and every press or presses" and Greig himself "to leave the Colony within one month from the date hereof" (May 8th).

On May 7th the second number of the *South African Journal* was issued. It contained a most able article from the pen of Mr. Pringle entitled "The Present State and Prospects of the English Emigrants in South Africa". In it the whole history of the movement to that date was reviewed in language as temperate as unprejudiced, and the causes of the failure of "this ill planned and ill conducted enterprise" were enumerated, obviously without the least intention of casting any reflection upon those who had had the ordering of things. The causes were stated to be (1) the population having preceded, instead of having followed the influx of capital. (2) An arbitrary system of government, and its natural consequences—abuse of power by local functionaries, monopolies,

restrictions, etc. (3) The vacillating and inefficient system pursued in regard to the Kaffirs, and (4) the appearance of the rust. The whole statement was such as would have been welcomed by any Government really anxious to remedy such a state of things as then existed. But it cannot be denied that it was political and of the nature of a discussion on the policy and administration of the Colonial Government and was, therefore, a violation of the chief condition on which permission had been given to publish the magazine. Moreover, there had been articles on the suppression of constitutional government in Spain, the influence of a general diffusion of knowledge in checking the abuses of despotic power, and others. On May 13th the fiscal summoned Mr. Pringle to his office and, more by way of warning than reprimand, pointed out that the tone of his articles was not in accordance with the terms of his prospectus, that the Governor was not pleased with what had been written, and that he should give a pledge that similar observations would not be made in future. Mr. Pringle indignantly refused to do this or to admit the right of the fiscal to interfere.¹ The next day the fiscal received the following letter:—

"CAPE TOWN, May 14th.

"SIR,—In consequence of your official communication of yesterday respecting the *South African Journal*, we think it inconsistent with our personal safety to continue that publication.

"We remain,

"THOMAS PRINGLE.

"JOHN FAIRBAIRN."

This placed the Governor in an awkward situation, for, writing to Earl Bathurst on May 10th, giving an account of his action in stopping Greig's paper, he stated that the community was not entirely deprived of intellectual food on that account as the *South African Journal*, under the direction of Messrs. Pringle and Faure, continued to be published every two months. As the fiscal had failed to make any impression upon Mr. Pringle or obtain the least compromise from him, the Governor himself determined to try. On May 18th, therefore, he sent to Mr. Pringle at the public library request-

¹ For a full account of this interview, *vide Records*, xvii., p. 461.

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“On the 18th of May a Messenger from the Governor was sent for me at the Library, requesting my immediate attendance at the Audience Room adjoining the Colonial Office. On going over I found His Excellency waiting for me, with the Chief Justice seated at the table. His Lordship beckoned to me to take a seat directly in front of him; and as soon as I had done so, he opened upon me in the following terms: ‘So, Sir, you are one of those who think proper to insult me, and oppose my Government’. I requested His Lordship would explain himself.

“He repeated the words, and proceeded to accuse me in very intemperate terms, and in a most haughty and overbearing tone and manner, of having behaved towards himself and the Government with extreme disrespect and insolence, of having misrepresented his public conduct and character, and endeavoured to heap unmerited contumely upon his administration. On my requesting to know the grounds of these severe charges, His Lordship pointed to the article ‘on the state and prospects of the English Emigrants’ in the second number of our *Journal*, and holding out the note which we had addressed to the Fiscal on the 14th he demanded if that was my writing and signature.

“I replied it was, and that I adhered to the Sentiments I had there expressed, but that I entirely disclaimed in that or any other act, any intentional disrespect to His Excellency or the Government, and that being conscious of no fault I felt myself treated very injuriously in being thus subjected to harsh reproof and severe imputations.

“His Lordship then launched out again in a still more violent tirade against my conduct, reiterating his accusations and reproaches in the most cutting and sarcastic terms, and adding that such conduct was peculiarly obnoxious and insufferable from one who had received, both in my own person, and for the behoof of my friends and relations, so many favours from the Colonial Government. My Brothers, and Party on the Frontier, he observed, had received repeated enlargement of

their agricultural allotments. A market had been opened for their surplus produce at my suggestion by the Government. I had myself received not only my present appointment in the Government Library, but had been indulgently permitted to open a school also 'although the duties of the one were not very consistent with those of the other,' and considering all this, and more, had been done for me, how had I the ingratitude and unparalleled effrontery to write that insolent letter to the Fiscal and to sign that Memorial, got up by a factious Party, to the King in Council for a Free Press? How did I dare to do such things and to obstruct and insult his Government?

"While His Lordship heaped these reproaches upon me, and many more of a like nature, of which I do not precisely recollect the terms, with a style of language, a tone of voice, and a glance of eye, exceedingly overbearing, taunting and insolent, I confess to you, Gentlemen, that I felt the blood boil in my veins, and my frame tremble with deep indignation; and had he been a person whom I could have answered on equal terms, I should never have brought the cause to your Bar, nor that of the Public. But as it was, I controlled, with whatever difficulty, my feelings and answered the Representative of my Sovereign with due deference and respect. I stood up and looked Lord Charles Somerset in the face, and told him proudly, that though I was not his equal in rank, I knew what was due to him and myself. That however humble and obscure as an Individual, I was a free born British Subject, sensible of my rights and conscious of my innocence, and that no man alive had a right to talk to me in that style. That in leaving my native country for a Settlement in this, I never conceived that I had resigned the best rights and privileges of a free man, and that until this were proved to me, I would brook unmerited reproach and insulting imputations from no man whatever, however high his rank, or unlimited his authority; that I had never failed in rendering all due respect to constituted authority; that the attention of Government towards the welfare of my friends and Party (though not more than they had just claims to expect) had ever been gratefully acknowledged by me, both in word and writing; and that on the other hand, my Party was perhaps the only one that had

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never troubled the Government with a single complaint during all their privations and sufferings. That in respect to my own appointment in the Library, I trusted that I had not been inattentive to the duties which I received the Public Money for discharging. But that however grateful to His Excellency for that appointment, I was now for the first time aware that holding it deprived me of my free agency in regard to matters otherwise legal and loyal. That I would not, however, dispute this point with His Lordship, but as I had been born a free man, I should endeavour to preserve the privileges of one, at whatever sacrifice of favour or interest, and would therefore instantly resign the situation with which he taunted me, and that I begged, in the presence of Sir John Truter, to resign it accordingly. After this, His Lordship addressed me during the remainder of our conference with somewhat more civility, though his ill-suppressed arrogance occasionally burst out in sarcastic and taunting insinuations. He asked me if I thought myself a better Judge of Military affairs than himself or the Commanding Officers on the Caffre Frontiers, since I had so freely and presumptuously reprobated the system of defence adopted there. I declined entering into argument with His Lordship on this subject, because I saw it was a sore point; and to maintain the truth would probably provoke him still further to insult me, but I *could* have told him, what I now tell you, Gentlemen, that I had lived on that Frontier for two years in constant peril and alarm from the Caffres, and never went to sleep without a loaded gun at my side. That I had taken my turn with my friends in many a weary nightwatch, while the Scouts and wandering Parties of the Enemy were continually prowling round us and carrying off, almost weekly, the cattle of our neighbours; many of whom were almost totally ruined by these depredations; and that all this time the Officers on the Frontier were building Parade Forts, or pretty cottages, shooting partridges, or smoking segars, or flogging Hottentot soldiers till they deserted in droves, doing everything useless or mischievous, but *not* defending the Frontier.

“But, Gentlemen, I did *not* say this to His Excellency, because his son was at that period commander of the Cape Corps and I would not uselessly or intentionally wound his

feelings by raking up old sores. I retired to the Library, and immediately addressed to His Lordship the following letter:—

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“SOUTH AFRICAN PUBLIC LIBRARY, *May 8th, 1824.*”

“MY LORD,—In the interview which I have just had the honour of having with your Excellency in presence of the Chief Justice, you were pleased to say that you considered my conduct in writing a letter to the Fiscal, which you considered insulting to your Government, and in signing the Memorial to His Majesty the King for a Free Press in this Colony, to be inconsistent with my duty as a Public Servant.

“I therefore feel called upon, while disclaiming the remotest intention of any insult or disrespect to your Excellency in these transactions, respectfully to tender to your Lordship my resignation of the Situation of Sub-Librarian in this Establishment.

“I have, etc.,

“THOMAS PRINGLE.”

The Memorial referred to in the above interview was one which was addressed to the King in Council praying for the extension of the Freedom of the Press to Cape Colony. It had its rise in the popular indignation at the treatment of Mr. Greig. It lay in the Commercial Exchange for signatures and 208 having been added, it was sent to Earl Bathurst in December, 1824.

In connection with the discontinuance of Mr. Pringle's paper—the event usually referred to as “the suppression of the Press by Lord Charles Somerset”—two important points must be emphasised. Firstly, although the Governor personally was averse to the establishment of a free Press and however much the paragraphs relating to the abuses of local authority offended him, he was entirely innocent of stopping the publication of the *South African Journal*; that was a voluntary act on the part of Mr. Pringle himself. And secondly, if a charge of compelling him to take this course is to be brought against any one, it must be against the fiscal, though that amounted to nothing more than a warning to Mr. Pringle that he was overstepping the bounds which he had prescribed for himself in his prospectus. It is not clear

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therefore how far he (the fiscal) deserved the following rebuke which Earl Bathurst, in his despatch of February 10th, 1826, instructed the Governor to convey to him: "I cannot but consider that the Fiscal's interference was highly injudicious; and I have therefore to desire that Your Excellency will signify to him my expectation that he will act with greater circumspection in future". Mr. Pringle showed himself far too prone to take offence and to join in the general clamour against the Governor. In view of his abrupt suspension of his paper and his statement of the reason in the somewhat offensive terms, namely, that its continuation was inconsistent with his personal safety, it is scarcely surprising that the Governor treated him in the manner he did at the famous interview of May 18th. Although in this as in so many other actions Lord Charles' conduct is represented as tyrannical, yet, in investigating both sides of the questions and taking into account the fact that the Press in England might be depended upon to give judgment against him and generally to reprobate the Colonial Government, one wonders at times whether Lord Charles himself was not the victim of a tyranny of "British Freedom".

Notwithstanding the ill-feeling which existed between the Governor and himself and the consequent small support and countenance in any public movement which he might expect from that source, Mr. Pringle, in conjunction with Mr. Fairbairn, attempted to establish a Literary and Scientific Society in Cape Town. On July 11th a few gentlemen assembled at the business premises of Messrs. G. Thompson (the traveller) and Pillans in order to enter into the preliminary considerations. The chief object of the proposed Society was the exchange of ideas on all literary and scientific subjects by means of papers, lectures and discussions, but everything of a political or theological nature was to be most rigidly excluded. The idea met with the general approval of all the best educated people in Cape Town, and so on August 11th, sixty-one persons, including the Chief Justice, Sir John Truter, and other high Government officials, met and finally decided to establish such a Society. The first step to this end was to obtain the patronage and support of Lord Charles Somerset. For this purpose Sir John Truter, Dr. Truter, Mr. Advocate H. Cloete,

two Indian residents and two prominent merchants formed a deputation to wait upon His Excellency. As it was understood, however, that he already knew of what was intended and had expressed himself unfavourable to it, it was decided that before the deputation approached him, Mr. Advocate Cloete should ascertain His Excellency's views in a private interview. This was done. The Governor showed the greatest hostility to the measure. He told Mr. Cloete that he was determined to oppose the Society to the utmost from the circumstance of the establishment of it having proceeded from Messrs. Pringle and Fairbairn, who were, so he said, decidedly hostile to the Government, on whose professions he could place no reliance and who had broken a pledge they had formerly given. And further, he expressed his displeasure at the action of Sir John Truter in having so far connected himself with it. After this, of course, nothing could be done, and thus the Literary and Scientific Society got no further than the proposal.

The *Journal*, the Librarianship and the Literary Society having come to such premature ends, there remained but one of Mr. Pringle's enterprises, namely, the Academy. And this was not long in showing signs of decay and dissolution, for Lord Charles Somerset having called it a "seminary of sedition" and denounced Pringle and Fairbairn as "inveterate radicals," the pupils began to be withdrawn on various pretexts. Mr. Pringle ascribed this to the Governor's intimidation, while according to some of the parents, *e.g.*, Sir John Truter, the pupils were removed because they were neglected and failed to make the progress which was to have been expected. It might well be doubted whether Mr. Pringle or any one else could have combined efficient teaching with the duties of Public Librarian. Mr. Pringle himself tells us that he did not take the public money without earning it. About the middle of 1825 the school seems to have closed and Mr. Pringle to have returned to the location on the Bavarian's River. Seeing no prospect of pursuing in this country the calling in life which was most congenial to him, he returned to Cape Town in April, 1826, whence he sailed for London and arrived there in the following July.

After the bold action of Mr. Pringle on May 18th, the Governor seems to have relented in his action towards Mr.

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Greig. It was intimated to him by the fiscal on the 23rd, that unless he gave new cause for the exercise of the Governor's authority, the sentence of banishment would not be enforced. But at that time Mr. Greig's business had come to an end in consequence of the Government seals upon the implements of his trade and the dismissal of his workmen; he therefore declined to avail himself of this clemency but preferred to take his case to England in order to learn, at first hand, in what respects the Cape differed from other British Colonies with regard to the freedom of the Press. In July, 1824, his printing materials having been appraised and bought by the Government at a fair price (about £850) he left for London. He lost no time in appearing in Downing Street and bringing his affairs before Earl Bathurst. The result of the interview and some correspondence was that on February 12th, Mr. Wilmot, the Under Colonial Secretary, was able to inform him that there existed no reason which precluded him from returning to the Cape, or from being put again in possession of the printing material, provided he refunded what had been paid for it, and further that if he promised to adhere to the terms of his original prospectus, no obstacle would be placed in his way in restarting the paper. This last point gave rise to some debate, for it was to settle the question as to who should decide upon what these terms included which took Mr. Greig to England. If this was to be left to the discretion of Lord Charles Somerset, then Mr. Greig knew what to expect and was unwilling to proceed under that condition. He proposed an amended prospectus but this Earl Bathurst refused to sanction. In the end his mind was eased by the assurance that "the cause for interference on the part of the Governor in Council would only arise out of such discussions as would, in their judgment, endanger the peace and safety of the Colony".

Although in this Earl Bathurst had really conceded nothing, the considerate though uncompromising treatment which Mr. Greig had received created in him a sense of security against any abuse of power on the part of the Governor. He therefore determined to return and to make another attempt to start a newspaper in the Colony. After an absence of only nine months he arrived in Cape Town in August, 1825. To his surprise he then found that another paper called the *South*

*African Chronicle and Mercantile Advertiser*¹ had been started and was being printed with the materials which were to be returned to him but which had been sold to a Mr. Bridekirk. The matter was adjusted, however, in accordance with Earl Bathurst's decision by transferring the property to Mr. Greig and sending out other for Mr. Bridekirk. Within a month after Mr. Greig's return the *South African Commercial Advertiser* reappeared under the sole editorship of Mr. Fairbairn and under this management it existed for many years. It should be mentioned that before its suppression, although it was not known at the time, that paper was in reality edited by Messrs. Pringle and Fairbairn, and only printed and published by Mr. Greig.

The stir caused by the actions of Greig, Pringle, Burnett, Edwards and others must have rendered the existence of Lord Charles Somerset anything but that of the ease and sense of unopposed domination which are usually associated with the career of a tyrant. Although much in the political conditions of the Colony at that time, for which he was in no way responsible, may be urged in his defence, yet there can be no doubt but that he brought a great deal of his trouble upon himself by a want of discretion and the vindictiveness with which he pursued those who, in the course of their duty, crossed him in his personal desires. Too often there was good reason to question the purity of his motives and to feel that some personal consideration actuated his public measures, as, for instance, in the cases of his proceedings against Sir Rufane Donkin, Colonel Bird, the Colonial Secretary, the suppression of Mr. Greig's paper and his pretended alarm at a Kaffir outbreak in order to create a situation for his son.

It is scarcely surprising therefore that he was suspected of corruption in certain transactions in which obliquity, if not actual dishonesty, is not altogether a foreign element, namely, horse-dealing. It must be said at the outset, however, that in this he undoubtedly suffered injustice and that he really had the welfare of the country at heart. He probably suffered more anxiety and pain in connection with affairs arising out of

¹ "It was to all intents a Government organ, and was eulogistic of Lord Charles Somerset personally. It continued in existence until the close of 1826." —Theal, vol. 1795-1825, p. 359.

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this suspicion than he did in all the other matters put together. Among the schemes for the development of the natural resources of the country which Lord Charles Somerset contemplated shortly after his arrival as Governor in 1814 was that of the improvement of the breed of horses. This was to be brought about by the importation of valuable blood animals from England. As this was attended with great risk¹ and as considerable capital was required, he himself decided, in the first place at all events, to be the importer and to recoup himself by either selling the horses outright or by receiving the fees for their services as stallions. Unfortunately these transactions, through no fault of the Governor, became entangled with applications for grants of land, and there is evidence to show that individuals considered that negotiations for the purchase of one of the Governor's horses might not be without its influence in gaining favourable consideration for their petitions. Thus in combining his high official position with the business of the horse-dealer, Lord Charles Somerset opened the way to much misunderstanding and difficulty as well as compromising himself, or as Earl Bathurst put it, "few Gentlemen, who engage largely in the purchase and sale of Horses escape in the end without some reproach. If individuals in private life are liable to such censure, to what must a Governor of a Colony be exposed where few approach him who are not considered as having something to hope or something to fear from his favour or displeasure?"

Although the bare fact that the Governor dealt in horses was common knowledge throughout the country, and probably many thought they knew more about it than they really did, these affairs did not become the subject of public scrutiny until 1824 when the Commissioners of Inquiry were looking

¹ In 1817 thirty-four horses were sent from England to the Cape for Lord Charles Somerset. Eleven died at sea and two just after landing. He sold nineteen at different times at prices ranging from Rds. 1,400 to Rds. 10,000, reaching a total of Rds. 107,350 (£8,051 15s.). The average cost of each horse, including passage, wages of grooms, etc., was £350, or £11,900 for the lot. His loss on this transaction therefore was £3,848 15s. He does not seem to have imported any horses during his second residence at the Cape.

A Mr. William Hollett, master of the ship *Duke of Marlborough*, took eight horses from England in 1817, in the hope of selling them at the Cape. Seven of them died at sea. The total cost was £1,345. He sold the survivor to Mr. Dirk Cloete of Stellenbosch for £100. Total loss £1,245.

into every detail of Colonial administration. It was brought before their notice in a perfectly innocent manner and obviously without any intention of inculpating the Governor. There was at that time an officer called the "Inspector of Lands and Woods" whose duties were practically those of a surveyor-general. All matters connected with applications for and transfers of land had to be examined by him before they went to the Governor for his final decision. The occupant of the office was a Mr. Charles D'Escury, a native of Holland, who went to England with the Prince of Orange in 1795 and came to the Colony in 1814, when he was appointed to deal with the great amount of work connected with the changes of loan place tenure to that of perpetual quit rent. He was a most upright and conscientious man, fearless of consequences in the execution of his duty. As the details of his department, as well as those of all others, were to be examined by the Commissioners, he prepared lengthy reports, and believing that the Commissioners were going first to Mauritius, he sent them direct to Downing Street. There were two paragraphs in them which Earl Bathurst considered as conveying so serious a charge against Lord Charles Somerset, that he sent them to the Commissioners with instructions to make the fullest investigations. The paragraphs were: "Now it is a fact that the only stock that has been imported for a very considerable time, are Horses, and of these His Excellency is believed to be the only Importer. They are sold by His Excellency to different individuals at very high prices, and in particular also to these Government Farms, a circumstance in a general point of view much to be regretted since it affords matter for observations, which detract from that respect which every well-meaning subject wishes to see felt for, and expressed towards the Governor of the Colony as His Majesty's Representative.

"As illustration of this (*vis.*, the association of grants of land with the purchase of horses) two instances much in point present themselves which though only considered as accidental coincidences are still striking and much to be lamented; the two most important cases adduced in support of the suggestion to establish a check upon the grants of Public Land are those of the Hantam (the Widow Louw and Redlinghuis, her second husband) and that of the Bonteberg (Mr. Proctor); the former,

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some short time previous to the grant, bought of His Excellency a Horse for which was paid the enormous sum of Rds. 10,000 (£750), the latter has both before and after the transaction respecting the Bonteberg made different purchases of His Excellency, it is said to a considerable amount, which circumstances have naturally given rise to remarks of the description alluded to."

Earl Bathurst considered that in these statements Mr. D'Escury had brought an unreserved charge of corruption in the granting of lands against the Governor. He was called, therefore, before the Commissioners of Inquiry to substantiate this and something more than a veiled threat of the consequences which would ensue if he failed was held in prospect. Mr. D'Escury disavowed any such intention as was imputed to him and protested against the interpretation which Earl Bathurst had thought proper to put upon his words. He maintained that it was incumbent upon him in making his reports as complete as possible, to refer to these horse-dealings, mention of which was in everybody's mouth and which sooner or later would come before the notice of the Colonial Office. He pointed out the danger of referring to Lord Charles Somerset in any report or investigation if such procedure as this was to be pursued. It may perhaps be stated here that although Lord Charles Somerset was entirely innocent of any abuse of his power in the disposal of his horses, Mr. D'Escury was quite justified in the observations he made in his reports, and this, though grudgingly, was afterwards admitted by Earl Bathurst.

At the time when Mr. D'Escury wrote his reports, the relations between himself and the Governor were not very cordial. Each had given offence to the other. The former, in the first place, had run counter to the Governor in siding with Sir Rufane Donkin in a controversy over several grants of land which Lord Charles Somerset endeavoured to show had been improperly made by the Acting-Governor in the years 1820 and 1821. Secondly, on the ground of incompetence, he refused to receive into his office as assistant a Frenchman named Mercier, who could speak neither English nor Dutch. He had been a valet to the Governor and seems on that account to have been recommended by him for the post.

His services as assistant astronomer having also been refused, Mercier found employment in the slave registry office. And thirdly, Mr. D'Escury had recommended the breaking up of the Groot Post Farm¹—a Government farm situated about fifty miles from Cape Town. The Governor, on his part, refused to fulfil a promise of a judgeship² which he had made

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¹ NOTE ON THE GROOT POST FARM.—This was a farm established by de Mist under the Batavian Government in 1804. Its object was to introduce and encourage better methods of agriculture and improvement in the breed of cattle. Its management was entrusted to an Agricultural Board, but it was not a success and by 1814 it was in considerable debt. Lord Charles Somerset, about the time he established the Somerset Farm, advanced to it a large sum of money from the Orphan Chamber, hoping to further the original plan, but he seems to have done away with the Board and to have entrusted its entire management to an overseer. He himself used it as a shooting place and entertained his visitors there, though there is no reason to believe that he did so at the public expense. In extent it was 25,308 acres. Mr. D'Escury recommended its abolition on the ground of economy. He maintained that as a public establishment, it was to the public a losing concern, and that a large tract of land which might with advantage be cut up into smaller farms and granted to individuals was wastefully occupied through mismanagement. Moreover, although the accounts were nominally audited, there was nothing to show how money was spent or what the receipts really were, there was, in short, no check upon the financial actions of the overseer. The Governor sold horses to the farm—that is, he was seller on his own account and at the same time buyer on behalf of the Government. There was much talk about the sale of a blood horse, *Vanguard*, and two bulls to the Somerset Farm by Groot Post in order to make room for another horse at the latter. For the final breaking up of this establishment and sale of all the animals, etc., see *Records*, vol. xxxiii., p. 473.

² NOTE ON THE APPOINTMENT OF JUDGES.—It may at first seem strange that a judgeship should have been the reward for meritorious services as a *land surveyor* and examiner of diagrams. On further study of the procedure in these matters before 1828, however, it will appear that judges or "Commissioners of the Worshipful Court of Justice" as they were called, did not receive their appointments necessarily on account of their knowledge of law and legal procedure, though that may have been a recommendation. These judicial appointments, which, by the way, were entirely in the hands of the Governor, were, in many instances at all events, given more as an increase, and in some cases as recompense for loss of salary than with a view to furthering law and order. In the case of Mr. D'Escury, for instance, when he first received his appointment as Inspector of Lands and Woods in 1814, the rix-dollar was worth three shillings, but as its value was gradually diminishing, until in 1824 it was worth only a little over one and sixpence, his salary was almost halved, though the amount of his work had altered in the inverse ratio, and as his zeal in the performance of his duties had been exemplary, a judgeship was considered no more than his due. He did not get it, however, for the reasons already given. As a recognition of merit and for services rendered, a judgeship was given to Mr. H. C. D. Maynier in 1799 when he "conciliated" the Hottentots. As illustration of the training necessary in order to become a judge, the following cases may be cited:—

Mr. Brand had been Government Resident at Simon's Town, then *Wharf-*

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to Mr. D'Escury in consideration of the meritorious manner in which he had coped with the increasing labours of his office while his salary had been diminished in consequence of depreciation of the rix-dollar. It was argued by the Commissioners,

master at Cape Town and immediately preceding his promotion to the Bench, Receiver of Land Revenue.

Mr. Ralph Rogerson had for seventeen years exercised a high and noble mind in the issue of commissariat stores. It was he who had the sole charge of the arrangements for the supply of provisions to the settlers on their arrival in 1820. He became a judge in 1823 and then seems to have relinquished the Bench for the office of Collector of Taxes in Cape Town.

Mr. Truter (not Sir John) "was not originally a member of the legal profession" (*Records*, vol. xxvii., p. 333). He had been Collector of Customs at Simon's Town, then having acted for the Collector of Cape Town, was made a Member of the Court of Justice.

Mr. Borchers selected on account of his general acquaintance with the business of the police.

There were some, however, who, presumably, were proper lawyers, such as Sir John Truter, the Chief Justice, Messrs. Hiddingh, D. Denysen, the Fiscal, and others, all of whom are Doctors of Laws. The judgeships might be, and often were, held in conjunction with other offices, e.g. the Colonial Auditor and Receiver-General of Land Revenue nearly always had seats in the Court of Justice.

Two unfortunate instances of the frailty of human nature, to which even judges at that date were not exempt, manifested themselves at this time in the Worshipful Court of Justice. Mr. —, Receiver-General of Land Revenue and Member of the Court of Justice, embezzled the public money to the extent of Rds. 44,000. He was tried by his brother judges and sentenced (November 20th, 1823) to be banished from the Colony for seven years. Except a short period of imprisonment this sentence was not carried into effect. The sentence was signed by, among others, Mr. —, the old landdrost of —, over whom the sword of Damocles was then hanging. The too prying eyes of the Commissioners discovered that when Mr. — was Deputy Receiver of the Loan Bank in 1814, he had failed to account for the whole of the profits for 1813, amounting to about £182. As soon as he found that the defalcation was discovered, he precluded the possibility of any action against himself by committing suicide (April, 1823).

Colonel Bird in his answers to the Commissioners of Inquiry on the general financial affairs of the Colony, states, April 21st, 1825: "It is a singular coincidence that the defaulter in the first instance here quoted should have been the Commissioner of the Court of Justice for the trial of the defaulter in the other instance. What must his feelings have been when sitting on the Judgment seat? What must have been the feelings of others similarly circumstanced? It is no less a singular coincidence that I have at this moment on my table a paper in the handwriting of the unfortunate Mr. — sent to England by him after the capture of the Colony disclosing the names of all those who were concerned in the robbery of the Treasury on the night of January 6th, 1806, and stating the precise share of plunder which each individual obtained on that occasion, and that among the names of the Receivers should be those of the Chief Judge and Prosecutor in the case of the aforesaid delinquent."—*Records of Cape Colony*, vol. xxi., p. 159.

therefore, that Mr. D'Escury was actuated by revenge in making his statements to the Colonial Office.

The investigation to which the two paragraphs gave rise lasted over three months, from June 2nd until September 15th. The long report is dated October 12th, 1824.¹ Like all the other work of these Commissioners, Mr. J. T. Bigge and Major Colebrooke, it is characterised by the utmost care and the most patient labour in eliciting every fact from every available witness.

Mr. D'Escury's statement relative to a Boer named Redlinghuys obtaining a large grant of land and purchasing a horse from the Governor at an enormous price, being of a specific and definite nature, the investigation was confined practically to this case. In short it was this. In the present district of Calvinia, but then known as the Hantam, there is a mountain, or rather a high range of hills extending for about twenty miles, called the Hantamberg. For very many years horse-breeding had been the chief pursuit of the inhabitants of the adjacent country, and when horse-sickness raged in the plains below, the lands on the top of this mountain were a safe refuge for healthy animals.

In 1781, under the old Dutch Government, one Van Reenan had had granted to him, under loan place tenure three farms in the Hantam district, one of which, the Gemerkte Carreehout Boom, carried with it the exclusive right to the pasturage on the top of the Hantamberg. This vast extent of land was sold by Van Reenan to a Boer named Louw. In 1817 Louw died intestate, leaving a wife and several children. Very shortly after this sad event, in fact only a few weeks, the hand and heart of the widow were sought by one Redlinghuys, whose attentions seem to have speedily soothed the pain and healed the wound caused by the demise of Louw. About this time, probably in consequence of the intrusion upon her lands by an inhabitant named Dirk Ockhuisen, widow Louw determined to convert her loan places into perpetual quit rent. This business, together with that connected with the distribution of the estate by the Orphan Chamber, took her to Cape Town. Ockhuisen, who desired to have a portion of these lands in perpetual quit rent, also went thither.

¹ *Vide Records*, vol. xviii., p. 442.

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It was shortly before this that Lord Charles Somerset's large consignment of horses had arrived. One of these animals, called *Sorcerer*, was said to have been the most beautiful and valuable horse which up to that time had been seen in the Colony. Its reputation, having extended far and wide, had reached the Hantam. As a kind of agent in the disposal of his horses Lord Charles employed a man named Poggenpoel, a clerk in the Orphan Chamber. He was an uneducated fellow who combined great volubility with an adroitness in negotiation which commanded considerable success in horse-dealing. His zeal, whether in his own or his master's interest, induced him to make such representations to possible purchasers of horses as led them to expect consideration in their petitions for grants of lands which would not have been obtained disconnected with that business. He lost no opportunity therefore in bringing the merits of *Sorcerer* before Ockhuisen, the widow Louw and Redlinghuys, all of whom visited the animal in the stables at Newlands. The price asked was Rds. 10,000 (£750). Ockhuisen, intimating that he could have but little use for so valuable a horse unless he had a grant of land, made some indefinite promise of either purchasing *Sorcerer* outright or of procuring forty mares in the Hantam district to be covered by him at Rds. 100 each. But nothing came of this in spite of two assuring but unauthorised letters which Poggenpoel wrote to him in the Governor's name.¹ *Sorcerer* then, in charge of Poggenpoel and a groom, was taken to the Hantam, but mares were not forthcoming. As, in consequence of bad feeding and stabling, the horse had got out of condition, and further as its feet had already suffered in the long journey over the rough country, it was feared that in returning, the 390 miles would entirely ruin it. It was therefore necessary to dispose of it where it was. Poggenpoel, who had in the meantime returned to Cape Town, made a second journey to the Hantam, but this time he was accompanied by Redlinghuys, who had not yet received from the coy widow a final answer to his protestations of love. On the journey, Poggenpoel undertook to expedite this matter by using his influence with the lady on Redlinghuys' behalf provided that when he had married her he would, in the ardour

¹ For these *vide Records*, vol. xxix., pp. 183-85.

of his affection, persuade her to buy *Sorcerer*. In November, 1818, this beautiful arrangement was effected and was a source of happiness to all parties. Redlinghuys won the widow, while almost simultaneously she with two of her relatives became possessors of a valuable stallion, and in that selfsame month presented a petition to the Governor for title deeds to the lands and exclusive right to the pasturage on the Hantam mountain. The first part of the petition was granted on December, 24th, 1819, after the usual procedure and formalities had been observed. The second never was granted, for in December, 1823, His Excellency decided to appropriate the whole mountain as commonage for all the inhabitants of the district. So that as far as the Governor was immediately concerned there was nothing in the disposal of *Sorcerer* which merited censure. In the case of Ockhuisen, he obtained the land he prayed for but did *not* buy a horse. But all the same, it was clear that transactions involving the personal interests of the Governor were brought in contact with considerations in which the public interests were involved. It was much to be regretted that he had been so indiscreet as to entrust to such a man as Mr. Poggenpoel transactions which required the greatest delicacy of treatment and in which the integrity of his public character could be brought into question. Earl Bathurst after having considered the report of the Commissioners, wrote to Lord Charles on May 20th, 1825: "I cannot but regret that your desire to improve the breed of horses at the Cape ever led you to embark in their importation and sale on your own account . . . there is an unfortunate coincidence that the parties concerned in the treaty for the horse were in both instances at the same time applying for grants of land, and it is to be lamented that under such circumstances you did not impose upon yourself a circumspection which would have set malevolence at defiance".

One would have thought that if Earl Bathurst deemed Lord Charles Somerset's conduct deserving of this reproof, Mr. D'Escury would have been commended for his courage in showing, as Earl Bathurst practically acknowledged to be the case, that there was need for greater check in the granting of Government lands and that the general gossip on His Excellency's horse transactions was derogatory to his high position.

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Far from receiving any such satisfaction, however, this outspokenness resulted eventually in his ruin. Commenting on the report of the Commissioners, Earl Bathurst told Mr. D'Escury (May 30th, 1825) that no evidence had been found to substantiate the "charge," but that there were, undoubtedly, circumstances in the transaction which taken separately and left unexplained might have created suspicion. He was willing to believe that Mr. D'Escury had been misled in the information which he had received from those who were ill-disposed to the Governor and that "as your official conduct and general deportment is represented by the Commissioners to be meritorious," he was disposed to take no further notice of this matter. Mr. D'Escury's mind was therefore at ease, more especially as the case had been brought up in the House of Commons and the Under Colonial Secretary had stated that the Government were fully satisfied upon it and intended doing nothing further. In October, 1825, Lord Charles Somerset, evidently determined to revenge himself on Mr. D'Escury, reported to Earl Bathurst another charge which he alleged had been brought against him. It was a statement in Mr. D'Escury's memorandum of June 21st, 1824, which had already been before the Commissioners and which presumably Earl Bathurst had seen before he so grudgingly acquitted Mr. D'Escury. It had reference to the sale of a horse called *Kutusoff* to one Durr for Rds. 10,000, but unlike *Sorcerer*, which the purchasers received alive, *Kutusoff* seems to have died on the journey and though the money had been paid none of it was returned. The details of this transaction are by no means clear. In any case it was made to appear as if the statement was something additional to what had been said and not a part of the investigation which had been closed. Earl Bathurst was pleased to regard it as a "second charge" on the part of Mr. D'Escury and in consequence sent instructions (March 25th, 1827) to Major-General Bourke, who had succeeded Lord Charles Somerset, that he was to be suspended from his office for three months. This was done. Before the time for his reinstatement arrived, further instructions were received to the effect that he was to be entirely dismissed on the grounds that he was suspected of having supplied Mr. Bishop Burnett with copies of official papers with which that

gentleman was making considerable stir in England. This charge may have arisen from the fact that, excepting the proper officials, no one but Mr. D'Escury had had unlimited access to the documents in the Colonial Office, though, of course, this constituted no proof that he had abused his trust. He himself most emphatically denied ever having had anything to do with Mr. Burnett. "Mr. Burnett is no acquaintance of mine," he said, "I beg most unequivocally to declare upon my word of honour that I can form no idea how Mr. Burnett has obtained the information he has published."¹ Towards the end of 1827, Mr. D'Escury sailed for England but died at sea. Three weeks later the ship was wrecked off the coast of Kent but his wife and children were saved. They were reduced to great destitution and after a time were relieved by a small pension from the humane British Government.

The fate of Mr. D'Escury might by itself have been sufficient to show that, under the administration of Lord Charles Somerset, honesty was not ultimately the best policy. There is, however, another case yet more aggravated, where a whole-hearted devotion to duty of many years were rewarded with ignominious dismissal, namely, the case of Colonel C. Bird, the Colonial Secretary. This faithful and truly honourable servant had been in the public service thirty-one years, sixteen of which had been spent in this Colony. During that time he had inaugurated better methods of conducting the public business, his own rectitude and industry had been examples to the younger men in the lower stages of the service, and his whole conduct had earned the highest approbation and friendship of Earl Caledon, Lord Howden (Sir J. F. Cradock), Sir R. Donkin and, until he went to England, Lord Charles Somerset. And perhaps it is no unworthy testimony to his character to say that his long and honourable career was abruptly terminated

¹ Mr. Bishop Burnett in his answer to the Report of the Commissioners on his case, says, "I have now before me a detailed history of the cause in appeal, Durr against van Reenan, which embraces the fate of the celebrated horse *Kwtusoff*. I have an elaborate memoir of Mr. —'s case, with an authenticated copy of his fatal letter to Lord Charles Somerset. I have ALL the papers connected with the fate of the unfortunate Edwards and the illicit traffic in prize slaves, and above all, I am in possession of a complete development of every particular attending the robbery of the public treasury at the last capture of the Cape." It never transpired how Mr. Burnett became possessed of all the papers he had. It seems pretty clear, however, that Mr. D'Escury was in no way instrumental.

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The animosity with which, for the reasons already given, Lord Charles Somerset came to regard Sir Rufane Donkin involved all who were in any way countenanced by or who were friendly with the Acting-Governor. Apart from Colonel Bird's sincere esteem for Sir Rufane, his situation compelled him to act cordially with him in carrying into effect the complex measures of that time. His actions were undoubtedly misrepresented, and perhaps wilfully, by those who had private communication with the Governor during his absence. At first the sentiments expressed in the Governor's letters to Colonel Bird, were friendly, but a sudden change took place as was evident from the following passage in a letter dated December 31st, 1820: "I fear that the happy cordiality which existed between us during six years of public service, so satisfactory to ourselves and so beneficial to the Colony, does not now exist". Hence through no fault of his own he lost the confidence of the Governor and thus rendered dangerous any charge, however trivial, which could be brought against him. Quite apart from all this, in the early stages at all events, an evil influence, which was being exercised by one of the 1820 settlers, was in operation against him and contributed more than anything else to his fall.

Reference has been made in a former chapter to a Mr. William Parker, the head of the large Irish party of settlers which landed at Saldanha Bay in 1820. This worthless man seems to have lost his head in consequence of some casual notice which, for political purposes, had been taken of him by certain titled people in England and Ireland. Finding, when he arrived in the Colony, that his alleged recommendations from the King—no intimation of which had been received through official channels at the Colonial Office—did not procure for him the privileges and distinction he considered his due, he commenced his campaign of falsehood and malignity against Colonel Bird as the author of his disappointment. Having quarrelled with most of the respectable people with whom he sailed from Cork and having culpably abandoned the whole

party shortly after landing, he turned his attention to the visionary scheme of founding a "City of New Cork" at Saldanha Bay. But as his ideas were utterly at variance with all experience and sober calculation, he wasted his substance upon the impossible and then, looking for the cause of his failure anywhere but in himself, blamed the Colonial Government and especially Colonel Bird. Presuming that his affairs would be matters of national importance in England, he began to deluge Downing Street and his aristocratic acquaintances with letters purporting to describe a state of things in the Colony which, if not the product of an imagination distorted by bigotry, he must have known to be false. To this occupation he seems to have devoted all his time, for he soon had to abandon "New Cork". Towards the end of 1820 he made what he considered to be a most alarming discovery, one in which he foresaw terrible consequences threatening Church, State and all established order, namely the horrible fact that *Colonel Bird was a Roman Catholic*. "Your Lordship will be struck with amazement," he wrote to Earl Bathurst, December 16th, 1820, "on learning that the Government of the Cape of Good Hope is at present administered by an individual professing the Roman Catholic Religion, or at all events notoriously hostile to the interests of the Church of England." Almost every week as he saw "Popish Plots" develop and discovered instances of the secret influence of the "Jesuit Secretary," he sent long documents, open for the perusal of Earl Bathurst, to Downing Street for transmission to some such person as "my noble friend Lord Ennismore," "the truly pious and sound constitutional nobleman, Lord Kenyon," to Mr. Wilberforce "as a person warmly attached to the British Constitution and the Glorious Principle of the Revolution, dear to the heart of every Loyal British Subject," to Sir Nicolas Colthurst, the member for Cork, "that stalwart bulwark of Protestantism and Defender of the British Rights and Liberties for which our forefathers bled"—also to the Bishop of London, Archbishop of Canterbury and others. He took the liberty in the exercise of his privileges as a British subject to address their Lordships as an "unbending Protestant well versed in the wiles of Popery". It was most fortunate, he considered, than an overruling Providence had placed him in "this territory of

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human darkness where the British flag flew only to remind them of the departed glory of their ancestors," and "the lost privileges of British subjects". He was prepared to fight in the cause of suffering humanity, but, from his dishonourable conduct to those who had accompanied him to Clanwilliam, it would appear that that portion of humanity was excepted from this comprehensive benevolence and might continue to suffer. He represented the Dutch inhabitants of the Colony, the descendants of the Huguenots, as aghast at a condition of things which could permit a Roman Catholic to be at the head of the Government. The actual truth was that no one knew or cared anything about the Colonial Secretary's religion, and had it been thought worth while to announce publicly that Colonel Bird was a Roman Catholic, the statement would probably have created no more curiosity and sensation than the declaration that John Smith was a Quaker. There was absolutely nothing in any of his public actions which could merit the opprobrium which Parker endeavoured to cast upon him. It is true that Colonel Bird had been instrumental in getting a Government salary for a Roman Catholic Priest in Cape Town, but so had the Calvinistic de Mist under the Batavian Government. Colonel Bird, on the other hand, had taken a prominent part in, and had himself subscribed to, a Protestant Church for the Cape inhabitants. In every detail of his duties under the Colonial Government, his conduct had been open, straightforward and with one object in view, the welfare of the country; of all of which there was abundant evidence in the minute investigation to which Parker's charges gave rise.

Although Earl Bathurst took no notice of Parker's communications directly except in so far as he once expressed his displeasure to that individual that the letters should be sent through his office, he, nevertheless, was compelled to move in the matter. Mr. Goulburn, the Under-Colonial Secretary, in a letter, dated August 18th, 1821, to Lord Charles Somerset, then in England, said: "It has of late been intimated to Earl Bathurst from various quarters, and some of high respectability, that the present Colonial Secretary at the Cape, Colonel Bird, professes the Roman Catholic religion, and instances have been brought forward in which he is stated to have permitted his belief in that Faith to influence his conduct with

respect to the Interests of the Protestant Church in the Colony. . . . It would be extremely satisfactory to many persons in this country if the impression of his being a Roman Catholic were removed, and Earl Bathurst knows of no mode by which this could be better attained than by some act of conformity on his part to the Protestant Church." CHAP.
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In elucidation of this attitude by Earl Bathurst, and the importance which was attached to the nefarious statements of Parker, it should perhaps be mentioned that the question of "Catholic Emancipation"—the relief of Roman Catholics from the political disabilities under which they were suffering—was then, and had been since Pitt originated it in 1801, the subject of great agitation and bitter controversy. The violent and powerful prejudice with which the English Tories regarded Romanism disposed them to give heed to any such fanatical outcry and senseless raving as that by means of which Mr. William Parker had wormed himself into public notice. Hence perhaps in self-defence and preservation of office Earl Bathurst felt it necessary to act towards Colonel Bird as he did.

Roman Catholicism had always been well represented at the Cape by the soldiers of the garrison. It was estimated that usually a third of the whole number professed that faith. And as there was also a fair number among the civilian population, it will be seen that the communion had as much right to Government countenance and support as any other. The wise and tolerant de Mist saw this, and, breaking through the rigid rule of the Calvinistic creed and procedure which prevailed under the Dutch East India Company, he sanctioned a Government salary to each of two Roman Catholic chaplains in 1804. On October 5th, 1805, the Revs. Johannes Land-sinck and Jacobus Nelessen arrived from Holland, but when the whole Dutch garrison had to evacuate the Cape at the British capture in 1806, they returned and no others were appointed in their places. In 1818 the Catholics arranged among themselves to get a priest to come to minister to them and the Rev. P. Hurst Scully, then on his way to Mauritius, was prevailed upon to remain and take charge of the shepherdless flock. In 1820, in consequence of the influx of Roman Catholics with the Irish parties and the dispersion

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of the Clanwilliam people so increasing the numbers at the Cape, Sir Rufane Donkin took it upon himself to place Mr. Scully upon the same footing as those clergymen, such as the Wesleyan Mr. Shaw, and the Anglican Mr. Boardman, who were allowed Rds. 1,000 per annum from the Public Treasury. And further, as a pleasant contrast to the "Protestant" rancour and malevolence of England and Ireland, the Burgher Senate of Cape Town freely granted them a piece of land on which to build their church and clergyman's residence, and my Lords Ennismore and Kenyon—horrible to relate! the Protestant inhabitants, including the Anglican chaplain and dissenting ministers, actually subscribed to the funds for the building purposes. Well might Mr. Parker shudder—professionally.

When Lord Charles Somerset returned to the Colony in 1821 with his dislike for Sir Rufane Donkin greatly increased and his sentiments towards Colonel Bird totally changed, it was not long before he was visited by Mr. Parker, who was received at Government House "with the politeness due to a loyal British subject". The ill reports concerning the two officials which were made to him could not have been anything but gratifying and probably accounted for the consideration with which he shortly afterwards honoured Mr. Parker. The Acting-Governor was represented as one whose mind was impaired by ill-health and who, therefore, became an easy dupe of the "Jesuit Secretary". The appointment of Major Jones to Albany and Captain Trappes to Bathurst, both of whom were Catholics, were given as instances of this. But Lord Charles himself did not escape, for in describing the baneful influence of Colonel Bird to a "noble and truly Constitutional Protestant," Mr. Parker animadverted on the appointment of Captain Trappes to the drostdy of Tulbagh and mentioned further that the Romish priest, Mr. Scully, had been made librarian of the public library and that a crucifix was placed upon the reading-table—but through his (Parker's) influence Mr. Scully had been dismissed, "thus has my zeal produced good effect," he said. Both these statements were absolutely false as there had never been even an intention of placing Mr. Scully in that position.

Although he received no answer to any of his communica-

tions to the Colonial Office, he probably knew that some notice was being taken of them in other quarters—and so he continued to write. After having informed Earl Bathurst that he had nearly become “a martyr to Popish iniquity” and that that noble Lord could not but approve of his manly conduct, he stated that for some months he had been induced to consider himself as destined by the Almighty to uphold the Glorious Reformation and the Liberties for which his forefathers bled, and he therefore asked that Colonel Bird should be dismissed and that he himself should be appointed Colonial Secretary. But continued silence being the only result of all this he was at length constrained to express his surprise at the neglect of the Colonial Department in dealing with matters of such importance, and expressed his intention of bringing this gross negligence before Parliament in an effectual manner on his return to London.

Lord Charles Somerset soon became anxious to get rid of Mr. Parker and as early as May, 1822, negotiations for his return to England commenced. Parker's obligation to purchase certain landed property and Government buildings at Saldanha Bay which had been knocked down to him at public auction was cancelled, and in view of his losses the Governor sanctioned a loan of Rds. 3,000 (£225) from the Bank and a grant of £250 from the Military Chest. These transactions afterwards became the subject of much adverse comment and, as usual, had to be investigated by the indefatigable Commissioners of Inquiry. This compensation to Mr. Parker was a very bad precedent as there were so many heads of parties in Albany who had lost more and who, unlike Mr. Parker, had honestly endeavoured to carry into effect the objects for which the British Government had assisted them to this Colony.

On October 3rd, 1822, Mr. Parker left Cape Town for London, carrying with him an introduction from the Governor to Earl Bathurst. But Lord Charles wrote privately warning Earl Bathurst against the importunities and troubles with which Mr. Parker was likely to inflict him. On his arrival in London he presented himself at Downing Street with “valuable information” and “an account of infamy at the Cape which would astonish His Majesty's Ministers”. Earl Bathurst, however, wisely refused to see him.

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In England Mr. Parker's pen was as busy as ever. Besides his letters he wrote two petitions to Parliament and a pamphlet entitled the "Jesuits unmasked". As there were unfortunate events happening at the Cape which were in no way connected with Roman Catholicism, such as the — and — affairs, these he bent to his purpose and thus commanded greater public attention. His petitions in the shape of charges against the Colonial Government and Colonel Bird came before Parliament and were then transmitted to the Commissioners of Inquiry. The result of a most minute examination was that, on the whole, the charges were either entirely false or gross exaggerations. The two points on which Parker had any semblance of a case were, firstly, the mistake which had been made in sending his party to the arid country of Clanwilliam, and secondly, that Colonel Bird had not qualified himself for his office by taking the proper oaths.¹

In spite of all the opposition and the disinterested exertions of Mr. William Parker, the Duke of Wellington's Catholic Bill was passed by Parliament in April, 1829, and then that individual sank back into the obscurity from which he had temporarily emerged.

The period from the Governor's return in 1821 to the dismissal of Colonel Bird in March, 1824, was, as has been indicated, the most stormy part of Lord Charles Somerset's reign. It was a time when the restraining advice of his Colonial Secretary would have saved him much trouble and anxiety had it been allowed to operate; but the friendship with Sir Rufane Donkin rankled too deeply and Colonel Bird saw, unmistakably, that he was kept at a distance. Apart from this, however, the Colonial Secretary had always differed with the Governor on three important matters which affected the country as a whole. Firstly, on the great and wasteful expenditure on the country residence at Newlands² to the detriment of the harbours, roads and other public works. Secondly, apprehensive of trouble in connection with the large quantity of paper money in circulation and the decreasing value of the

¹ For these reports see *Records*, vol. xxii., pp. 13-100.

² The total amount spent on that place from April 1st, 1814, until December 31st, 1826, was £28,226 6s. 2½d!

rix-dollar,¹ he considered that much of it should be withdrawn. Thirdly, the great annual expenditure on the Cape Corps.² And, subsequent to 1821, he disagreed with the Governor in his actions toward the Albany settlers, but approved of the measures of Sir R. Donkin.

In smaller matters also Lord Charles resented the advice which Colonel Bird felt it his duty to offer, such, for instance, as that against the appointment of Mr. Rivers as landdrost of Albany and also against the employment of Mr. Poggenpoel as a confidential agent. So that after a time Colonel Bird considered it prudent to remain silent in matters of which he disapproved. In his correspondence he mentions an incident which happened at the end of 1822 and which perhaps is worth relating. Towards the close of that year there reached the Governor a rumour to the effect that the Kaffir chiefs were combining for the purpose of attacking the Colony. It is impossible to conjecture whence it originated for no one else seemed to know anything about it. On the strength of this

¹ From 1806 to 1810 the rix-dollar was on the average worth 3s. 6d., from 1811 to 1815, 2s. 6d., from 1816 to 1820, 1s. 10d., and from 1821 to 1825, 1s. 6½d. The kind of trouble Colonel Bird foresaw and which he had endeavoured to avert, overtook the Colony in 1825. On June 6th an "Ordinance of the Governor in Council" announced the determination of His Majesty's Government to make British silver money legal tender in the discharge of all debts due to individuals and to the public at the rate of 1s. 6d. for each rix-dollar. That is, the value of the rix-dollar henceforward was fixed, it was to be 1s. 6d. and could be exchanged for silver coin at that rate. This caused the greatest consternation and dismay throughout the country, for although, at that time, the rix-dollar was *current* for only a farthing more than the rate which had been fixed, yet, as the standard of purchase, and in the valuation of property and in mortgages, it was still reckoned at 4s.; hence it was fully expected it would be eventually redeemed at that rate. The terms of the capitulation in 1806 and the public buildings having been held as security for the paper money in circulation warranted this belief. And now by this Ordinance the Colony was suddenly subjected to a loss of five-eighths of its general wealth. Public meetings (with the Governor's permission) were held in all parts and petitions were sent to the King, one with 2,115 names, asking him to repeal the Ordinance. Nothing came of this, however, and the rix-dollar became 1s. 6d., hence the term "dollar" for that amount to-day.

The total amount of paper money in circulation in June, 1825, was Rds. 3,099,204, equal to £232,240 6s. 8d.

² "I believe great irregularity to have prevailed in the payment of the expenses of that useless and extraordinary burthen to the Colony, the Cape Corps, which ought to be paid on the footing of a British Corps, but in the payment of which many Items have been falsified, and many circumstances which would not have been overlooked by the strict Audit of the War Office."—(Bird's replies to the Commissioners of Inquiry, *Records*, vol. xxi., p. 166.)

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the Governor wrote a despatch to Earl Bathurst informing him of the alarm and asking permission to augment the Cape Corps. Before the despatch was sent, and while it was lying open on his writing table, a letter was received from Colonel Scott, commanding on the frontier, stating that there was absolutely no ground whatever for the rumour and that, having communicated with Mr. Thompson at the Chumie mission station, he had learnt that there was not the least sign of any hostility towards the Colony on the part of the natives. Yet with this information before him, Lord Charles Somerset sent the despatch to Earl Bathurst. The result was an augmentation of the Cape Corps at an additional annual cost to the Colony of nearly £4,000. Colonel Bird did no good by pointing out that this was a premeditated and gross deception. He suspected that the whole thing was a ruse to obtain promotion and a command for Lord Charles' son, then Captain Henry Somerset. At all events that is what happened. Colonel Bird had proof that after Colonel Scott had written the letter above alluded to, the Governor sent him a draft letter which he was asked to copy and sign and which he accordingly did. The purport of it was to negative what he had already said and to support the requisition for increased military aid.¹

At this time Colonel Bird's public career was drawing to a close. Mr. Parker had surmised that he had not taken the proper oaths of office, while Earl Bathurst, from the howl which had been raised against Roman Catholicism, came to think he had taken no oath at all. What had actually happened was this; when Colonel Bird was appointed Deputy Colonial Secretary in 1807, he availed himself of a paragraph in the Royal Warrants to Governors of British Colonies where the Church of England was not the established religion, whereby officials were permitted to take the oath known as the *Canada oath*.² He subscribed to this as well as to the

¹ *Vide* observations by Colonel Bird on Donkin's letter to Earl Bathurst, *Records*, vol. xxxiii., p. 397.

² "And Whereas We may find it convenient for Our Service that certain Offices and Places within the said Settlement should be filled with Our Subjects observing other Evangelick mode of worship than that of the Church of England. It is therefore Our Will and Pleasure that in all cases where such Persons shall or may be admitted into any such Office or Place, the Oath prescribed in and by



COLONEL BIRD

oaths of Allegiance and Office. On becoming full Colonial Secretary in 1818, he merely moved to a higher grade in the same department and as his religion had not roused any curiosity or attention, it was not thought necessary to administer a new oath to him. But on June 20th, 1823, Earl Bathurst wrote to Lord Charles Somerset saying that representations had been made to him alleging that Colonel Bird had not qualified himself for his office by taking the requisite oath and that if, after due inquiry, such was found to be the case that he should be called upon to rectify the omission. Before this despatch arrived the Governor had already moved in the matter, having asked Colonel Bird to take the usual oaths, including that against Transubstantiation. Colonel Bird, however, went before the Chief Justice, renewed his Canada oath, and, conceiving he had complied with all the requirements of the law, refused to do anything further. Earl Bathurst received intimation of this about the beginning of January, 1824. Less than three months afterwards, namely, on March 13th, he wrote to the Governor, "I am commanded by the King to desire that your Lordship will signify to Lieutenant Colonel Bird, Secretary to your Lordship's Government, that His Majesty is pleased to dispense with his services".

Considering the sequence of events which led up to this result, it is difficult to believe otherwise than that Colonel Bird was dismissed because he was a Roman Catholic, yet Earl Bathurst denied that this was the case. Colonel Bird had maintained a friendly correspondence with the Earl of Caledon as well as Sir Rufane Donkin, and from time to time gave his version of reports which were the subject of public comment in England. It may have been this which gave rise to the charge of "caballing against the Governor" which was brought against him. Earl Caledon, solicitous on Colonel Bird's behalf, wrote to Earl Bathurst when he came to hear of his dismissal and was told (May 10th, 1825) that "Colonel Bird was not removed from his situation at the Cape of Good Hope on account of his religious persuasion, nor from any suspicion of his want of integrity or assiduity, but because

an Act of Parliament passed in the Fourteenth Year of Our Reign Instituted 'An Act for making more effective Provision for the Government of the Province of Quebec in North America',"

CHAP. VII. Lord Bathurst was completely convinced that the line of conduct which Colonel Bird adopted with reference to circumstances which had occurred at the Cape had been one which was utterly incompatible with the confidential situation which he held with relation both to the Governor and the Government".

He was treated liberally, however, with respect to his pension. He was offered either £800 per annum for life, or £600 per annum for his own life and £300 for his wife, should he predecease her. He chose the latter and lived in retirement in Belgium until 1861, when he died at the ripe age of ninety-one. Sir Richard Plasket succeeded him as Colonial Secretary (August 31st, 1824).

The presence in England of Sir R. Donkin, of Messrs. Cooke, Greig, B. Burnett, Captain Carnall and others of the 1820 settlers such as Messrs. B. Wilmot, D. P. Francis, J. T. Erith and Major T. C. White, with the accounts which they had to give of the maladministration of the Government at the Cape was speedily effecting the downfall of Lord Charles Somerset. But, apart from these matters, Earl Bathurst had his own reasons for dissatisfaction with him. Time after time he had to complain of want of attention to his despatches, to returns and explanations of expenditure asked for but not supplied and of infringement of the positive instructions of the Lords Commissioners of the Treasury. Earl Bathurst's want of confidence in the Governor was manifest in cases where he asked him to report on certain matters and at the same time instructed the Commissioners of Inquiry to investigate the same subject and make their report. In the presence of these two officials in the Colony could not but be a reflection on the Governor's administration. "The Government of the Cape," and "the conduct of Lord Charles Somerset," were becoming quite regular topics of debate in the House of Commons¹ and perfect blessings to the editors of London newspapers.

¹On March 11th, 1825, when the question of the Extraordinary Expenses of the Army was being discussed in the House, Mr. Hume (Aberdeen) in asking how former grants had been applied, said he "felt the more anxious for explicit information on this head, because there was no British Colony which had so much reason to complain of its governor as the Cape of Good Hope; none in which the settlers had been more oppressively or unjustly treated; and no

The Colonial Office received many knocks from members of Parliament who were ignorant of the real state of matters on which they were so eloquent, but, quite independently of any such stimulus, much thought and anxiety had been devoted to the affairs of the Cape by that Department. No better evidence of this is necessary than the fact that on February 9th, 1825, Earl Bathurst was able to write to Lord Charles Somerset telling him that, instead of the Government of the Cape being any longer under the control of one man, His Majesty the King, with the advice of his Privy Council, had decided on the creation of a Council, to whose assistance and advice the Governor, upon every occasion of novelty, difficulty and importance, must have recourse. Further, none of the Resolutions or Ordinances of "the Governor in Council" were to become operative until they had met with the approval of the authorities in England.¹ The Council consisted of the Chief Justice, the Colonial Secretary, the officer next in command to the Commander of the Forces, Lieutenant-Colonel Bell, W. Bentinck, Esq., Auditor-General, and J. W. Stoll, Esq., the Receiver-General. These officers were sworn in under a royal salute from the guns at the castle on May 4th, 1825, and thus the Council was formed, and on that day held its first sitting. They were afterwards

governor whose arbitrary and highly improper conduct was more to be reprobated than Lord Charles Somerset (hear). If the statements that had been published respecting the course adopted by that individual—(and he had seen a great many such statements)—were true, Lord Charles Somerset ought not to be continued any longer in his government. His conduct seemed to have been not only most arbitrary to the colonists, but most hostile to the liberty of the press . . . in continuing Lord Charles Somerset in such a situation, the Colonial Department had manifested very little regard for the interests of the feelings of the colonists."

Mr. Wilmot Horton, in defence, denied in the strongest manner that the Colonial Department had been deaf to the complaints which had reached it, and begged the House to suspend its judgment until the Report of the Commissioners of Inquiry had been received.

¹ "It cannot be too distinctly understood that the Legislative Power which is confided to your Excellency with the advice of your Council is subordinate to that of His Majesty in Council and of His Majesty acting with the advice and consent of Parliament. . . . Your Excellency will understand that the operation of all Ordinances which may be passed by you in Council is to be suspended until His Majesty's pleasure is communicated to you respecting them, excepting only in cases in which you may be of opinion that the Public Interest would be materially prejudiced by the delay unavoidably attendant on such reference." See *Records*, vol. xx., p. 14.

CHAP. VII. allowed (August 2nd) to assume the title of "Honourable" and to wear a uniform.

Of all those who had returned to England and brought grievances before the House of Commons, none attracted such public attention, occupied the House so long and involved the country in such large expenditure as Mr. Bishop Burnett. His petition was first presented by Mr. Brougham (member for Winchelsea) on June 16th, 1825. After giving an account of affairs as represented by Mr. Burnett, he went on to say that he felt the petitioner must be altogether mistaken, yet, if he (Mr. Brougham) had evidence to prove any of the allegations, he should feel it his duty to impeach Lord Charles.

Mr. Wilmot Horton, the Under Colonial Secretary, said that the case was one of some notoriety. If the charges were true, in God's name, let them be regularly made and proved. There seemed to be a certain degree of conspiracy prevailing against Lord Charles. It was unfair, he continued, not to distinguish, in such complaints, between the acts of the Governor and the defects of the Dutch law. After some further discussion Mr. Brougham replied that Lord Charles ought not to be the sport and victim of charges loosely ventilated in that House—that there ought to be an inquiry by a select committee and that for the present he would content himself with having the petition laid upon the table and printed.

The debate was resumed the following week, on June 22nd, when Mr. Brougham stated that he had never read one line against Lord Charles Somerset except in the petition which he had brought forward and in a case relating to his professional duties at the bar, and that he wished to postpone his motion for taking into consideration Mr. Bishop Burnett's case until the beginning of the next session of Parliament.

Mr. Secretary Canning approved of this as leave of absence had been forwarded to Lord Charles Somerset in order that he might be able to meet, in person, the charges which were brought against him. In that stage the matter was left for nearly a year.

Earl Bathurst, at this time, must have found his position one of great perplexity, for he could not entirely ignore the many complaints which were continually pouring into his

office, while on the other hand he could not be assured of the credence which the various statements deserved. To suspend or recall the Governor would have been an exceedingly unpleasant duty, even if other considerations had not rendered it a course to be pursued with the greatest caution. Yet a change of some kind was necessary. A solution of the difficulty was found in the appointment of a Lieutenant-Governor to the Eastern Province who might, if it were found expedient, be called upon to assume the duties of Governor of the Colony and to offer to Lord Charles Somerset the option of going to England to defend himself against that which, until further proof was forthcoming, might be considered as defamation of his character.

In conveying information of the former to Lord Charles (August 20th, 1825) Earl Bathurst said: "It is eventually intended to divide the civil administration of the Cape, according to the precedent afforded in the case of the division of the Province of Quebec, and to place the Eastern division of the Settlements under a separate and distinct Government with a Council and other Civil Officers as soon as such an Establishment can be organised there". The independent Government thus created was to be carried on by direct communication with Downing Street. Major-General Bourke was gazetted to this position on July 5th, 1825. From the tenor of the communications, however, it is clear that he was being sent out as Governor of the whole Colony and not merely that of the Eastern Province.

In the meantime Lord Charles Somerset seems to have become enthusiastic on the Albany settlement and more solicitous for the welfare of the settlers than he had ever been before. In January, 1825, for the first time he journeyed thither, but his visit was not remarkable for much else than a shoal of laudatory addresses, the sincerity of which, in view of the sentiments which previously prevailed, was not entirely above suspicion. The township of Bathurst which was blighted by his action in 1822 was now, in 1825, encouraged by offering even gratis to any who would undertake to build upon them houses of a prescribed size and of stable material. Twenty-five applications on the strength were received. He named the small village on the east bank at the mouth of the Kowie,

CHAP. Port Frances and, on the return journey to Cape Town, formed
VII. the district of Somerset (East).

It is curious to note how small a part the Dutch inhabitants played in the history of these eventful years. They seem to have been silent if not amazed spectators at the revolutionary actions of a few British who had been only a short time in the country. The conduct of such men as Edwards, Greig, and Burnett in defying the Government, for it must have appeared to them as such, surely caused them to wonder why another "Slagter's Nek" affair was not brought about. They saw no hardships in the operation of the Roman-Dutch law and in all probability were ignorant as to the advantages which were likely to accrue from the replacement of the Pandects by the Statutes of William and Mary. Their lives on their farms or vineyards were simple and happy and could have continued to be so without a newspaper. They loved their traditions, their customs and their language, and if the Government was somewhat despotic, well, they had always been used to that. They had no grievances against Lord Charles Somerset and were undoubtedly perfectly sincere in the addresses they presented to him when they came to hear of the debates in the House of Commons. The inhabitants of the Cape "perceiving that the leading Members of the Cabinet had informed the House that leave of absence to return to England would be placed at Your Excellency's option," they said, "we are impelled by a just indignation excited by the calumnious and unfounded attacks made on Your Excellency by Mr. Bishop Burnett . . . to implore Your Excellency not to quit, even for a short space, a Colony in the guidance of whose affairs Your Excellency has justly endeared yourself to the heart of every well disposed and loyal Colonist". This address was accompanied by a petition to the King in which they besought His Majesty that the machinations of a few wicked and malevolent men might not be allowed to blast entirely the hopes of the Colony by causing for a time the removal of the distinguished nobleman, whose benevolent measures and the purity of whose public and private character have done so much for the country. The document was signed by sixty-two persons. A similar petition was sent from Stellenbosch with 123 signatures. And

shortly afterwards others followed from "J. de Klerk and 110 Frontier farmers," also from Graaff Reinet, Cradock, Uitenhage, Port Elizabeth and Grahamstown. These reached England early in 1826. Against them must be placed a petition which was presented to the House of Commons on June 8th, 1827, signed by 1,600 "of the most respectable inhabitants of the Cape of Good Hope complaining of the maladministration of the affairs of the Colony for some years past".

Although it was announced in Parliament as early as June, 1825, that leave of absence had been granted to Lord Charles Somerset, months passed by without the arrival of that noble Lord in England. He did not sail from the Colony until March 5th, 1826, hence he did not reach England until just a year after circumstances called for his return. This delay had a very bad effect upon the public mind, it produced the impression that the Government was anxious to stifle inquiry and to shield Lord Charles from punishment. The *London Times* of October 26th, 1825, in commenting on these affairs, said: "We are bound, indeed, to confess that it is impossible to credit the surmises which are circulated upon this part of the subject. People affect to say, that as Lord Charles Somerset must not leave the Colony until the Lieutenant-Governor shall have arrived there, his Lordship's return to England had been delayed by the connivance, or even contrivance, of Ministers, that it may not take place until such a period of the Session as would render it impossible to carry into immediate effect a Parliamentary Inquiry into the conduct of the noble Lord, who might thus have the interval of another year to blunt the edge of public recollection to shelter himself in oblivion, and, finally, to escape from retribution. We repeat, that it is impossible to credit such a tale—the King's Government cannot be so weak—it cannot be so borough-ridden, as to favour such ignoble subterfuges. But if the ministers should capitulate on these terms with the Beaufort, Rutland and Stafford oligarchy, the rest of the English Nobility, we are sure, must feel what is due to the honour of their own caste; and Parliament will not be wanting to the demands of the British Nation for justice."

Major-General Bourke arrived in the Colony on February 8th, 1826.

Among those who were gradually weaving around Lord

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Charles Somerset the web from which it was becoming more and more difficult for him to extricate himself was one who, though working more quietly than Mr. Bishop Burnett, was nevertheless doing as much as any to bring about the Governor's downfall. This was Sir Rufane Donkin. He was drawn into the arena and kept there much against his will, and being compelled to fight in self-defence he found himself banded with Colonel Bird, Mr. D'Escury and others in array against the common enemy. Shortly after he arrived in England in 1822, he received a document from the Colonial Office which had been forwarded from the Cape by the Governor, accusing him of having acted improperly in making 112 grants of land during his administration. Some lands were said to have been given gratis instead of being put up to public auction and, in all, the regulations for granting Government lands had been disregarded. He was asked to account for these derelictions of duty.

In selecting these particular grants from the large number which circumstances had compelled Sir Rufane to make and in remarking upon each, Lord Charles seems to have been actuated by no very worthy motive. His object manifestly was to find some means of damaging Sir Rufane in the high estimation in which, on account of his unselfish and unremitting concern for the Colony, he was held by Earl Bathurst. The formalities and intricacies connected with grants of land being likely to furnish the slips or mistakes which would suit his purpose, Mr. D'Escury was instructed to make a complete list of all which Sir Rufane had made, and, from this, a list of questionable ones was compiled. And instead of adding his remarks as Inspector of Lands, as was usual, Mr. D'Escury was told to make none but to leave a wide column in which the Governor could make *his* remarks. The paper went to England without Mr. D'Escury having seen what had been said. Suspecting something underhand and feeling that it would be considered that the remarks had come from him, he wrote privately to Sir R. Donkin telling him what had happened, and mentioning that he had drawn a triple line on the paper before he handed it to the Governor in order that the part for which he was responsible might be quite distinct from what the Governor wished to add.

The Governor did not gain much by these tactics, in fact, the defence made by Sir Rufane was really the beginning of the numerous outcries against him. In answering Earl Bathurst's queries, Sir Rufane showed that the principle which had guided him in granting lands was, apart from locating settlers on the spots which had been pre-arranged, that of developing the country by inducing people to build and cultivate rather than using the lands merely for grazing purposes. By making some grants gratis in the first place and thus getting a few people to establish themselves, he raised the value of the adjacent lands. This was the case in the foundation of Port Elizabeth, for which place he pleaded, hoping that it would not be allowed to be blighted by the Governor in its infancy as had been the case with Bathurst. He admitted that he had rewarded the public services of deserving individuals by grants of lands, but in doing so he had followed precedent and moreover the low state of the Treasury, in consequence of the large annual expenditure on Newlands, precluded the possibility of any remuneration from that source. Some of the grants to which Lord Charles Somerset took exception were actually made by himself and all the Acting-Governor did was to put his signature to the documents, the usual formalities not having been complied with before he left for England in 1819. The charge of having infringed *all* the regulations by granting lands on "Verbal order without report" looked as if indiscriminate title to land had been given to any chance wayfarer who suddenly took it into his head to ask for a farm. The basis of this charge was that he had dispensed with the formality of asking the landdrost of the district to inspect and report upon each grant. In this he acknowledged he had made a mistake. But as he was upon the spot doing little else than locating settlers and could get for himself all the information for which he should have asked the landdrost, he omitted this detail. Apart from this all else was complied with.

There were two grants, however, which called for special notice. One was a small plot of land in Cape Town near the Custom House which was given to Colonel Bird. Earl Bathurst did not share Sir R. Donkin's view that this would not eventually be wanted for public purposes. This grant

CHAP. VII. was therefore cancelled. The other was a grant which did *not* appear in the Governor's list, but was far more questionable than any which did. This was the alienation of some of the town land of Grahamstown to Captain Henry Somerset on the misrepresentation of that officer as to its position.¹ Captain Somerset in applying for it stated that it was two miles from the town, whereas a part of the boundary was within 500 yards of the site of the intended Church.² The Governor, far from considering this grant questionable, added a further 356 acres to it very shortly after his return to the Colony, namely on January 15th, 1822. Sir Rufane did not fail to emphasise this in his reply to Earl Bathurst. This was the commencement of much correspondence between Sir Rufane and Downing Street, respecting his administration at the Cape. He perceived with great pain that Earl Bathurst's sentiments towards him were changing and that his acts which formerly had met with approval were becoming matters for censure. He expressed his concern for the Albany settlement which he felt was being made to suffer on account of his popularity among the settlers and all this because of the vindictiveness of Lord Charles Somerset. "I am not without my fears," he said, writing to Earl Bathurst on June 17th, 1823, "that the unceasing and active endeavours of the man who has announced himself as my determined enemy have operated unfavourably on your Lordship's mind. I can and will make disclosures which will astonish and shock your Lordship and cover him with utter ruin."

On the receipt of such a statement as this Earl Bathurst considered it was impossible for him to do otherwise than call upon Sir Rufane to communicate the substance of the

¹ "I am going to take the liberty of asking you to stand my friend in a request I have made to Sir R. Donkin, to grant me a small tract of land in freehold in a valley about *two miles* from this place" (Grahamstown). (Letter from Captain Somerset to Colonel Bird, August, 1820.) "This misrepresentation procured Colonel Somerset the land, and yet in the list which Lord Charles Somerset transmitted to the Colonial Office, complaining of Sir Rufane's grants, this particular, and as is shown objectionable grant is unnoticed—is struck out. It is entirely within the limits of the grazing ground attached to the town, it is strictly town land" (Colonel Bird's observations, published in 1827, see *Records*, vol. xxxiii., 391-424). The estate thus granted to Colonel Somerset is the present district of Grahamstown called *Oatlands*. The main gate or entrance was just about where the present Christ Church schoolroom now stands.

² The present St. George's Cathedral.

"charges," the apparent nature and tendency of which rendered investigation imperative. It will be remembered that at this date, namely 1823, the numerous petitions, protests and complaints against the Governor had not commenced to pour into the Colonial Office. The possibility of "disclosures" therefore must have been somewhat startling. In reply, Sir Rufane Donkin denied that he had made any "charges" or that his words could be thus interpreted. He was all the more disinclined to prefer "charges" than as the Commissioners of Inquiry had just gone to the Cape, and any such action would be an ill-timed interference with them in the performance of their duties. Earl Bathurst, however, would not consent to remain voluntarily in ignorance of what was to be conveyed by the term "disclosures" and in no degree relaxed his determination to press Sir Rufane for an answer. At this time Sir Rufane was endeavouring to get into Parliament and intending to make his disclosures there and leave it to the Government to formulate charges. While this correspondence was proceeding, the papers of Mr. D'Escury, which have been referred to, arrived, copies of which must have been sent to Sir Rufane. As these contained the matters which he had in mind, Earl Bathurst relieved him from the ungracious task of coming forward as Lord Charles' accuser. What happened to Mr. D'Escury on account of these papers has already been recorded.

During a period of five years, a desultory correspondence on Cape affairs had been maintained by the Colonial Office with Sir Rufane Donkin, the general tenor of which was a comparison, to his disadvantage, of his measures with those of Lord Charles Somerset. He solicited a personal interview with Earl Bathurst in order to defend his actions but was refused, so considering that a fair hearing had been persistently denied him, he decided at length to appeal to the public by publishing an open letter to Earl Bathurst. "The time has now come," he said, writing to that nobleman on April 2nd, 1827, "at which I am determined to do justice to myself, and to place my conduct in its true point of view, by bringing it forward in direct and palpable comparison and contrast with that of Lord Charles Somerset since I left the Cape; and accordingly I shall, in a very few days, publish a Letter addressed

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to your Lordship on the above subject, and which I shall this day begin to prepare for the press." Accordingly on April 6th a pamphlet of 180 pages appeared. It is written in temperate language and undoubtedly gives a true account of matters in which he was concerned.¹ As much of it was based on information which had been supplied by correspondence with Colonel Bird, who, as he tells us, did not expect that that information would have appeared in public print, he also published a pamphlet entitled "Observations on the Letter addressed by Sir Rufane Donkin to Earl Bathurst on April 6th, 1827". It retraced for the most part the matters dealt with by Sir Rufane and corroborated them.

But these were feeble endeavours in comparison with a pamphlet which had appeared a few months previously from the pen of Mr. Bishop Burnett. The Commissioners of Inquiry had sent home their report upon his case and as he considered, perhaps with some justice, that it manifested a disposition to screen Lord Charles Somerset by touching too lightly on some matters and entirely omitting others, he published his views on the *whole* of the affairs of the Cape together with his private opinions of the Commissioners in the vigorous language so characteristic of him. A member facetiously referred to it in the House as "Bishop Burnett's History of His Own Times". The feature of this document which most surprised everybody and especially those in authority was Burnett's wealth of information on matters which ought not to have been known outside Government departments. He must have had unlimited access to official and confidential papers, but how this had been obtained was a mystery. More than one responsible official was alarmed when Burnett's details appeared in print, all the more so as he boasted of the reserve stores of information he had on all topics. Mr. D'Escury hastened to assure the Secretary of State for the Colonies that he saw with amazement the most pertinent references to circumstances in which he had been concerned, and that he could not possibly conjecture how Burnett had been able to quote,

¹ For a reprint of this pamphlet, *vide Records of Cape Colony*, vol. xxxi., pp. 145-229. And for the long list of queries which Earl Bathurst put to the Governor on account of it, together with the Governor's answers, *vide xxxi.*, pp. 324-33. Also for Colonel Bird's pamphlet, see *Records*, vol. xxxiii., pp. 391-424.

verbatim, whole passages contained in his papers. Sir Rufane Donkin wrote to say that he also had no idea whence Burnett had obtained his information and that he was quite sure it was not from him. The truth of the matter probably was that there had been a leak from the Office of the Commissioners of Inquiry in Cape Town. They naturally always had a large number of papers from the various departments about them and in their employ there was an individual of somewhat suspicious character who lived in the same house as Burnett. Under these circumstances it would have been matter for surprise had Burnett not been well provisioned for the banishment he welcomed.

Nearly a whole year elapsed before Mr. Bishop Burnett's case was resumed in Parliament. On May 8th, 1826, his petition was again presented but on this occasion by Colonel Beaumont, the member for Northumberland, and in a form modified so as to embrace some later developments.

Dissatisfaction was shown at the Report of the Commissioners not having been laid upon the table though it had been received and also at the non-appearance of Lord Charles Somerset in England. Opinion was freely expressed that the Government was endeavouring to evade inquiry by deliberate delays. With respect to the petition itself it was contended by the Government that it was of too general a character and did not contain specific charges on which action could be taken. This view in the end prevailed and Colonel Beaumont consented to withdraw it. On December 7th and 8th Burnett's affairs were again the subject of lengthy discussion. Mr. Brougham thought that the collateral charges in the petition were of greater importance than the case itself and that the most rigorous inquiry was called for; that as Lord Charles Somerset was then in England the obstacle to investigation which had been previously urged was removed.

While these matters were hanging on in this manner, important changes took place in the Government. Earl Bathurst, after a long and laborious tenure of office, during which the affairs of South Africa had probably caused him more worry and anxiety than all the rest of the British Colonies put together, and in the guidance of which he had ever acted most conscientiously in the best interests of the country, resigned the

CHAP. seals of office to Viscount Goderich (April 30th, 1827). Mr.
 VII. Canning succeeded the Earl of Liverpool. Seeing these changes Lord Charles Somerset immediately resigned the Governorship of the Colony.

The publication of Sir Rufane's pamphlet and the multitude of comments in the Press which it drew forth again brought the question of the administration of the Cape of Good Hope before Parliament. A long debate took place on May 17th, 1827. Mr. Wilmot Horton called for the production of all the correspondence which had taken place between Sir Rufane Donkin and the Colonial Office. It is clear from his remarks that he was not very friendly to Sir Rufane, and that his memory failed him in giving his accounts of matters which led to the publication of the pamphlet. Sir Rufane was defended by Messrs. Maberly and Hume, who thought that as it was now four years since Sir Rufane had mentioned his disclosures and no inquiry had taken place, the pamphlet was not uncalled for. It is curious to note how these two gentlemen, as well as others, seemed to ignore the enormous amount of work which had been done by the Commissioners of Inquiry. The motion for the several papers was agreed to.

The last and what was to have been the most important of these debates took place on June 29th, 1827. Mr. Lombe, the member for Arundel, had given notice of a motion which was to have been, practically, an impeachment of Lord Charles Somerset and a compliance, at length, with the demand for definite charges against the noble Lord. But on the night of the debate Mr. Lombe's courage must have failed him, for he did not appear in the House. The debate proceeded notwithstanding. It was two years since Mr. Bishop Burnett's petition had been first presented and all this time charges which nobody would undertake to bring forward in a regular manner had been hanging over the Governor. The action of Mr. Lombe was all that was required to turn the balance of sympathy in Lord Charles' favour. All the more so as Mr. Brougham told the House that he had been retained, in his professional capacity, in a case where an individual complained of a corrupt decision which had been given by Lord Charles Somerset as Judge in Appeal. The allegation was that in consideration of paying Rds. 10,000 for a horse the Governor gave his decision in a

suit in favour of the purchaser of the horse, in fact that the horse transaction took place with that object in view. On investigation it transpired that the horse was bought in September while the judgment had been given in the previous May, but far more than that, it was given *against* the purchaser of the horse. Although Mr. Brougham, in his legal caution, pointed out that exculpation in this case did not necessarily prove that there was nothing in the other charges, yet he thought that until the subject had been fairly brought before Parliament, they were bound, in common justice to the noble Lord accused, to suspend any rash construction on what might be said against him.

Mr. Baring, after commenting severely on Mr. Lombe's absence, and neglect of his duty, said that, for his part, he gave the noble Lord an entire and unqualified acquittal so far as related to charges which affected his private character as a gentleman and man of honour. Lord F. L. Gower was satisfied that there was no ground for imputation against Lord Charles Somerset, and thus, so to speak, he left the Court without a stain upon his character. Lord Charles retired into private life which he enjoyed for nearly four years and then died at Brighton on February 20th, 1831.

CHAPTER VIII.

THE ADMINISTRATION OF MAJOR-GENERAL BOURKE.

CHAP. MAJOR-GENERAL (afterwards Sir Richard) BOURKE succeeded
VIII. Lord Charles Somerset in March, 1825, though only in the capacity of Lieutenant-Governor. He was an Irishman of good birth. Having been educated for the bar, he relinquished the legal profession for the Army in 1798, and was soon actively engaged in the continental wars of the time. He was present at the battle of Bergen in 1799 when he was shot through the jaw, and afterwards served for some years as Quartermaster-General in Spain and Portugal, where, on account of his intimate knowledge of Spanish, he rendered valuable service as a kind of military resident. Exceedingly upright and fair-minded, he was, as his subsequent career in New South Wales¹ showed, inflexible in his intentions to pursue any course which seemed to him to be dictated by justice and humanity. But his humanity and his evident determination to set the Cape Colonial house in order would have augured better for the Colony had these good qualities been associated with a wider knowledge of its political and social conditions than he possessed. The history of South Africa, however, teaches us that General Bourke was not peculiar in being prepared, almost immediately upon taking office, to ignore or reverse measures

¹ He was appointed Governor of New South Wales in 1831. It is said that in consequence of the ill-judged actions of the former Governors, Macquarie, Darling and Brisbane, the Colony had become divided into two bitter factions, one consisting of the freed convict class, the other of the wealthy non-convict emigrant class. General Bourke did much to create a better feeling and to get all to combine for the common good. He removed certain irritating restrictions from the Press, he organised emigration on sounder principles and thus became the most popular Governor that country had, up to that time, seen. He was created K.C.B. in 1835. He resigned the Governorship in 1837, and then retired to his country-seat, Thornfield, in the county of Limerick, where he remained until his death in 1855 at the age of seventy-eight.

which had been established by experience and, by bungling along in educating himself in Colonial administration, to substitute others which, in a short time, proved to be untenable or dangerous. Too often has it been the misfortune of this Colony to lose a Governor who had held the office long enough to become thoroughly competent to deal with the difficulties peculiar to the country and then to have him replaced by another who, acting in all good faith, undid the good of his predecessor and created, for a time at least, distrust in the wisdom of the British Government.

The state of the country when General Bourke assumed the reins of Government was depressing and gloomy in the extreme. The cattle farmer was suffering from great losses in consequence of the drought, the wine industry was at a very low ebb and all felt keenly the results of the depreciated currency. On account of the low value at which the rix-dollar had been legalised, many were entirely ruined; interest on loans as well as instalments of capital due to the Lombard Bank could not be paid, and thus estates had to be surrendered and to become lost to the ancient families with a frequency sorrowful to contemplate. Revenue and commando taxes were greatly in arrear and with small likelihood of their being recovered. The total annual revenue of the Colony barely exceeded £100,000. Further, the hopeful expectations and visionary benefits which had been aroused by the prolonged visit of the Commissioners of Inquiry had gradually given place to disappointment and despondency as it had become clearer and clearer that the authority with which they had been delegated did not empower them to act in directions which were considered desirable or necessary.

On the departure of the chief actors to London, the commotions which had characterised the latter part of Lord Charles Somerset's time subsided and a comparative calm supervened. Two of the malcontents remained, however, and these, even under the equable rule of General Bourke, continued their strife and in the end gained by defiance of authority and an unnecessary public agitation that which, undoubtedly, would soon have been obtained by more pacific means. The names of Messrs. Greig and Fairbairn, the printer and editor of the *South African Commercial Advertiser*, came before the

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notice of General Bourke at the first meeting of the Council which he attended, namely that on February 14th, 1826, when a letter from the Burgher Senate was read, complaining of abusive and calumnious matter which had appeared just previously in that paper. Thus early he came into contact with the Press trouble which continued throughout his administration and in which he also was called upon to play a prominent part. On general principles he favoured a free Press combined with the enactment of a more intelligible and efficient law of libel than then existed, in preference to a Government licence resumable at pleasure on the misconduct of the editor or proprietor. But in the special case of this Colony as he then found it, he stated that "some efficient control on the Press here is without doubt necessary. The Journals which are now published are filled with criticisms upon the actions and misrepresentations of the motives of His Majesty's Government as relates to the Colonies and of the Colonial administration. There are not here, as in England and other countries, papers attached to the Executive and written in its defence. The most mischievous misrepresentations therefore remain unanswered, and are submitted to the perusal and in many cases obtain the belief of those persons in this limited community from whose good opinion and confidence Government would otherwise obtain a valuable support."

The Lieutenant-Governor kept a watchful eye on the papers and evidently saw much which gave him concern, for from time to time he sent copies to the fiscal in order to obtain legal opinion on statements which appeared to be actionable. But in default of any definite instructions on these matters from Downing Street he hesitated to go further. For his guidance in granting licences to publish any periodical, however, he received, in August, a despatch from Earl Bathurst, dated April 11th, in which general principles were laid down. This despatch contained also the confirmation of the action of the Council in the previous January in suspending the publication of a new paper which Mr. Fairbairn had endeavoured to establish. At that date two periodicals were started, the *New Organ* by Mr. Fairbairn and *De Versamelaar* by a Mr. Suasso de Lima. To both editors it was intimated that further publication could not be permitted unless they applied for and

obtained licences. The latter immediately complied with this injunction and was allowed to proceed with his work. Mr. Fairbairn, on the other hand, although the mere formality of asking for permission and giving an assurance that his intentions were honest and honourable would have procured what he professed to desire, refused to take this step—on the grounds that “he did not see the necessity”. Pending further instructions from London, therefore, the paper was stopped. Undoubtedly much credit is due to Mr. Fairbairn for the bold part he took in gaining for the Press of this Colony the freedom which it now enjoys, and few will deny his right to the title of “Father of the South African Press,” yet, in taking a general view of his editorship of the *South African Commercial Advertiser* and the use he made of the influence which this position gave him, one cannot but approve of the wisdom of those who exercised the caution they did in placing such power in his hands. Although the professed champion of justice and foe to tyranny, Mr. Fairbairn could, for party purposes or when it suited him, make the worse seem the better cause and by false colouring or wanton imputation of unworthy motives injure the innocent and oppressed. The Eastern Province has but little reason to remember Mr. John Fairbairn with gratitude.

But to follow the fortunes of the Press under General Bourke. In the *South African Commercial Advertiser* for May 24th, 1826, there appeared a long article which had been copied verbatim from the *London Times* of the previous January 25th, dealing with the legal proceedings against a public servant for embezzlement of public money, in which Lord Charles Somerset was accused of vindictive harshness towards the offender. As the title was altered and its origin was not mentioned, it had the appearance of an original article from the pen of either Fairbairn or Greig. This same article or parts of it had been taken over by other papers in England, but of these, Lord Charles Somerset, who was then in England, seems to have taken no notice. When, however, he found it in the Cape paper, he represented it to Earl Bathurst as an exaggerated and calumnious account of a perfectly proper and legal action and as a further illustration of the inexpediency of permitting a free Press in the Colony. Earl Bathurst, who, throughout

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these struggles, shared the late Governor's opinion on these matters, sent a despatch dated December 3rd, 1826, to General Bourke instructing him to cancel Greig's licence. This was received in May, 1827, and thus on the 10th of that month the *Commercial Advertiser* was, for the second time, suppressed.

This happened most inopportunistly, for, at the beginning of 1827, the Colonial public mind was agitated, partly, by an increased want of confidence in the Commissioners of Inquiry to which some unfortunate mistakes in their report on the Bishop Burnett case had given rise, and partly on account of the final decision of the Treasury, which, after repeated petitions and appeals to the contrary, had confirmed the value of the rix-dollar at eighteen-pence. The suppression, therefore, of the only newspaper which dared to give vent to the prevailing public opinion served only to accentuate the bitterness of the time. Two days after Mr. Greig received the above order he put forth a handbill stating his intention to issue a sheet of advertisements only. But though General Bourke was anxious to show every possible consideration to Mr. Greig and, indeed, had already assured him of his goodwill by giving him the Government contract for the supply of stationery, advertisements as well as some printing, he felt compelled to inform Mr. Greig that the proposed sheet could not be published without a licence. For this Mr. Greig refused to apply, though it was made clear to him that no difficulty of any kind would be raised. In this state of affairs the principal merchants and inhabitants of Cape Town drew up a petition to the Lieutenant-Governor in Council, asking permission to convene a public meeting "for the purpose of taking into consideration the circumstances attending the suppression of the *South African Commercial Advertiser*". Worded thus, it appeared to the Council that they were asked to permit a public meeting to be held for the purpose of criticising or censuring the actions of His Majesty's Secretary of State. To sanction this was impossible, although the Lieutenant-Governor was not averse to allowing a discussion on the state of the Press in the Colony generally. The petition therefore was refused.

On hearing this Mr. Fairbairn decided to leave immediately for England and to bring the matter before Parliament, a measure which promised to be attended with success con-

sidering the state of feeling towards the Cape Government at that time. His proposed mission aroused the utmost enthusiasm in Cape Town, a numerous signed address was presented to him by the leading people and he was made an honorary member of the Commercial Exchange. He arrived in London in the first week of June, 1827, when he found that Earl Bathurst was no longer in office and that Viscount Goderich had become Secretary of State for the Colonies. To that nobleman he addressed himself and on June 11th, following the precedent of Burnett and others, he published a pamphlet entitled "A Paper Explaining the Causes of Lord Bathurst's last Interference with the Press at the Cape of Good Hope".¹ Viscount Goderich was evidently moved by the representations which were made to him and showed a disposition to remove the irritating restrictions. He was of opinion that in proportion as English habits and feelings became more predominant at the Cape, more freedom in regard to the Press would be sought for and that until it was obtained a continual conflict with the Government would be maintained by those whose inclinations and talents were directed to that end. He gave little effect to this opinion, however, as he so soon vacated the office and, other important changes taking place, the matter was delayed for about a year. But in July of 1828 Mr. Fairbairn was enabled to leave England with the assurance that henceforth the Press in the Colony should be free from the control of the Governor and Council, and in October the *South African Commercial Advertiser* was commenced for the third time and the struggle for the freedom of the Press was at an end.

Although these actions of Messrs. Fairbairn and Greig undoubtedly did much towards hastening this desired consummation, yet it would assuredly have come about, without their intervention, in the course of events which was then in progress.

The Commissioners of Inquiry had by this time completed their labours of thoroughly overhauling every detail of the conditions of life in the Colony, and the results of their multitudinous investigations were receiving the most careful consideration of the Home Government. In passing, it is but

¹ For this pamphlet *vide Records*, vol. xxxi., pp. 454-523.

CHAP. VIII. justice to the Commissioners to say that this country is indebted to them for the elimination of the last survivals of the old Dutch East India Company's tyrannic regime, and their replacement by principles of more enlightened and proper government. Of the many voluminous reports which resulted from the inquiries, the most important was that which was issued on September 6th, 1826, dealing with the judicial system and the suggestions for reform.¹ The greater number of recommendations contained in this report met with the approval of His Majesty's Government, and immediate action was taken in order to give them effect. It was decided, in short, to make a clean sweep of the whole of the judicial administration then in existence and to reconstruct the Courts of Justice on the basis of the English procedure, though the ancient law, namely the Roman Dutch, was still to be administered. The appellate jurisdiction of the Governor was abolished and the commissariat and wharf-master types of judges were to give place to properly qualified men from Great Britain. On account of the uncertain and imperfect nature of the sanction under which the Court of Justice in Cape Town had existed since 1803, the Commissioners proposed the establishment of a Supreme Court on a more authoritative foundation, and that an instrument no less solemn than a Charter of Justice should be the medium of communicating the Royal Pleasure. The drafting of this charter and the appointments of the new judges were taken into consideration by Earl Bathurst almost immediately upon the receipt of the Commissioners' report. Viscount Goderich, however, completed the arrangements as the change in the Colonial Office took place at this time.

As Chief Justice, Mr. John Wylde, who had been Judge of the Vice-Admiralty Court in New South Wales, was appointed. At his own request and recommendation² he was knighted before leaving England to enter upon this important office. Messrs. W. Menzies and W. W. Burton were appointed Puisne Judges and to their number Mr. Justice Kekewich, who was already in the Colony, was afterwards added. As the office of Fiscal was to be abolished and Mr. D. Denyssen, like many others

¹ For this Report, *vide Records*, vol. xxviii., pp. 1-111.

² *Vide Records*, vol. xxxi., p. 454.

of the older public servants was to be dismissed, the office of Attorney-General was created and to this Mr. Anthony Oliphant was appointed. Besides these, other appointments made in England were those of Mr. T. H. Bowles to be Registrar and Prothonotary of the Supreme Court and Keeper of Records, and Mr. T. Lawson¹ to be Magistrate of Grahams-town. The Charter of Justice² received the Royal Assent on August 24th.³ It established the Supreme Court in Cape Town as well as the Circuit Courts; it provided, not only for the qualifications of the judges, who, in contradistinction to the old order, were not allowed to hold other offices, but also for those of the barristers who were to be permitted to plead in the new Courts. The English language alone was to be used in the Supreme Court though Dutch might be maintained in the Circuit Courts. And among other innovations in Colonial procedure, trial by jury was introduced.

As has already been indicated, considerable apprehension as to the practical results of the Commissioners' inquiries existed throughout the Colony. Although, with a few prominent exceptions, no definite accusations of partiality towards the Colonial Government had been brought against the Commissioners, yet a sense of dissatisfaction with their proceedings prevailed. The people of Graaff Reinet were as surly as bears, Captain Stockenstrom tells us. General Bourke himself thought that they had interfered in matters which would have been better left alone. In this state of feeling and towards the end of 1827 some of the proposed changes were made known. It was then learned that, on the grounds of expense, it was decided that there was to be no separate government in the Eastern Province, though a superior magistrate with the title of Commissioner-General was to be appointed. His proposed duties were to control all the proceedings of the inferior officials and to act independently in cases of emergency or where delay in referring matters to Cape Town might be prejudicial to the public interest. All the Boards of Landdrost

¹ Died June 18th, 1826: found dead in his bed.

² For the charter itself, *vide Records*, xxii., pp. 274-92.

³ This charter was in a measure superseded by another which was issued on June 16th, 1832.

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and Heemraden were to be abolished¹ and the executive and judicial functions, which they had hitherto exercised, separated; the former to be delegated to seven Civil Commissioners for the whole Colony and the latter to local magistrates. The Burgher Senate also was to be abolished. And, generally, there was to be a reconstruction of the whole of the Civil Service, both in procedure and personnel; all these changes to come into force on January 1st, 1828.

In pursuance of the instructions from Downing Street, Captain Stockenstrom became the Commissioner-General, an appointment which gave great satisfaction to both British and Dutch. Further, he was promoted to a seat on the Council. Sir John Truter, who retired on pension when Sir John Wylde arrived with the Great Seal, also received this honour. Of those who had played prominent parts in the past and withdrew from public life at this juncture were the fiscal, Dr. D. Denyssen and Colonel Cuyler. Neither was treated very handsomely on resigning the offices which he had held for so many years. The former was simply dismissed without a pension, but after petitioning Viscount Goderich, a small one was sanctioned. Colonel Cuyler, who had, at this time, been landdrost of Uitenhage for twenty-two years, was at first refused a pension on the ground that, during his tenure of office, he had

¹ The last official act of the Board of Landdrost and Heemraden of Graaff Reinet, was, on December 31st, 1827, the acknowledgment of a letter of thanks for their services from the Colonial Government. They said they were gratified by His Honour's appreciative thanks for their services and wished to say that any want of success was not to be traced to indifference, self-interest, partiality, or hatred towards particular classes of their fellow-subjects, with which they were aware they had been charged. With regard to the Report of the Commissioners of Inquiry on the Administration of Government, "As we find ourselves in the same report charged with inability to feel or act justly, liberally or impartially towards the coloured classes, with having exercised undue influence on the distribution of lands; consequently not with bare ignorance, neglect, error or want of policy but with the constant violation of our sacred duties as judges and our oaths as the guardians of the interests of the people, we would lose sight of what we owe to our government and ourselves were we to retire from our present situations, without denying said imputations with indignation and with every respect due to the Commission of gentlemen who made them, challenging proof thereof". They (the Heemraden) were of opinion that "charity might have found words in so rich a language as the English to convey to the Ministers the necessity of a change without the assistance of scornful terms adorning the pages of the Commissioners with regard to ourselves". The document is signed, A. Stockenstrom, H. A. Meintjes, Petrus J. Retief, Joshua Joubert, T. B. van Blerk, W. G. Greybe, David Naude.

become possessed of an enormous quantity of land¹ from Government and this, it was thought, was a sufficient acknowledgment of his services. General Bourke, however, was of opinion that he had only been favoured in common with others, but that he had openly and honestly kept his land whilst others had immediately sold their grants and pocketed the money. In the end he was allowed £150 per annum. CHAP.
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On the appointed day, January 1st, 1828, the new system of administration commenced. As was to be expected, the attachment to the old order of things could not be suddenly annihilated by a Proclamation or mandate from a Secretary of State. The loss of the Burgher Senate and of the Boards of Landdrost and Heemraden took from the people a share in local government which was greatly valued. And though the establishment of an independent and irreproachable Supreme Court was acknowledged to be a blessing not lightly to be estimated, yet, accompanied as it was by such a forcible introduction of the English language to the exclusion of the Dutch, time was needed to realise the good intentions of the British Government. Hence "these changes were received by the old colonists almost in silence, for they believed that complaint would be useless".²

In the matters thus far dealt with General Bourke merely acted upon instructions from England, there had been but little call for his own initiative. But in the ever obtrusive native question he commenced to legislate and introduce the most drastic changes before he had been in office a month. That his measures were conceived in a truly benevolent spirit and adopted with a firm conviction that their operation would benefit both colonist and native cannot for a moment be doubted, but had he paused and become more acquainted with the enormous difficulties which surrounded the subject and the steps which experience had dictated to his predecessors for their removal, he would have spared the Eastern Province much loss as well as saved his successor the trouble of reversing his policy.

On April 11th, 1826,³ he issued to Lieutenant-Colonel

¹ He possessed 32,060 acres.

² Theal, vol. 1795-1828, p. 418.

³ General Bourke was sworn in as Lieutenant-Governor on March 5th, 1826.

CHAP. VIII. Somerset, the Commandant of the Frontier, orders which amounted practically to a complete abandonment of the reprisal system. In virtue of these there was to be no invasion whatever of the Kaffir country for the recovery of stolen cattle, even although the most probable information as to the whereabouts of the stolen property should have been obtained. If the owners became aware of thefts shortly after they had been committed, they might be permitted, perhaps with the assistance of the military, to endeavour to overtake the marauders before they reached their own country, but "on no account are the borders to be crossed by any part of the troops under your command," he said to Colonel Somerset. From the Kaffir point of view this meant the legalisation of cattle and horse stealing; for, so long as they could capture the farmers' animals and elude pursuit as far as the Fish River, operations in which they had long been expert, the plunder could not be taken from them. Well might Earl Bathurst in answer to a despatch of General Bourke dated April 21st, in which he stated that "I have thought it necessary to deviate in some degree from the policy hitherto adopted by the Government of this Colony in regard to the Caffres," say that, "as you have not informed me of the measures which you are taking to indemnify the Borderers for the loss of the cattle, or to punish the Caffres who may steal them, I can only express my hope that you have made this change after due inquiry". The fruits of this action of the Lieutenant-Governor soon became manifest. The Kaffirs were not long in observing that some relaxation of frontier policy had taken place and availed themselves of the immunities thus offered. Successful captures of a few head of cattle very soon led to more enterprising exploits. Thus, in June, sixty-seven cattle were driven off in one lot from a farmer living at the Brak River in the Somerset East district. An attempt to recover them, in which the farmer himself was nearly killed, was made, but as the Kaffirs succeeded in driving them over the Fish River, they were lost to their rightful owner. In July, Lieutenant-Colonel Somerset felt compelled to represent to General Bourke the necessity of departing from this system of forbearance in so far that patrols should be permitted to follow the spoor to the nearest kraal beyond the boundaries. But General Bourke was inflexible.

In his reply, August 5th, he repeated his injunctions and would allow nothing further than the pursuit of cattle actually in view as far as the boundary. These orders remained in force until February, 1829, when they were reversed by Sir Lowry Cole.

General Bourke must have been entirely ignorant of the history of the struggles between the white and black races in this country and the various expedients which had been resorted to for the protection of life and property. If not, then he was guilty of deliberately seeking 'the ruin and destruction of the whole of the frontier districts. It was bad enough to have encouraged the natives to steal by preventing the farmers from going into Kaffirland to recover their stock, but he went further. By his famous Ordinance No. 49, he repealed all former laws prohibiting intercourse with the Kaffirs and permitted them, nominally with passes, to enter the Colony for the purposes of trade and taking service with the colonists. This Ordinance thus afforded them all the opportunities they could desire for giving free play to their characteristic and national propensity. They flocked in with and without passes and soon demonstrated the wisdom of former Governments in endeavouring to keep them at a distance.¹ Matters went from bad to worse until at the end of General Bourke's administration it seemed as if all the horrors of 1810 were to be re-enacted. From November, 1828, to September, 1829, 5,560 cattle and upwards of 300 horses were driven off, not by any general inroad but by 350 separate acts of petty depredation by parties of eight or ten men.

Unfortunate for the East as the short period of General Bourke's administration proved to be, he was undoubtedly sincere in his endeavours to create a better understanding between Colonist and Kaffir. He had to learn, however, as others had done before him, that in order to realise all the

¹ Mr. Brownlee, the missionary at Buffalo River, wrote on July 26th, 1827: "I understand the Caffres have been very troublesome of late in the Colony. It appears from different reports that the Caffres beyond this have been much concerned in these depredations, particularly those along the coast. I am sorry the Caffre chiefs show so little activity in preventing these depredations and that some of them are deeply implicated. . . . I believe there has been lately a great increase in the neutral territory both over the Keiskamma and Chumie and some kraals of the Caffres are far over the boundary assigned by the Commandant on the Frontier, I mean along the Frontier of the Albany district or near the banks of the Fish River."

CHAP. VII. circumstances of the intricate native question, it was necessary to move beyond the shadow of Table Mountain. Approving of the measures of his predecessors in establishing the fair at Fort Willshire, he decided to increase the facilities for commerce by opening fairs in other parts. In January, 1827, therefore, a weekly fair was started at a spot in the Neutral Territory near the Chusie River, about twenty miles south of Fort Willshire, also an attempt was made to establish one among the Bushmen at Torenberg (now Colesberg). The latter soon came to nothing. The former lasted about two years but was never very successful. The produce obtained during the whole of that time scarcely exceeded 2,000 lb. of ivory, of approximate value of £300. Fort Willshire itself soon came to an end in consequence of a development in the Kaffir trade which was, in a large measure, due to the Lieutenant-Governor and which eventually opened up commerce with the interior in a manner advantageous to all concerned. "Interior private trading" arose in the first instance by a few individuals applying for permission to travel into the Tambookie country, now the Queenstown district, for the purpose of bartering with the peaceable natives of those parts. The request was granted on the usual conditions and licence, but with the addition that the route to Tambookieland was to be around the north of the Great Winterberg mountain and not through Kaffirland—a penalty of £100 to be incurred in taking the latter. This form of trading was that which had been previously declared illegal and to prevent which the fairs had been instituted. The first venturers met with such success that many others soon sought to engage in it, more especially as it became clear that it was more profitable and certain than the weekly journeys of ninety miles (including the return) to Fort Willshire over rugged country and dangerous roads. The privilege was gradually extended so as to permit "Interior private trading" in the forbidden Kaffirland itself. This naturally reacted on the trade at Fort Willshire and numerous complaints arose from the licensed traders there, who, with justice, considered that their rights were infringed by the Kaffirs being persuaded to part with their goods to itinerant traders instead of taking them to the established market. It was an advantage to the Kaffirs as it saved them long and tedious journeys and,

in the case of those who had to pass through Gaika's country, it saved the tribute which that wily savage levied as a kind of toll. The itinerant Kaffir trade became more and more extensive until, in 1830, the restrictions which prohibited crossing the boundary were entirely done away with and full liberty was permitted to persons of assured good character to pass anywhere into and to trade in the native territories. The Fort Willshire fair then came to an end.

Apart from the greater facilities for robbing the Colony and creating widespread misery which General Bourke's negrophilist policy gave to the Kaffirs, it must also have encouraged a hope which they had long entertained and which had in fact been partly realised, namely the recovery of the Neutral Territory. As has been stated, Maqomo with all his followers, contrary to the so-called treaty with Gaika, had stolen back into that country and occupied the lands at the sources of the Kat River. Probably encouraged by this example, Tyali established himself at the Mancazana River and Botman settled upon the western bank of the Tyumie, though they had sought Lord Charles Somerset's permission in 1824 and had been refused. All this was well known to the authorities, but it was felt politic to leave them alone so long as they behaved themselves.

The breach of the neutrality, however, was not entirely on the side of the Kaffir. Sir Rufane Donkin, nominally with Gaika's permission, had reserved a portion for Colonel Grant's Scotch party of settlers, which never arrived; Fredericksberg had been established in it and now the Commissioners of Inquiry actually recommended to General Bourke that it should be acquired by a South African Trading Company, some of the lands between the Koonap and Fish Rivers having already been measured for some Boers in connection with this scheme.

At this time the Amagqunukwebi chiefs, Pato and Congo, who, in consequence of the good behaviour of their people, had been allowed to pasture their cattle in the country between the Keiskamma and Beka Rivers, endeavoured to regain all the country between the Keiskamma and Fish Rivers. The Rev. W. Shaw, the missionary then residing among these people, strongly urged compliance with their solicitations in a letter

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to the Lieutenant-Governor dated April 6th, 1826. He maintained that as these chiefs had never acknowledged allegiance to Gaika, they had been unjustly dispossessed of their country by the uncertain verbal treaty with that chief in 1819, that their consistent good behaviour entitled them to the restoration of that territory and that as immediate neighbours to the Colony they might be expected to afford some kind of protection to that part of the frontier by keeping the more warlike tribes at a distance. Lieutenant-Colonel Somerset emphatically disapproved of this measure. He believed the virtues of the Amagqunukwebi to exist only in the brain of Mr. Shaw and that these Kaffirs were no more to be trusted than any others. Congo had been prominent in the attack upon Grahamstown in 1819, and there was good reason to believe that his people had been as active as any in the subsequent depredations. To allow Kaffirs of any tribe to have free access again to the Fish River Bush was tantamount to inviting the destruction of the whole of the frontier. The correspondence went to Downing Street. Earl Bathurst, sharing Colonel Somerset's views, admonished Mr. Shaw and warned him against holding such conferences with Pato and Congo or encouraging such expectations.

Towards the end of 1826 these matters and perplexities had to give place to others of far greater moment and themselves to sink into comparative insignificance. A dark and ominous cloud was appearing in the far north-east, portending calamities of the direst nature. Danger was ahead, against which colonist and Kaffir were to make common cause. The wave of terrible devastation and bloodshed which originated with Chaka in Zululand had travelled in two directions. Some indication of the results of that part which took a westerly course to Bechuanaland has been dealt with in a former chapter. As the tribes to the south of Zululand and Natal were set in motion by Chaka's irresistible onslaughts, and those in their turn pressed upon others still more to the south-west, the hordes of fugitives, fighting at one place and then perhaps resting for months at another, eventually appeared in the most eastern parts of the present Transkeian territories. The vaguest rumours of the approach of savage foreigners filtered through the borders of the Colony, and though many of the

horrible tales were incredible, yet they could not be entirely ignored. Circumspection and preparedness were called for. In order to learn something of the real state of affairs, Colonel Somerset, in September, 1826, set out on a reconnoitring journey into the country about the Stormberg Spruit and Klaas Smits River. He did not, however, gain any definite information regarding the mysterious nation which was supposed to be advancing from the north-east, though he did find that the farms along the Stormberg Spruit had been abandoned on account of fear, and that even the Bushmen were in such terror that they were seeking protection from the farmers. The field-cornet Steenkamp told him that while out on patrol a short time previously he had come upon "thousands of Tambookies lying dead," having been killed by the Fetcani, as the unknown invaders were called. Not being prepared to make a more extensive reconnaissance, Colonel Somerset returned to Grahamstown and immediately sent off Major Andrews with a strong mounted force and some burghers to penetrate into the *terra incognita* beyond the Orange River. Arriving at the junction of the Stormberg Spruit with that river, a party of ten men was posted on the northern bank for the protection of the stores. The remainder then commenced their journey through what is now the district of Rouxville in the Orange River Colony, following roughly the course of the Caledon River. Passing the Koesberg and Tandjesberg they bore round to the east and about where Morija in Basutoland is situated, they came upon what appeared to be a deserted village of the Fetcani. The huts and cattle kraals were different to anything seen in Kaffirland, being surrounded by strong circular walls built of clay and stones. At a short distance the patrol came upon three of the people themselves. They were of small stature, carried assegais and spoke a dialect of Kaffir. The tale they told was that they had been harassed and driven forth by other tribes and that their people intended moving southward to purchase cattle from the Kaffirs. Their King was a boy named Maketa. Major Andrews returned and made his report to the Lieutenant-Governor in Council on December 4th, 1826.

During the early part of 1827 nothing was heard of these people and the scare had almost passed out of memory, when,

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in July, the field-cornet Steenkamp of the Tarka, the first on account of his advanced position to hear of disturbances in the East, sent information to Mr. W. M. Mackay, the landdrost of Somerset East, of a further inroad of the Fetcani upon the Tambookies. According to this 300 head of cattle had been taken from the Chief Galela and the Tambookies themselves were rushing into the Colony with their remaining cattle and women for protection. Mr. Mackay immediately wrote to the Secretary to Government in Cape Town, and thus gave great offence to Colonel Somerset in not communicating with him in the first instance. It seemed to be an emergency in which the promptest action was called for and as there had been on former occasions some dangerous delay in procuring military assistance from Grahamstown, Mr. Mackay took upon himself the duties of Frontier Commandant and set out for Tambookieland. He had no great confidence in the stories of the Tambookies as they were a timid people and prone to magnify the appearance of danger into a reason for terror. With a few Boers he journeyed towards the Upper Kei where he met Galela and received his account of what had happened. From this it appeared that on the night of 14th July, 300 cattle belonging to him were driven off and that, on the next morning, he followed the spoor to the Hanglip Mountains beyond which he saw a wide extent of country covered with many people; they were the Fetcani, a bold and daring nation which the whole of the Tambookies could not oppose in battle. From the observations made thus far, two points were clear, namely, that Galela had lost his cattle and that the Tambookies were swarming into the Colony. The small party therefore proceeded farther. They ascended the Stormberg and crossed the range by one of the few passes then known, when Galela pointed out the plain on which he had seen the invaders, but none were then in sight. Hiding in the rocks, however, they discovered one of the people they were seeking. He readily entered into conversation with the patrol and seems to have been more communicative than could have been expected. From him it was learnt that he belonged to a tribe which dwelt on the other side of the Orange River and that the principal kraal was about five days distant from that place. The people, he continued, consisted of two tribes, the Masootoo and

Manguana, under the great chiefs Maketa and Mattuana (Matiwana); they were a very numerous people and had fought battles with many tribes, had beaten many but Chaka had beaten them and taken all their cattle. They had heard that the Tambookies had cattle and so marauding commandos, called Fetcani, went forth to molest these people, expeditions in which they had often been successful. While in this pass a small body of the Fetcani, as we must continue to call these Masootoo and Manguana, were seen to approach driving a herd of cattle. Galela recognised them as belonging to himself. As soon as the robbers saw the reconnoitring party they fled and abandoned the cattle. Mr. Mackay, however, would not allow Galela to touch them for fear of incurring the responsibility of interfering in quarrels between native tribes over which the Government exercised no jurisdiction. As the very large number of footprints about the place where Mr. Mackay had stationed himself indicated that further stay might be attended with danger, he withdrew to a more secluded spot, where with his companions he remained all the night and part of the next day. The observations which were made during that time, namely the fires by night and people by day, showed that the accounts given by the Tambookies were not exaggerations. Having obtained this information, Mr. Mackay returned to the Colony without any mishap.¹ He then sent his report (dated August 8th, 1827) to Government and at the same time informed Colonel Somerset of the state of affairs.

In the meantime, 3,000 Tambookies under their Chief, Powana, and with about 12,000 cattle crossed the boundary into the district of Somerset. Further, there was a commotion in Kaffirland which aroused fears that the Kaffirs would make no defence against the marauders and that they also would swarm over the borders into the Colony. The craven and contemptible Gaika showed himself to be quite unable to rally and lead his people. Eno and Botman deserted him and joined the more warlike Hintsa, who, with his brother Buku, appeared more hopeful of redeeming the

¹ It is curious that in the accounts which have been given of this, Mr. Mackay is represented as having been pursued by these people and escaping with difficulty; e.g., General Bourke's letter to Viscount Goderich, October 15th, 1827. Mr. Mackay, in his own report of what happened, says nothing of this.

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Kaffir character. Maqomo was safely ensconced in the fastnesses of the Amatola Mountains. The most alarming accounts poured into the Colony from panic-stricken parts of the native territories. There could be no doubt but that the Fetcani were advancing from the Zwart Kei towards the Chumie and that the Kaffirs were moving towards the Colony. Colonel Somerset and Major Dundas took immediate steps for placing the country in a state of defence, and if need be, of repelling the invaders. The troops at Hermanus Kraal (Fort Brown) and Kaffir Drift Post, consisting of the Hottentot Corps and some of the 55th Regiment, were to be in readiness to march at a moment's notice, the field-cornet Meyers was to collect a burgher force, and Captain Osmond issued instructions to the nearest Kaffir chiefs that in the event of being compelled to retreat before the advancing host, they were to concentrate at Fort Beaufort. Major Dundas instructed the field-cornet of Bathurst, W. Currie, to call out, on commando duty, the British settlers, or those of them who were still upon the locations. All seem to have responded with the utmost enthusiasm and to have been eager to share with their Dutch brethren the dangers and deprivations inseparable from frontier defence. Replying to the landdrost's letter on August 13th, 1827, Mr. Currie said: "In compliance with your orders I sent notices round the Field-Cornetcy yesterday, and by three o'clock there was scarcely a man this side the Kowie who was not apprised and most of them in a state of preparation. . . . Mr. M. Bowker will attend with three or four of his brothers and some others from that neighbourhood. I subjoin a list of the young men who volunteered to go on the advance, many old people such as Wedderburn, Beardmore, etc., came and sent in tendering themselves for this service. . . . Almost every person shows the greatest readiness, young Biddulph and Hewson have been particularly active in riding about for volunteers, they, the young Bowkers, young Bailie and indeed all the lads are only fearful that their active services will not be required." The lads, however, were doomed to disappointment, for the activity of Colonel Somerset in patrolling the country from the Koonap to the Kei and the effective disposition of the available troops and burgher force, under the command of Mr. Mackay, rendered assistance from the settlers

unnecessary. Parties of forty to sixty Boers occupied a line from the Orange River along the Stormberg Spruit to the Klass Smit's River (near the present town of Queenstown) while smaller parties held positions extending from Groene Nek to the Mancazana. At Riet River, where the Colonel established his temporary headquarters, there was a force of 200 infantry and 100 cavalry; thirty infantry and a small mounted force were at Fort Willshire, forty-five infantry at Kaffir Drift and a detachment of the 55th Regiment and a force of the Cape cavalry and infantry at Grahamstown were ready to move at any moment. It was his intention, further, to call out an army of Kaffirs and to place them under the command of Maqomo. By means of spies it was discovered that the Fetcani had moved to the Thorn River under the Windvogel Berg (Cathcart), about eighteen miles from the Chumie, where they had plundered a Kaffir village and secured all the cattle. Everything was ready for a combined movement towards the Windvogel Berg, when, on August 31st, spies returned to the camp at the Riet River with the intelligence that the Fetcani were moving back in the direction of their own country. With the supplies of food they had obtained from the Tambookies and Kaffirs, and this seems to have been the whole of their aim, for there is no account of their having committed any murders, they disappeared to the north-east. These matters having ended thus happily, General Bourke arrived in Grahamstown (September 1st, 1827) brought thither by the disquieting reports which had reached Cape Town. Although this danger was past and he was not called upon to conduct operations of a more warlike character, yet he did great service to the district of Somerset, where the pasturage was hardly sufficient for the flocks of the inhabitants, in persuading the Tambookies, with their thousands of cattle, to return to their own country. Powana begged to be taken under British protection, not only against the Fetcani but also against Chaka and the Zulus who were driving them on. This was not a simple matter, Powana, or Bawana as he is sometimes called, was not the paramount chief of the Tambookies or Tembus, but Vusani, who was living much farther to the east, and it was really only a portion of the whole Tambookie tribe which had fled into Somerset. Powana's

CHAP. VIII. people moved with reluctance, in fact, for reasons yet to be detailed, they did not finally quit until a year afterwards. General Bourke visited the assembled Kaffir chiefs at Fort Beaufort and endeavoured to impress upon them the necessity of their making a bold stand against invaders from the north-east, as in the event of repulse they could not be permitted to take refuge in the Colony. The Lieutenant-Governor then returned to Cape Town.

The frontier outlook at the end of 1827 and beginning of 1828 was not very propitious. It would be interesting to know what General Bourke's private opinion was at this time concerning the operations of his 49th Ordinance. He must surely have been in possession of sufficient knowledge at this date to have warranted his repealing that retrogressive Act. His regulations for the recovery of stolen cattle led to unlooked for developments in Kaffirland. When a report of a theft was sent to a chief in order that he might take up the matter, he made it an excuse to plunder his own people generally. Obtaining thus a large number of cattle he sent a few to the clamorous in the Colony and kept the remainder for himself. This meant that the robbed subjects had to recoup themselves by further plunder of the frontier farmers. On the reprisal system, only the actual animals or their equivalent were taken. Well may the many official documents from the frontier at this time speak of the increasingly unsettled state of the Kaffirs. Gaika's people, always the worst, were particularly active. In February, 1828, some of them secured 192 cattle and horses and murdered a Hottentot herd, and shortly afterwards a trader's waggon, on its way from Fort Willshire to Grahamstown, was attacked and robbed by a body of Kaffirs. Major Dundas and Colonel Somerset, with the assistance of the missionary Thompson, managed to get an interview with Gaika, who was hiding in the Chumie Mountains. He put the blame upon Eno and whined at being continually worried about the acts of his uncontrollable people. He was brought face to face with Eno when mutual recriminations followed and each showed the other to be a liar—probably the only occasion on which both spoke the truth. Gaika became so impatient at being thus pestered, that he expressed his intention of petitioning the King to give him lands *in England*

where he would be free from such annoyance! Maqomo and his people were very quiet in the regions they had usurped in the Kat River district. This, however, was not altogether a source of satisfaction to the frontier authorities, for it had not escaped notice that the Kaffirs, in large numbers, were congregating in those parts on which Colonel Somerset thought it necessary to keep a watchful eye. Unfortunately for the safety of the Colony at this time, the military force had been greatly reduced by the total disbandment of the Cape Corps in November, 1827. In order to relieve the embarrassed state of the Colonial finances, the Commissioners of Inquiry, on June 14th, 1826, recommended the reduction of the cavalry of the Cape Corps, whereby the annual cost of £28,088 would be reduced to £21,143. Earl Bathurst, however, decided it would be better to disband the Corps altogether and to replace it by a regular regiment from England. Matters were delayed in consequence of the intended regiment being required for service in Portugal. In the end the Cape Corps was disbanded and no regiment took its place. This threw more military duty on the unfortunate Boers. While they could be persuaded to undertake it, a distinct financial advantage accrued to the Colony for, besides their rations, they received no pay and provided their own horses and guns. Protest, however, arose. In September, 1828, the inhabitants of the Field-Cornetcies of Brak River, Tarka and Agter Sneeuwberg addressed the Governor (Sir Lowry Cole) setting forth the hardships and severe losses they had been exposed to in consequence of the frequent demands made for their services on armed commandos, and prayed for relief in this respect. The Governor assured them that he was not less sensible of their great privations and losses than of the loyal spirit and promptitude with which they had always answered the calls made on them for their services in the field, and that it had been his desire, as it had been that of General Bourke to limit as much as possible the demands for similar services in the future.

The suspicious congregation of Kaffirs at the Kat River and the generally unsettled state of Kaffirland rendered continual patrolling and constant vigilance more than ever necessary. As the Cape Corps had disappeared, Colonel Somerset was compelled to seek assistance from the Boers and, perhaps

CHAP. VIII. unaware of the disinclination to enlist their services, he asked Major Dundas, now Civil Commissioner, to place parties of farmers at his disposal. He was refused. Unhappily there had been a want of co-operation between these two officers ever since Major Dundas had been appointed. Although there are not wanting indications of mutual personal dislike between the two men, yet their respective duties were not so well defined as to prevent misunderstanding and collision. We find Major Dundas issuing to settlers passes to cross the border and Colonel Somerset refusing to acknowledge the permission and preventing the persons from continuing their journey. Then, as in the present instance, we find Colonel Somerset seeking the assistance of the Boers and Major Dundas refusing to call them out, and even, on some occasions, interviewing those who had on previous commandos joined the Colonel, with a view to finding out whether their services had really been necessary. There can be no doubt that, judging from his long experience and active service, Major Dundas was the better soldier and probably he was a little piqued at finding himself in an inferior military position to Lieutenant-Colonel Somerset. All this came to an end, however, on July 1st, 1828, when Major Dundas resigned and Captain Duncan Campbell was appointed Civil Commissioner of Albany and Somerset in his place.

On May 4th, 1828, a small schooner was seen to be making its way from the East and to ride up to the anchorage at Port Elizabeth. Mr. D. P. Francis,¹ who had become Port Captain, went off to the strange vessel and brought the passengers and crew to land. A curious collection of people

¹ Mr. David Polley Francis was one of the settlers who came out in 1820 in Mr. Parker's party. After the dispersion of the people at Clanwilliam he went to Albany to take up a grant of land there which was promised to him as compensation for his losses at Clanwilliam. On account, however, of the negligence of Mr. Rivers and Colonel Somerset, of which so many settlers had reason to complain, he did not get the land. After much acrimonious correspondence he returned to London and brought his case before Earl Bathurst, but he did not gain much by this. For a time he took up the labour question in England and then became political agent for Sir Rufane Donkin. In the end he was appointed Port Captain at Port Elizabeth at £400 per annum. He commenced his duties in this capacity on January 1st, 1828. *Vide* long petition to the Commissioners of Inquiry, *Records*, xvi., 145, petition to Lord C. Somerset, *Records*, xv., 145, Report of Commissioners of Inquiry on the case of D. P. Francis, xxii., 236, Somerset's reply, xxiii., 259, also xxi., 40, 397, xxiii., 346 and xxvi., 49.

they must have appeared to those on shore who awaited their arrival. Among the visitors were eight Zulus in their native skins and head rings; two white men dressed, if that term may be applied to them, in garments of their own manufacture and which, for want of more accurate terms, might be called coats and trousers, their feet bare and on their heads caps made of wild-cat skins. There was one lady in the party and two men who were more decently dressed. The visitors, in short, were some of the first white inhabitants of Natal and the Zulus formed an embassy which had come to interview the Cape Government on behalf of the Zulu chief, Chaka. The small schooner, the *Elizabeth and Susan*, had been built in Natal from the wreckage of the *Mary* which was lost on the bar three years previously, when some of these adventurers made their way to Natal with the object of opening up a trade with the natives of those parts.¹ The head of the party which arrived in Port Elizabeth was Lieutenant King, with him were Lieutenant G. S. Farewell and Mrs. Farewell, who had been in Natal only three months, Mr. N. Isaacs and Mr. Hatton, the builder of the schooner.

The Zulu chiefs, with their guide Lieutenant King, seem to have gone straightway to Uitenhage, to Mr. Van der Riet, who had been appointed Civil Commissioner on the resignation of Colonel Cuyler. From the interview it appeared that Chaka was desirous that Satobe, the greater chief, should proceed to England as his ambassador in order to assure the King of England of his (Chaka's) friendly disposition, and to ascertain whether his annihilation of all the Kaffir tribes between Pondoland and the Great Fish River would be consonant with British views and wishes. Of the tribes between his own country and the St. John's River he intended to deal without reference to England, but having cut, speared and clubbed his way as far as that river, he was prepared to wait two

¹ An excellent account of the attempt of these first adventurers in Natal and Zululand to commence trade with the natives and to colonise the country will be found in chap. xxviii. of vol. ii. of Theal's *History of South Africa*, under the heading "Early English Adventurers in Port Natal". See also the intensely interesting account written by Nathaniel Isaacs, one of the ragged passengers referred to above, entitled *Travels and Adventures in Eastern Africa*, published in 1836. Mr. Isaacs was an eye-witness of all he records, his book therefore is one of the most valuable and authentic accounts of the early times of Natal.

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VIII. Colony, before proceeding with further extermination. The minor chief, Umbosombozo, was to return to Chaka as soon as possible to report their safe arrival and the manner in which his people were received, and thus to release a Mr. Fynn who was held as hostage for the safety of his official Zulus. Chaka was anxious that his kingdom should extend as far as the Fish River and that the white people should be his allies.

Mr. Van der Riet issued orders to Mr. Hudson, the Resident Magistrate at Port Elizabeth, to provide accommodation for the chiefs at Government expense and to prohibit them from visiting Grahamstown or the frontier. He wrote to the Secretary to Government informing him of the visitation. An unfortunate deadlock then arose. General Bourke desired that the whole party should proceed to Cape Town, but Lieutenant King would not leave Port Elizabeth as he was fearful of detaining Umbosombozo against Chaka's orders, and further he had been refused the protection of a British register for the *Elizabeth and Susan* on the grounds that, as she had been built in Natal, she was a foreign vessel. She was therefore liable to seizure by every flag which navigated the seas. Affairs remained in this state for several weeks. The delay was greatly to be regretted. Had Umbosombozo returned as soon as he should have done, and shown Chaka what the sentiments of the Government were, much bloodshed might have been prevented. As it was, the bloodthirsty savage did not wait two moons. The following letter from the Rev. W. J. Shrewsbury, the Wesleyan missionary with Hintsa at Butterworth, to Major Dundas gave the first indication of the impending danger.

" BUTTERWORTH, *JUNE 12th*, 1828.

" SIR,—Having late last evening received information from various quarters, and officially from the Chief, Hintsa, that Chaka is advancing I conceive it my duty as a British subject to put you in possession of that information, that the Colonists may neither be alarmed by exaggerated reports that may reach them, nor surprised by any sudden approach of an enemy not to be despised. Chaka has now crossed the river Zimvubu (St. Johns) distant from this mission station about

150 miles, as we are distant from Grahamstown about 200 miles. He is approaching with a very numerous body of men, divided into eight companies, each of which is supposed to be two or three thousand, and the whole population before him is described as being in motion; the Chief, Maxabisa, who lies beyond Faku and near the river Zimvubu, having been routed by the troops of Chaka. The avowed object of Chaka is to reach Hintsas as early as possible.

"Yours, W. J. SHREWSBURY."

This letter set the frontier in motion again. The matter having been referred to General Bourke, he brought it before the Council when the following was resolved, "that it is expedient to retain the Caffres within their actual limits and that this intention should be announced to Chaka with the view of averting his intended invasion of Caffreland—and if this be not possible, to encourage the Caffres to resistance by informing them that in a case of absolute necessity and on the approach of the Zoolas they may expect assistance from the Colonial Government—that the Colony may thus be relieved from the probable danger and inconvenience which will result from the approach of Chaka upon its immediate line of frontier and the chance of a war being carried on within its boundaries".

Colonel Somerset concentrated his forces at such spots as might best protect the Colony and enable him to carry into execution the Lieutenant-Governor's instructions. He assembled the Kaffir chiefs at Fort Beaufort and impressed upon them the necessity for unanimity and firmness amongst themselves. Major Dundas in view of "the really alarming circumstances under which the frontier may be said at this moment to be," warned the whole of the burgher force to be in readiness to move forward in the event of their services being required.

In view of the report of Chaka's advance agreeing with the statements already made by the Zulu chiefs in Port Elizabeth, and confirming the character under which they appeared, and further, in consequence of the difficulty of getting them to proceed to Cape Town, they were interviewed on behalf of the Government by Major Cloete, assisted by Mr. Van der Riet and Captain Evatt. The interview was unsatisfactory to all

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concerned. As it was felt that their answers would be influenced by the presence of Lieutenant King, that officer was not permitted to be present. This gave offence both to King and the chiefs. Then the questions were such as to induce them to believe that they were looked upon as spies and not the important personages they represented themselves to be. On the other hand, they were shifty in their replies and were not able to give any clear or definite reasons for their mission beyond the intimation that Chaka intended to overrun Kaffirland and that, in his own peculiar manner, he wished to be friendly with the white man. They resented King's absence and would not go anywhere without him—he was one of Chaka's great captains, they said, and they were in his care. The news of Chaka's approach made these people exceedingly anxious to get back to him. They asked to be allowed to return overland but were refused. On July 4th Umbosombozo, who had now been detained two months, with one of his followers, escaped, and with their war-dresses commenced the journey. They were soon captured, however, and threatened with confinement in Fort Frederick. Major Cloete gave the chiefs to understand that they were not detained by Government, that they came to the Colony and were to return to their own country in a vessel which belonged to Mr. King, and over which the Government could exercise no control, the departure of the vessel therefore depended entirely upon him. At this time a further communication was received from Mr. Shrewsbury, dated July 2nd, 1828, of which the following is an extract. "On Sunday the 29th of June they (the Fetcani) completely routed and dispersed the Chief Faku, he has retired as far as the Umtata, towards Hintsa, with the remnant of his people. Chaka now demands the heads of Hintsa and Vusani and the horses of the white people. Vusani and Hintsa are preparing to make a firm stand against him on this side of the Bashee, but they fear being overpowered by numbers, the Fetcani being compared by the natives to locusts for numbers. Their mode of warfare is peculiar. Chaka has several divisions of his army distinguished by the different colours of their shields. He sends out one division first, and the rest stand prepared to strengthen them, or join in the plunder as circumstances may dictate. Whether they will

immediately attack Hintsas is uncertain as they are at present busy in securing the immense plunder of cattle they have recently made."

As Major Dundas had become relieved from his civil duties he was free to act at this crisis in a military capacity. On receipt of the above letter, therefore, he collected together a number of burghers and, on July 5th, set out for Kaffirland with a view to meeting with Chaka. It is noteworthy that his party included a few British settlers¹—the only occasion, excepting a time of actual war, on which any of them took the field against native tribes. There seems to have been some reason for excluding them from this service, though it is not very clear what it was. Colonel Somerset in one of his letters makes the statement: "I beg to remark that *from circumstances of which you are aware* I have refrained from calling out the Settlers of Albany". There were thirty-seven Dutch farmers from the Winterberg district, hence the total force under Major Dundas was forty-nine. Each man supplied his own horse and gun and the only support provided by Government was some beads and buttons for bartering with the natives for cattle and corn. Having assembled at Kaffir Drift on the Fish River they rode on to Mr. Shaw's mission station at Wesleyville, where the chiefs, Pato and Congo, came "to hear the news". Then pushing on to the Mount Coke mission station and crossing the Nahoon River they reached Komgha, whence an easy march of fifteen miles down hill brought them to the bank of the Kei River, where the great bridge is now constructed. Following the tortuous path up the hills on the other side of the river and halting for a time at Springs, they reached Butterworth, Mr. Shrewsbury's mission station and Hintsas's "great place" towards dusk of the third day. The tidings they received on their arrival were vague and unreliable. By means of Hintsas's spies they learnt that both the Pondos and Tambookies had been driven from their respective countries and were starving, but little information as to the whereabouts of Chaka could be obtained. After resting at Butterworth for a day, Major

¹ They were J. M. Bowker, W. M. Bowker, T. H. Bowker, B. E. Bowker (who wrote the account of the expedition), J. Phillips, Chas. Bailie, W. Biddulph, Edw. Phillips, Thos. Foxcroft, M. Cockcroft, Jas. Cawood and John Cawood.

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Dundas' party was reinforced by a large number of Hintsa's warriors, all mounted and armed with oxhide shields and assegais. This imposing cavalcade moved on to the Bashee River when all halted for some days and replenished their larders with hippopotamus meat. Major Dundas, with a few of his Albany followers, including the Bowker brothers, left the main column, if it may be so called, and rode on into Pondoland, to the great place of the paramount chief of the Pundos, Faku. The scene which met their eyes was depressing in the extreme. The ruins and smouldering remains of huts and cattle kraals were to be seen in all directions, broken mill stones, pots and the usual native utensils were lying scattered about and gave indications of the haste with which the owners had fled and the havoc which had been wrought by superior numbers suddenly overwhelming a defenceless people. The small party remained there until daylight of next morning. About midnight, they were awakened by the terrible and blood-curdling war-cry of the enemy passing at no great distance. Trembling for their safety, they waited until it was light enough to see their way, when they rode back as hard as they could to the main body at the Bashee. A march was then made into Tambookieland more to the north. The scene of devastation there was worse than in Pondoland, for the dead bodies of not only men, but women and children, some horribly mutilated, were still lying upon the ground. Vusani, the paramount chief of the Tambookies or Tembus, with the greater number of his people, had, after abandoning the cattle to the invaders, taken refuge farther in the country. Here Major Dundas came across them. He told Vusani that he had come to help him and that he must rally his people and further reinforce the column in order to attack the Zulus. After a few days, Vusani collected together 4,000 of his followers and Fobo, one of his petty chiefs, collected 2,000. This large body moved towards the Umtata, where on the night of July 25th they came in sight of the enemy's camp fires. At daylight all halted for a time, when, according to native custom, Vusani and Fobo addressed their warriors in speeches intended to stimulate them to bravery and victory. All then advanced to meet the despoilers, who by this time had become aware of their approach. Before they had gone very far, two most

extraordinary and horrible apparitions suddenly and unaccountably appeared at the head of the advancing host. They were the two army witch doctors, who, by their howlings, contortions and ravings were securing their people from defeat. They were slenderly dressed in skins and tails of animals, from their heads there hung down to their shoulders a number of greasy ringlets to which were fastened teeth of tigers and wolves, pieces of wood, which would "float up against the stream," shells possessing magic virtues and other potent charms. Their finger-nails were more like the claws of the ant-bear, being over an inch long, thick and horny. The army doctors continued their prancings and shriekings until the force arrived dangerously near the enemy, when they disappeared as mysteriously and suddenly as they had appeared.

When the contending forces were about 100 yards from one another, there seemed to be fear of beginning on both sides. This does not look as if the enemy were Chaka's people, as any such hesitation on the part of that tyrant's warriors would have meant their subsequent extinction by the chief himself, had they survived the battle. Vusani sent a messenger along to Major Dundas asking him to fire, but he would not. He told Vusani to fight his own battles as the enemy was only about 1,500 strong, while his forces including Hintsa's people were over 6,000. Nothing happened however, until Vusani again imploring Major Dundas to begin, orders were given that half the men should fire. The whole of them fired. The Fetcani, as these people undoubtedly were and not Chaka's Zulus,¹ immediately retired. They were followed by their assailants until they came to a nek in the hills. Here they rallied and were greatly reinforced. A most furious hand-to-hand encounter now ensued which lasted barely a quarter of an hour. Again the enemy retreated leaving the Tambookies conquerors and, what was of more importance, possessors of 25,000 head of cattle. The

¹ *Vide* evidence of the Fingo Kaula before the Commission on Native Affairs, Blue Book, C. 4, 83, Answer No. 2834. "Chaka the Zulu King attacked Matuwane and scattered his people. Matuwane, with the remnant of his tribe, the Amangwane, attacked our tribe, the Amasizi, who were then living on the Tugela. We submitted to his authority, and we followed him. We marched with him until we came to Mbolompo, at the sources of the Umtata, where he was attacked by the British troops and defeated."

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attacking party lost only one man, while the Fetcani lost between sixty and seventy—the assegai and shield had evidently been no match for the gun. As soon as the cattle had been obtained they were driven off with incredible swiftness, and in a short time the burghers found themselves alone and watching a gradually disappearing cloud of dust as natives and animals left their defenders farther and farther behind. These farmers were away from their homes seven weeks on this duty. As an instance of the kind of gratitude they received for their trouble in thus fighting the battles of these people, Mr. Bertram E. Bowker, who was present throughout the campaign and is the authority for the details here given, says that on the return journey they were in great need of food; but none of those they had so recently assisted would give them any. They went to Vusani and asked for an ox, but he also endeavoured to excuse himself. Major Dundas, in the end, was compelled to take one and to tell Vusani what he thought of him. The captured cattle did not long remain in the possession of Vusani and Hintsa, for the Fetcani again came down upon them and drove them off. In fact, although the burghers under Major Dundas had returned to their homes, the trouble was by no means at an end. In the next phase of it, Colonel Somerset took the field. These two officers seem to have acted with a curious independence of one another. Shortly before the engagement on July 26th, Major Dundas sent despatches to Colonel Somerset, who was then at Fort Beaufort, informing him of the state of affairs and asking for his assistance. With the greater part of the 55th Regiment and a large party of burghers from the districts of Graaff Reinet, Somerset, Uitenhage and Albany (but no British settlers) numbering altogether 531, he set off and was encamped on the banks of the Kei on July 31st. The field guns they had with them were drawn by oxen. Colonel Somerset was leaving trouble behind him and this probably gave him more concern than the threatened invasion from the far East. On July 10th he interviewed the Kaffir chiefs at Fort Beaufort and received their promises of support in helping to defend themselves. But after this they played an equivocal game. The people at the missionary institutions at the Chumie and Lovedale became so insolent and defiant that

the missionaries had to ask for military protection. Lieutenant Ross, who went on this duty, reported that "the disposition now evinced by Gaika's Caffres shows that they have something serious in contemplation". Gaika was twice sent for by Colonel Somerset but he refused to meet the Colonel. Depredations in the Colony which, in consequence of the indulgences offered by the 49th Ordinance, had gradually increased during the administration of General Bourke, were carried on to a ruinous extent while the forces were at a distance. The small detachment of the 55th, which had been left to protect the frontier, was powerless. Two of these soldiers were waylaid and murdered in a most barbarous manner by the Kaffir thieves. This, however, was only one of the many atrocities with which robberies were accompanied. A change was coming, however, for in September, 1828, Sir Galbraith Lowry Cole became Governor of the Colony and one of his first important acts was to repeal the 49th Ordinance and to revert to the measures of Lord Charles Somerset.

But to return to Colonel Somerset at the Kei. In consequence of the uncertain and conflicting rumours concerning Chaka, the troops and burghers remained there about three weeks, during which time they suffered much from cold and rain and scarcity of provisions. On August 18th urgent requests for assistance came from Vusani and Hintsä. The enemy was reported to be on the left bank of the Bashee and to have sent word that they wanted to see the white men who assisted the Tambookies. On the 22nd Colonel Somerset arrived at that river, but no hostile camp was to be seen. Vusani and Hintsä, with a largely increased army, had halted at a place about five miles distant. The Colonial force joined them and then learnt that the "Zulus" also had been greatly reinforced, were advancing towards them and were then only about six miles from their position. Colonel Somerset ordered the immense body of about 16,000 men to move forward at dusk on August 26th. They marched until one o'clock in the morning and then halted on the side of a hill above the Umtata River behind which the enemy was encamped. At four o'clock the advance up the slope was continued and, then as soon as it was daylight, but still remaining out of sight, Captain Aitcheson with an interpreter and an escort of twenty

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men went over the ridge and endeavoured to speak with the enemy. But no heed would they pay to overtures. An attempt to surround the small party was at once made and then there was a furious rush forward. The interpreter being the most advanced was the only one touched; his belt and the breast part of his tunic were cut away but otherwise he was unharmed. Captain Aitcheson had a very narrow escape and was compelled to fire in self-defence. Colonel Somerset seeing the predicament of the party sent his men forward and thus the action became general. But then the army of friendly natives did absolutely nothing. They remained upon the crest of the ridge and apparently looked on and enjoyed the sport until they could safely approach and mutilate the wounded and murder the helpless women and children. "Nothing (says Colonel Somerset) could exceed the determined and daring conduct of the enemy. As well as I am able to judge I estimate their force at about twenty thousand, but as they continued receiving large reinforcements from the other side of the mountain, I cannot give a very accurate idea of it. They made constant and continued attempts to charge my Forces, and appeared determined neither to give nor receive quarter. After a continued fire from six o'clock to about half past one, the enemy was driven from all points and retired up the mountain." There were no casualties on the Colonial side; but the loss on the native side must have been great, though there seems to be no record concerning it. As soon as the battle was over, Colonel Somerset turned his attention to the rescue of the women and children from the merciless hands of the followers of Vusani and Hintsa, "who murder the small children by knocking them on the head with their clubs". He addressed the chiefs in strong terms, telling them that for the violation of their promise to assist in the struggle and for their wanton barbarity they were not to expect any further assistance from the Colonial Government. Altogether forty-seven women and seventy children were collected. Colonel Somerset was at a loss to know what to do with them as they refused to go back to their own people. Some of the Boers offered to take care of them until they reached the Colony. This was approved of and Field-Commandant Durand made a list of them which was eventually

handed to the Civil Commissioner of Albany and Somerset. The account which one of these women gave of her people showed that the enemy which had been fought was Matiwana's people and not Chaka's. As a matter of fact Chaka, after his raid upon the Pondos, had retired for a time to the Umzimkulu River and then to his own place in North Natal. This defeat of the Fetcani undoubtedly saved much subsequent trouble, for though they were not the actual enemy the forces went forth to resist, yet they were a part of the tribe which had depopulated and laid waste the whole of the Bechuana country and who are described as being far more ferocious than the Kaffirs, rushing on to combat in dense masses with stabbing spear and war club to exterminate all life in their path. As far as the Colony was concerned it was a war of self-defence and not undertaken until circumstances rendered it absolutely compulsory. Had the Colonial troops merely endeavoured to guard the frontier, and calmly looked on while the Kaffirs were being exterminated, there would eventually have been on our immediate border a fierce and warlike tribe and probably in the Colony thousands of dangerous refugees, to keep whom in check would have required ten times the available military force.¹

¹ The account of this, like so many other conflicts with the natives, has been extraordinarily distorted and exaggerated to suit party purposes. A curious but characteristic feature of the history of the Eastern Province in the early days is the prejudice there was against the white inhabitants—both British and Dutch. If it were permissible to generalise, it might be said that in the consideration of any trouble between the colonists and natives, there could be no question as to the vices and cruelty of the former and the innocence and lamb-like disposition of the latter. The account of an eye-witness or of the vast majority of the colonists was insignificant when compared with that of a certain small minority whose blood-curdling tales and hearsay evidence gained a too ready credence in England. To protect one's home and property by keeping thieves at a distance was cupidity and motive to deprive the already injured natives of their rightful country; to recover stolen property was unwarrantable oppression, if not extermination of the aborigines, in short "justice" was the prerogative of the black man. Any harm whatever which befel the white man was retribution for former cruelties. It was a comfortable and cheap policy—for those at a distance—it saved expenditure on the proper protection of the frontier inhabitants. But of the accounts of the campaign against the Fetcani. Mr. Saxe Bannister, the writer of the *Humane Policy*, who had travelled through Australia, New Zealand and Canada and "had spent six weeks in Caffraria" (*vide* his evidence, *Report of the Aborigines Committee*, p. 174) but who knew nothing at first hand, talks authoritatively on "the bloody events of 1828," when "troops marched into Caffreland to meet an imaginary enemy" and "advocated the necessity of putting down the old system of unjustifiable wars on our part".

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It remains now to account for the Zulu chiefs at Port Elizabeth. A good deal of acrimonious correspondence took place between Major Cloete and Lieutenant King in connection with the return journey and the presents which should be given to a chief of Chaka's rank. The Government would give no register to the vessel or sanction any insurance or expense connected with it, and £10 worth of goods was considered quite sufficient as a present for the King of the Zulus. Lieutenant King differed; he said that Chaka had treated with contempt presents of the value of £800.

In the end, in order to avoid giving any official recognition to the *Elizabeth and Susan* and yet to get the chiefs

The Rev. S. Kay, whose acquaintance with Kaffirland seems scarcely to have been of that intimate nature which entitled him to speak with authority, wrote an account of his "Travels and researches in Caffraria". Speaking of Colonel Somerset's conduct, he characterises it as "one of the most disgraceful and cold-blooded acts to which the English soldier had been accessory". "The moment our troops arrived on the summit of the eminence that overlooked the vale in which Matiwana and his men were lying, orders were given for all to gallop down amongst the houses, their affrighted occupants then poured out in droves and a dreadfully destructive fire was forthwith opened upon them. Numbers, gaunt and emaciated by hunger and age, crawled out of their miserable sheds, but with pitiable apathy sat or laid (*sic*) down, as if heedless of their fate. Many of the females cast away their little ones the more readily to effect their own escape, while others actually plunged into the deepest parts of the river with infants upon their backs." "Who can conceive of a situation more awful? The thought of it makes one's blood run cold." (*Vide* also "Comment on Mr. Kay's charges" in connection with the behaviour of the white men in Natal, in Isaac's *Travels and Adventures in Eastern Africa*, vol. ii., chap. xii.)

Mr. Boyce, however, who was the *resident* missionary at Butterworth, says: "If anyone doubt the humanity of British interference in 1828, let him travel along the Umtakalie River, and among the mountains near the source of that river, he will find specimens of the humanity of the people of Matiwana, those 'helpless, inoffensive people' (as they have been called) from whose tender mercies the Caffre and Tambookie tribes were delivered by the Commando of 1828".

Lastly, Mr. Stockenström endorses—and in fact quotes—Mr. Kay's views and speaks of the "Anglo-Galeka army" under Colonel Somerset falling upon the Fetcani with great guns, and small guns, with sabres and assegais, and making indiscriminate havoc among savages before they were awake. In estimating the value of this worthy gentleman's evidence we must bear in mind that he was far from the scene of disturbance and, moreover, he was chafing under the slight which he felt Colonel Somerset had put upon him by not consulting him, as Commissioner-General, on the matter. In fact all along he felt he was "the fifth wheel of a waggon" and not wanted and eventually threw up his situation on this account. "It is to me perfectly clear," he says, "that no Civil Governor will ever be able to control the Frontier, with Colonel Somerset as Commandant and his uncle omnipotent at Head Quarters." (*Vide Autobiography*, vol. i., pp. 279-81.)

safely back to Natal, H.M.S. *Helicon* went round to Algoa Bay and on August 9th set sail with Sotobe and his company and with a few sheets of copper, a piece of scarlet broad-cloth, a few trinkets, and medicines for Chaka. The great chief does not seem to have been very satisfied with the results of the mission or to have had much confidence in either King or Farewell. The former had opened the case of presents before they were delivered, and as there was a bitter feud between these two men, each seems to have given Chaka occasion to say that he could not believe either of them. Chaka therefore sent another embassy to the Colony under the charge and guidance of Mr. John Cane—one of the Natal adventurers who had previously been a workman at the Somerset farm under Dr. Mackrill. The party travelled overland and reached Grahamstown on October 8th, 1828. As soon as the Governor, Sir Lowry Cole, heard of their arrival he appointed Captain Aitcheson to take charge of the envoys. They were conducted to Cape Town where they arrived on November 7th. The messages the ambassadors had to convey were that Chaka desired that an accredited agent should go to him to inform him of the intentions of the Government with respect to the Kaffirs along the borders; so anxious was he to become an ally of the Colony that he was prepared to risk much in order to attain that end. He wished to know whether Lieutenant King had delivered the fifty elephant tusks which had been sent as a present for King George as he had a strong suspicion that King had converted them to his own use. In this Chaka was not far wrong, for King had delivered only two. This perhaps accounts for King's anxiety in connection with the smallness of the present which the Government sent to Chaka and for his own addition of a looking-glass "worth Rds. 200". Finally Chaka asked for a seal with his name engraved upon it, some sealing-wax, tartar emetic and salts, some oxtails and large dogs, and what he prized most but had been disappointed in not obtaining by his first mission, some Macassar oil to prevent his hair turning grey! In reply to all this the Governor sent assurances of the desire of the Colonial Government to remain in friendly relations with the King of the Zulus but also of the determination to maintain the border tribes in possession of their territories;

CHAP. VIII. he also gave such accounts of the reception and treatment of the first embassy as could give Chaka no reason for complaint against the Colony. Captain Aitcheson was instructed to conduct the messengers overland as far as Chaka's kraal in North Natal, and at the same time to make, while upon that long journey, such observations and inquiries as should lead to a better knowledge of those distant regions. When the party had travelled as far as Fort Beaufort, where Colonel Somerset was to provide an escort of twenty mounted men, properly dressed and accoutred, news arrived that Chaka had been assassinated by his brother. Captain Aitcheson's mission was therefore cancelled, and the envoys had to remain at Fort Beaufort until they could join the return expedition of one of the traders.

Chaka was murdered in September, 1828, and, just before, Lieutenant King had died—a natural death—rather a rare occurrence in Natal in those days. At the beginning of December Messrs. Isaacs and Farewell with some others left Natal in the *Elizabeth and Susan* for Algoa Bay, in order to take the tidings of the changed circumstances to the Colony as well as to settle up Lieutenant King's affairs. On the arrival of the vessel at Port Elizabeth, Mr. Francis, the Port Captain, seized it and sold it. Thus after the labour, care and anxiety with which this interesting schooner had been built, the owners lost her and, so it seems, did not even get a share of the proceeds of the sale.

Dingaan, Chaka's brother, who became the new King of the Zulus, gave, at first, promise of pursuing a more humane policy than his execrable brother had done; in the end, however, his career was even more bloody—towards the whites as well as the blacks.

Marked as General Bourke's administration and native policy were by his promulgation of the 49th Ordinance, the 50th Ordinance, sometimes known as the Magna Charta of the Hottentots, was even a greater historical landmark. Whether considered from its effect upon the country at the time, its subsequent results or the attention it demanded from legislators of a later date, it stands out as the prominent feature of General Bourke's short period of Colonial rule. The principle which actuated him throughout was that of the liberty of the subject,

quite regardless, it would seem, as to whether the uncivilised or semi-civilised subjects were sufficiently acquainted with the social compact to make that liberty anything but a curse to themselves and them, in their turn, a danger to the rest of the community. The 49th Ordinance, from the facilities it afforded the Kaffirs for stealing the farmers' stock and the difficulties it opposed to the recovery of stolen property was a doubtful blessing. Matters, however, were made worse by the enactment of a law which removed all restraints from the labouring class, the Hottentots, and thus added many of them to the numbers of robbers which then infested the country. The degraded condition and the disabilities of these people had long been a matter of concern to the Colonial Governors, and with the view to improving and protecting them from cruelty and injustice the Proclamations of 1809 and 1812 had been framed. But these, though conceived in motives of the greatest humanity, had only partially, if at all, met the case. The problem was a complex one on account of the natural idleness, improvidence and entire want of ambition on the part of the Hottentots themselves. The famous Dr. Van der Kemp, who, of all people, cannot be accused of condemning them unduly, said: "One of the almost insurmountable obstacles to the progress of the Hottentots towards civilisation is their natural indolence and an unsettled roaming disposition, averse to fixed and orderly habits and employment and unacquainted with the most ordinary artificial wants and comforts of civilised life". It is scarcely surprising, therefore, that at the date under consideration, namely 1828, the Hottentots were not in possession of farms or lands in the same sense as the white man was, though there had never been any legal or other restriction which prevented them. Disposed to move from place to place in a vast country where there was far more than room for all, it is difficult to believe that the Hottentots were the "original proprietors" of lands of which they had been forcibly dispossessed by the white man—as has so often been stated by the "philanthropists". Their aversion to work and a preference to live by beggary and occasional thefts necessitated, in the interest of the country generally, a system of restraints whereby they were compelled to be able to show that they had some visible and honest means of subsistence or to be treated as

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vagrants and vagabonds. On completing a contract period with one master they were obliged, within a short time, to take service with another; much the same, in fact, as in highly civilised countries of the present day where the poor man on leaving one work must find another or starve, but with the exception in the latter case that the compulsion is brought about by natural circumstances and not by the Legislature. That the objects of the laws which had been enacted chiefly in the interests of the Hottentots, those of 1809 and 1812, had in a large measure failed and that the Boers had taken advantage of the weak points cannot be denied. Demands on the limited supply of labour led to the discovery of artifices whereby, in spite of the Proclamations, a Hottentot once in the employ of a farmer could be kept there and also a claim raised for the service of his children. Thus the condition of service of this, an admittedly free people, was somewhat of the nature of slavery.¹ To remedy this state of thralldom and to give the Hottentots opportunities for raising themselves in the social scale was one of the first problems which Captain Andries Stockenstrom set before himself after his appointment as Commissioner-General in January, 1828. He drew up a memorandum in which he explained the case as it appeared to him and brought it to the notice of General Bourke. The paper bears the date April 3rd, 1828. According to this he considered that the distinctions made between the several classes of free inhabitants of the Colony by the existing laws were calculated to retard the improvement of those who, through prejudice and their unfortunate condition, were looked upon as belonging to the lower orders of the community. Referring in particular to the Hottentots, who "being natives of the Colony, and consequently, in my opinion, born to the right of citizenship, stand naturally on a level with the Burghers, save the drawbacks entailed upon them by the laws which I propose to remove," he considered that such restrictions as "the prohibition to carry firearms, their liability to perform duties to which the whites could not condescend; their obligation to show passes to any person of the latter colour, though in every other respect their inferiors," served not only to perpetuate,

¹ *Vide* Report of the Commissioners of Inquiry upon the Hottentot Population at the Cape of Good Hope, July 1st, 1830.

but to increase the degradation which, he would have us believe, could be no fault of their own. "The policy of this distinction and these partialities seem to have originated in the necessity felt by the earliest migrators into the interior, to prevent the possibility of retaliation on the part of the natives for the aggressions and outrages committed against them, by crushing their power and securing their unlimited submission. The impotence of the Government, its ignorance of the true state of affairs in the remote parts of the Colony,—hardly ever visited by any enlightened individual able or willing to give the necessary faithful information,—and perhaps, the interest which some of the rulers themselves had in the perpetuation of the oppressions alluded to—caused too ready an ear to be lent to the representations relative to the necessity of using every precaution against the chance of the natives recovering themselves—becoming again of consequence in their lost country, and dangerous to their conquerors. This system of *keeping down* being strictly acted upon, gradually degraded the moral character of the natives, and generated the plea that they were too miserable and inferior a species, either to appreciate or to be benefitted by a participation in the liberties and rights enjoyed by their more powerful and fortunate fellow subjects, to which they had an equal title."

"I therefore do not hesitate to recommend the enactment of a law placing every free inhabitant in the Colony on a level, in the eye of the law, as to the enjoyment of personal liberty and the security of his property. . . ." "If His Honour the Lieutenant-Governor should be pleased to attach any weight to these observations, and contemplate an ordinance, various minutiae would come under consideration; as only the leading principles of the policy suggested to be adopted are above laid down with every possible deference to His Honour's better judgment. Cape Town, April 3rd, 1828."¹ The sentiments

¹ One of the most difficult problems in the study of South African history is the comprehension of Stockenstrom's attitude towards the native affairs of the country. His long experience and intimate connection with the Government, his manifest honesty and determined courage to do what he felt to be right, regardless alike of public approbation or disapproval, his supreme unselfishness in the service of the Colony, as instanced by his completely voluntary resignation of a high and lucrative position when he felt he was of no use—or was the fifth wheel to a waggon, as he himself expressed it—all conspire to give great weight

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expressed and the policy recommended in this document met with the entire approval of General Bourke and forthwith he commenced to act upon Stockenstrom's suggestions. The matter was placed in the hands of Mr. Justice W. W. Burton who drafted an "Ordinance for Improving the Condition of the Hottentots and other free Persons of Colour," and on July 17th, 1828, Ordinance No. 50 passed the Lieutenant-Governor in Council and became part of the Statute Law.¹ There are twenty-five sections in this Ordinance of which the greater number deal with the regulations under which Hottentots were to enter and remain in service. The second and third sections were the innovations and it was those, especially the second, which gave rise to the subsequent difficulties; they were as follows: Section II. "And whereas by usage and custom of this Colony Hottentots and other free persons of colour have been subjected to certain restraints as to their residence, mode of life and em-

to his opinion and high authority to his words. Yet for all this, on making an independent study of the relations between the white and black inhabitants, it is difficult, in the extreme, to reconcile many of his statements with what seem to be facts, or his actions with common sense. Can it be that his disposition was permanently soured and his better judgment warped by the treatment he had received from the late Governor, the continued presence of a Somerset in authority in the East and the bogie of "uncles still omnipotent at the Horse Guards"? Did he himself really believe that the degradation of the Hottentots had been due to the domination of the white man and that it was entirely a process of "keeping down" for fear of retaliation which had prevented them from improving themselves? Were they not as low in the scale of civilisation as they could well have been when Van Riebeeck first landed at the Cape? And now that they have had more than a hundred years of every advantage which the most virulent "philanthropist" could desire for them, can they be said to have risen any higher than a servant class? That they are the better for the humane policy which has been in operation so long no one can deny, but compare the Hottentot with the Kaffir in the results of civilisation and education and then see whether the inferiority or "degradation" of the former is not in a large measure due to his natural incapacity to develop. The Kaffirs on the other hand, though they have had no greater advantages than, if as great as, the Hottentots have shown that they are capable of becoming sufficiently educated to act as lawyers, court interpreters, ministers of religion, editors of newspapers, writers of books, University graduates, and even members of the Legislature. Has a Hottentot ever achieved any one of these distinctions? The harm Commissioner-General Stockenstrom did to the Colony by his initiation of the 50th Ordinance is equal only to that of his famous treaties with the Kaffirs a few years later; in both cases, if one may presume to judge him, he was actuated by high and noble motives, but with an independence and obstinacy characteristic of him, he seems to have refused to be guided by the experience of others and to have ignored the success which had attended their efforts.

¹ It was repealed August 27th, 1842.

ployment, and to certain compulsory services to which others of His Majesty's subjects are not liable; be it therefore enacted, that from after the passing of this Ordinance, no Hottentot or other free person of colour, lawfully residing in this Colony, shall be subject to any compulsory service to which other of His Majesty's subjects therein are not liable, nor to any hindrance, molestation, fine or imprisonment of any kind whatsoever, under the pretence that such person has been guilty of vagrancy or any other offence, unless after trial in due course of law, any custom or usage to the contrary in any wise notwithstanding." Section III. "And whereas doubts have arisen as to the competency of Hottentots and other free persons of colour to purchase or possess land in this Colony; be it therefore enacted and declared, that all grants, purchases and transfers of land or other property whatsoever, heretofore made to or by any Hottentot or other free person of colour, are and shall be, and the same are hereby declared to be, of full force and effect, and that it is, and shall and may be lawful for any Hottentot or other free person of colour, born or having obtained deeds of burghership in this Colony, to obtain and possess by grant, purchase or other lawful means, any land or property therein, any law, custom or usage to the contrary notwithstanding."¹

¹ In view of certain missionary matters yet to be dealt with, it is of importance to note and emphasise here the origin of the 50th Ordinance as described above; because the merit of its initiation, whatever it may have been, has been ascribed to Dr. Philip, of the London Missionary Society, who is alleged to have brought it about by the publication of his famous *Researches in South Africa*. In the History of the London Missionary Society, vol. i., p. 550, for instance, it is stated that "it (*i.e.* the *Researches*) exerted enormous influence upon the administration of affairs in the Colony. One highly important result was the promulgation on July 17th of the famous Order in Council No. 50," etc. On the other hand, Colonel Wade, who had been Acting-Governor of the Colony, in his evidence before the Aborigines Committee in 1836 (*vide Report*, p. 287) says "it is but an act of justice to Major-General Bourke to state the fact that to him, and him alone, are they (the Hottentots) indebted for that charter of their liberty, and not to any instruction from the Home Government, nor, as has been over and over again asserted, to the publication of Dr. Philip's *Researches in South Africa*, a point on which I deem it the more necessary to disabuse the Committee, because I am well aware that not only the Hottentots have been taught to ascribe to the exertions of that gentleman in their behalf, and not to the spontaneous act of the Colonial Government, both that measure and every other benefit which since its promulgation has been conferred upon them, but that very many influential persons in this country partake of this most erroneous, and, as regards the people of colour themselves, most mischievous opinion, one which I must add, the public

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This Ordinance was in entire accord with the sentiments of the Government in England. "By Dr. Philip's desire, an additional clause was added to it, prohibiting its alteration, repeal or amendment without the previous consent of the King in Council; and in this form on the 15th of January, 1829, it was ratified."¹

There can be no doubt but that the Hottentots, as a class, were in a degraded condition and that some measure for enabling them to raise themselves in the social scale was necessary. This seems to have been generally admitted in the Colony at the time. But opinion was unanimous on the point that nothing but harm could come to the country generally as well as to these people in particular by removing every restraint from them, by, in fact, abandoning them to the mercy of the worst enemy they had, namely, themselves.

The Cape Corps should have been an object-lesson to those who moved in this matter. The Hottentots who composed that regiment and were under the necessary military discipline proved themselves to be useful and, it may be said, exemplary members of the community. During a long and eventful period they had shown that they were not incapable of endurance and fatigue, that the restrictions to which they had to submit had had a salutary effect upon them, and, withal, being excellent shots and possessing more than ordinary courage, they had been of immense service in the bush warfare peculiar to this country. The Cape Corps probably did more for the Hottentots than all the Proclamations and Ordinances.

Finding themselves, on the promulgation of the 50th Ordinance, all at once released from the disabilities to which they had been subjected, a large portion, from a not unnatural impulse, left the services of the colonists as soon as their

declarations of Dr. Philip in regard to this ordinance have been but too well calculated to confirm".

A comparison of dates further confirms the view that Dr. Philip had nothing to do with initiating it. His book was published in London in April, the same month as Captain Stockenstrom drew up his memorandum, hence it is impossible that either that gentleman or General Bourke could have been influenced by anything which was said in the book. Dr. Philip went to England in January, 1826, and did not return until the end of 1829. It is in the highest degree improbable that either the Lieutenant-Governor, who had never met Dr. Philip, or Captain Stockenstrom had ever been in correspondence with him on the subject.

¹ Theal, *History of South Africa*, vol. iv., p. 430.

contract times had expired, while some even felt themselves authorised by the new law to break short their indentured terms and at once to take their freedom. Being now at perfect liberty, large numbers seem to have "squatted" near farms and, at times, to have congregated in the district towns and villages, where the temptation of cheap brandy, procurable by a little labour, further degraded them. On the other hand, it must be said that some remained in service, accumulated a small quantity of stock by their industry and had a right to be regarded as respectable people. These however could scarcely have been a blessing to their employers, for, according to the numerous complaints, they (the employers) were "eaten up by the swarms of friends and relations of their Hottentot servants, who, having no fixed abode or lawful means of subsistence, were living in wilful idleness on what was provided for them by their more industrious countrymen or providing for themselves by occasional depredations on the farmers' flocks and herds". It became a most difficult matter to trace stolen cattle or to bring any definite charge against the vagrant Hottentots though there was little doubt but that they were the thieves. W. Currie, the field-cornet of Bathurst, who had been asked to report upon the state of affairs in his district in August, 1829, said that it was impossible to state any particular circumstances, all he knew was that oxen went out in the morning and every now and then one or two did not return in the evening. On one occasion only did he come across one of the missing cows and that had been shot and skinned in a deep kloof. It was a matter of common observation that when Hottentots went out hunting or collecting honey, cattle were sure to disappear, but it was most difficult to bring a charge against any individual, as one screened the other to the extent of perjury. Every complaint was met with the observation "if they steal, convict and punish them," without ever adverting to the nature of the country or the habits of the people which rendered detection almost impossible. Mr. Currie thought that nearly every one in his district had lost cattle in this quiet way. In some cases meat was found hanging from the trees in secluded spots and the skins of the beasts, which were pierced by bullets, tied up ready to sell to traders. Major T. C. White of Table Farm reported that his old

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Hottentot woman, who had charge of the lamb flocks, refused any longer to look after them as "the bush was so full of schelms". Edward Forbes of Waai Plaats reported that the Hottentots in his district were stealing cattle a few at a time and were trafficking with the Kaffirs with them. And so on through numerous reports of a similar nature from other districts.¹ All this gave rise to an agitation for effective laws dealing with vagrancy, and this in turn gave rise to a still greater opposition on the part of Dr. Philip and his influential friends to prevent the liberties of the Hottentots being tampered with. Any such move meant interfering with the 50th Ordinance—in fact in 1834, when the judges of the Supreme Court were asked to express to the Governor and Legislative Council the nature of the laws in operation in regard to vagrancy, they stated that "no law which at present exists, nor any that can be framed for the suppression of vagrancy in the Colony can be carried into effective operation in respect to the Hottentots, so long as the Second Section of the 50th Ordinance stands unrepealed".² It is worthy of notice here that European vagrants could have been dealt with and punished—but the Hottentots were exempt. In 1834 the

¹ The following extracts from a letter of W. Pringle to the Civil Commissioner may be quoted. "Eildon on Baviaan's River, October 6th, 1828.—Sir, I beg leave to solicit your attention to a subject of the utmost importance not only to myself but to every inhabitant of this part of the District, *vis.*, the outrages committed by a band of runaway Hottentots in this Field cornetcy. The destruction of property by them in this neighbourhood lately has been truly alarming. Yet no steps have been taken for several months past to put a stop to their depredations. . . . On or about the 25th of August, eight breeding and young horses belonging to me were by these banditti all killed and left to the wild beasts and three days after this three riding horses of mine were stolen by them, two of these horses were indeed next day taken from the thieves by a party of Bastarda who accidentally fell in with them, but it was at the most imminent risk of their lives, for the man who seized the horses had two musket shots fired at him, one bullet passing through his hat. . . . I could mention many more instances that have lately occurred in this neighbourhood, but these I have already mentioned I trust are sufficient to show the dreadful state we are at present placed in. It is evident if effectual steps are not speedily taken for our protection, our whole stock of horses, cattle and sheep, will in a short time, be destroyed. I therefore most earnestly request that you will cause some measures to be adopted for our protection from the further outrages of these Banditti.—Wm. Pringle." Pieter Retief writes to the Civil Commissioner on January 6th, 1830, from Mooimeitjespontem (Riebeek East) saying that there are 158 persons both black and white living without any visible means of subsistence in the Government bush, and hopes steps will be taken to remove them.

² *Vide* Colonel Wade's evidence, *Aborigines Committee Report*, 1836, p. 290.

Acting-Governor, Lieutenant-Colonel Wade, drafted an Ordinance for the protection of the colonists against the vagrancy of the Hottentots, but Dr. Philip, by means of the enormous influence he had with the authorities in England, defeated the measure. He (Dr. Philip) had "seen in the records of the Colony, whether Dutch or English, nothing in the shape of a law so appalling to humanity and religion". "Any law in this Colony that would attempt to compel the wilfully idle to labour would be a law which would give back to the masters the whole of the slave population under a law more cruel and dreadful in its operation than the old slavery law of the Colony, because the masters having no interest in their lives beyond their immediate services, they would have no checks upon their avarice."¹ However, as will be seen in the sequel, the vagrancy of the Hottentots was a small matter compared with other calamities which befel the Eastern Province at later dates, and which were brought about by the same kind of interference and sacrifice of the interests of both Dutch and English inhabitants, as prevented the passing of the Vagrancy Ordinance in 1834.

Having conscientiously done what he considered in the best interests of the Colony—and leaving as a legacy for future Governments the 49th and 50th Ordinances—General Bourke handed over the administration of the Cape to Sir Galbraith Lowry Cole, the new Governor, on September 9th, 1828, and sailed for England on the following 7th of November.

¹ *Vide* Dr. Philip's very long letter on the Second Ordinance (Vagrant), Appendix to *Report of Aborigines Committee*, pp. 757-62.

CHAPTER IX.

TANTÆNE ANIMIS CŒLESTIBUS IRÆ?

CHAP. IX. THE new Governor, General Sir Galbraith Lowry Cole, was a distinguished soldier and, like many others, had gained his chief laurels in the Peninsular War. The second son of Willoughby Cole, first Earl of Enniskillen, he was born in Dublin on May 1st, 1772, and entered the Army as ensign, in the 12th Light Dragoons, in 1789. Having seen considerable active service in the West Indies he reached the rank of Colonel, in the 27th Inniskillings, in 1801, and was in full command in Malta. He became Major-General in 1808. In 1798 he was returned to the Irish House of Commons as M.P. for Enniskillen. But it was in the Peninsular War, as leader of the famous fourth division under Wellington, when Sir Lowry Cole earned his greatest distinction and his right to be regarded as one of the most able generals of that time. Subsequently he joined the army of occupation in France and commanded the second division until the final evacuation in November, 1818. In 1823 he was appointed Governor of Mauritius and held that post until he was sent to the Cape in 1828.

The arrival of a great and distinguished soldier at the Cape in order to take over the Government of that Colony was not infrequently the turning-point in his career, and the commencement of a downward course in the prestige which his abilities had already won for him. Although such successes might have been achieved amid the difficulties and dangers of the battle-fields as to gain general public applause and votes of thanks of the House of Commons, yet, too often, when the administration of the Cape of Good Hope was undertaken, differences with the Colonial Office arose which led to treatment tantamount to censure or dismissal. South Africa has,

perhaps not inappropriately, been spoken of as "the grave of great men's reputations":

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Having never before been in South Africa and being probably in total ignorance of the stormy history of the country, Sir Lowry Cole arrived and was called upon to act decisively at a most critical time. Colonel Somerset with the military and burgher force was then on the Bashee driving back the Fetcani; the Kaffirs in their rear, taking advantage of their absence as well as of the indulgences offered them by the 49th Ordinance and the open and unprotected frontier, were robbing the farmers to an almost unprecedented extent; the liberated Hottentots were increasing the turmoil by their first enjoyment of the privileges granted them by the 50th Ordinance scarcely two months previously, and on the northern borders the Griquas, Corannas and Bushmen were giving trouble quite sufficient in themselves to tax the ability and consideration of any new Governor. In the first place, and almost within a week after his arrival, Sir Lowry turned his attention to the Hottentots. He conceived the idea of inducing these people to abandon their vagrant habits by affording them the opportunities of establishing themselves on lands where they might be within the reach of moral and religious instruction and under the protection of magistracy. This sounds somewhat as if Sir Lowry did not know what was then actually in existence, for Bethelsdorp, Theopolis, Genadendal and other places came quite within this description, though *some* of the missionaries would undoubtedly have described the protection of the magistrates as differing but little from oppression. The Governor's idea, however, seems to have been not so much that of missionary institutions, but "locations" attached to towns and villages where each Hottentot family was to be granted one morgen of land at a perpetual quit rent of one shilling and sixpence, together with certain commonage grazing rights. The people were supposed to be willing to work for the farmers and thus maintain themselves. This measure was submitted to the consideration of Commissioner-General Stockenstrom in a letter dated September 28th, 1828.¹ As might have been expected, this did not meet with the Com-

¹ For the actual letter, as well as Stockenstrom's reply, dated December 13th, 1828, see *Report of Aborigines Committee*, 1836, p. 298.

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missioner's approval. He was of opinion that the Hottentots had not sufficient check upon themselves to be able to withstand the temptations of strong drink which such proximity to towns would place in their way, and that, in consequence, no improvement or social development would be possible. He preferred the occupation of the whole of the Ceded Territory indiscriminately by "Hottentots and other colonists" on the same kind of tenure as then obtained in the Colony. This, however, was a very large question and could be sanctioned only by the Home Office, for not only did it involve the uncertain rights which the Government had in that territory, but, as many tribes of Kaffirs were already in possession of parts of it, it would have been necessary, in the first place, to have removed them beyond the Keiskamma. About this time, however, an event happened which in a very large measure solved the difficulty and enabled the Hottentots to be placed in the circumstances which many desired for them.

Towards the end of January, 1829, there was another sudden rush of the Tambookies into the Colony. On first receipt of the news, apprehension of further advances of the Fetcani or the warlike Zulus arose in the minds of the frontier authorities. A little investigation, however, made it clear that a much nearer neighbour was the cause of the commotion, in fact, none other than the turbulent and ever active Maqomo. It will be remembered that, in accordance with the treaty which Lord Charles Somerset made with Gaika in 1819, neither blacks nor whites were to occupy the Neutral, afterwards called Ceded, Territory. In spite of this, several chiefs surreptitiously crept back into the forbidden land and established themselves with numerous followers in many parts of it. Maqomo took the beautiful and fertile country at the sources of the Kat River. When Lord Charles Somerset came to know of it, he connived at this breach of the treaty by allowing them to remain on condition that they behaved themselves. But, as will have been gathered from what has been pointed out so far, this indulgence had long been forfeited. Nevertheless, although there had been so much to complain of against the Kaffirs as a whole, yet it had been impossible to bring anything definite against any particular chief. But now Maqomo transgressed to such an extent that there could be

no other course open to the authorities than his complete ex-
pulsion from the Ceded Territory.

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At daylight on the morning of January 24th, with a large band of his warriors, he arrived at a Tambookie village, situated about forty miles in a north-easterly direction from the Kat River, and made a most furious and bloody onslaught on the peaceable and unsuspecting inhabitants. His tactics were worthy of the man; the invaders were divided into a number of different bands so that each part of the village might be attacked simultaneously and all the cattle seized before the first alarm had subsided. The operations were eminently successful. Very many of the Tambookies, including women and children, were murdered and 3,000 head of cattle captured. The survivors fled towards the Colony but were not allowed to escape without further ill-treatment, for they were pursued until they were twenty miles within the Colonial border—somewhere in the region of the present town of Tarkastad—and were then again attacked with great loss of life. Maqomo with the captured cattle then returned to his kraals at the Kat River.

The reason for this attack is perhaps not far to seek. An inoffensive people residing at no great distance from Maqomo had cattle, there was plenty of room for these cattle in Maqomo's kraals and, as after events showed, no great difficulty was to be encountered in transferring them thither, *ergo*, they were transferred thither. This, however, was not the explanation which was elicited when the matter was investigated for the purpose of determining how far Maqomo deserved punishment. Colonel Somerset visited the wily chief and learnt from him that the attack was made actually at the instigation and request of Powana, the Tambookie chief, himself. According to this account, Powana had been joined by a sub-chief, Galela, who shortly before had arrived from the main body of the Tambookies then living at the sources of the Umtata. Galela, so it was said, had defied Powana and in other ways misconducted himself, and as Powana was not sufficiently powerful to punish his refractory subordinate, he appealed to Maqomo for assistance. The other side of the story was obtained by Captain Duncan Campbell, the Civil Commissioner of Albany, who was in-

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structed by the Government to go into the matter fully. He visited Powana, who, with his people, was then in the Colony in a starving condition. Powana denied ever having sought the assistance of Maqomo. He believed the cause of his enmity towards himself was due to the fact that he (Powana) had formed some kraals at the source of the Koonap River, that Maqomo for no other reason than avarice had attacked these and robbed them of 300 cattle, and that he (Powana) had reported this to the field-cornet Steenkamp and begged for protection with the Colony. Field-cornet Christian Muller, of the Tarka, corroborated Powana's statements and, as further evidence against Maqomo, both Powana's and Galela's people and cattle had been indiscriminately attacked.¹ The results of the inquiry were forwarded to Cape Town. It was considered that, in order to maintain the dignity of the Government and the respect due from the tribes along the frontier, the most peremptory measures were called for. Not only had an insult been offered to the avowed protectors of the Tambookies, but the Colony had been invaded and murders committed within its confines. On February 6th, 1829, therefore, the Colonial Secretary wrote to Colonel Somerset stating that "the atrocity and insolence of Maqomo's proceedings on this last occasion—the duplicity of his conduct in absenting himself from the meeting of the chiefs at Fort Willshire under a false pretence, and the well-grounded conviction that he has

¹ In support of Maqomo's statement, however, it should be said that Powana and Galela were on very bad terms. In fact the feud between them led to the death of Powana, if not of both, about two years after the affair with Maqomo. The information on the subject is meagre. It seems that about December, 1830, Galela fell ill and died. His followers thought, or professed to think, that Powana had been instrumental. Powana was therefore murdered by Galela's people. Mapassa, the son of Powana, determined to avenge his father's death and this promised to lead to far-reaching consequences. "The Chief Powana was the head of the tribe of Tambookies from which the great (Kaffir) chiefs obtain their wives and thus enable their children to inherit as from Royal Blood. Thus Mapassa has made it appear that his cause is in some measure the cause of all the chiefs, and it is declared by Mapassa and the chiefs generally, that it is their determination that these attacks shall not cease until the Tambookies of Galela are totally and entirely destroyed. . . . There seems to be very considerable excitement throughout the whole Kaffir territory in consequence of Powana's murder, and from what I have ascertained it is not a point which will be allowed to remain at rest." Letter from Colonel Somerset to Captain Campbell, dated from the Chumie, January 17th, 1831. All this led to further inroads upon the Colony by the fugitive Tambookies.

long forfeited any claim to the favourable consideration of Government—have at length determined His Excellency to take steps for ridding the Colony of the neighbourhood of this most troublesome and dishonest chief. You will therefore intimate to Maqomo that unless he shall restore the remainder of the cattle¹ of which he has deprived the Tambookies, and *remove entirely* from the Ceded Territory, which he has for so great a length of time occupied by the indulgent consideration of Government, the moment the crops now in the ground shall have been gathered and at the latest by the end of March next, the most effectual and ample means will be used to expel him and his plunderers by force of arms." The Governor's intentions were in due course made known to Maqomo.

Before proceeding to show how all this temporarily benefited a large number of the Hottentots, it is necessary to trace the course of events during the ensuing few months. Sir Lowry Cole had not been in the Colony many weeks before he was impressed with the evils which were resulting from the restrictions which General Bourke had imposed upon the farmers in following up and recovering their cattle. All the more so, perhaps, as at this time (*viz.*, January, 1829) the increase in the number of depredations, and the audacity with which they were committed, seemed to indicate that the Kaffirs were conscious either of the fear to punish them or of being held in greater regard by the Government than the despoiled white man. In February, therefore, His Excellency, as an act of bare justice to His Majesty's subjects and not only in compliance with the representations of the civil and military authorities, but also at the express desire of Gaika² and some

¹ Maqomo had sent about 100 head of the Tambookie cattle—all he was able to recover!—to Fort Beaufort to be returned to the owners. This was in consequence of Colonel Somerset's remonstrances during his visit just after the attack.

² It may have been this business which took Gaika to Grahamstown at the beginning of February, 1829—the only occasion on which he seems to have visited that place. A perusal of the accounts for that year would lead us to suppose that the entry of the distinguished monarch into Grahamstown must have been most impressive, for the expenditure of a sum of money from the Public Treasury was sanctioned for the purchase of the following articles for Gaika: a scarlet jacket, two white shirts, two pairs of white trousers, two buff waistcoats with yellow buttons, boots or shoes, a superfine white hat, a few handkerchiefs, and a blue military coat with three rows of buttons down the front and two down the back.

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of the well-disposed chiefs such as Pato, felt himself compelled to revert to the efficient reprisal system which had been instituted by Lord Charles Somerset in 1817. Consequently, patrols were authorised to cross the boundary, to follow spoor and to retake stolen cattle wherever they might be found without any consideration as to whether such procedure was a want of regard for the feelings and susceptibilities of the thieves. This had for a time, at least, a marked improvement upon the tranquillity of the frontier. Sir Lowry Cole, however, went a step farther. It was abundantly evident that General Bourke's system, whereby Kaffirs were permitted to come into the Colony with passes from the missionaries for the purpose of seeking employment, was an absolute failure; nay, it was this which gave them all the opportunities they could desire for learning the whereabouts of the farmers' horses and cattle. There were then hundreds of Kaffirs in the Colony with these passes,¹ and no one knew how many without, but, as was stated by the Civil Commissioner of Albany, there were not a dozen in the employ of the colonists. On August 25th, therefore, Sir Lowry Cole repealed the 49th Ordinance. Missionaries were prohibited from issuing any further passes, and any Kaffirs found in the Colony not in any honest employment were to be arrested, disarmed and conducted to the nearest military post, when they were to be sent into their own country.

The time which had been given to Maqomo to make preparations for the removal of his tribe expired without that chief showing any signs of complying with the Governor's mandate. The stolen Tambookie cattle had not been restored, and there had been no noticeable improvement in the general behaviour of the Kat River Kaffirs. Colonel Somerset, who was constantly on patrol and seemed to know everything that was going on among the frontier tribes, reported the state of affairs to Government. Sir Lowry Cole sought the advice of Commissioner-General Stockenstrom, who was then in Cape Town, and upon this he decided to put his threat into execution. On April 8th the Colonial Secretary wrote to Stockenstrom officially informing him that the Governor had authorised

¹ According to returns furnished to Government by Captain Campbell on August 21st, 754 passes had been issued to Kaffirs by missionaries in the previous nine months.

him to go to the frontier in order to superintend the expulsion of Maqomo, and at the same time giving him general instructions as to his procedure, which were, in fact, Stockenstrom's own suggestions. According to these, the peaceable chiefs were first to be visited and made aware of the motives which had induced the Colonial Government to decide upon a measure of apparent severity against one of their number, explaining to them the gross provocation which the Government had received from Maqomo by his wanton attack and plunder of the Tambookies as well as by the continued system of depredation carried on by him and his people against the Colonists. He was then to co-operate with Colonel Somerset in calling out such a number of burghers as should leave no doubt as to the issue of hostilities and then marching to Maqomo's place, to insist upon the restoration of the Tambookie cattle and his own removal to some region beyond the Keiskamma.

Armed with this authority, the Commissioner-General proceeded to the frontier by sea and arrived in Grahamstown about the middle of April. Immediate steps were taken to acquaint the field-cornets with the intentions of Government, and to order them to call out their respective burghers on commando. It should be noticed in this connection that these Boers were summoned from their homes, not for the purpose of regaining any cattle of their own and far less in order to enrich themselves at the expense of the natives, as has so often unjustly been laid to their charge, but to avenge the wrongs of a weaker native tribe against a stronger. They returned from this expedition without bringing a single head of cattle with them.

In accordance with his instructions Captain Stockenstrom visited the different chiefs, encouraging some to continue in their good behaviour, exhorting others to exercise more control over their followers, and assuring all of the good disposition of Government towards them while they conducted themselves well.¹ In the meantime the burgher force was being collected. On May 1st one division assembled at the Koonap Post while another met at the Kat River near Fort

¹ *Vide* his letter to Government, dated from the Gonappe (Koonap) Post, April 30th, 1829. *Autobiography*, vol. i., p. 311.

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Beaufort. The whole combining under Colonel Somerset, the march was made to Maqomo's place, which was reached the next morning, May 2nd. The Kaffirs evidently knew what was pending, for the burghers found nothing but empty huts and the whole place abandoned. From the missionary Ross, who lived about a mile distant, it was ascertained that the people with vast herds of cattle had fled into Kaffirland, but that Maqomo with some of his followers was still lurking in the vicinity and hiding in the bush. With some difficulty he was discovered and persuaded to meet the Commissioner-General. Having shaken hands with him, Captain Stockenstrom expressed his regret that they did not meet as friends and then detailed to the chief the circumstances which had led to the trouble in which he then found himself. Until the Tambookie cattle were restored and he himself was out of the Ceded Territory the Government could not view him in any other light than as an enemy. Maqomo protested his innocence of the charges which were brought against him and urged Powana's appeal for assistance as his excuse for the attack upon the Tambookies. As to the 3,000 head of cattle he was called upon to restore, he assured the Commissioner-General that he had no more. "I know you have them not here," replied the Commissioner. "You have distributed them all over Kaffirland, and we are not going to war with all the Kaffir chiefs because you sent cattle into their country. You took them and from you we ask them. . . . I know you have only to order it and the Kaffirs will return what you have distributed among them." Maqomo was then told that the commando there present would proceed to collect cattle until the number demanded was obtained and that if he were sincere in his protestations he would prevent any resistance on the part of his people. This he promised and the interview terminated. "In the afternoon it was seen that the Kaffirs still persisted in driving the cattle into the deepest parts of the forests. They were followed by the commando and dispossessed of as many as could possibly be reached. There it was that assegais were thrown at our people, and these firing in their own defence, killed one Kaffir and wounded two others. During the night one or more crept in among the captured cattle, killed six and wounded several. Three

horses which got loose and strayed out of the camp were also killed."¹ In consequence of this action on the part of Maqomo's people no further considerations of leniency or forbearance could be entertained. On the next morning, May 4th, therefore, the burghers set fire to the numerous huts and cattle kraals and as far as possible destroyed every trace of Maqomo's settlement. The force, with the cattle which had been captured, then marched to Fort Beaufort, which was reached the same day, and, having handed over the cattle to some Tambookies, who were there to receive them, they were dismissed and returned to their homes. Maqomo and his people moved to the east and, for a time, settled on a branch of the Kabusi River at no great distance from the place they had vacated and, as will be seen later, sufficiently near to be almost as great a source of annoyance and danger as they had been before their expulsion from the Kat River.

Speculations as to the best mode of disposing of the lands from which Maqomo was to be driven occupied the mind of the Commissioner-General on his voyage round to Algoa Bay. There then dawned upon him a solution of the difficulties which had been raised by the enactment of the 50th Ordinance. A fertile region was to be available which possessed, not only the advantage of being far removed from towns, but all the features necessary for discovering how far the Hottentots were capable of acquiring habits of industry when left to themselves and of becoming land-holders equally with the white man. Moreover, adjoining Kaffirland as it did, it would also be possible to prove to what extent those people would be of use in assisting in the defence of the Colony and in this manner to become a barrier against the Kaffirs. It will be remembered that this latter was the object which Sir Rufane Donkin had in view when he reserved these same lands for the Highland party of 1820 settlers under Colonel Grant, but which object was frustrated by the non-arrival of that party.

Captain Stockenstrom's idea, generally, was to collect together a number of Hottentots who, besides being of good

¹ Stockenstrom's *Autobiography*, vol. i., p. 319.

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character, should possess some stock and, under some definite restrictions as to occupation, erection of respectable houses and military service, to grant to these allotments of from three to six acres each together with certain commonage rights; titles of lands however were not to be given until after the expiration of a few years in order to avoid the risk of "throwing away land on worthless characters". While at Uitenhage he sent to the Governor, on April 17th, a memorandum of his suggestions. By the time the expulsion of Maqomo was accomplished, His Excellency had had time to consider them and then communicated to Captain Stockenström his approval and authority to carry them into execution. Little time was lost in making a commencement of this new settlement at the Kat River, for, the region having been cleared by May 4th, the first contingent of Hottentots took possession of some of the lands in the beginning of June. They consisted, for the most part, of the better class of people of Bethelsdorp and Theopolis together with some of the discharged soldiers of the Cape Hottentot Corps and others who had accumulated a little property in the service of the farmers. The principle of the organisation was that of the British Settlement in Albany, namely, the formation of locations under "heads of parties". Each location was to be about 3,000 morgen (6,000 acres) in extent, according to natural circumstances arising from the proximity to the mountains (Kat Berg Range) and the quantity of arable and pasture lands. The allotments of individuals were to be laid out so as to constitute regular villages or hamlets and to be granted in freehold after they had been fenced in by hedges or other permanent enclosures, brought into cultivation and a decent cottage built thereon.¹ A head of a party was deemed to be a Hottentot capable of mustering at least ten able-bodied and armed men who should regard themselves as continually on military duty. Unlike the British settlers, however, with the exception of an ex-

¹ The following details were specified as a description of the cottages to be built: To be 33 feet long, 16 feet broad and 8 feet high under the beams, the walls to be of stone or burnt brick; the cottage to contain a hall, a kitchen and a bedroom, in each room a window of four panes of glass set in proper frames and a door of proper timber, the house to be decently thatched, plastered and whitewashed and its position on the erf to be chosen with some regard to the formation of a street.



THE KAT BERG WITH SNOW
(Types of Houses in the Old Kat River Settlement)

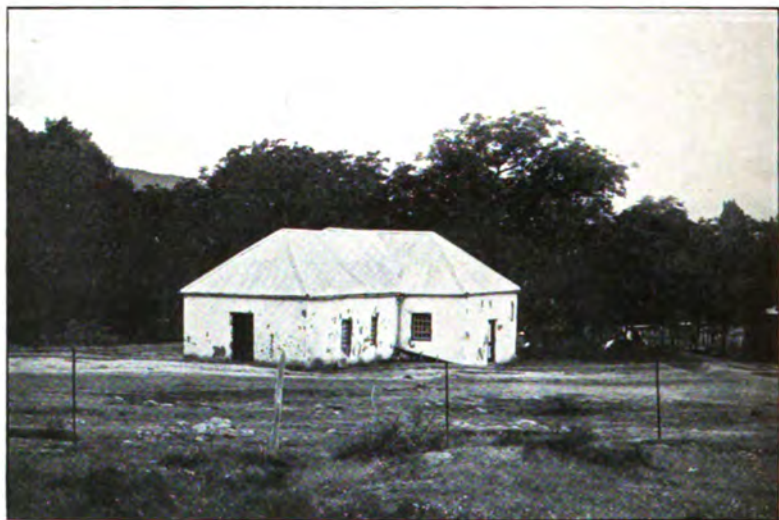
penditure of £22 1s. for seed corn, sanctioned by the Government on December 4th, 1829, no provision was made for rationing the people or giving them support of any kind while they were struggling with the difficulties and privations inseparable from a first settlement. Everything was to be done as cheaply as possible. No magistrate was to be appointed. It was expected that each head of a party would control his own people and that the appointment of one as field-cornet for the whole settlement would meet all requirements. Judicial matters either of a criminal or civil nature would be subject to the jurisdiction of the rest of the Colony.

It is scarcely surprising that many at that time entertained fears and doubts as to the success of this bold experiment. The conditions attending its initiation were so adverse and the results of former attempts at the formation of native settlements had been so poor that none but the most sanguine would have dared to predict anything but failure in this case. A large number of people of admittedly weak character was to be congregated together under no other supervision or protection than that which was to be established by themselves, to be located, withal, in a country immediately contiguous to Kaffirland and having as neighbours the very tribe which was smarting under the punishment of having been driven from those coveted lands. Drought and an epidemic of horse-sickness added further to the unpropitious commencement of the Kat River settlement. In spite of all this, however, signs of industry and progress soon manifested themselves and, for a time at least, there seemed to be the prospect of the measure being attended with prosperity and success. From the official returns dated December, 1829, the first establishment consisted of 243 men (of whom 127 possessed muskets, while 99 had those belonging to Government), 187 women and 451 children. They were in possession of 369 horses, 2,614 cattle, 8,227 sheep and goats, 58 waggons and 22 ploughs. The people were disposed under eighteen heads of parties and thus formed a number of tiny villages situated at distances of a few miles from each other. These were named chiefly in honour of people connected with the London Missionary Society, hence we find Vanderkempton, Philipton, Readsdales, Buxton, Balfour, Hertzog and others. One Christian Jacobus Groepe

CHAP. IX. was appointed field-cornet for the settlement and was to act as the intermediary between the people and Government. "Captain" Cobus Boesak became field-commandant; his duty was, in the event of hostilities with the Kaffirs, to take command of the whole of the people until the arrival of Colonel Somerset or other military authority; and Booy Windvogel¹ was appointed overseer of roads with authority to call out one man in every ten to assist in the work of making and repairing the roads leading to the different parts of the settlement.

The enthusiasm and ardour with which the greater number of these first Kat River settlers devoted themselves to agriculture left nothing to be desired by their well-wishers. The chief problem they had to deal with was the irrigation of the lands. The manner in which they solved this was sufficient testimony to their industry and determination and was an indication of the great things which might have been accomplished had this settlement been properly nurtured. The waters of the Kat River were distributed to the arable lands by a system of small canals or furrows, the total length of which, in 1833, amounted to about twenty-four miles. In some places rocks were excavated to a depth of six feet while in other aqueducts were constructed by hollowing out trees and supporting these on some kind of trestle work. The value of all this labour was estimated at £3,500. In this way 640 allotments of six acres each were rendered productive and from them, in 1833, 6,900 bushels of wheat were reaped. The construction of houses of the regulation pattern was neglected; the people seemed to prefer the Kaffir hut, and that slovenly and badly built. Up to the time of the outbreak of the war in December, 1834, there were probably not more than half a dozen of the neat whitewashed cottages which were contemplated. The stock possessed by the settlement did not indicate progress—the reason for this, however, will soon appear—

¹ It may perhaps be mentioned here that besides these three heads of parties there were two others who, at a later date, rose to distinction. Andries Stoffles was taken to England "on show" and delighted crowded audiences at Exeter Hall, and Andries Botha suffered on a charge of treason in connection with the Hottentot rebellion in 1851, but the questions as to how deeply the former was learned in Latin and Greek and the latter guilty of the charges brought against him must be left for future consideration.



REV. W. R. THOMSON'S CHURCH AT BALFOUR



Photo: Dr. Drury

TROMPETTER'S DRIFT, FISH RIVER, IN FLOOD

in 1833 the returns showed 250 horses, 2,444 cattle and 4,996 sheep and goats, although the legitimate or authorised population had increased to 2,114.

As the greater number of those who had formed the nucleus of the Kat River Settlement were Bethelsdorp people, the Rev. James Read (sen.) felt it incumbent upon himself to reside among them. Accordingly, in May, 1830, having, as he himself states, received a "call" from the whole of the Kat River settlers, he stationed himself at Philipton, the location of Andries Stoffles. It is not clear what view the Governor entertained regarding Mr. Read's action.¹ He certainly was not conspicuously disposed to countenance the London Missionary Society's agents in the new settlement, for in spite of Mr. Read having commenced and made some headway with his work, the Rev. W. R. Thomson, who was anxious to leave the Chumie, was sent there in July, 1831, at a cost to the Government of £200 per annum, and further, in July, 1833, a sum of £100 towards the erection of his church² was sanctioned. Mr. Read received no assistance from the Public Treasury but was maintained almost entirely by his society. Both Sunday schools and day schools were soon in full operation and all the educational facilities which were necessary in such a community were fairly well provided for.

Whatever doubt may attach to the highly coloured statements concerning the Kat River Settlement which were made at subsequent periods for political purposes, it is certain that during the first few years of its existence the praise which was bestowed upon it was well deserved. We have the testimony of those perfectly unbiassed and responsible persons, who could have had absolutely no object in overstating what they saw. Mr. Justice Menzies, for instance, who took the opportunity to

¹ Dr. Theal says: "The settlement was intended to draw away some of the people from the London Missionary Society's stations, which were regarded by the Government as politically dangerous institutions; but Dr. Philip, who had recently returned to South Africa, perceived the design, and counteracted it by sending the Rev. James Read from Bethelsdorp to reside at the Kat River". With reference to Mr. Thomson, "the Governor thought that by providing an able and zealous clergyman at the public expense the London Society's agents would be obliged to withdraw, and interference by Dr. Philip be prevented, but he was mistaken".

² The foundation-stone of this church was laid on June 26th, 1834. It is situated in Balfour, about four miles from Philipton. It is still standing.

CHAP. IX. visit the settlement while on circuit in the Eastern Province, says in a letter to the Governor: "It is with very great pleasure that I have now to communicate to Your Excellency a most favourable report on the state of the Hottentot locations at the Kat River". Having eulogised the crops of mealies, Kaffir corn, pumpkins, etc., and commended the skill and labour which had been expended on the extensive irrigation scheme, he continues: "At Balfour, John Valentyn has the water carried across a ravine of more than sixty feet in breadth, in a trough formed by large trees hollowed out. The Hottentots are all at present as comfortably housed, or rather hutted, as their habits and the climate require. Willem Valentyn has finished, and now inhabits a large and commodious cottage, white-washed outside; and from the state of everything about his place, I think he has every chance of gaining the Pompey colt, which Stockenstrom has offered as a prize to the Hottentot who, on January 1st, 1831, shall be found to have done most on his place. . . ." "So far as I could form an opinion, the Hottentot Settlement on the Kat River does not, at present, require any Magistrate to be appropriated to it, and they seem quite capable of managing their own affairs without the interference of any European or white person."

Sir Lowry Cole himself visited it towards the end of 1829 and gave it as his opinion, on January 2nd, 1830, that the experiment promised to succeed beyond his most sanguine expectations. And lastly, though Colonel Wade, Mr. R. Godlonton and others¹ might be quoted, His Excellency

¹ *Vide* the excellent memorandum by J. Rose Innes, LL.D., Superintendent-General of Education, in Report of Select Committee on Kaffir Tribes, August 2nd, 1851. The following are taken from a report by Captain Duncan Campbell, dated May 31st, 1833. He had been instructed to make a tour of inspection and to report to Government on the state and progress of the settlement. He found forty-seven different locations, which he describes separately (*vide* vol. 712 of Manuscripts in the Archives in Cape Town). The changes are rung on every condition of existence from prosperity to the most abject poverty. The following cases will perhaps suffice for illustration. *Christian Groepe's party*. The water-course was completed the first year of the settlement, 700 yards in extent. A second on a higher level and of greater extent is nearly finished. An orchard is bearing. Groepe's house is small but of substantial material. There is every indication of industry and comfort on this location. *Rooy Bergman's party* has been established three years, water-course finished, 700 yards in length. They have not been unsuccessful in their crops, notwithstanding they appear ill-clothed and squalid—the huts of the most wretched description—and the party



BALFOUR AT THE PRESENT DAY
(Originally the Kat River Settlement location of Jan Windvogel)

Governor Sir George Napier in 1838, said to Stockenstrom, "Well, Captain Stockenstrom, if I were the creator of this settlement, I should fancy I had done enough for one man's life".

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All this, however, is the brighter side of the picture—the side which was seen by the distinguished visitor or occasional traveller—but to those who were immediately responsible for the maintenance of order in the district, the darker and less promising view was presented, and in this the weaknesses inherent in the scheme stood out but too prominently. First and foremost, as the settlement increased in prosperity, in the same proportion did it offer greater temptation to those on the watch for plunder; and secondly, although there might be many who would lead industrious and exemplary lives, yet there was nothing to prevent the intrusion of the idle and dissolute and the evils which must result from the congregation of such characters. The area of the country allotted to this settlement being about 400 square miles and bordered on nearly three sides by rugged mountains, refuge and safe hiding could be found by all intruders. Hence almost from the first there lurked in the fastnesses or squatted on the lands large numbers of Kaffirs, Fingos, Bechuanas, Gonahs—half-breeds between Hottentots and Kaffirs—and, almost worse than any of these, the vagrant class of Hottentots, worthless vagabonds who declined to take any service with their more industrious brethren, following no occupation of their own but subsisting on plunder and beggary and, as the provisions of the 50th Ordinance prevented them from being arrested for vagrancy, sturdily refusing to leave the settlement. This then accounts

altogether does not present a promising aspect. They are in the habit of making hunting parties to the Bontebok flats, which engenders idle habits. *Jacobus de Klerk's party*. Three years settled. Water-course completed, 1,000 yards long. The head of the party has built a commodious house, planted an orchard and constructed a water mill, which was at work during my visit. Every appearance of plenty, comfort and content about the party. On several of the locations cultivation of the land has been little attended to, because the parties had spent too much time in hunting excursions beyond the boundary. *Jan Winvogel's location*, named Balfour, is the residence of the Rev. Thomson, the minister for the settlement. A small building, capable of holding about a 100, has been erected for use as a church and school. . . . The London Missionary Society's chapel stands on Andries Stoffels' location (where, too, are the Gonahs already referred to) and Mr. Read, the preacher, resides there.

CHAP. IX. partly for the decrease in the numbers of cattle and sheep which has been pointed out. Colonel Wade who visited the settlement in 1833 said that he was assured upon the spot that there were cases where the last sheep of an industrious Hottentot had been eaten by the visitors and the owner compelled to seek service again with the Boers. When Maqomo was expelled, his brother Tyali with his tribe was also in the Ceded Territory, occupying the valley of the Mancazana to the south of the country allotted to the Hottentots. Although Captain Stockenstrom had made it very clear to him that he could be permitted to continue to reside in those parts only on conditions of good behaviour, nevertheless he was one of the first to harass the Kat River settlers. Botman and Eno, also illegally occupying lands in the Ceded Territory, were equally active. Hence although a laudable amount of industry and progress was exhibited by a proportion of the Hottentots, yet the Kat River Settlement was quite as much a source of danger to the Colony as it had been in the time of Maqomo, in fact more so, because there was a decided disposition on the part of the other chiefs, particularly the three above mentioned, to avenge his supposed wrongs. Within six weeks after Maqomo's expulsion the whole frontier was again overrun by parties of marauders, and within about four months nearly 5,000 head of cattle were driven off.

About this time, August, 1829, the attitude of the Kaffirs gave rise to the wildest rumours and alarms of an intended invasion of the Colony. Gaika's people were said to have been busy for some time in making oxhide shields and assegais and large armed bands were said to have been seen moving restlessly about the country. Dark warnings were received here and mysterious actions reported there until the whole frontier was in a state of panic. The only tangible evidence there seems to have been was, that a few Kaffirs in the employ of the colonists had absconded simultaneously. It was felt that the Kaffirs had forgotten their former punishments and sufferings, and that the boys of 1819 had sprung up into men and were ripe for any mischief and prepared to carry on the traditions of their fathers and grandfathers. The most alarming story of all at this time was that which was originated by a Boer named Wienand Bezuidenhout. According to this, he

had been into Kaffirland in order to recapture some cattle which had been stolen from him and on his return he lay concealed one night outside the hut of one of Eno's sons and overheard a conversation which was being carried on by a number of chiefs inside. Without going into the details, for the whole story was probably a fabrication on the part of Bezuidenhout,¹ there was to be a combination of all the chiefs, the frontier districts were to be attacked simultaneously at various quarters and every man, woman and child was to be killed. Colonel Somerset seems to have placed implicit confidence in this man's story, for he called out the whole burgher force and stationed it in the Ceded Territory. Accounts of the alarming posture of affairs were sent to Cape Town and in consequence the Governor set out immediately (September 3rd) for the disturbed districts. When he arrived in Grahamstown the alarm had in a large measure abated. He proceeded to Fort Beaufort where he held a conference with the Kaffir chiefs. They had been summoned to attend, and all were present except Gaika and Maqomo, the former being very ill and the latter practically refusing to meet the Governor. Talk of the usual nature seems to have taken place, namely, occupation of that country to be permitted only so long as good conduct justified a continuance of the indulgence. The fate of Maqomo was brought forward as a warning and all were enjoined to exercise greater control over their followers. In the account of his proceedings in his despatch to Sir George Murray, the Secretary of State for the Colonies,² Sir Lowry Cole said: "I am persuaded that a coalition to invade the Colony never entered into the contemplation of the chiefs". After the Governor's visit there was a comparative calm which lasted until March of 1830.

There was another instance of widespread alarm being brought about by mere idle rumour, which may perhaps be mentioned here, though it took place two years later, as it throws an interesting light upon the general state of fear in which the inhabitants lived and, incidentally, indicates the

¹ For Stockenström's opinion of Bezuidenhout's character, *vide* his evidence in the *Aborigines Report*, p. 88.

² *Vide* paper relating to the Native Inhabitants of the Cape of Good Hope, June 1st, 1835.

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attitude of the Boers towards the Kat River Settlement at that time. On November 10th, 1831, all the stock at the Commissioner-General's farm was sold, as he was intending to resign his office and to settle in another country. The sale was attended by a number of the Kat River people as well as the Boers of the districts. Some friction arose in connection with the credit which was to be given to the Hottentots and the refusal of some of the farmers to stand as security for them, and they were further incensed, so it was said, by being jeered at by the farmers. This is all the foundation in fact there was for any *casus belli* between the two races. Supposed to arise out of this, there were, early in December, whisperings to the effect that the Hottentots at the Kat River were preparing to rebel and to commit unheard-of atrocities among the Boers. These gained strength with going, until general consternation reigned and many fancied the murderers were almost upon them. Take, for instance, the following communications. S. J. Bekker, the field-cornet of Zwart Ruggens, writes: "Respected Cousin P. Gous, I have heard frightful tidings that the Hottentots and Caffres are committing murder, they were to commence to-day on the Height (Bruitjes Hooghte). The Commandant Piet Erasmus is already dead, come and assist me with people as speedily as possible, send round to-night and come with as many of your men as you can get to my assistance, the letter must be sent round this night with speed." Also the following from a woman at Zwagershoek: "My dear husband Piet,—Everything here is in disorder, and at Somerset there is a swarm of Hottentots and they have sent to inform us that we must keep ourselves in readiness with victuals for them against the new year. Piet does not sleep at the house to-night with my children, we have just received information from Somerset. Your wife, H. C. Kruger."

Captain Campbell, the Civil Commissioner at Grahamstown, at first paid little heed to the rumours, but very shortly the general apprehension of danger as indicated by the above letters and the apparent intention of some of the farmers to abandon their homes compelled him to bring the state of affairs before the notice of Government. He, together with Colonel Somerset, was then instructed to investigate the whole matter. Witnesses were examined at the Kat River, at the

Koonap and at Somerset, but nothing except the most untrustworthy hearsay evidence could anywhere be found. There seemed to be some dissatisfaction at the Kat River with field-cornet Groepe, who was considered to have too much "*Boersnuk*" (farmer's tricks) about him, but with regard to any intention to "blow away all Europeans before the New Year" or other violent measures which had been enumerated, nothing of any kind was elicited. What did come out prominently, however, was the ill-favour with which many of the Boers regarded the countenance which the Government had given to the Hottentots in the formation of the Kat River Settlement. Field-cornet Buchner of Quagga Flats, for instance, was of opinion that the Government preferred the Hottentots to the Boers and was prepared to take their part against them.¹

The results of the investigation and assurances of the Government did not entirely dispel the fears of the people. There was too much of former molestation within their recollection or knowledge to enable them to be satisfied easily with the mere statements of officials. Captain Campbell, writing to Government on February 10th, said: "The public mind has not yet become tranquil in the district of Somerset, a considerable portion of the inhabitants still believing, or affecting to believe, that their late fears were well founded, and that the Hottentots and Caffres have not abandoned their intention of attacking the Colony. As a consequence the farmers commission their friends, who visit the villages, to bring them supplies of lead and powder. . . . When Devenish tries to reason with them and reassure them, they say they will take warning by what happened when Maynier and Bressler were in Authority, when their fears were lulled into security by

¹The following may be of interest: The witness Andries Plaatgees (a Hottentot) said he was at Stockenstrom's sale on November 10th. He left with Fred Rooy and went to Nicolas Prinsloo's at the Koonap Post. When they got to the house Prinsloo asked them where the cattle and sheep were which they had bought. On saying they had not bought any, Prinsloo said: "It's lucky for you you did not or you would have seen what would have happened, for the sale was made to bring the Hottentots together to attack the Burghers, but we are ready". Prinsloo then got up (as he was lying upon his bed) and took some powder and balls in his hand and showed them to the two Hottentots, saying, there was his powder, he was ready. Mrs. Prinsloo told them not to listen to her husband. Prinsloo then said: "Your God will disappear as his father did," referring to the death of the elder Stockenstrom.

CHAP. IX. assurances from Government, and the Caffres were enabled to attack them unprepared. They are resolved not to be taken unawares again. In the present angry state of public mind, the most absurd reports, which would be rejected at any other time, are received with avidity and implicit belief." He encloses a number of papers "for the purpose of proving to His Excellency the Governor the continued irritability of the people in the vicinity of the Hottentot Establishment". Subsequent events, which will be recorded in their place, will show how justified the Eastern Province inhabitants were in adopting this attitude of suspicion and preparedness. But a very few years afterwards, the whole country was overrun and devastated by a sudden inrush of the Kaffirs, and still later the Hottentots did rebel and join the Kaffirs, and a war was brought about which lasted nearly three years and cost hundreds of thousands of pounds.

In 1829, death removed from this arena of perpetual struggle one whose whole life had been intimately connected with the Kaffirland troubles, and whose name must ever remain a conspicuous landmark in the history of the East. Gaika had been ill for some time and, as was mentioned above, could not meet the Governor at Fort Beaufort in September. He gradually got worse and died on November 14th, aged about fifty. Previously to his death, so Mr. Chalmers, the missionary, tells us, he lamented the indifference he had shown to practical and religious education and counselled his children to avoid his example and to profit by the opportunities afforded by the mission stations. He was especially solicitous for his "great son" Sandilli, then a boy of eight years of age, who was to succeed him as the paramount chief of the Amangquika or Gaikas. Some account of the general character of Gaika has already been given. Crafty, cunning and an importunate beggar, he was always ready to temporise and to make any promises without the slightest intention of fulfilling them. Although his position due to his birth and the conservation of the Kaffirs should have made him the most powerful chief in nearer Kaffirland—and perhaps on that account a more formidable enemy to the Colony—he was nevertheless always on the conquered and escaping side. He possessed none of the qualities of the ruler, warrior or statesman. As Sandilli

was so young, the government of the tribe, if that term may be used, was placed temporarily in the hands of his elder brothers Maqomo, Tyali and Anta and his mother Sutu. CHAP. IX.

A few months before Gaika's death, his uncle, the great warrior Ndhlabi, died in his retirement and was succeeded by his son Dushani. Thus in a measure the fortunes, or more correctly, misfortunes, of the frontier were in the hands of the second generation.

The period of calm which supervened upon the visit of Sir Lowry Cole to the frontier was not of long duration. About April it was evident that the border tribes had again become as restless as ever, and incessant and wearying reports of depredations again became the chief feature of Eastern Province life. Tyali recommenced his persecutions on the Kat River Settlement—where also Maqomo continued to hover—besides co-operating with Botman and Eno in harassing the frontier farmers. On April 8th Colonel Somerset reported "twenty head of cattle taken from Palmer," forty-three from Cawood, horses from Rudwell of Kaffir Drift, and so on with tedious frequency. The cause of this cessation of peaceable conduct is ascribed, whether rightly or wrongly, to a visit of Dr. Philip and his son-in-law Mr. John Fairbairn, of the *Commercial Advertiser*, to the Kaffir chiefs about this time. Such conversations seem to have taken place as led the natives to believe that they had been treated unfairly by the Government and that he, Dr. Philip, was prepared to make such representations to higher authorities as might result in a restoration to them of the Ceded Territory. "I did not think that the proceedings of the doctor were at all calculated to lead to any good," said the Rev. S. Young, the Wesleyan missionary at Mount Coke station, "he seemed to strengthen the idea that they had been unjustly dispossessed of it (the Ceded Territory) and pledged himself to do all in his power to have it restored. . . . The general impression on my mind was that the doctor was interfering in such a manner as did not become him as a missionary."¹

¹ When it became necessary to collect evidence in this matter, *Ganya*, an old counsellor of Gaika, stated that Dr. Philip said: "You are injured. That country between the Keiskamma and Fish Rivers is yours, I shall speak to the Governor. You must not shed blood, believe the Word of God and keep it."

Botman said: "I was present when Philip came to Maqomo, he asked us many questions about the land said to be given up by Gaika. Philip said: 'I

CHAP. IX. Some doubt as to Dr. Philip's status seems to have been entertained by the natives themselves. The Rev. James Weir, one of the Glasgow Society's missionaries, tells us that he was frequently asked by his people, Who is Dr. Philip? Is he *inkosi* or *umfundisi*? (*i.e.*, is he a civil authority or a teacher?).

Whether Dr. Philip's words had any influence with the chiefs or not, it is quite certain that in May a very defiant attitude was adopted towards patrols and parties going in search of stolen property. One such was nearly surrounded and, abandoning the cattle, escaped with their lives with much difficulty. Colonel Somerset was of opinion that it was unsafe for any party of less than thirty men to venture among the Kaffirs. Tyali, in particular, showed so hostile a disposition that it was felt that the time had come to carry the Governor's threat into execution and to compel him also to move across the Keiskamma. There was an unfortunate difference of opinion, in fact there always had been, between Colonel Somerset and Commissioner-General Stockenstrom on these matters. The latter saw nothing in the state of the frontier at that time which called for any extraordinary measures on the part of Government. "Not near the number of cattle reported as stolen by the Caffres," he said (May 12th, 1830) "are actually so stolen, and of what is stolen the greater proportion is lost through the neglect of the owners." Nevertheless he was induced to sanction a commando to go forth to punish Tyali and to recover cattle. This was "the famous reprisal expedition in which the treacherous and cruel murder of Chief Zeko and some of his people was perpetrated . . . this disgraceful transaction . . . of no part of the Cape History in which I had to take any part am I so thoroughly ashamed". These are the words in which Stockenstrom speaks of this

shall ask for this country from the King. If the patrols hurt you, shed no blood, hear the King's word.' Maqomo's heart was very sore about the land."

During an interview which Colonel (afterwards Sir Harry Smith) had with Maqomo at King William's Town on February 19th, 1836, with reference to Jan Tzatzoe being taken to England, the following is part of the conversation:—

Maqomo: "What is Jan going to England for? Again I ask."

Colonel Smith: "Dr. Philip has asked the Governor to let him go home as a Kaffir chief to speak in England about the Kaffir people."

Maqomo: "Is this the Dr. Philip who once came to me and talked to me about grievances?"

Colonel Smith: "Yes."

affair, and in this spirit he brought it before the House of Commons in 1836. It will be well, therefore, to go into this matter in some detail, and to consider how far these harsh terms are justified and to what extent those who took part in it deserve the stigma which is implied. It having been decided that a demonstration against the Kaffirs was necessary, the first step was to call out the long-suffering burghers. This was done by Captain Stockenstrom himself in the following words:—

“EAST RIET RIVER, *June 8th*, 1830.

“PROVISIONAL FIELD-CORNET,—Please to command from the after mentioned persons, one man armed and mounted fit for Burgher duty, and be present with them on Tuesday evening 15 Inst. at Fort Beaufort, and there to receive orders from Colonel Somerset” (here follows a list of fifty-eight names). “Those who are neglectful, or have not the fixed number of men on their places, you will immediately report, in order that those places may be granted to others.

“ANDRIES STOCKENSTROM.”

Two points are worthy of notice here; firstly, the disinclination there was to go on commando which is indicated by the threat of loss of lands in case of refusal and, secondly, that these people were to place themselves under the orders of Colonel Somerset. On the day appointed the burghers assembled at Fort Beaufort and then marched to Fort Willshire to join the military. Tyali, in the meantime, discovered what was intended and foreseeing trouble for himself offered his assistance in pointing out the places where stolen cattle would be found. This was accepted. The orders of Colonel Somerset, bearing date June 16th, were in short that all cattle at the kraals visited were to be taken, and driven to the Commandant, presumably at Fort Willshire, when the Colonial cattle would be picked out and those belonging to the Kaffirs would be sent back to the kraals from which they were taken. The Kaffirs were to be warned that should they offer any resistance or attempt hostilities, they would be fired upon. The whole force was divided into three divisions. The centre division was under the command of Colonel Somerset, the right was under Captain Aitcheson of the Cape Mounted Rifles

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with Tyali as guide, and therefore destined to be misled and to be taken to places where cattle were *not*, while the left division, consisting of sixty burghers, was under the command of the upright, humane and greatly respected Field-Commandant P. Rasmus Erasmus. It is only this last with which we are concerned. Its destination was the kraals of two petty chiefs, Zeko and Jabecco, situated at a short distance from the eastern bank of the Keiskamma. On the evening of the 17th the divisions moved out from Fort Willshire. Erasmus with his men came in sight of Zeko's huts early the next morning. The Kaffirs, however, were on the move and driving away the cattle. The division galloped up and stopped them and Erasmus interviewed Zeko, explaining to him the business on which they had come. All the cattle, accordingly, were collected and the return journey about to commence when Zeko begged that the milch cows might be left or the calves would die. Erasmus permitted this though he felt he was disobeying the strict letter of his instructions. So far encouraged, Zeko then asked to be allowed to retain some of the oxen, but this could not be permitted. He was told, however, that if he would send a few unarmed men with the commando to the commandant, the Kaffir cattle would be returned to them. This apparently was agreed to and eighteen unarmed men joined the burghers and assisted in driving along about 2,500 head of cattle. As may well be imagined, no marching order could be maintained, more especially when bushy country was reached and every exertion was required to prevent the beasts from straggling. On the recommendation of the natives a different route, which was said to be shorter, was taken. When they had travelled about six miles and the country had become more bushy and difficult, armed Kaffirs in twos and threes were seen to join the party and to give assegais to their unarmed friends. Later on each bush seemed to assume a most threatening aspect; all the more so as the direction they were taking was leading them into a narrow and bushy defile in which it would be an easy matter for a small number of Kaffirs to get the better of the burghers. As occasional glimpses through the bush were obtained, Kaffirs were seen rolling their karosses round their left arms, holding assegais in their left hands and a long stick

for driving cattle in their right. Zeko himself, who so far had not appeared, now came forward. He approached a Boer named Jan Greyling, whom he knew and said to him in Dutch, "Jan, you will not pass the Keiskamma to-night with cattle, if you do the river will run with the blood of Boers instead of water". "Never mind," replied Greyling, "we will pass the Keiskamma to-night for all that." Zeko had a bundle of assegais in his left hand and one in his right. This he brandished and jumped into the air as if about to throw it. Greyling said, "Zeko, you must not throw, I will have nothing to do with you". He then rode forward among the cattle followed by the chief. This seems to have been the last seen of Zeko alive. Suddenly there was a loud whistling and shouting of Kaffirs away to the front, which was the signal for a general scrimmage. The cattle turned and surged back with such force and fury as to carry burghers and everything before them. Erasmus, who was quite at the rear, had to pull his horse suddenly behind a bush to avoid being run down. No order was given to fire. The first shot seems to have been fired by one John Koch, whose attention was suddenly called by Scheepers to a Kaffir with uplifted assegai about to stab him. Koch fired but did not kill the Kaffir. The firing then became general. "The confusion which ensued," says Erasmus, "is indescribable, the Kaffirs whistling and yelling, the burghers shouting, the cattle rushing in one wild troop, goaded to madness by the assegais and yells of the Caffres, bearing along with them many of the burghers and the whole enveloped in a thick cloud of dust." In this *mêlée* Zeko and six of his men were shot and about 1,000 head of cattle were recaptured by the assailants. The Kaffirs then withdrew and the burghers, with the remaining cattle, made their way to Fort Willshire. On their arrival and statement of what had happened, Erasmus and his men were commended by both Somerset and Stockenstrom, the latter adding "you have acted very properly; it's a pity you did not shoot more".

About a year after this, namely in July, 1831, Captain Stockenstrom was visiting the kraals of Tyali when that chief brought up the subject of the Zeko expedition and stated that Zeko and his men had been shot in cold blood, that they were unarmed and assisting the farmers in driving the cattle when

CHAP. IX. they were wantonly murdered. This statement moved Captain Stockenstrom to commence a private inquiry into the matter. But in carrying this out he seems to have confined himself singularly to the collection of evidence for the prosecution, for except that he wrote to Erasmus advising him to hear what was charged against him by the Kaffirs, the burghers were not approached and knew nothing of these charges until they had been brought forward in London six years afterwards. It was then that Captain Campbell, the Civil Commissioner of Albany, instituted a proper inquiry, and from the evidence then obtained the version given above was elicited. This investigation led to most unlooked-for results in the form of the great libel case of Stockenstrom *v.* Campbell which convulsed the Colony from end to end. This will be dealt with in its proper place. The witnesses on whose words Captain Stockenstrom relied to show that what had been represented as a spirited defensive fight was nothing more than an unprovoked massacre, were chiefly Kaffirs who had not been present. Not more satisfactory were the answers obtained from the two Hottentots who did accompany the commando. Boesak Tamboer, an *achter ryder* to Erasmus, says he saw no assegais and conveyed the idea that Zeko and his people were doing kindly acts when they were killed. But the following note is appended to his evidence: "It is necessary to observe that the witness prevaricated repeatedly, and that with difficulty the above answers were procured, so that his statement must be received with much suspicion". When this same man came before Captain Campbell five years afterwards, he declared that there were hundreds of Kaffirs all armed with assegais. And, referring to his former examination by Captain Stockenstrom, said, "Captain Stockenstrom said he would drag the truth out of my throat with a reim chain, he did not ask me many questions, and on my assuring him that I was telling the truth, he gave me a glass of brandy and sent me home".

It is only fair to Captain Stockenstrom to say that he did report the matter to the Governor¹ in 1831 and expected that it would have been made the subject of a judicial investigation. But nothing was done as the Governor seems to have

¹ *Vide* his letter of August 31st, 1831, p. 115 of the *Abor. Com. Report of 1836*.

thought that it was the business of the Commissioner-General, Captain Stockenstrom himself. In reality it was matter for the consideration of the Commandant of the Frontier, Colonel Somerset, as the men were under his orders and hence it was, supposing it to have existed, a military offence. But he knew nothing about these charges. Neither did the Civil Commissioner of Albany, who states that he would have moved had he heard of them. In spite of the evidence in favour of Erasmus and his men, Captain Stockenstrom did not change his opinion—he probably never changed an opinion in all his life—and his view prevailed with the London Committee. The feeling in the Colony was that he had kept all this secret and made it public only at such a time and in such a place as precluded the accused from having the opportunity of defending themselves.

With reference to the work of the other divisions of the 1830 commando: the centre division took a petty chief Maqooqoo prisoner but did not capture any cattle as the Kaffirs had succeeded in driving all away. Captain Aitcheson with the right division found every reason to believe that Tyali was misleading and deceiving him, nevertheless a large number of cattle was obtained, but these Tyali claimed as his own. It was made clear to him that he would not be permitted to profit by the depredations which he had at least connived at, if not encouraged, and further he was told to remove his people entirely from the Mancazana. This is not the last of Tyali, who is described as the greatest thief on the border. It is invidious, however, to particularise when all were so excellent.

Of all those who, during the first half of the nineteenth century, have, whether for better or worse, taken a part in moulding the destiny of this country, there is no one individual who has done so much to direct the course of events and to give to the history of Cape Colony its peculiar characteristics as the Rev. John Philip, D.D., the Superintendent of the London Missionary Society's stations. Though nominally a missionary, he was the greatest politician of his time in South Africa. In England, in the House of Commons and in Downing Street, his word in all matters relating to native affairs carried such great weight that anything to the contrary, whether from

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Governor or people, was of little importance. Indirectly, in these matters, he ruled the Colony. In this work, hitherto, his name has been only casually mentioned. It will be well to learn something more of the man whose history is practically the history of the time in which he lived.

John Philip, the son of a schoolmaster,¹ was born on April 14th, 1775, in Kirkcaldy, Fifeshire. In his youth he was apprenticed to a linen manufacturer but relinquished that occupation in 1794 and became a clerk in a mercantile house in Dundee, which position he held until 1797. Having acquired some repute as a fluent speaker and keen debater he decided to become a preacher, and to that end he entered the Hoxton Academy, an institution designed for the training of dissenting ministers. Having finished his course and become Reverend he acted for a time as assistant to the Rev. Mr. Winter at Newbury in Berkshire. In 1804 he went to Aberdeen and there by his great natural ability, eloquence and a commanding presence he collected a large congregation and for its accommodation raised a considerable sum of money and built a suitable chapel in George Street. He was an "Independent" and seems to have belonged to no particular church but his own. For some years all ran smoothly, but a time came when the harmony was disturbed and, though it is doubtful whether he dismissed the congregation or the congregation dismissed him, a separation came in 1818. While pastor of this flock, he was involved, in 1814, in an affair which, to say the least of it, did not reflect much credit upon him and may have contributed to the dissolution referred to. Although the matter has no connection with South Africa, yet it is of importance as indicating the spirit which actuated him in many of his dealings and which was but too prominent a feature in his character in after years. It was this. The pulpit of the Scots' Church in London Wall, London, was vacant. According to the regulations of that church, the session of "elders" received the applications for the office and all those whose testimonials and recommendations were satisfactory became candidates. From these the congregation had the right to select the man who most conformed to their wishes and views. Both session and congregation of this church appear to have been dominated

¹ Some say his father was a weaver.

by the minister, the Rev. Dr. Nicol, who does not seem to have been conspicuous for fair dealing and straightforwardness. Of the applicants for the vacant charge, one met with the especial approval of the session and was likely to be appointed without the congregation being consulted. Another, the Rev. W. Rannie, had greatly pleased the congregation by his specimen sermons and "trial of gifts" and was by the majority considered to be the most suitable man. He had moreover excellent testimonials from eminent divines in Scotland, including one from the Rev. Dr. Gerard, Professor of Divinity in Aberdeen University, under whom he had studied, and also a eulogistic one from the Rev. John Philip of Aberdeen.¹ The negotiations continued over several months, from March until December of 1814. Towards the end of that time Mr. Rannie's prospect of being elected became very bright, when Dr. Nicol received from Mr. Philip a letter, dated September 23rd, stating that he had altered his opinion of Mr. Rannie and that "had I, at that time (*i.e.* when he wrote his testimonial) known as much of the change which has taken place upon him since he left Aberdeen . . . as I do now, I should never have introduced him to you as a candidate for London Wall". Why Mr. Philip should have written this letter at this critical and convenient time is not clear. The suspicion was that it was at the instigation of his friend Dr. Nicol. This Mr. Philip denied. The letter was read in public to the whole congregation and created a strong sensation. Instead, however, of abandoning all further consideration on Mr. Rannie's behalf, the congregation decided to give full credence to the other testimonials until there should appear better reason than then existed for a want of confidence in Mr. Rannie. The letter was regarded as a diabolical attempt to ruin the cause of a young man who deserved their support. The vestry was asked to institute inquiries and to take such steps as should elicit the truth of the insinuations contained in Mr. Philip's statements. This was refused, so the congregation itself took up the matter and formed a committee from among themselves. Letters were written to those who had spoken well of Mr. Rannie, asking them whether they knew of any change in him,

¹At this date Mr. Philip had not yet had his American, *in absentia*, D.D. degree conferred upon him.

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and a full explanation was demanded from Mr. Philip. The former confirmed the opinions they had already given. The latter hedged and endeavoured to extricate himself by stating that he knew of nothing morally wrong in Mr. Rannie, but it was a change in his "devotional spirit" that was referred to. Pressed still further for an "immediate, candid and unequivocal answer" as to what was meant by a change in "devotional spirit," and informed that "the matter (if not explained) may be of more importance to you than you seem to be aware," a long diffuse communication was received in which it appeared that the enormities of which Mr. Rannie had been guilty were, that he had shown a reprehensible disposition to drop the acquaintance of Mr. John Philip, that he had spoken disrespectfully of the Rev. J. Nicol, Doctor in Divinity, and that he had been deceitful in stating that he had "a call" to London Wall whereas he was only a candidate for the post. It were useless for the purpose of this work to follow further the unseemly proceedings of the Scots Church. It is sufficient, and this is the point to be emphasised, that though Mr. Philip's letter contained no direct charge, yet it conveyed the blackest of insinuations in language of studied ambiguity, and would undoubtedly have done Mr. Rannie incalculable injury had the investigation not been insisted upon. It was in a large measure the difficulty of getting proper investigations in South African matters which contributed to Mr. Philip's greatness in after years. The moral in all this for Dr. Nicol was, that it is better to be honest than reverend and that age, however protracted, cannot without virtue command respect.

About the time when Mr. Philip left Aberdeen, he became a Doctor in Divinity of an American University. Though there must have been excellent reasons for conferring this distinction upon him in his absence, it is not at all clear what they were. We must, nevertheless, henceforth speak of him as *Doctor Philip*. About this time also he came before the notice of the Directors of the London Missionary Society, and was by them deputed, in company with the Rev. John Campbell of Kingsland, to visit South Africa for the purpose of inspecting and reporting upon the stations of that Society. These two gentlemen arrived in Cape Town on February 26th, 1819.

The general state of the London Missionary Society's

organisation in South Africa certainly needed some remoulding at the date when this deputation arrived. Griquatown—though no fault of the resident missionary—was, as has already been pointed out, the rendezvous of bad characters from the Colony and a danger to the northern frontier. Torenberg and Hephzibar had for this same reason been suppressed by Landdrost Stockenstrom only shortly before, in 1818. The Caledon Institution in the district of Swellendam was being ruined by a selfish and dishonourable man named Seidenfaden, who under the pretence of being a missionary was endeavouring to rob the Hottentots of the land they possessed. This station, however, was only nominally under the supervision of the London Missionary Society. It had been founded by Earl Caledon and Seidenfaden was appointed by him. And Bethelsdorp and Theopolis were in such a state of disorder as to be a disgrace to any missionary cause.

One could have ascribed all this failure to the peculiar conditions of the country and the nature of the missionary problem had there not been at the same time another organisation which, having to deal with the same difficulties and to work under much the same conditions, had always been an unqualified success.

Long before the London Missionary Society was founded, a zeal for missionary enterprise was born in the small town of Heerenhut, in Austrian Hungary, among a deeply religious community known as the Moravian Brethren or Heerenhuters. In 1734, one of these, George Schmidt, who shortly before had been released from a dungeon in Bohemia where he had been confined for six years on account of his Protestant principles, arrived in Cape Town in order to christianise the Hottentots. He founded the mission station of Genadendal in the Swellendam district. After only a few years circumstances compelled him to retire and the mission ceased until 1792, when the Dutch East India Company permitted three missionaries from Holland to resume the work at the same place. By 1799 they had 1,234 people under instruction and in 1823, no less than 2,130. The Moravians, though intensely zealous in their good work, have always been characterised by an unobtrusiveness and a disposition to shrink from public notice; they have never lived or acted for purposes of show and yet

CHAP. IX. their stations and the results of their labours have ever been the admiration of all who have seen them. Genadendal and Enon have been patterns of industry, cleanliness and real progress. Always having kept aloof from matters political, they have uniformly shown a deference to the wishes of the Government and when, at times, obstacles have been placed in their way, they have, while silently and respectfully waiting for some political change or other circumstance to remove them, carried on their work as best they could. The difference between the attitude of the Moravians and the London missionaries towards the authorities was well instanced in the case of the collection of the *opgaaf* or tax from the Hottentots. The former simply collected it without demur; the latter sent strongly worded protests to the directors in London, who, in turn, brought the imposition of these "intolerable duties" before Earl Bathurst and represented to him the injury to the characters of their missionaries which, so they alleged, the performance of this tax-gathering produced. The noble earl in his reply, August 9th, 1825, pointed out that the Moravians submitted to this; "the exemplary conduct of the Moravian missionary and the universal esteem in which he is held as well by his own flock as by the whole community, cannot fail to create doubts as to whether the duties which the missionaries are called upon to perform are as injurious to their characters as the Directors of the London Missionary Society have been led to suppose". In addition to retaining the esteem and confidence of their Hottentot disciples in spite of acting as tax-gatherers, the Moravians seem never to have found it necessary or desirable to marry Hottentot women in order to be regarded as the true friends of that race. The good these people have done in South Africa cannot be overestimated.

It is only fair while speaking of sincere and successful missionary endeavour to mention, in order of time, the next two societies which appeared in the African field. The Wesleyans made Kaffirland their special preserve, though, as will be remembered, the Rev. Joseph Williams in 1816 and the Rev. John Brownlee in 1820, both of the London Missionary Society, were the first in that country. In 1823, the Rev. W. Shaw founded Wesleyville, among the tribe of Pato, just beyond the Keiskamma. Other stations were then established

in quick succession until in 1830 the following were in active operation: Mount Coke, near the Buffalo River in Ndhambi's country, Butterworth among Hintza's people, the Tambookie station near the Bashee River among the tribe of Vusani, the Morley Station near the Umtata River and Mambookie station near the Umzimvubu or St. John's River among the tribe of Faku. In addition to these there were the Plattberg station in the far north near the Vaal River, among the Baralongs, and the Buchuaap station in the Griqua country. At each of these, there was a preacher with an assistant. Mr. Shaw, besides looking after his own station of Wesleyville, acted as superintendent of all. His reports and accounts of work accomplished are most modest, in fact at times his statements read as if he considered that but little good was being effected by the labours of his Society. Major Dundas, who cannot be accused of an inordinate enthusiasm for mission work, visited Wesleyville during his tour through Kaffirland in 1827 and thus speaks of that station, "a thriving mission village under the Rev. W. Shaw, a liberal and enlightened person, who on the Sunday delivered a lecture sensible and devoid of cant. . . . This establishment must be productive of the greatest good and benefit among the Kaffirs, conducted as it is by a worthy, sensible and single-hearted man."

A few months after Mr. Shaw established Wesleyville, the Glasgow Missionary Society commenced work by founding a station in the northern part of the country occupied by the chief Nqeno, or Eno, near the site of the present town of Alice. The pioneer missionaries were John Bennie and John Ross. They named the station Lovedale in memory of the Rev. John Love, D.D., the venerable and zealous secretary of the Glasgow Society.

But to return to the deputation in Cape Town. Dr. Philip and Mr. Campbell soon left for the frontier, for in March they were addressing letters from Bethelsdorp, where they remained several months. During this time the greatest good-feeling existed between them and Colonel Cuyler at Uitenhage. In view of the communications which had been sent to England in previous years by Mr. Read, the tenor of Dr. Philip's letters to Colonel Cuyler is significant. On April 2nd, he acknowledges the friendship which had been shown to the deputation

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by the Colonel and expressed the obligation which the Society was under on account of his former services to their stations. On December 10th, 1819, he said "the Directors of the London Missionary Society are much indebted to you for the favours which you have shown to the people of Bethelsdorp". The state of Bethelsdorp itself must have been a surprise to the deputation, for, in reporting to the "Respected Fathers and Brethren" in 1819, they said they thought they had some idea of the unsatisfactory conditions prevailing, "but we knew nothing, comparatively speaking, of the state of things in South Africa until we came and saw them with our own eyes". Truth compelled them to declare that the improvement in the state of the Hottentots had not been what they expected from the means which had been employed for the purpose. "Dr. Van der Kemp was a man of learning, science and genius, but his mind delighted in philosophical abstractions and his understanding was not sufficiently practical for the commonplace duties of a missionary." "The Doctor had," so Philip said, "lived to see his errors, regret and confess them—confessed that he had begun at the wrong end with the Hottentots and spoilt them. . . . Had Read, the feeble successor of Van der Kemp, profited by the experience of his great predecessor, or had he possessed a portion of his candour, things would have been different in South Africa. When the state of things of the mission under Read's management is compared with the letters he was in the habit of sending to England, we are not surprised that the Colonial Government and intelligent persons who observed the contrasts were disgusted and offended. Read seems to have been wholly destitute of prospective view and to have studied nothing but what is called effect, and it must be acknowledged that he has had some skill in the use of this dangerous weapon. With a few specimens of fruit from a solitary tree in his own garden—which engaged his exclusive attention—he deceived the public and led one to think that he was covering Africa with groves of orange trees." Towards putting the house in order, the first step the deputation took was to dismiss, or rather, temporarily suspend the Rev. James Read for "irregularities" and to prohibit him strictly from preaching Christianity to the Hottentots until an answer respecting him should be received from London. He was thus

out of the employ of the Society for about two years. Dr. Philip and Mr. Campbell returned to Cape Town after making a tour and visiting the other stations. The latter returned to England while the former became the permanent superintendent of the Society's mission in South Africa. CHAP.
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It is curious to note how soon the above strong language which Dr. Philip used against Mr. Read became applicable to himself. Before long he stood forth as the champion of the Hottentots, one part of the oppressed population of the Eastern Province, for which action no one with any sense of justice would do otherwise than commend him, and had he included within the sphere of his compassion those equally oppressed but who, in those days counted for so little, namely the *white* inhabitants, he might have been the greatest blessing it was possible for the country to have possessed. Instead of this, however, by partial, exaggerated and sometimes absolutely untrue statements concerning them, as will be proved, he gained the confidence of the philanthropic in England and came eventually to exercise such great influence with the Home Government as to be able, in a large measure, to direct the Colonial Office in regard to South Africa. It is difficult to acquit him of being in a large measure responsible, though indirectly, for the wars, race hatred and other political troubles which, it is to be hoped, ended with the Act of Union in 1910.

Before Lord Charles Somerset went to England at the end of 1819, no friction between Dr. Philip and the Colonial Government had commenced. The first rift within the lute was some correspondence between the Doctor and Sir Rufane Donkin concerning the oppressive conduct which, on the evidence of Mr. Read,¹ Colonel Cuyler was alleged to have exercised over

¹ The following extracts from the private diary of Mr. G. Barker, the missionary at Theopolis, with regard to Mr. Read are of interest in this connection. "May 8th, 1821. Brother Read with his family came to Theopolis. Conversed with him on missionary matters. He told me the aim of Dr. Philip in writing was that he had a commission to inquire into the state of things, etc., but I did not approve of either." The next day he has more talk with Read, "but cannot agree with his sentiments on some points, nor with what he tells me of the proceedings of Dr. Philip".

May 22nd. "Received a list of complaints of the people which Mr. Read had taken down when here and represented to the Governor. This list I had not seen before nor was I present when they were brought forward. It appeared from the tenor of the letter which came with the list, that Mr. Read wished me

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the Hottentots of Bethelsdorp. According to Dr. Philip's statement, when Sir Rufane Donkin was about to leave Cape Town for the frontier in April, 1821, he expressed his willingness to do anything he could on behalf of the missionaries. In reply, Dr. Philip mentioned that Mr. Read, who at that time was in disgrace, had complaints to make against Colonel Cuyler, and that the Acting-Governor would be doing a great kindness by looking into them. Sir Rufane then asked for notes which, he promised, should be regarded as private and seen by no eyes except his own. A document containing eight charges was then drawn up and given to him. Sir Rufane Donkin denies all this but states that he did receive a paper from Dr. Philip, on which he (Sir Rufane) wrote: "Put into my hands just as I was setting out for the frontier, and delivered to me by a black man". This he considered as an official document and felt it his duty to take action upon it. The general nature of the charges was that Colonel Cuyler had at different times taken away Hottentots from Bethelsdorp and compelled them to be employed in the public service. For instance, No. 1 was "Twelve men last December were ordered from Bethelsdorp to Somerset Farm at two skillings (fourpence halfpenny) per diem with rations". No. 2, "Some men were ordered away to assist the Water Fiscal at Uitenhage in cleaning out the furrows in that town". No. 3, "At the end of February four men were compelled to act as constables while at the same time seven others were being employed in the conveyance of the mails". The last two charges were serious, and were to the effect that Cuyler was making profit out of the labour of the Hottentots and abusing his trust as a magistrate. On arriving at Uitenhage, Sir Rufane showed the charges to Colonel Cuyler and both repaired to Bethelsdorp to investigate them. The evidence produced was unsatisfactory, and the Acting-Governor declared the charges to be false and stated that he considered the whole thing a conspiracy against Cuyler.¹ When Dr. Philip heard of this result he hastened to interview

to defend his representations, but as he has usurped authority in my charge, contrary to my advice, and said he was commissioned by Dr. Philip so to do, I cannot interfere with them. This list contained several inaccuracies and one gross falsehood."

¹ For further on this matter, *vide Aborigines Report*, pp. 648-58.

Colonel Cuyler, but the Colonel refused to meet him and thus commenced the breach between these two men. CHAP. IX.

The points raised here are of some importance in elucidating the relations between the mission stations and the civil authorities. In the first place it must be said that, notwithstanding Sir Rufane Donkin's statements to the contrary, the charges mentioned above were in all probability true, though how far Colonel Cuyler was to blame is another question. There can be no doubt but that the cases of forced labour mentioned in these charges were only a very few of a large number of demands which were made upon Bethelsdorp and Theopolis by the landdrosts of Uitenhage and Albany. But how could this have been avoided? Labour was excessively scarce and there were numerous public duties of the first necessity which had to be performed by somebody, such as commandos, building forts, making roads, conveyance of public supplies and mails, police and others. As has been pointed out, the burghers took their share of the public burden by, among other duties, responding to the many calls to go out on commando at their own expense, leaving their families unprotected and their farms and concerns neglected. Hundreds of Hottentots¹ were collected at these stations, and a great many, from all accounts, were doing little or nothing. It seems only reasonable, therefore, that they should have been called upon to do their share. The number of men called away at any one time was small compared with that of the residents, and in order to obviate too long an absence from their families those who were employed at a distance were relieved by others at short intervals and, at times, were allowed to leave their work to sow their corn and reap their harvests. Difficulties, however, often arose. The men left at the mission

¹ It is difficult to arrive at the numbers of Hottentots resident at these mission stations. According to the returns for 1823 there was a total population of 1,811 at Bethelsdorp, of which 538 were males over sixteen, the greater number presumably able-bodied. But when demands were made for a few men for public work, it was stated that the number in actual residence upon the mission lands was small and that the others were in the employ of the farmers or elsewhere. "The number of names at present (1822) on the books (of Bethelsdorp) amounts to about 2,000, men, women and children, among whom there are not more than 350 efficient men—and of these about 230 are invariably employed by the farmers and other inhabitants of the Colony." (Philip's *Researches*, vol. ii., p. 405.)

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station would not go to the relief of others; in this case it meant a prolonged absence for those who had a right to return. In other cases the individuals sent could not or would not work. On the other hand, the Hottentots themselves had well-grounded complaints against the authorities, more especially the military. Colonel Willshire, for instance, in building the fort which bore his name, treated the men he employed very unjustifiably, by withholding their pay and keeping them at work long after he ought to have released them. Colonel Somerset, in like manner, behaved tyrannically, and seems to have kept the Hottentots who accompanied the commandos in the field long after the burghers had been allowed to return to their homes, and in other ways laid himself open to charges which men like Mr. Read would seize upon with avidity. The local authorities, however, had good cause of complaint against the London Society's missionaries and Dr. Philip. On the assumed grounds that they were under some special protection and favour of the Governor or were exempted from the operation of regulations and conditions under which other missionary societies were bound, they, or at least some of them, refused to comply with such reasonable requests as to take a census of their people, collect the opgaaf and other small matters which common sense indicates must have been the duty of a person who was at the head of a large body of people such as the missionaries were. And Dr. Philip abetted this conduct. It is not surprising, therefore, that there was continual strife.¹

¹ Dr. Philip's position with regard to Bethelsdorp and Theopolis was strengthened by the acknowledgment of Lord Charles Somerset, in the following letter, that these two stations were under the immediate control of the London Missionary Society, and thus, as it were, created an *imperium in imperio*.

"Colonial Office, February 26th, 1822. Sir,—The Magistrate of the George district has reported to His Excellency the Governor the arrival at the Hooge Kraal (Pacaltsdorp) of Mr. Anderson, late a missionary of the Griquas, and His Excellency has desired me in consequence to point out to you that when you may wish to place missionaries at any places within the Colony, *Bethelsdorp and Theopolis excepted, which are considered as Institutions under the immediate control of the Body you represent*, His Excellency expects that his consent to the measure shall previously be obtained.—Signed, C. BIRD."

From the date of this letter it will be seen that it was written before any of the trouble between the Governor and Dr. Philip had commenced. For further information on the state of affairs which existed between the local authorities and the missionaries, the demands for Hottentots for public service and their treatment, see the "Correspondence of Theopolis and Bethelsdorp" in Appendices IX. and XI. at the end of vol. ii. of Philip's *Researches*. Whatever doubt

✓ During the first four years of his residence in Cape Town Dr. Philip endeavoured, as he had done in Aberdeen, to form a congregation and build a chapel. He was so far successful as to be able on December 1st, 1822, to open a place for public worship called the Union Chapel. Attached to this were the offices which formed his headquarters as superintendent of the London Missionary Society. These premises occupied the site where the present Civil Service Club is now built, in fact, part of the walls of this building are those of the old Union Chapel. His concern for this congregation and his more restricted missionary duties, occupied Dr. Philip's attention until the ferment in connection with the Distressed Settlers' fund in 1824 brought him prominently before the general public. And the charges against the authorities of Albany of indifference to the wants of the settlers, substantiated as they were, commenced his conflict with Lord Charles Somerset. Whatever there may be against Dr. Philip in other matters, his interference in this case was fraught with great good and proved a blessing to those in whose behalf he acted.

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At this time also he began the long campaign in which he gained his great notoriety and in which he was continually involved until his death, namely that in connection with the alleged oppressive behaviour of the white inhabitants towards the natives. His intention was to collect information on this subject from all possible sources with the view to bringing it before the House of Commons. This seems to have occupied most of his time until he left for England in January, 1826. The Rev. James Read, who had by this time been restored to favour—untrustworthy agent as he was, and in spite of the character which Dr. Philip gave him in 1819—was employed in assisting to gather evidence. But Dr. Philip's own tactics, supposing him to have been sincerely desirous of arriving at the truth and of doing impartial justice to all, were of a very questionable order. The principle of *audi alteram partem* did not figure conspicuously in his methods, except in so far as it was used to support preconceived views or to attain unworthy ends.

may be entertained as to the statements contained in the body of that book—or as to the motives for which they were written, the actual letters which passed between the missionaries and local authorities are free from "effect" and undoubtedly give the true state of the case.

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The most harmless conversation with him might result in unpleasant, if not dangerous, consequences, as the following instance will show. The Rev. Andrew Murray, the much respected *predikant* of Graaff Reinet, happened to be in Cape Town in 1824. In company with the Rev. A. Smith of Uitenhage he returned Dr. Philip's call. The conversation turning on "Missionary Exertions in the Interior," Mr. Murray expressed his approval of a missionary visiting and teaching Hottentots while in their master's service and defended the necessity of something in the nature of a contract between master and servant. On the whole he approved of Captain Stockenstrom's administration and of his attitude towards the natives. Dr. Philip said that Stockenstrom, though a good fellow, was nevertheless a Dutchman and was naturally prejudiced in favour of the old system (namely oppression of the natives). He mentioned further that "he intended to make a Journey into the Interior before he went home to England, to collect all the information he could, to lay before Parliament. . . ." "You people in the country," he said, "thought that we in Town did not know what was going on in the Interior." After further conversation, of which Dr. Philip's accounts of his big schemes for "breaking down the old system" formed the greater part, the visitors withdrew. "When leaving the House of Dr. Philip," so says Mr. Murray, "I could not refrain from uttering to Mr. Smith my opinion of the high colouring which the Revd. Gentleman gave to his statements concerning everything relating to his own System, which, if it did not disguise the truth, rendered it at least very difficult to be believed."

About three weeks after this, Mr. Murray received a summons to appear before the Commissioners of Inquiry. Ushered into their august presence a number of questions of such a nature was put to him as indicated that Dr. Philip had misrepresented the above conversation to them, and had used it as evidence of charges of oppression and maladministration on the part of Captain Stockenstrom. With indignation and anger Mr. Murray denied having said anything which could by an honest person be taken as a reflection upon the worthy landdrost of Graaff Reinet, and wrote the following letter to Dr. Philip:—

"CAPE TOWN, December 7th, 1824.

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"SIR,—Being just on the eve of leaving Town, I owe a duty to myself to inform you, that I am not ignorant of your most unpardonable conduct in giving a communication to one of His Majesty's Commissioners of Inquiry purporting the same to have come from myself, and reflecting most unwarrantably on one of the Constituted Authorities, all of which you must know is in direct opposition to strict honour and plain truth; you will understand that no further communication will be made to, or held with,

"Sir,

"Your most obedient servant,

"A. MURRAY."¹

Dr. Philip must have known very little of frontier affairs or he would surely not have made so great a mistake as to accuse Captain Stockenstrom, of all men, of oppression of the Hottentots.

In January, 1826, he left Cape Town, laden with the results of his researches, and arrived in London in the following April. He drew up a report of great length² on the conditions of the Hottentots and their grievances against the Colonial Government. In due course he presented it to the directors of the London Missionary Society. They, in turn, brought it before the notice of Earl Bathurst in a memorial dated January 22nd, 1827, appealing to the Home Government for that assistance and relief for the oppressed which could not be

¹ *Vide Records of Cape Colony*, vol. xix., pp. 483-88, also Stockenstrom's *Autobiography*, vol. i., p. 233. The following answers of Captain Stockenstrom in his evidence before the Aborigines Committee in 1838 (*vide* p. 217), throw some light upon what was "known in Town about the proceedings in the Interior".

"1918. What was your opinion of those charges against the farmers?—I thought the charges were greatly exaggerated.

"1919. Did those charges also affect the conduct of the civil authorities of the Colonial Government?—There were two or three charges brought by Dr. Philip which he had got from the missionary Colby and others, which I went myself across the Orange River to inquire into, being determined to punish those who should be found guilty; and I found that those charges, as far as the farmers were concerned, were altogether false.

"1920. What would you say of them as far as the civil officers of the Government were concerned?—I found there was no ground for charge, if I recollect right."

² For this see *Records of Cape Colony*, vol. xxx., pp. 129-77.

CHAP. IX. obtained in the Colony. In acknowledging this on February 22nd, Earl Bathurst stated that he would give his attention to these matters when he received the report upon them from the Commissioners of Inquiry.

This official coldness was not very gratifying either to the directors or to Dr. Philip. All the less so as the subject of the Hottentots had been before the House more than two years previously, when, in April, 1824, Sir Thomas Fowell Buxton moved for copies of extracts of all correspondence relating to them. But according to Dr. Philip, only a meagre response was made—the papers supplied containing for the most part nothing but *ex parte* statements of Lord Charles Somerset. Nor was Dr. Philip's satisfaction any greater when the long looked for report of the Commissioners did arrive. He determined, therefore, "to lay this subject before the public in all its length and breadth," and not "to run the risk of losing the fruit of all my exertions for the natives, and the advantage of all the documents I have collected in their favour".¹ He forthwith devoted himself to the compilation of two volumes, the famous "*Researches in South Africa*," which were published in April of 1828.

Probably no book on South African affairs has ever raised such public feeling as this one did. By people in England it was regarded as a faithful and courageous exposure of wanton cruelty and oppression of aborigines by all classes at the Cape. Sir T. F. Buxton praised it in the House and recommended to the notice of honourable members "a recent publication, *Dr. Philip's Researches in South Africa*—a work which at the same time displayed great Colonial knowledge, and exhibited a strong picture of the injuries which the natives were sustaining". But in the Colony, with the exception of a small coterie, it was looked upon with abhorrence and disgust. For not only did it contain such manifest exaggerations, but some of the statements and charges against the officials were absolutely false, as Dr. Philip soon found to his cost in having to defend an action for libel in connection with one of them.²

¹ *Vide* preface to the *Researches in South Africa*, p. xxiv.

² Major Dundas, the landdroot of Albany, found, to his surprise, that he also was censured in this book. *Vide Aborigines Report*, p. 142. Question 1279, "Are there any other circumstances you can mention?—Yes, Dr. Philip came to my office one day, and thanked me for the kindness, the attention and the humanity

The notice and commendation which such men as Buxton conferred upon the *Researches* brought Dr. Philip into prominence in the political world and the confidence which was placed upon his statements led to his being regarded as the authority on all matters relating to the natives. Cabinet Ministers consulted him upon this, the Secretary of State for the Colonies took his advice on that, until after a time we find him the unofficial, or perhaps, more correctly, the semi-official adviser to the Governor of the Colony, and where the Governor's opinion differed from Dr. Philip's, we find the latter being adopted by the Home Government in preference to the former. On July 19th, 1828, on the motion of Sir T. F. Buxton, supported by Sir George Murray, the new Secretary of State for the Colonies, it was resolved that the Colonial Government be instructed to carry out the recommendations of Dr. Philip. Armed with this official recognition and the realisation of the great support he had in England, Dr. Philip returned to the Colony in October of 1829. He soon found, however, that some of the statements in the *Researches* were not to be allowed to pass unchallenged. Mr. Mackay, the deputy landdrost of Somerset (East), brought an action for libel on account of the matter contained on pages 353 to 355 of the first volume. It is to the effect that he (Mackay) had employed a Hottentot to bring some goods, including a cask of Cape brandy, from another village in a waggon. On the journey the Hottentot discovered the liquor and converted part of it to his own use. The theft having been discovered, he was flogged and imprisoned and further, on his release, he was contracted, with his wife and family, to a person in Somerset for three years at Rds. 10 (fifteen shillings) per annum, this pay to be handed over to Mr. Mackay as compensation for the stolen brandy. Also Mr. Mackay had managed to get two Hottentot families contracted to himself for three years at Rds. 15 per annum, whereas had they been allowed to dispose of their services as they pleased they could have earned very much more. "Such are some of the effects of magisterial influence at the Cape, as

I had always displayed towards the Hottentots, and as I had always proceeded on one principle, that of fairness and justice to them as men, I took the compliment in good part. When the book came out, to my astonishment, I found a direct attack upon me on the very circumstance he had praised me for."

CHAP. IX. exercised on the Hottentot race. Such stories have often been told of Dutch boors and functionaries, but the functionary in question was neither a Dutchman nor an African, but a British military officer, and a special favourite, at that time, of the colonial government."

The case¹ excited great interest throughout the Colony, because it was felt that not only was it Mr. Mackay who was concerned but that the statements were slanders upon all in similar positions who were innocent of any such charges but had faithfully and honourably performed their respective duties. It came on for hearing in March, 1830, before Sir John Wylde, Mr. Justice Menzies and Mr. Justice Burton and continued at intervals until July 16th. The Attorney-General (Mr. Anthony Oliphant) was for the plaintiff and Mr. Advocate Cloete for Dr. Philip. Much time was spent as a preliminary in arguing the *exceptio fori declinatoria*. Dr. Philip maintained that as the supposed grievance had been committed outside the Colony, that Court was incompetent to deal with it. He wished to have it transferred to the Court of King's Bench in London. That course would have had the advantage—to Dr. Philip—that no witnesses from South Africa, and perhaps those most concerned, would have been able to be present, and this in conjunction with the state of feeling in England would have left little doubt as to the direction the case would have taken. The exception was disallowed and the trial proceeded upon the merits of the case. Mr. Wilberforce Bird, in evidence, stated, that though he had been presented by Dr. Philip with a copy of the *Researches* he nevertheless had read the copy which he found in the South African Public Library. Mr. George Greig said that he had the book in his circulating library, that it came to him from his agent in London in the ordinary course of business, that it had been widely circulated among his subscribers and that it had created considerable excitement. For the defence it was argued that the book had been printed and published in London, that it was not intended for sale in the Colony and that the statements concerning Mr. Mackay had been obtained by Dr. Philip from Mr. John Pringle. Mr. Justice Burton held that proof of publication in

¹ For report of this case *vide* Menzies, *Reports in Supreme Court*, vol. i., p. 455.

the Colony was unnecessary and that publication in England had been proved. He was of opinion that if a man fires off a gun and the bullet does damage at a distance of a mile that man is equally liable for the consequences as he would be had the bullet taken effect at the muzzle of the gun. On this principle Dr. Philip was responsible for damage done in the Colony by statements published in England. In summing up the Court held that not only had the defendant failed to prove his plea of justification but that the evidence disproved the truth of every material allegation in the libel. Sir John Wylde considered it "a false and malicious libel," Mr. Justice Burton "a slander and falsehood," and Mr. Justice Menzies "utterly without foundation". Judgment was given for the plaintiff for £200 and costs—and the Court ordered these costs to be taxed in such a manner as to show how it was that so large a bill had been incurred, in order that what has been occasioned by the vexatious and improper proceedings of the defendant may not be attributed to the system which then obtained in the Colony. Even under these circumstances the costs amounted to nearly a thousand pounds. "By the missionary party in England, this action was warmly resented. Memorials were addressed to the Secretary of State in which it was assumed that Dr. Philip was in personal danger, and requests were made that he should be protected. Public meetings were held to raise money to defray the costs of the case, at which it was asserted by men of high position in society that Dr. Philip was suffering persecution on account of the noble efforts he was making to secure humane treatment for the poor oppressed natives in South Africa."¹

While the above case was in progress, Dr. Philip had further "persecution" to contend with in connection with his *Researches*. In dealing with the subject of injustice to the Institution of Theopolis, he says, "Not only the land not included in the original diagram, but one-third of what was embraced by the diagram itself was to be cut off from the Institution,"² and he gives a plan³ purporting to be a copy of the original grant. The idea conveyed was, that certain lands

¹ Theal, *History of South Africa*, vol. 1795-1828, p. 432.

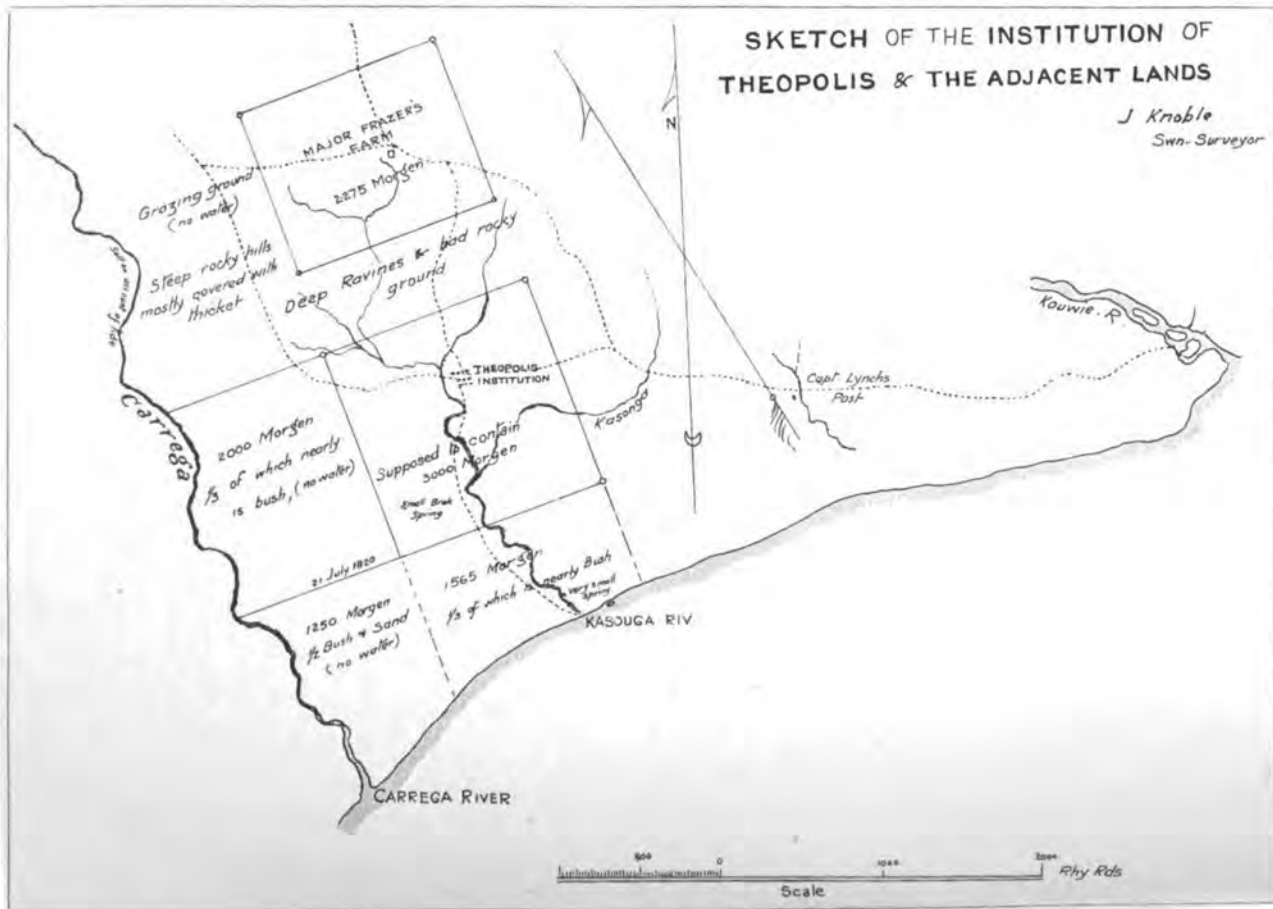
² *Vide Researches in South Africa*, vol. i., p. 266.

³ *Ibid.*, vol. ii., Appendix.

CHAP. had been granted to Theopolis by Sir John Cradock in 1814,
IX. to which, of course, the Institution had title deed, and from this property, rightfully belonging to the Hottentots, the authorities in Albany had deliberately and knowingly deprived the Institution of one-third. An investigation into this matter was called for by the Secretary of State. The facts of the case seem to be these. The land granted to Theopolis by Sir John Cradock in 1814 was a square tract measuring about three miles in each direction and containing about three thousand morgen. As the country at that time was almost uninhabited, a verbal permission was given to the Institution to make use of the land beyond the boundaries for grazing purposes, a permission which was confirmed by Lord Charles Somerset in 1817. But when the British settlers arrived in 1820 and it became necessary to be more circumspect in granting land and defining boundaries, the freedom of the Hottentots, beyond their proper limits, had to be restricted. This was undoubtedly a hardship, for large as this grant seemed to be, namely nine square miles, it was only about the size of a farm occupied by a Boer and yet had to support so many individuals. Moreover, adjoining Theopolis on the south there was a tract of land extending to the sea-shore which besides affording good grazing enabled the Hottentots to collect sea-shells for burning for lime, a material they valued for their own use as well as for traffic with the interior. From this land it was necessary—for a time at least—to debar them and if need be to use it in satisfying the many legitimate demands for grants of land which arose at that time. When it was discovered that the grants of land to the settlers were too small and that it was absolutely necessary to increase the extent of each, it might perhaps have been excusable in the Albany authorities had they, in mistake, encroached upon the Theopolis lands in order to benefit the Europeans who were settled in the vicinity. But they made no such mistake. On the other hand, Theopolis received its share of consideration and, far from being deprived of any of the original grant, an *addition* of nearly 2,000 morgen was made to it. This was in 1825. This additional grant, however, was not the coveted tract between the south boundary and the coast. On January 30th, 1826, the directors of the London Missionary

SKETCH OF THE INSTITUTION OF THEOPOLIS & THE ADJACENT LANDS

J. Knoble
Surr. Surveyor



Society, instigated presumably by Dr. Philip, petitioned Earl Bathurst "to send out instructions to the Colony not only for the full restitution of the lands which it is proposed to abstract from the Institution, but also that such steps be taken by the Colonial Government as may be necessary to secure possession of the said lands, not included in the privations in question, to the Institution free from all future abstraction or disturbance". "The restitution" here referred to, was a claim to the lands which had never been granted but had merely been permitted to be used during the pleasure of the Government. Sir John Cradock spoke prophetically when he said to the Rev. John Campbell in 1814, "I have granted as far as the circumstance is practicable (*the legal difficulties of which you are aware*), the beautiful tract in Albany, to which we have given the name of Theopolis". On November 13th, 1826, in answer to the above memorial, the directors were informed that "directions were given to the Lieut.-Governor of the Cape to grant the land in question to the Institution at Theopolis, or as much of it with access to the sea as that officer may deem fit to limit it". By 1827, therefore, long before Dr. Philip published his book, Theopolis was in possession, not only of the original grant, but also of these additions.

In pursuance of the instructions from Downing Street, Sir Lowry Cole, in November, 1830, instituted an inquiry into these matters. A commission was appointed consisting of Captain Campbell, the Civil Commissioner of Albany, and Lieutenant Hope on behalf of the Government, a Mr. Thos. Phillips and the Rev. G. Barker, the missionary at Theopolis, on behalf of Dr. Philip, together with two land surveyors. The results of the investigation are much as have been stated above—there had been no encroachment whatever on the Theopolis lands. But with respect to the diagram which Dr. Philip had published in his book, it was discovered that *Dr. Philip himself*, together with a Mr. Wright, a teacher at Theopolis, had actually made the alterations on their copy of the original and published it in its garbled state ¹ *with the Government surveyor's name still attached*, "thereby giving, inadvertently perhaps, a colour of authenticity to a charge which

¹ For the original diagram uninterfered with by Dr. Philip, *vide* vol. lxxviii. of manuscripts in the Cape Town Archives.

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had no foundation in fact". Sir Lowry Cole transmitted a long report on all this to Viscount Goderich on May 10th, 1831. Far from damaging Dr. Philip's reputation in England, all this seems to have been looked upon as nothing more than part of the "persecution" he was suffering in the Colony. His own attitude was characteristic, he accused all those who had taken part in the investigation of being corrupt and dishonest. Sir Lowry Cole, in commenting on this, says, "The honour and the professional reputation of gentlemen who have been sworn to the faithful discharge of their public duties, and who could not by any possibility be interested in the result of the inspection at Theopolis, the evidence of eye-witnesses to the operation, nay, the very character of his own coadjutor as a man of observation and understanding, all was to be sacrificed without scruple by Dr. Philip to the superior credibility of Hottentot witnesses examined by himself five years ago, when he was avowedly engaged in the compilation of charges not only against the Government but against the whole Colony".

Unperturbed by these matters, Dr. Philip continued his course. It was at this time when, probably conscious of the recognition he had received from the Government in England, he went among the Kaffir chiefs with an air of authority and discussed their grievances with them in the manner already related. Sir Lowry Cole was convinced that these conversations had much to do with the outrageous conduct of the Kaffirs shortly afterwards, but he could produce no proof and so could take no official notice of them.¹ In 1832 Dr. Philip was again among the Kaffirs. But this time he was accompanied by a Mr. Bruce, of the Honourable East India Company's Service, a gentleman who was on his way home from India and took the opportunity of spending a few weeks in Cape Colony. Whether he arrived with views on native questions already formed or whether it was a case of evil communications having corrupted good manners, it is not clear, but certain it is that he approved of the sentiments and methods of Dr. Philip. These two visited Kaffirland together and interviewed the different chiefs on the dangerous topic of the Ceded Territory

¹ For further in this matter *vide* evidence of Colonel Wade before the Aborigines Committee, *Report*, 1836, pp. 284-86.

and other matters which led the Kaffirs to believe that they were badly treated by the Europeans. The results of *his* researches he communicated, in a series of letters, to Mr. Fairbairn's paper in Cape Town, the organ of the "philanthropic" party at the Cape. Recapitulating the old alleged grievances of the Kaffirs, he made a number of statements reflecting upon the inhabitants of Albany, which, so he said, he did upon the authority of Mr. Chalmers, the missionary at the Chumie. Mr. Bruce's procedure showed his inexperience in these matters; he published his statements in the Colony where it was possible to arrive at the truth of them instead of keeping them for England, where they would have received implicit belief without being submitted to any such tiresome preliminaries as the sifting of evidence and probing for facts. The people of Albany rose in indignation and petitioned Sir Lowry Cole to cause a public investigation to be made. Mr. Chalmers came forward and denied that he had ever made any such statements as Mr. Bruce had attributed to him. Two other individuals also stated upon oath that they were equally innocent of having afforded Mr. Bruce the substance of charges made in their names. Sir Lowry Cole thought the case scarcely called for an investigation, on the grounds that the matter had been published only in Cape Town, that it had been refuted and, moreover, that a stranger who had merely galloped about the country for three weeks was not likely to command any serious attention to what he said. So the matter dropped.

The Kaffirs seem to have been greatly impressed with the importance of these two men and to have been led to believe that they had great influence with the King of England, who would give back to them the Ceded Territory and, perhaps, prevent them from being molested while diligently and skilfully pursuing what had become a national occupation, namely, the lifting of the farmers' horses and cattle. Dr. Philip exhorted them "to believe in the Lord and not to shed blood". This latter injunction he endeavoured to impress very deeply upon them. "Do not shed blood," said he.

Many years ago a certain professor of anatomy began one of his lectures by telling his students that, in a slum adjacent to the hospital, there lay dead a friendless pauper—a huge

CHAP. IX. man who had stood seven feet six without his boots and was known as the "Irish Giant". "You students," said the professor, "are not to fetch that body to the dissecting room—the skeleton, however, would be a magnificent addition to any museum—but still you are not to touch that body." He then expounded the law with regard to dead bodies showing that they belonged to nobody, but taking as much as a shred of a shirt was theft. But still he emphasised the point that that body was *not* to be brought to the Medical School. The next morning the body was in the dissecting room and the skeleton now graces a museum case in a well-known London Hospital. One cannot blame the professor, for he most distinctly told them *not* to fetch the body—in the same emphatic and distinct manner Dr. Philip told the Kaffirs *not* to shed blood.

NOTE.—The author wishes to state that he has been refused access to the only papers which might be able to throw any light on the other side of the questions in connection with Dr. Philip—namely, Dr. Philip's own private papers. They are now in the possession of one of the Doctor's descendants. Perhaps some future student of our African history may be able to give accounts of the great man differing entirely from the above. Such student may, even, be able to prove that only a very small section of the Cape people—the Philip-Fairbairn coterie—was capable of speaking the truth in those days, and that all the despatches of Governors, statements of Judges and officials are unworthy of credit. The present author, with the material at his disposal, has been unable to do this.

CHAPTER X.

IN THE SHADOW OF THE STORM.

NOTWITHSTANDING all the political troubles, misunderstanding and discouragement, the Eastern Province did make some progress during the period which ended with the outbreak of war at the end of 1834. Experience and a better knowledge of the country pointed out to the settlers the directions in which developments were possible, and their enterprise, perhaps spurred on by hunger, laid the foundations of the prosperity which the East is enjoying to-day. Wool and the native trade did more than anything else, at this time, to provide a scope for the profitable utilisation of capital and labour and to establish commerce. Lieutenant Daniell of Sidbury and Major T. C. White commenced fine wool farming in 1827, and thus initiated what is now justly recognised as a peculiarly Eastern Province industry. The value of the wool exported from the East in 1834 was £3,279. The activity and success in this enterprise may be judged from the fact that, in spite of the devastation of war, the value of the shipments from Port Elizabeth in 1841 had increased to £21,856. In 1834 also the Kaffir trade in ivory, hides and gum had risen to about £40,000 per annum. And, strange as it may sound, in view of the early failures of the crops due to rust, wheat became such a success as to be declared, on the London market, superior to the best English or any foreign wheat.¹ A more efficient frontier protection,

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¹ Extract from a letter from Daniel and John Birkett & Co., Corn-factors:—

“LONDON, April 6th, 1840.

“SIR,—In answer to your inquiry, we beg to say that we consider the quality of the finest Cape of Good Hope wheat to be equal, and in some respects superior to the best English, or any foreign wheat, which we have seen. It is rarely that English wheat weighs 64 lb. per bushel, but we have had Cape of the finest quality which weighed upwards of 65 lb. per bushel.” For further on the rapid rise of the sheep farming industry, see *The Cape of Good Hope and Eastern Province*, by J. C. Chase, 1843.

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a better supply of labour, and, above all, a more intimate knowledge, on the part of the authorities in England, of the true character of the aborigines and the difficulties they opposed to all advancement, would have made the Cape of Good Hope, at that time, the most important and valuable of the British Colonies.

The spread of civilisation northward was marked during the administration of Sir Lowry Cole by the formation of the township of COLESBERG, which was named after him. Not many years previously that part of the country was almost a *terra incognita* and was, somewhat indefinitely, denominated Bushmanland. The site of the town is that of the old L.M.S. mission station, Toornberg or Torenberg,¹ which had to be suppressed in consequence of the danger arising from the congregating in those parts of wild and lawless people over whom the Colonial Government could exercise no jurisdiction. It is of interest to note that this town is about twenty miles south-east of the spot on which stood Plettenberg's Beacon, or the "Edele Heer's Baakan," a beacon² erected by Governor van Plettenberg in 1778 to mark the most northern limit of the Colony.

After the suppression of the mission station these lands, situated in a country abounding in game—antelopes of all kinds, the gnu, quagga, zebra—as well as the lion, panther and leopard—were sought for by some of the Boers as farms. Landdrost Stockenstrom, however, would not countenance the numerous applications he received. They were offered to Dr. Philip on his arrival for mission purposes; but he would not accept them as he preferred to found a station more to the north.

There were Boers living at distances of several miles from

¹ *Torenberg* is most probably the correct spelling, it is that used in the deeds of transfer and other legal documents. The name is derived from the conspicuous mountain now called Cole's Kop, near which the mission station was situated, and means Tower Mountain. Toornberg is also found, however, and means Thorn mountain. But *Toverberg*, the name which is nearly always found in missionary journals, is probably a misreading of Torenberg, and is meaningless.

² The beacon was on the farm now called Quaggasfontein and was situated about 200 yards from the east bank of the Seacow River, a tributary of the Orange River. The remains of this interesting historical landmark were carefully removed a few years ago by Mr. W. H. S. Murray and sent to the South African Museum in Cape Town where they are now.

one another in those far regions, and it had become almost a custom for the Rev. Andrew Murray, the good pastor of Graaff Reinets, to visit Torenberg at regular intervals for the purpose of holding religious services on their behalf. This meant four days' hard riding from Graaff Reinets, nevertheless that good man considered these distant people to be within his parish and members of his flock. The services were held on the open veld or under the tents and sails of the waggons.

This procedure, in 1827, induced Landdrost Stockenström to allot 18,000 morgen of the Torenberg lands for church purposes. A congregation was then properly organised with churchwardens, trustees and other necessary officials. Sir Lowry Cole approved of this and granted the land in freehold to the churchwardens, who thus had the right to sell erven for the benefit of the church. Even to this day these church officials are the proprietors of the greater portion of the Colesberg lands. A township was laid out, suitable sites were selected for the church and parsonage, and, some erven having been acquired for the residences of private individuals, the place was named COLESBERG in honour of Sir Lowry Cole. The church and parsonage were built chiefly by the subscriptions of the congregation. The corner-stone of the former was laid in August 25th, 1830, by Mr. W. C. van Ryneveld, the Civil Commissioner of Graaff Reinets. Colesberg was somewhat exceptional in being an Eastern Province town in which the erection of the gaol was not looked upon as the first step towards healthy development. Colesberg, however, soon had reason to deplore this oversight. As has so often been the case in the march of civilisation, brandy quickly followed in the wake of the Bible and the policeman became a more efficient messenger of peace and quietness than the missionary. As no resident authority was stationed at the new township, it became, for a time at least, the rendezvous of the illicit trader whose brandy and gunpowder were attractions for the worst of the Bastards or Griquas and Corannas.¹

¹ In May, 1829, on visiting Torenberg for the purpose of collecting the taxes, Mr. Ryneveld succeeded in capturing a waggon in which he found thirteen sacks of gunpowder, a large quantity of lead and eight new guns. He seized all this and sent it to Grahamstown. The waggon was in charge of four Bergenaars—the mountain Bastards under Barend Barendse.

To give an example of the drink traffic, W. F. Fleming, an agriculturist,

CHAP. X. The place, therefore, was soon the scene of great drunkenness and disorder. "The laws of the land have ceased to be a terror to the evil doers in Colesberg," said Mr. van Ryneveld in writing to the Governor and asking for some remedy for this state of affairs. His Excellency regretted that he had no power to station there a stipendiary magistrate without reference to the Secretary of State for the Colonies, but he was willing to appoint as justice of the peace any individual who was sufficiently respectable to be entrusted with that office and could be found to undertake it. About three years afterwards, however, namely on February 8th, 1837, Colesberg was placed upon a proper footing. A resident magistrate, Mr. Fleetwood Rawstone, was appointed, and the village was made the centre of a new district—the district of Colesberg—comprising about 11,650 square miles. This conduced to order not only in the village itself but also in the wildest part of the northern regions. The nomadic disposition of the people was diminished, farms were held upon proper tenure and the taxes maintained the establishment. The districts of Cradock and Port Elizabeth were created at the same time.

CRADOCK, the next most northerly village to Colesberg, situated on the eastern bank of the Great Fish River, had not made any great strides in its development during the years previous to the war of 1835. It was still an outpost of Somerset East; and as that place was a sub-drostdy of Grahamstown, Cradock was in reality a sub-sub-drostdy of Grahamstown. At one time all petty cases requiring the interference of a magistrate, all public or official business had to be taken to Somerset East. After a while Cradock was privileged to receive a

appeared before Mr. Ryneveld in August, 1833, in order to complain of this. He said: "I reside on the bank of the Great River near the Stormberg Spruit. The other side of the river is occupied by Corannas, Bastards and Bushmen. That part of the country is very unsafe in consequence of the illicit traffic in liquor with these people. As my house is near the chief drift I can see clearly what goes on on the other side. On the 16th, 17th and 18th (of August) great disturbances prevailed among these people. I heard continued reports of guns. I went to Syfer Fontein and standing on the bank of the river I saw a waggon outspanned and a great number of people surrounding it, some were lying down while others danced round in drunken frenzy and fired off guns. This lasted three days. A brisk trade went on, it was usual to give two small flasks of brandy for a cow and two and a half for a fat one. Thinking my life in danger I came to Graaff Reinet to report all this."

monthly visit from the Somerset East official, and still later it rose to the distinction of having a justice of the peace all to itself. Cradock was a tiny village of not more than about thirty houses, most of which were very small and of the wattle and daub character. Like Colesberg, its chief attraction was the church and a central spot on which to hold "Nachtmaal". In 1830 the Governor sanctioned the expenditure of Rds. 500 (£37 10s.) on the construction of a dam across the river in order to supply the village with water, and also gave some assistance towards erecting the small building which was used as a church and school.

As might have been expected, the chief centre of development in the Eastern Province during the early thirties was GRAHAMSTOWN. Many of the 1820 settlers had established themselves at that place, and either pursued their respective trades with profit or became prosperous, comparatively speaking, in connection with the "interior trade" of Kaffirland. Large places of business came into existence; these, together with the increased waggon traffic and the growth of the chief market for all kinds of produce, made Grahamstown the metropolis of the East. The struggle for existence having become less severe, attention could be turned towards social improvement, and, may it be said, the higher refinements of life. A horticultural society came into existence and a benevolent society, under the name of the Albany Brethren, was formed (April, 1830). Steps were taken to establish a municipality (March 9th, 1830) though this was not effected until 1837, and the Governor sanctioned the expenditure of £362 on the construction of bridges, water-courses and the planting of trees.¹ The two topics, apart from business, which seem to have absorbed public attention during these years were Dr. Philip's *Researches* and temperance or, perhaps more correctly, that form of intemperance known as teetotalism. A most flourishing society was formed, the proceedings of which, together with the opposition of vested interests, enlivened the humdrum of the daily round. Port Elizabeth shared in the enthusiasm; the principles of the society of that place, however, were on a broader basis, as it is evident from Rule No. 3, *viz.*: "No

¹ Shortly before a sum of £11 5s. was sanctioned for putting seats round Graham's tree in High Street and for the general care of the tree at that time.

CHAP. member of the Port Elizabeth Temperance Society is allowed
 X. to take his grog stronger than three parts spirit and one of water" !

Until 1831 there had been no attempt whatever to start a newspaper in the Eastern Province. In fact, as has been shown, it was not until then that the more fortunate West had overcome the difficulties in connection with the Government restrictions on the Press and the *South African Commercial Advertiser* had become properly established. On December 31st, 1831, the first number of the *Grahamstown Journal* was published. It is in existence to-day, and, as the *Commercial Advertiser* has long since ceased, is the oldest newspaper in South Africa. The first editor and proprietor was Mr. L. H. Meurant and with him Mr. (afterwards the Honourable) Robert Godlonton, then a clerk in the Civil Commissioner's Office, co-operated from the first. Mr. Godlonton was responsible chiefly for the literary matter. He wrote the leading articles, and by his excellent judgment, fearless uprightness and command of vigorous English, gave to the *Journal* its then characteristic tone. One cannot over-estimate the value of the services which Mr. Godlonton rendered to the Eastern Province in the days of strife and unmerited calumny by his continued pleading of the cause of the despoiled and maligned. The *Advertiser* was the organ of the "Philipine faction," the editor, Mr. Fairbairn, having married Dr. Philip's daughter, hence the sentiments expressed in that paper were generally hostile to the white inhabitants and laudatory of the natives. The settlers were referred to as "cockney pin makers" and "wearers of breeches who were afraid to look a real man in the face". Mr. Fairbairn was an able man and his opinion carried great weight; it was fortunate, therefore, for the East that it should have possessed an equally able man in Mr. Godlonton¹ who felt called upon to take up the cudgels in its defence.

¹ Mr. Godlonton arrived in the Colony with the first party of settlers. He was a printer by trade and brought with him the materials for pursuing that calling in this country, but as the laws of the land forbade it, his press and types were confiscated, and he was compelled to suffer the privations of the early days upon his location. Knowing nothing of agriculture he commenced his career of success and fame as a constable in the streets of Grahamstown and then, obtaining an insignificant post in the landdrost's office, he became chief clerk to the Civil Commissioner, where he was when his connection with the *Journal*



GRAHAMSTOWN IN 1833. Taken from the Drostdy House

From a water-colour sketch by Dr. W. G. Atherstone, 1833 (redrawn by F. W. Armstrong, Esq.)

Not only was the increasing importance of Grahamstown emphasised by the possession of a newspaper, but its pre-eminence as a centre of commerce was to be marked by the erection of a building which should be a kind of stock exchange or bureau in the interest of trade. It was to be called the *Commercial Hall*, and might be used as a theatre, public assembly rooms, reading-room or for any other public purpose consistent with the chief object in view. Major T. C. White was the leading spirit in this movement. A committee was formed in February, 1832, when it was decided to raise a sum of £1,500 in shares of Rds. 50 each for building purposes. But opinion seems to have been divided on the question as to whether the existing wants of the place called for such an institution. Subsequent events showed that there was good reason for these doubts. The erection of a jetty at Port Elizabeth or a lighthouse at Cape Receife were felt by some to be more useful objects on which to spend the money which was asked for. The shares, however, were very readily taken up, and a petition was sent to the Governor asking him to grant a portion of Erf No. 20¹ in High Street. On April 6th, 1832, he acceded to this. The tender of Mr. George Gilbert for Rds. 20,000 having been accepted, the foundation-stone was laid on Tuesday, March 5th, 1833, with great ceremony. The occasion was regarded as one of the greatest importance in the history of Grahamstown and the happiest augury for the future of the Province. A long procession consisting of the Freemasons, Albany Brethren, civil and military officials, started from the Freemason's Tavern (now Wood's Hotel) and headed by the band of the 75th Regiment proceeded to St. George's Church, where a fitting sermon was preached by the Rev. Mr. Heavyside. Continuing then to the site through the ranks of soldiers who lined both sides of High Street, the

commenced. Captain Campbell, the Civil Commissioner, felt that this work was incompatible with Mr. Godlonton's official duties and suggested that he should resign. Mr. Godlonton was willing, but the matter being referred to the Governor, he gave it as his opinion (February 21st, 1834) that the acceptance of the resignation should be delayed until some one equally able could be found to carry on the work. Mr. Godlonton, eventually, gave his entire attention to the *Journal* and became its sole editor and proprietor.

¹ This erf is the one on which the Eastern Districts Court of Justice now stands, in fact, this building, in a modified form, is the old Commercial Hall.

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stone was laid with full masonic honours, the marshal reading a long address on vellum describing the first establishment and progress of Grahamstown. This, together with other papers, was deposited in the foundation-stone. Like most Eastern Province buildings, however, difficulties arose which hindered the completion of the work, and when it was finished it was appropriated to uses entirely different from those first intended. Good progress had been made up to December, 1834, when the outbreak of war put a stop to everything and the unfinished Commercial Hall had to be used as a temporary refuge for some of those who had been suddenly driven from their homes by the bloodthirsty Kaffir. Shortly after the war it was completed, and the first time it was used in any public cause was in September, 1836, when a mass meeting was held in it to protest against the assertions, derogatory to the colonists, which had been made by Captain Stockenstrom before a Committee of the House of Commons, and to object to his appointment as Lieutenant-Governor of the Eastern Province.

No use in connection with commerce seems to have been found for the building, so in 1840 the trustees offered it to the Government for either £2,250 in cash, or to take in exchange the Government buildings and the land on which they stood.¹ Negotiations extended over a long period. Finally in 1843 Sir George Napier, the Governor of the Colony, gave £2,000 for the Commercial Hall, making certain deductions for ground rent. From that time the building has been used in connection with the administration of justice. Other substantial public buildings which were erected at this time were the "new" Wesleyan chapel, now known as the Shaw Hall in Grahamstown, the Wesleyan chapels in Salem and Bathurst and the Episcopalian church at the last-mentioned place. The Shaw Hall—so named in honour of the Rev. W. Shaw—was built in 1832, but had to be almost entirely rebuilt in 1833 as it took fire in that year. A curious feature about the establishment of the Bathurst church was that it was started partly as a kind of Joint Stock Company. A thousand pounds were required for the erection of the building, of this sum the Colonial Treasury gave £250, the S.P.G. £250 and the re-

¹ These were situated at the corner of Hill Street and High Street.

maining £500 were raised in shares of £5 each, the interest to the shareholders to be paid from the pew rents and offertories. A Government Ordinance was passed in June, 1832, authorising this and containing regulations for the general management of the Church. Shareholders had the first choice of pews, though they had to pay rent for them; the shares might be sold privately but not at public auction. One share gave one vote in the proceedings of the vestry. A perusal of the list of shareholders¹ shows that people of all religious denominations took an interest in the Bathurst Church. Major Mitchell of the Royal Engineers designed the building and the stone and brick work was carried out by Mr. Bradshaw of Bathurst, one of the 1820 settlers. It was nearly finished in December, 1834, when, as in the case of the Commercial Hall, it had to be used as a refuge for the women and children until they could be safely escorted to Grahamstown. After the war it was completed.

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It will be well to direct attention now to the affairs of the Northern border and to learn how far the civilising influences of the south were operating upon the inhabitants of those distant regions. The general policy of the Colonial Government was to avoid interfering in the native tribal quarrels except in so far as to prevent one people from driving another into the Colony. A tribe loyal or friendly to the Government might, with confidence, count upon unlimited moral support but upon a limited supply of ammunition; while a hostile tribe could usually depend, in the first place, upon the illicit trader for the necessary gunpowder and in the second upon the spoil which this would obtain. Hence, with the inadequate means at the disposal of the Government for controlling so large an area, the lawless tribes were the stronger and apparently fared better than those peaceably disposed.

The Griquas were in a very unstable condition. Adam Kok had his headquarters at Philippolis, the L.M.S. station founded by Dr. Philip in the present district of Philippolis in the Orange Free State. He was then getting an old and feeble

¹ Among well-known names which appear on this list are: holders of four shares, "The Hon. Capt. Andrew Stockenstrom," and Walter Currie. Holders of two shares, J. C. Wilmot, T. Hartley, W. B. Biddulph, W. Gilfillan, Donald Moodie, W. Waddle, B. Norden. One share, J. C. Chase, E. H. Dell, W. R. Thomson, R. Godlonton, I. and G. Dyason, P. Campbell, van N. Onkruidt, P. R. Marillier, Dr. Philip, W. Ayton, C. and H. Maynard, W. Lucas, R. Stone.

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¹ But JAN BLOEM, after whom Bloemfontein is probably named, was a prominent man in this tribe and for a time was its leader. The following statement made by Jan Bloem in 1873 before Mr. J. Thompson, J.P. for Klip Drift, may be of interest:—

"Jan Bloem, formerly Captain of the Korannas, makes the following statement. I reside at Nooitgedacht farm near old Klipdrift. I am son of Captain Jan Bloem (tuin? illegible) and was born in the Onderveld about the year 1790. I arrived in this country with my father as a lad of about eight years of age. I remember at that time the Korannas electing my father as Captain, this took place at Letaklow (?) where my father resided. At that time Taaibosch was captain over a portion of the Korannas and resided near Tauns. My father was captain of the Korannas up to his death which took place about five years after he arrived in this country. After my father's death I was taken to the Onderveld by my relations. I returned to this country again when I was a young man and was afterwards married in the church at Griquastad. After my marriage I was appointed field-cornet by Captain Barends and served in that capacity for a few years. During that time Captain Barends and Adam Kok left on a hunting trip, and during their absence Andreas Waterboer, who was a resident at Griquastad, took upon himself to investigate certain grievances which existed with the widows (?) in the village respecting rights to garden grounds. He was then elected as Captain during the absence of Captain Barends, and on the return of said Captain from the hunting trip there was great dissatisfaction. However, Andreas Waterboer said to them, I am young and you are old, I will work for you. I was dissatisfied at the election of Andreas Waterboer and left for the Goeymansberg with several of the Korannas, I think there must have been about 200 men. After I had resided at Goeymansberg for about a year, Captain Waterboer arrived with a commando and captured our cattle, we followed him up afterwards and fought with him at Griquastad. We then left for the Onderveld. I returned with a commando about a year afterwards and fought with him at Griquastad and we captured Waterboer's cattle and waggons and burnt his village. Shortly after we had another fight at Griquastad and then returned to the Onderveld. I then returned with my people and their families to this country and settled down at Tauns—then over the Vaal river—then the Modder river, then up the Harts river to Boetsup and Hebron, then back to Pniel, which was made a missionary station. During my trek I never saw any Kaffirs with the exception of Motheko (?) who resided near Tauns. The country was occupied by Korannas. I occupied both sides of the Vaal up to 1857 when I appointed my son Barend Bloem provisional Captain of the Korannas. On my last visit from the Onderveld I received a letter from Captain Waterboer asking me to make peace with him. I accepted.

"Signed JAN BLOEM."
His X mark.

have taken but a small part in the disturbances of those times. The Corannas were a nomadic and marauding race, which settled in no particular part of the country. They were the chief cattle thieves and the worst enemies of the inoffensive Bechuanas, whom they continually robbed in order to supply the traders from the Colony with the cattle which they exchanged for gunpowder and brandy. In some cases these traders followed up the Corannas and then bartered for the cattle which they must have known had been stolen. Adam Kok in a letter to Mr. Ryneveld, February 20th, 1832, said that if the traders were forbidden to traffic in stolen cattle, depredations would cease. On one occasion he (Kok) took from a party of traders a number of cattle they had obtained in this way and gave them back to their rightful owners, the despoiled Bechuanas.

Then there were the roving bands of Bushmen, either creating havoc on their own account or joining bands of Griquas and Corannas in their more wholesale depredations. Thus the whole country on the north side of the Orange River was a waste occupied only by bands of robbers under no other control than that which could be exercised by the small personal influence of Waterboer, Kok and the missionaries. There was, however, another element of disorder which must be noticed. In times of drought and locusts, and the years 1830 and 1831 were very bad in this respect, the Colonial Boers were compelled to seek pasturage for their cattle in these northern regions or to lose all by starvation. Hence with their families, *lares et penates*, they trekked north and remained there many months at a time, in fact, until rain had resuscitated the grass in their own parts. This naturally brought them into conflict with the natives whose cattle competed for the same pastures. The following may be taken as instances of Kok's attitude towards the Europeans in his country. Hendrick Badenhorst with his children and widow Kruger with her two sons were sojourning peaceably with their cattle in the Griqua country, when Kok with a large number of his men suddenly appeared and with some show of violence drove them to the Orange River. As the river was in flood the people had to wait on the bank some days. Kok took their guns and ammunition from them and kept them under

CHAP. X. surveillance until they disappeared into the Colony. "I can assure you," says the Field-Cornet Joubert in reporting this matter to the Government, "that the Bastards are getting the overhand of our Burghers. . . . I beg of you to inform me whether I must be content to see myself and Burghers treated in this manner and to have their guns taken away." A trader named Collins who had crossed the river in order to collect some outstanding debts, was seized by a party of Griquas. He escaped and his wife saved his life by keeping him concealed for three days in the waggon when he got back over the Orange River into the Colony. The Government did all that was possible to prevent or modify this state of affairs, but what could be done with only two magistrates, and those no nearer to the Orange River than Graaff Reinet and Beaufort West? This weakness, however, served on one occasion to throw Kok upon his own resources and indirectly to stop this northern emigration of the Boers as effectually as an expensive company of soldiers would have done. It appears that the Corannas had seized a number of cattle, presumably belonging to the invading Boers, and Kok calling out his men to recapture them, a small war between the Griquas and Corannas resulted. Being short of ammunition, Kok sent to Mr. Ryneveld in Graaff Reinet. With the exception of a small quantity of gunpowder as a present for the chief himself, none was sent, but Mr. Ryneveld and Commissioner-General Stockenstrom went to the disturbed district and succeeded in patching up a peace and inducing the Corannas to place themselves under the authority of Kok. Adam Kok, though reluctantly, agreed to this, on the understanding, so he says, that in the event of further trouble with the Corannas or Boers he would receive support from the Government. He was soon in need of this, for, the Corannas having stolen a large herd of cattle, he endeavoured to retake them and to punish the offenders. This led to further fighting between the clans and then Kok found that the Government was not disposed to interfere in intertribal disputes. He refused therefore to be responsible for the good behaviour of the Corannas and told Ryneveld that he did not wish to see either him or Stockenstrom again, that "he wanted other judges to settle his disputes" as he regarded those two men as his enemies.

At this time he found that the Boers were again intending to pass to the north. Knowing the ill-feeling of the Griquas towards themselves, the Boers had made arrangements with a chief who lived beyond the Griqua country whereby they should be permitted to use his pastures on payment in cattle. But the "trek pads" passed through Kok's country. Kok now did not trouble the Colonial authorities, more especially as he knew that the farmers had been told that they would receive no protection from the Government if they went into countries beyond the limits of the Colony. He made preparations to fight them and stationed his people at all the possible drifts on the Orange River. When the Boers arrived at the southern bank, the threatening attitude of the Griquas prevailed upon them to return—and, for a time at least, they were not responsible for any of the trouble along the northern border. This was in 1830. In October of the following year, the love of plunder and the successes which had been attending their expeditions led the combined Griquas and Corannas into a hornet's nest where their valour met with a most salutary check and where they received such punishment that some time was necessary for them to recover themselves. It was rumoured that a strange people possessing much cattle was passing through the regions to the north of Kok's country. All were elated at the prospect of wealth which a combined attack upon the strangers would undoubtedly place in their possession. Kok was asked to countenance the enterprise but he refused and endeavoured to dissuade his people from taking part in it. He was not successful however. Some hundreds of Griquas and Corannas combined and moved in the direction where the spoil was believed to be. A few days' journey brought them in sight of their intended prey. The invaders were Zulus under the leadership of none other than the mighty warrior Moselikatze—second only to Chaka himself in his career of devastation and bloodshed. That great chief had become aware of this movement against himself and in all probability was not in the least perturbed by it. He ordered his people to place the cattle in such a position that they might easily be captured and then to await the result. The attacking force took the bait and with it commenced the homeward journey. At midnight on the second night they awoke and

CHAP. X. found themselves completely surrounded by two rings of Zulus. The inner one closed in with a rush and recaptured all the cattle while the outer one intercepted the terrified and escaping robbers and murdered about two hundred of them. Moselikatze was not a person to be assailed with impunity. Scarcely had the remnant of the Griquas arrived back at Philippolis when an enemy almost worse than the Zulus attacked them and most of the inhabitants of those parts, namely small-pox. The disease spread like wildfire from village to village—far apart as they were—and carried off an enormous percentage of the population ; at the mission station of Bootchuap, no less than sixty out of seventy-five died. As soon as this was known in the Colony, consternation prevailed and precautions were taken to prevent the spread of the scourge. The field-cornets along the border had to call out parties of Boers to patrol and prevent any communication with the infected area, and Doctors John Atherstone and Perry went to Philippolis to vaccinate as hard as they could. In this they were greatly assisted by the missionaries, the Rev. Kolbe and Clarke. Dr. Atherstone pronounced it to be a very bad form of the disease. " It is infinitely more severe and fatal than I have ever known it to be in Europe," he reported. He attributed this partly to the heat of the weather (the month was November) and partly to the fact that the sick natives wrapped themselves tightly in their karosses and then shut themselves in their huts without any access of fresh air. The disease died out without harming the Colony. Considerable alarm was created in Grahamstown on one occasion when a trader arrived with a waggon load of lions', tigers' and other skins. He had passed through the diseased country and so his goods were regarded with something more than suspicion. The Griquas and Corannas of the country extending, roughly, from Griquatown to Philippolis were under some shadow of control and, to a certain extent, they subordinated their unruly inclinations to a sense of what was right and proper. But along the Orange River in the dry and almost desert regions further to the west there were tribes, or perhaps more correctly, an assortment of people from different tribes, who knew no restrictions on their actions and robbed and murdered indiscriminately all they came across. From the present town of Upington to the Aughrabies or

Great Falls of the Orange River, that river is very wide. Its course seems to have been broken up by vast volumes of water having taken different, though nearly parallel, directions and then united again. Hence large islands have been formed, some of which—Schau'skop and Blauskop islands, for instance—though bushy, are capable of pasturing a considerable number of cattle. The lands along the banks of the river are covered with dense bush and, at the time referred to, could be traversed only by the few paths which had been cut by the outlaws who then inhabited those parts. In the early thirties there was a formidable gang consisting of Griquas, Corannas, Bushmen and Hottentots under the leadership of a Hottentot named Stuurman which made this bushy country, and, as a last harbour of refuge, these islands, its stronghold. In his despatch to Mr. Secretary Stanley, dated December 10th, 1833, Lieutenant-Colonel Wade, the Acting-Governor, says: "These Bastards and Korannas . . . invade the Colony in bands of from 50 to 70 well armed and mounted men each, and, coming suddenly on the isolated habitations of the farmers, massacre perhaps the whole family and too frequently escape to their fastnesses with impunity, carrying away with them the flocks and herds of their slaughtered victims. There are upwards of thirty reports from the Civil Commissioner of Graaff Reinet during the last year, detailing their atrocities. In one of these excursions, in the month of August, they penetrated in considerable numbers into the Nieuwveld in the centre of the Beaufort District, when they murdered two whole families in the neighbourhood of Slangfontein and escaped with their booty before the alarm could possibly be communicated to the widely separated inhabitants, who are settled over the district. A commando was subsequently despatched under the personal direction of the civil commissioner for the purpose of taking vengeance on these wretches, but the latter were unfortunately apprised of the movement and too well prepared to resist an attack. After a most harassing campaign of six weeks, during which the whole party underwent the severest hardships and privations, the commando was obliged to return to the Colony without having effected its object."

The most serious of the cases referred to in this paragraph, and those which perhaps best illustrate the behaviour of Stuur-

CHAP. X. man's tribe or gang, are the following: In February, 1832, about forty Corannas and Bushmen combined came suddenly upon the isolated dwelling of the Field-Cornet Steenkamp on the Zak River, somewhere in the northern part of the present district of Calvinia. The attack was made just before day-break. The house, as well as the cattle kraals, was assailed. In defending the former Steenkamp stood upon the threshold fighting the robbers from daybreak until about nine o'clock, and received a poisoned arrow in his thigh. His wife who was standing behind him and assisting in the defence cut out the arrow and dressed the wound, while he stood and kept the enemy at bay. It was of no avail, however, for he died shortly afterwards. The marauders got clear with 30 horses, and 100 sheep and goats, all of which they retained, as the Field-Commandant Jacobus could neither induce nor compel the available Boers to go out on commando.

In August of this same year, the farm of one van der Merwe was attacked, probably by the same miscreants. They murdered Faber, the father-in-law of van der Merwe, also his brother and sister-in-law, and drove away 6,000 sheep, 200 cattle, 10 horses and 3 waggons. An atrocity of this magnitude could not be permitted to pass unnoticed. Mr. Ryneveld, the Civil Commissioner of Graaff Reinet, therefore determined to call out a large commando and to endeavour to rid the country of these wretches. Some delay ensued in consequence of having to wait for permission from Government and also for supplies of gunpowder. A force of 240 burghers was called out and placed under the command of the Field-Commandant Tjaart van der Walt. With three old brass guns which had been lying in Graaff Reinet and which were mounted especially for the occasion, and a long procession of provision and ammunition waggons, the cavalcade moved out of Graaff Reinet on October 12th. After a journey of twelve days they reached a place on the Orange River which is described as "having no particular name but is 110 miles from Griquatown". They halted there for a few days, during which a messenger was sent to Waterboer. That chief, with six of his councillors, arrived and gave such information as they could with regard to the haunts of Stuurman and his people, and in other ways showed a disposition to assist the commando.



**CAPT. W. C. VAN RYNEVELD, OF THE 93RD REGT.
Civil Commissioner of Graaff Reinet**

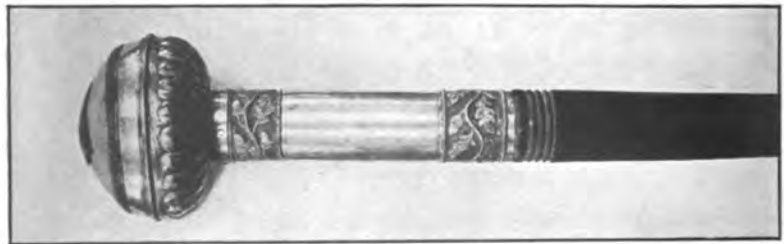


Photo: Basil Schönland, Esq.

THE STAFF PRESENTED TO ANDREAS WATERBOER

Continuing their journey westward, they came in sight of the smoke of the enemy's fires on November 4th, seventy-eight days after the murders had been committed. Most elaborate schemes and precautions were then devised in order to take the robbers by surprise. But about eleven o'clock that night—a bright moonlight night—the enemy surprised the commando by opening fire from the bush and rocks in which they were hidden. Firing on both sides then became general and lasted for about one and a half hours, during which one native was killed and one was wounded. The next morning the enemy appeared in large numbers, the bush seeming to be full of them, and the attack was recommenced. The venerable brass cannon were then brought into action when their loud reports appear to have been more deadly than the balls, for the enemy quickly retired to the islands whither the burghers could not follow them. As the provisions were getting short and the horses were in want of grass, eighty having already died, the commando commenced the return march from this inglorious campaign. Not a single head of the stolen animals was recovered and the robbers were shown what a little might be done by a large number of burghers. The total cost of this commando was £198 1s. 8½d. Among the names of those honourably mentioned in Mr. Ryneveld's despatch to the Governor on this occasion is that of Andreas Waterboer. It was suggested that to that chief 40 lb. of gunpowder should be given and, further to secure his goodwill and attachment to the Colony, that a staff surmounted by a brass knob should be presented to him. Shortly after the return of this commando, Waterboer made every endeavour, though without success, to capture some of Stuurman's people who had set out on a marauding expedition to the Bechuanas. For this service it was decided to give him a staff mounted with silver instead of brass. This was accordingly done, and the accounts for that time show that Mr. D. Hockley, a silversmith, was paid ten guineas for making this.¹

Worse than either of the above was the attack made by some of these Orange River banditti upon the lonely farm of one Jacob Zwart, situated near the Spionberg in the Hantam district. In September, 1833, a band of between sixty and

¹ This staff is now in the Albany Museum in Grahamstown.

CHAP. X. seventy raided this place and murdered outright three men and one woman. Another man was so badly wounded that he died shortly afterwards. They also severely wounded four others and seized eight children, whom they took away with them. All the live stock was driven off except the young kids and these were wantonly killed. On hearing of this awful affair, the Field-Commandant, J. N. Redlinghuys, dispensed with the formality of asking Government for permission to follow the miscreants, but immediately collected a commando of forty-five persons, Boers and Bastards, and went in pursuit. His object was to overtake the murderers before they could reach their forest fastnesses. On reaching Zwart's place, a horrible sight presented itself. Two bodies of the murdered men lay on the ground at a short distance from the house, a prey to the vultures, as well as also the dead kids and sheep. Blood seemed to be everywhere. The sickening sight spurred on the commando to take revenge on the cruel brutes who had committed such carnage. Following in the spoor of the men and animals, they rode night and day, with but little intermission, for forty hours, and at about two o'clock in the afternoon of the 10th, they came in sight of the enemy while they were yet some distance from the thickets towards which they were hastening. Fourteen of the horses were so knocked up that their riders could proceed no farther and thus they took no part in the action which ensued. The robbers on discovering their pursuers immediately opened fire upon them. This was returned, and a general action commenced which lasted some time. The attacking party, now only thirty-one in number, made a charge, when the enemy fled and left all they had in their possession. Six were found dead and from numerous blood-spoors many must have been wounded. On the side of the Boers, J. J. Louw was so badly wounded that he died the next day. Redlinghuys, foremost in the fight, had his horse shot under him. All the animals were recaptured except those which had been used as food by the enemy, and seven out of the eight children were rescued. The eighth was never found. Redlinghuys might, with some reason, have expected severe censure, if not punishment, for having thus taken the law into his own hands. Lieutenant-Colonel Wade, the Acting-Governor, however, commended him for his prompt and brave

action and presented him, and also the field-cornet, W. P. Burgers, with a handsome double-barrelled gun each; and to the others who had taken part in the action, either presents of gunpowder were given or their taxes were remitted. To the widow of J. J. Louw, Rds. 1,000 were granted and all taxes were remitted for the rest of her life.

In 1833 two important changes took place in the personnel of the Cape Government. Both Sir Lowry Cole and Commissioner-General Stockenstrom resigned their respective positions. Ever since these two men first came into contact in 1828 there had been a difference of opinion with regard to the authority which was vested in each. The former, as Governor of the Colony, considered that all matters in connection with the law and order of the *whole* of the country came within the sphere of his legitimate attention and action, and that all the subordinate officials were primarily responsible to him through the Secretary to Government. Commissioner-General Stockenstrom, on the other hand, maintained that in virtue of the instructions which were issued to him on the creation of his office, he was virtually the Governor of the Eastern Province, and that in all native affairs he was competent to act without reference to Cape Town. The whole difficulty lay in the interpretation which was to be put upon the intentions and instructions of Lord Goderich in establishing the office of commissioner-general. Neither the Governor nor the Secretary to Government could understand them, and as a result of this the Civil Commissioners of the East were not told that they were responsible to the Commissioner-General, or that they were to act out of the usual course of communicating to the Government in Cape Town. Hence Stockenstrom was, though unintentionally, ignored, and many matters, on which he felt he ought to have been consulted, he knew nothing of until he discovered them in the papers lying upon the table of the Council at Government House. During the last year of his office he received no communication whatever on matters relating to the East. The situation was a most awkward one and Sir Lowry Cole felt it keenly. He was exceedingly disinclined to offend the Commissioner-General, yet found that expediency compelled him to adopt the course he did. We find him suggesting methods whereby

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the existence of the office might be justified. He proposed that Stockenstrom should take the civil commissionership of Albany and Somerset and retain the more dignified title and higher salary. But this, as well as everything else that was considered contrary to the intentions of the Secretary of State, was refused. In connection with Kaffir depredations and inroads, the Commissioner-General claimed the right to decide as to whether a commando was necessary and, generally, upon the means which were to be adopted for the protection of the border.¹ This naturally brought him into conflict with Colonel Somerset, the Commandant of the Frontier, and considering the ill-feeling which had always existed between these men, it is not surprising that trouble arose from this source. An instance of this is the following. In September, 1831, Colonel Somerset made application to the Commissioner-General for a burgher force to assist in capturing a lot of cattle which had been stolen by the Kaffirs. This was refused. Colonel Somerset then applied directly to the Governor and obtained permission to call out a body of burghers. The commando went forth. Sir Lowry Cole afterwards acknowledged that had he known of Stockenstrom's refusal he would not have complied with Colonel Somerset's request and, probably in deference to the Commissioner-General, he further marked his disapproval of the Colonel's action by severe censure on that officer. Taking a general view of the whole life of Andries Stockenstrom, amiability is not seen to have been a prominent feature of his character. He never was without a grievance

¹ In his evidence before the Aborigines Committee in 1836, he acknowledged that he did not know one-tenth as much about frontier matters as Colonel Somerset did. It is difficult, in fact, to gauge his knowledge in this respect, and hence no easy matter to determine to what extent he was fitted to be entrusted with the safety and welfare of the European inhabitants of the East. It is scarcely credible, but he seems never to have known of the suspension of the reprisal system by General Bourke, a measure which most of the Eastern inhabitants knew to their cost and probably was common knowledge from Table Bay to the Fish River. Had Stockenstrom known of it, he surely would have recollected it eight years afterwards. Yet the following from his evidence before the Aborigines Committee in 1836 (*vide* p. 241) would show that he was ignorant of this momentous affair. "2258. (Mr. Gladstone.) But I think, as the statement appears in your memoirs, it is perhaps more general than you wished to make it; it is there alleged, without limitation of any kind, that the reprisal system has been in operation ever since 1817; now I wish to ask you whether the reprisal system was not suspended under the administration of General Bourke? *Ans.*— It is possible. *I do not recollect it.*"

over which to brood, and in the many political troubles of this country in which he had to take part, he too often created some difficulty by his disinclination to co-operate with, or perhaps over-proneness to see a sinister motive in those who, like himself, were actuated only by duty and expediency. It is quite conceivable that a more sanguine and cheerful temperament, one less ridden by nightmares of "Uncles at the Horse Guards" would have enabled Sir Lowry Cole to have discovered some *modus vivendi et operandi*, and to have given to the Eastern Province what was so much wanted—separate Government or something which would have been just as good. Instead of this, he seems to have whined continually about being "the fifth wheel to a waggon" and "local unauthorised authorities" making his office a useless sinecure.¹ He had spoken on more than one occasion of resignation, but the Governor had prevailed upon him to delay, hoping that the difficulties and grievances of which he complained would be removed. In 1833, however, his resignation was accepted and, as he expressed it, he was forced into retirement by the most unwarrantable arbitrary treatment. Having sold off all his stock and effects at his farm in the East, he sailed for England on March 7th, 1833, with "aggrieved and acrimonious feelings and a thorough contempt for the whole system of Colonial administration". It was his intention to settle in Sweden and to have had nothing more to do with the Cape, but, as will be seen in the sequel, circumstances sent him back a few years afterwards as Lieutenant-Governor of the Eastern Province.

In the following August, Sir Lowry Cole gave up the reins of Government and retired into private life. It is not improbable that he also was disgusted with "the whole system of Colonial administration"; for, besides the difficulties in connection with the commissioner-generalship, his views on the native question, as illustrated by his repeal of the 49th Ordinance and his favouring a Vagrancy Act in connection with the 50th, brought him into disfavour with the "philanthropic" party. And his own 99th Ordinance, "An Ordinance for explaining and amending the Laws relative to Commandos,"

¹ For further on this subject see *Report of the Aborigines Committee*, pp. 230-

CHAP. bearing date June 6th, 1833, gained for him little less than
X. the censure of the Secretary of State. The necessity for this Ordinance arose chiefly out of the condition of affairs on the northern border. There being no soldiers or police of any kind to protect the inhabitants against the dangerous hordes which dwelt along the Orange River, the farmers had to be called out on commando when any demonstration against them was necessary. But as these burghers had, in so many cases, refused to leave their homes to go on this duty, it became necessary to bring force to bear upon them. They maintained, and perhaps rightly, that as they paid taxes in common with their fellow colonists, they had an equal claim to protection from the Government without rendering their personal services. In order, therefore, to compel the inhabitants in all the border districts to protect those parts, and to give authoritative sanction to commandos under fit and responsible people, the Ordinance in question was promulgated. The second section is the important part and that which, in England, was regarded as a *cruel injustice*, not to the Boers however, but to the "unoffending natives". It is as follows: "And be it further enacted, that it shall and may be lawful for any civil commissioner, justice of the peace, field-commandant, provisional field-commandant, field-cornet, or provisional field-cornet, at all times of actual or threatened invasion, or for the protection of the colonists or their property, or when they shall otherwise deem it absolutely necessary, to summon the inhabitants of their district, or ward respectively, or such of them as they in their discretion shall see fit, to appear at such time and place as they shall require, for the purpose of acting on commando; and if any person so summoned shall refuse to come, without just cause, or shall not obey the orders of the field-cornet or other superior officer, or shall withdraw themselves, before permission to that effect given by some competent authority, shall be liable to a fine of not less than £5 and not exceeding £20 sterling, on the first conviction of every such offence, and on every subsequent conviction, to a like fine and imprisonment for any period not exceeding three months". In the case of field-cornets the fines were £10 and £30.

On his arrival in London Sir Lowry Cole received a despatch from Mr. Secretary Stanley asking for a full report of

the circumstances which had induced him to confirm such extraordinary powers in the frontier magistracy. He held out no hope of such measures meeting with his approval, as from the statements which had been advanced on the subject of commandos by writers on South Africa, they appeared to be a system of military execution upon the natives, more frequently as a means of gratifying the cupidity or the vengeance of the Dutch or English farmers, and marked by the most atrocious disregard of human life and by cruelties alike disgraceful to those who sanctioned them and destructive to those who endured them. In his reply, dated November 15th, 1833, Sir Lowry showed that, in view of the conditions of the Colony with respect to the means of protecting the peaceable inhabitants, the commando system was the only one possible and ought not to be abolished until some better means of defence and protection of life and property could be devised. "It may suit the views of some writers," he continued, "to hold up the local government and the colonists to the detestation of mankind, as the authors and abettors of a system of the most diabolical atrocities, and to represent the native tribes as the most injured and innocent of human beings; but those who have had the opportunity of taking a dispassionate view of the subject will judge differently. The atrocities imputed against the colonists are now of rare occurrence, and seldom fail to bring down punishment on their heads when the guilty individuals can be traced; and such is their dread of the criminal laws, that many are afraid to defend their persons and property in even a lawful manner." The Secretary of State, however, was unconvinced, and a few days after the receipt of Sir Lowry's answer, he wrote to the officer who was appointed as the new Governor of the Colony, Major-General Sir Benjamin D'Urban, that His Majesty had been pleased to disallow the 99th Ordinance and that it was to be of no effect after August 1st, 1834.

During the interregnum, namely from August, 1833, until Sir Benjamin D'Urban arrived in January, 1834, the Government of the Cape was administered by Lieutenant-Colonel Thomas Francis Wade, the military secretary to Sir Lowry Cole. Colonel Wade had, for a time, been in command of the 72nd Highlanders and arrived in the Colony in 1828,

CHAP. X. having come from Mauritius with Sir Lowry Cole, with whose views on the politics of the Cape his own coincided.

Short as was the period of Colonel Wade's reign, it was nevertheless one of considerable anxiety and activity. To him was left the rectification of two important mistakes, or sins of omission, which had been committed by his predecessor, namely, having left the people of the Kat River Settlement to manage their own affairs without the supervision of any proper magistrate, and also, having allowed the troublesome chief Tyali to remain at the Mancazana after the expulsion of Maqomo.

The results of the Kat River experiment up to the end of 1833 were not such as to give unmixed satisfaction. Too many of the idlest and worst class of Hottentot vagrants had crept into the settlement and, in one way or another, were hindering the honest occupation and progress of the more worthy. They could not be arrested for vagrancy or compelled to work as the 50th Ordinance had secured to them the privileges of idleness and beggary. Had they been merely a nuisance it would have been bad enough, but they were much worse, for being willing to fraternise with any who lived the same irregular lives as themselves, they were soon joined by many Kaffirs, who crept back by stealth into those parts and thus introduced an element of real danger. Moreover, the dissensions among the legitimate people themselves as well as the frequent depredations and annoyances on the part of Tyali's people, living at no great distance, rendered absolutely necessary the appointment of some one vested with higher civil authority than that possessed by a Hottentot field-cornet. A small military post, known as Eland's Post, around which the present town of Seymour has since arisen, had been established at the chief pass over the mountains to Kaffirland with a view to keeping the Kaffirs out of the settlement. The officer in command of this was Captain A. B. Armstrong of the C.M.R., who, however, could exercise no civil authority. In December, 1833, Colonel Wade appointed him to be a Justice of the Peace for Albany and Somerset at an additional £100 per annum, to continue to reside at Eland's Post and to have the general superintendence of the Kat River Settlement. Captain Armstrong had seen



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fourteen years of frontier service, he knew the people well, and, as he was of a firm yet kind and considerate disposition, his appointment contributed largely to the peace and welfare of the settlement. .CHAP.
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Although Tyali had been permitted to occupy lands at the Mancazana on sufferance, he had always played a double part and was ever prepared for any mischief which could be perpetrated with impunity. Unlike Pato, Congo and Kama, he could not or would not control his people, in fact, it was not at all unlikely that he abetted the numerous depredations of which his followers were guilty. Continued threats of expulsion had been held over him but they had had little or no effect. In September of 1833, therefore, it was finally decided to root him out. This proved to be quite a simple matter. Not the least resistance was made. As soon as the troops showed themselves, Tyali with all his followers and cattle moved immediately in the direction of the Chumie and was gone. This, however, is not saying much, for as a position from which to carry on the cattle-lifting business, the Chumie was almost as eligible as the Mancazana. In clearing the Ceded Territory of Tyali it was discovered that Maqomo had completely re-established himself in it. He was occupying the country a little to the north of Fort Willshire. He does not seem to have done so without permission, however, for it appears that in 1832 Colonel Somerset, who had always been indulgent towards Maqomo, allowed him with a few followers to cross the boundary for the purpose of grazing their numerous cattle, as the grass in their own country was scanty and insufficient. But he did not return. His people followed him little by little until the whole tribe was again in the forbidden land. As far as Maqomo himself was concerned, there was no ground for complaint. Field-cornets and others testified to his good conduct as instanced by his restoration of cattle in cases where it was certain that the theft had been committed by any of his people. But his people, situated so near to Tyali's, joined them in their forays, and thus it became necessary to expel all and Maqomo with them. This embittered him intensely.

There was, at this time, another unfortunate incident in connection with Maqomo, which, although somewhat insigni-

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ficant in itself, yet, from the version of it which appeared in the Press hostile to the East, and Mr. Pringle's notice of it in England as another instance of unnecessarily harsh treatment of the natives, is worthy of more than passing notice. Early in October, 1833, Mr. Read held an anniversary service and tea meeting at Philipton in connection with his mission. Among those invited to be present by Mr. Read was the chief Maqomo, although he was fully aware of the strict orders of Government against allowing any Kaffirs, and especially Maqomo, into the settlement. Maqomo with twenty followers, all mounted, appeared at Eland's Post in order to obtain permission and a pass to attend the meeting. The officer in command, of course, refused. In defiance of this, however, the chief, by a circuitous path, made his way to Philipton and arrived there on the afternoon of October 6th. On the 7th a service was held in the Philipton church when Maqomo is said to have given an eloquent and soul-stirring address. "A person of undoubted veracity who attended the meeting, on discovering under what circumstances Maqomo was there, pointed out the impropriety of the measure to Mr. Read, and left the place immediately on their coming out of the church, as he so very much disapproved of making religion a cloak for inducing this savage to disobey laws and regulations intended for the benefit of the community."¹

After the service the missionaries and Maqomo repaired to Mr. Read's house to take tea. While they were doing so, a sergeant and six privates of the C.M.R. were seen to ride hurriedly down the slope of one of the adjacent hills into Philipton. The officer commanding the post had heard of the chief's action and had sent these men to arrest him. On the approach of the soldiers all those in the house, except Maqomo, went out to see what they wanted. Mr. Read, professedly quite ignorant of the cause which had brought the strangers, was told that Maqomo was to be arrested and that it was hoped that Mr. Read would use his influence to enable this to be done peaceably. After some going backwards and forwards into the house—presumably to discuss this matter with Maqomo—Mr. Read asked that they might be permitted

¹ See evidence of Colonel Wade, *Aborigines Committee Report*, pp. 418-21.

to finish their tea. The sergeant consented to this but put guards round the house. As an inordinate time was taken over the tea, and the sergeant was anxious to get back to the post before dark, he became peremptory in his demands for Maqomo. The chief then appeared. The sergeant accosted him good-humouredly, and being by experience well acquainted with his propensities, said: "Come, Maqomo, it's no use being cross; here, take a little wine and let us ride friendly, you and I are old acquaintances," at the same time offering him a small flask of wine. But Maqomo chose to be sulky. The military party with Maqomo and Mr. Read then left and arrived at Eland's Post at eight o'clock. When Mr. Read met the officer in command, he was full of apologies and excuses and begged very hard that Maqomo might be released. This was complied with and within a quarter of an hour Maqomo was free to join his people. Six weeks afterwards an account of this appeared in Mr. Fairbairn's paper in Cape Town, and still later a more elaborate version was published by Mr. Pringle in London. The following extract from Mr. Pringle's writings will give some idea of the "colour" of these accounts. "In the midst of this exhilarating scene—the African chief recommending to his followers the adoption of that 'GREAT WORD,' which brings with it at once social and spiritual regeneration—they were interrupted by the sudden appearance of a troop of dragoons, despatched from the military post to arrest Maqomo for having crossed the frontier without permission. This was effected in the most brutal and insulting manner possible, and not without considerable hazard to the chieftain's life, from the ruffian-like conduct of a drunken sergeant, although not the slightest resistance was attempted."¹

When Tyali and Maqomo were dislodged from the Ceded Territory, another expulsion had become necessary, and was effected about that time. The dangerous rascal, Hermanus or Xogomesh, had established himself with a heterogeneous collection of natives in the woody fastnesses at the source of the Lower Blinkwater, about ten miles from Fort Beaufort. Hermanus was a deserter from Maqomo's tribe, who, having

¹ *Vide Narrative of a Residence in South Africa*, by T. Pringle, p. 334, also the evidence of Mr. James Read, *Aborigines Report*, p. 594.

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Whatever the cause may have been, there was, during the latter part of 1833 and 1834, a quiet ferment in Kaffirland which boded no good to the Colony. Tyali and Maqomo were chafing under their exclusion from the Ceded Territory, Eno (or Ngqeno) who is described as "the greatest scoundrel in Kaffirland," had reproved Tyali for his tame submission to the troops, and was disposed to assist him to regain the Mancazana. Everywhere there were signs, though perhaps indistinct, of a coming storm. The traders in Kaffirland noticed it in the increasingly hostile attitude of the natives towards themselves. There was a tendency to rob with violence the waggons and shanties which answered for shops, and

the lives of the traders were threatened. On Sunday, July 13th, 1834, the store of the trader Purcell, situated on the Kei Heights in Hintsa's country, was attacked and Purcell himself was murdered, and on the following Thursday another trader, named Newth, was badly wounded in the thigh by an assegai. The traders themselves were undoubtedly not entirely blameless. Business is business, and fine feelings must not be allowed to stand in the way of a bargain or a good deal. The haggling over the beads and buttons which were to be given for a hide too often resulted in, perhaps justifiable, dissatisfaction on the part of the native, and a disposition to settle the dispute by an appeal to arms. The whole object of the fair at Fort Willshire had been to prevent such occurrences by having disinterested authorities present who should watch the transactions in the interest of both parties. The cause of Purcell's death is ascribed to his having beaten a Kaffir for stealing some horns. In view of the hostile attitude of the Kaffirs, the traders petitioned the Governor to give them some military protection. This, however, was refused, as they had gone at their own risk and for their own personal profit into territory beyond the British dominion.

That there was need for watchfulness and care along the border at this time was indicated by the frequent passage, to and fro, of Kaffir women in twos and threes, a sign of mischief which was not unobserved by those who knew the customs of the Kaffirs. Women were usually the messengers, spies and sometimes the "ambassadors" of the Kaffir "generals". In February, 1834, Captain Armstrong formed a large camp, which he called Fort Adelaide, on the site of the present town of Adelaide. This camp from its size and probably its appearance of readiness for action naturally attracted the attention of these Kaffir women, who on their arrival were promptly arrested and sent on to Grahamstown for safety. Others were captured by the patrols. "On interrogating these women," said Captain Armstrong, in a letter to the Hon. Colonel H. G. (afterwards Sir Harry) Smith, dated February 15th, 1834, "it appears that the reason at first assigned for their coming here, namely to report depredations committed upon the property of the missionaries at the Chumie School, was merely a pretext for their appearance in our camp and that

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"A. B. ARMSTRONG, *Captain, Mounted Rifles.*"

In the district of Bathurst, also, both men and women were observed to come from Kaffirland in European dress, ostensibly to visit "their friends" at Theopolis. As coats and dresses were indications of harmless "school Kaffirs," the natives wearing these were more likely to be able to pass the military posts and to gain information than those arrayed in the customary kaross. It was noticed, however, as in the case of the women at Fort Adelaide, that the same garment was used by different individuals as a pass into the Colony. Although the military certainly had no idea of what must have been going on in Kaffirland,² they nevertheless had very

¹ Note "our people" were the Hottentots of the Hottentot Corps.

² Colonel Somerset, however, writing to Government on May 2nd, 1834, says: "in consequence of the pains lately taken by evil disposed persons to instil into the minds of the chiefs the idea that they are oppressed by Government, a feeling of hostility has been created that requires to be seen to be understood". He attributed the depredations daily committed to this cause. He has repeatedly assured the chiefs of the wish of the authorities to be on friendly terms with them, and that if they will report their grievances they will be immediately attended to; but it is impossible to establish a good understanding while the missionaries excite feelings of discontent and hostility against the Government and the existing authorities. The consequences of such conduct must be fatal to the Colony.

strong suspicions that attempts were being made to persuade the Hottentots in the Colony to join the Kaffirs in the event of a rising. Without anticipating it may be said here that they were entirely unsuccessful, for in the war which broke out shortly after this time, the Hottentots were as loyal as could have been desired and fought for the Colony as bravely as the colonists themselves.

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At this time the new Governor, Sir Benjamin D'Urban, had arrived in the Colony. He took the oaths of office and was sworn in on January 16th, 1834. His mission was to have been that of peace. The "cruel" 99th Ordinance was to be replaced by methods of protection which he was to devise; the final arrangements for the abolition of slavery in the Colony were entrusted to him, and, as usual, as an original idea he was to introduce a policy of conciliation and alliance with the Kaffir chiefs. He came to this country imbued with a belief in the villainy of the colonist and the innocence of the native, and for a time, until, in fact, he had seen matters for himself, he placed the fullest confidence in the opinions of Dr. Philip. This, however, did not last long. Scarcely had he been in the Colony four months when the depredations of the Kaffirs drew from him a measure which savoured neither of conciliation nor alliance. The numerous reports and correspondence in connection with the constant robberies soon shocked the benevolent Sir Benjamin and revolutionised his opinions on border life. "They have been very painful reading to me," he says in a letter to Colonel Somerset dated June 6th, 1834, "a complete and effectual reformation in our system of relations with the Caffre tribes on our borders has become absolutely necessary." Although his proposed effectual reformation lacked originality, it would certainly have cut short the marauding career of the Kaffirs had the Home Government permitted him to pursue it, for it was none other than to shoot at sight any armed Kaffir found on the wrong side of the boundary. In this same letter he authorised Colonel Somerset to convey to the chiefs, with special admonition to Tyali and Maqomo, the information "that I now give them fair warning, that I will hold them responsible for the atrocities of any of the people of their respective tribes, which I therefore counsel them to suppress, since they may assure themselves that if they force me to take measures

CHAP. X. for their punishment, I will not do it by halves, but in such a way as they shall long have cause to remember." . . . "His Majesty's *unoffending* and *unaggressing* subjects living within the proper boundary of the Colony must be protected in their Person and Property. If the Caffres persist in their marauding and especially armed, they must be treated like other Banditti, who get themselves shot in the act of Theft, Plunder and Housebreaking or in the undoubted intention to commit it."

The immediate cause of this outburst of the Governor seems to have been a case of depredation where the farmer took the law into his own hands and shot two Kaffirs in the act of stealing his cattle. The case was inquired into at Fort Beaufort and excited considerable interest as a very general question in connection with the protection of stock was raised. The details elicited are interesting as giving some idea of a border farmer's experiences on an isolated farm. William Kleinhaus was a farmer in the Fort Beaufort district. His homestead was situated in a wild part and was some miles from his nearest neighbour. It consisted of a small wattle and daub house which he calls a hut. At a short distance in front there was the usual circular space enclosed by dry brushwood which formed his cattle kraal. Shortly after he had retired to rest on the night of March 9th, 1834, his dogs became very uneasy. It was about ten o'clock and a dark night. He suspected that Kaffirs were hovering about the place. So taking a gun and showing no light, he opened his door noiselessly and very softly crept along the ground until he reached the back of the kraal. There he lay for a time. Presently he heard the brushwood which formed the gate on the opposite side being drawn cautiously along the ground as if to avoid noise. Then from the movement of the cattle it was quite certain that someone was inside and endeavouring to drive them out. Creeping very carefully round to the front, he could make out two oxen in the possession of two Kaffirs passing out of the kraal and the Kaffirs fastening reims to their horns. Kleinhaus then crept into the kraal and waited. The Kaffirs returned and were driving out more oxen when—BANG! a Kaffir fell lifeless, while the second one seemed to escape. The oxen were then made fast again in the kraal. The next morning the body of the second thief was found at no great distance from where the

first was killed, and so Kleinhaus discovered that he had made a record shot and killed two Kaffirs with one ball. CHAP.
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It is not clear what the result of the inquiry was in so far as it immediately affected Kleinhaus, but the following question was raised, and this the Governor submitted to the full bench of judges for their opinion: "Do the existing laws of the Colony entitle the inhabitants of the frontier districts to do that which is necessary to prevent the completion of the attempts to commit theft by means of house-breaking, or to steal cattle, sheep or goats, which they discover in the act of being made?" In answer to this the following judgment was given: "The law of this Colony appears to us to entitle every individual to do that which is necessary to prevent the theft of his property by means of housebreaking, or the theft of any of his cattle, sheep or goats; consequently in our opinion, the inhabitants of this Colony (as also their servants and inmates or even strangers present at the time) *are justified in killing any person*, whom they may discover in the act of attempting to break into their dwelling houses, in the night-time, with intent to steal, or even in the day-time with intent to rob, or commit any forcible and atrocious crime, and, in like manner, that they are justified in killing any person, whom they may discover in the act of theftuously carrying away any of their cattle, sheep or goats, and who then defends himself forcibly, or whom they cannot otherwise possibly prevent from completing his crime—according to the authority of Grotius¹ in the following passage: '*Unde sequitur, si ad jus solum respicimus posse furem cum re fugientem, si aliter res recuperari nequent, jaculo prostrari, nam quae inter rem et vitam est inaequalitas, illa favori innocentis et raptoris odio compensatur*'—and that the same is true whether the thief be detected on the spot or overtaken in pursuit.

"WYLDE, C.J.

"MENZIES.

"BURTON.

"KEKEWICH, J.J."

This case, as well as the great number of others which have been enumerated in the course of the history of the East so far, have indicated sufficiently how precarious was

¹ Grotius, "De Jure Belli et Pacis," lib. 2, cap. 1, § 11.

CHAP. X. the possession of stock. Drought, locusts and "trekboeken" added difficulties to agriculture, and hence life in the East in those days was truly a struggle for bare existence. In addition to all this, a new calamity threatened the Dutch inhabitants in 1834, one which created almost greater consternation and a sharper sense of impending and complete ruin than anything which had preceded it. This was the proposed liberation of all the slaves in Cape Colony in common with the rest of the British Colonies.

It is not possible in this place to give an account of slavery at the Cape, of the various proposals which had *originated in the Colony* for its abolition, of the action of the British Government in bringing about this momentous and necessary measure, nor of the cruel treatment meted out to the slave-owners in connection with the so-called compensation. All this will be dealt with in a future part of this work. But some indication of the effect of contemplation on the expected loss to the farmers may be given here. It has been shown that it was a common custom among the Boers to move from their homes in time of drought to other parts, in some cases very far distant, in order to find pasturage for their cattle, and on the improvement of the veld to return to their own places. Although this had created a semi-nomadic disposition in these people it cannot be said that it was associated with any desire or intention to expatriate themselves. But at the date now under consideration there was a change in this respect. With a view to retaining their slaves we find the farmers deliberately leaving the Colony in order to be beyond the reach of the British Government and taking their slaves with them. This was in fact the beginning of the Great Trek which assumed such colossal proportions two years later. It must not be understood, however, that this great movement was due entirely, or even in any large measure, to the liberation of the slaves. The chief cause of it, and a very potent one too, has yet to be dealt with.

This disposition to go beyond the boundaries with slaves manifested itself at the beginning of 1834. In answer to a letter from the Secretary to Government, in which the Eastern magistrates were asked to keep the Government acquainted with any excitement or expressions of discontent on the part

of the Boers, Mr. O'Reilly, the resident Justice of the Peace at Cradock, reported, February 24th, 1834, that there was considerable ferment in his district and that farmers with slaves were leaving the Colony. To stop this, all the magistrates along the frontier were instructed to make known to the farmers and other inhabitants that whoever takes or sends a slave over the frontier line of the Colony will, under the provisions of the Statute of the 5th of George IV., cap. 113, be guilty of a felony and incur the penalty of transportation, and that His Excellency is determined to cause the law in that regard to be carried into effect against any who may offend against it.

The Government, however, was not entirely successful, if at all, in preventing the exodus of Boers by this injunction. About May, Louis Triegardt (or Triecharde), Adriaan de Lange, Frans van Aardt Hans van der Merwe, Sybrand van Dyk with others to the number of about thirty families, trekked from the Colony (probably from Albany) and got as far as the junction of the White and Zwart Kei Rivers. They had all their slaves with them; Triegardt had ten, seven men and three women. One of these escaped and ran back to the Colony, and thus the action of these people became known to the authorities. According to the uncorroborated evidence of this slave, Triegardt had expressed his intention of making his way to Natal so as to get as far as possible from the English and thus prevent the loss of their slaves; further, according to this witness Triegardt had behaved well to his slaves while he was in the Colony, but became very harsh to them while upon "trek". As soon as all this was known to the Civil Commissioner in Grahamstown, Captain Armstrong, with a detachment of the Cape Mounted Rifles, was sent after these people. In his report on his return, he tells us that his approach to the large Boer camp caused considerable panic and that a disposition to offer resistance was shown; some of the Boers were lawlessly inclined and boasted of their intention to keep their slaves in spite of the orders from the Governor. Captain Armstrong was exceedingly anxious to refrain from irritating the people and he seems to have acted most tactfully. He adds: "great allowance may be made for them, as they have large stocks of cattle and sheep and have been compelled to migrate, either from the drought or from not having any

CHAP.
X.

CHAP. fixed place of abode". With wise advice and conciliation he
 X. thought they might be induced to return to the Colony. He left them where he found them but brought away fourteen slaves. These were given the option of remaining "under the protection of Government," probably understanding by this that they were to work for Government, or to go into service with the inhabitants. It is significant that they chose the *latter*.

Without anticipating, it may be stated here, that although slavery in any form is a disgrace to civilisation, and true as it is that there were cases of most abhorrent cruelty, yet on the whole the life of a slave in Cape Colony, especially under British rule, was by no means the horrible existence which the term slavery connotes.¹

The Boer families above referred to must soon have returned to the Colony, for not only did a state of war soon render the existence of Europeans in those parts an impossibility, but as the following letter to the Civil Commissioner from the missionary, Rev. J. Ayliff, shows, there were other reasons which compelled them to retrace their steps.

"BUTTERWORTH MISSION STATION, *November 20th.*

"SIR,—The Dutch farmers residing in the unoccupied portion of country north of this station respectfully solicit information as to their present circumstances. They having heard that upon their return to the Colony they will subject themselves to transportation for seven years, and being at this time in very destitute circumstances for provisions, beg to know from you, Sir, what they are to do, as they are now anxious to enter the Colony to supply themselves with corn,

¹ Slaves at times showed a spirit of independence and a disposition to stand upon their dignity quite inconsistent with the demeanour of a downtrodden people; so much so that the greatest care on the part of Government was necessary to prevent them combining for purposes of mischief and danger—measures in which the Government was not always successful. As an example of the attitude a slave might adopt towards the dominant white man, the following may be cited: A slave brought an action against one of the British settlers. In the evidence it appeared that the slave saw the settler trespassing, or thought he did, on his master's property and so he ordered him off. An altercation ensued in which the slave made the remark, "Yes, you call me a slave and I'll call you a settler".

There is an instance where a *slave* actually employed *white labour*. It was the case of one who was an expert saddler and harness maker and was allowed by his master to keep a shop and ply his trade in Cape Town. To assist him, the *slave* secured the services of two of the Irish labourers who were imported by Mr. Ingram in 1824.

etc., also fully to arrange their concerns which (illegible) are in an unsettled state in the Colony. They state that necessity drove them to seek pastures for their flocks and herds and that before they left the Colony they gave regular information to the authorities. They anxiously solicit information from you to be conveyed to them through me.

CHAP.
X.

“JOHN AYLIFF.”

During this same November, the missionary at Philippolis, Mr. Kolbe, gave information to the effect that 1,120 Boer families with 200 slaves had migrated to the north of Kok's country. This is probably an exaggeration. There seems to be no other record of this than Mr. Kolbe's letter. It is scarcely likely that 3,000 individuals, at least, could have crossed the border without the magistrates at Graaff Reinet or Beaufort West becoming aware of it, though on the other it is more than likely that Boers did go in that direction with slaves.

All these occurrences, the restlessness in Kaffirland with indications of the possibility of Maqomo, Tyali and Eno combining in hostility against the Colony, the disposition of the Boers, though perhaps only feebly pronounced, to migrate to distant regions for the purpose of being quit of British rule and the enormous influence which the party dominated by Dr. Philip was acquiring in England were all shadows which coming events were casting before them. Associated with misery and danger as the Eastern Province had always been, it was perhaps in the order of things that there should have been hanging over it at this time a storm-cloud which, at the end of 1834, burst with awful suddenness and fury, and far exceeded any previous calamity in the extent of devastation and ruin which was brought about—though even then not so great as “philanthropic” enemies seem to have desired. The history of the next few years is probably the most eventful of all the annals of South Africa. Not only so, but from this time, and in consequence of the state of affairs created, the commencement of those movements which led to the establishment of Natal and the Northern Dutch Republics may be dated. These events were of far-reaching importance in moulding the subsequent fortunes of this country. Deserving, therefore, a close and careful study, they will be found dealt with at length in the third volume of this work.

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